



PLANNING & ZONING MEETING AGENDA
Thursday, March 30, 2023 | 6:00 p.m.
Eldridge City Hall | 305 N 3rd Street

1. Call to Order and Roll Call
2. Approval of the Minutes from the February 16, 2023 Meeting
3. Consideration of 230 S. 9th Avenue rezoning request
4. Adjournment

Next Meeting: TBD

Karl Donaubauer
Tisha Boussetot
Terry Harbour

Mike Martin
Nancy Gruber

Brad Merrick
Duane Miller



**Eldridge Planning and Zoning Commission
February 16, 2023, 6:00 p.m., Eldridge City Hall**

Minutes

The Eldridge Plan and Zone Commission met in open session at Eldridge City Hall at 6:00 p.m. on February 16, 2023. The meeting was called to order at 6:01 p.m. Present were Karl Donaubaauer, Mike Martin, Brad Merrick, Duane Miller and Terry Harbour. Absent members were Nancy Gruber and Tisha Boussetlot. Also present were Jeff Martens and April Murrell.

The minutes from the December 1, 2022 meeting were presented for approval. Motion by Miller to approve the minutes. Seconded by Merrick. Motion carried 5-0 by voice vote.

Consideration of rezoning application from April Murrell and Charles Tobey to rezone their property at 213 W. Donahue Street from C-2 Central Business District to R-3 Multiple Family Residential District. Martens presented that a single family home has always resided on this site and due to the neighboring properties being zoned R-3 this was the only option for rezoning. Murrell said that her husband grew up in this house and that they had purchased it from his father. They wanted to rezone because they are thinking about doing some improvements and do not want the commercial zoning to interfere with that process or get in the way if they ever wanted to sell the property. Motion by Miller to approve the request. Seconded by Martin. Motion carried 5-0 by roll call vote.

Next on the agenda was a review of the distances in the sign ordinance for billboards from other off-premises advertising signs and residential districts. After some discussion the board decided to take no action on this topic leaving the distances as they are.

The commission then reviewed city staff recommended changes to miscellaneous ordinances. Motion was made by Harbour and Seconded by Miller to approve that the following changes be recommended to the city council:

37.04 REMOVAL AND CONFORMANCE REQUIREMENTS. It is the intent of this section to recognize that the eventual elimination, as expeditiously as it is reasonable, of existing signs that are not in conformity with the provisions of this section is as much a subject of the health, safety, and welfare of the public as is the prohibition of new signs that would violate the provisions of this section. It is also the intent of this section that any elimination of non-conforming signs shall be ~~effected~~ affected so as to avoid any unreasonable invasion of established private property rights. The Building Inspector or

Zoning Officer shall cause removal of a sign or sign structure if the property owner fails to comply with the standards of this section within ten (10) days after being issued a written notification from the Building Inspector **or Zoning Officer**. Any expense incurred by the City in removing or repairing the sign or sign structure shall be paid by the owner of the property to which the sign is attached. **Yard signs, as defined in this chapter, found in violation of this chapter can be removed and disposed of by the Zoning Officer, or their designee, without notice.**

37.05 PERMITTED SIGN WITHIN ZONING DISTRICTS

F. The City Administrator or Zoning Officer is allowed to offer exceptions to non-profit groups for temporary signs, banner and yard signs for the promotion of their events.

37.06 SPECIFIC SIGN REGULATIONS

A. Type: Each sign has a "Type Str." (**structure**) item which shows the permitted type of sign structure which is permitted as shown in the applicable table.

7. "Yard" shall indicate a common yard sign one or two-faced most commonly 24" x 18" but up to 4' x 8' set on wire frame or posts that imbed in the ground.

"Yard" will then be added to the Type Str: in the following categories:

08 For Sale, For lease and Open House.

10 Garage Sale Signs.

15 Off-Premise Advertising.

18 On-Premise Identification and Advertising Sign.

21 Political Signs.

28.00 I-1 LIGHT INDUSTRIAL DISTRICT.

28.01 PRINCIPAL PERMITTED USES.

R. Automobile, boat, farm implement, machinery, motor vehicle and mobile home sales not including junk yards;

29.00 I-2 GENERAL INDUSTRIAL DISTRICT.

29.02 PERMITTED USES ON REVIEW.

H. Automobile, boat, farm implement, machinery, motor vehicle and mobile home sales not including junk yards;

35.00 OFF-STREET PARKING AREAS AND LOADING SPACES.

3. Location

H. Design, Development and Maintenance.

5. Within the I-1 and I-2 zoning districts, or P/M with a Use on Review, only those parking areas and driveways located between the building line and the street right of way shall be required to be surfaced with an all – weather surfacing. All other parking areas and driveways located behind the building line may be a rock

surface that is treated and maintained with oil, calcium chloride, seal coat or other equivalent type material, which creates a dust free surface and is kept free of weeds and other vegetation.

8. Storage areas located in the I-1 and I-2 zoning districts, **or P/M with a Use on Review**, for the storage of materials and equipment used or produced in the conduct of the business and for which access to the area is restricted to employees of the company only, may be a rock surface that is treated and maintained with oil, calcium chloride, sealcoat or other equivalent type material, which creates a dust free surface and is kept free of weeds and other vegetation. Any driveway necessary to access the storage area must meet the all weather surfacing requirements of parking areas.

38.00 FENCES/SCREENING/WALLS.

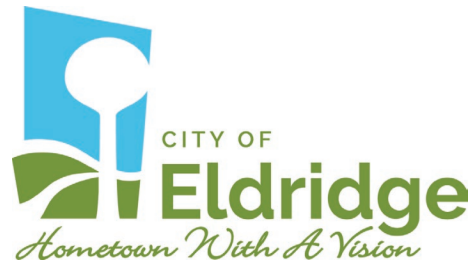
Fences, screening and walls are considered structures and as such must conform to district setbacks. No fence shall be allowed to be constructed closer to a front lot line than that of the principal building that exists on the lot. **Lots that have a second or third front lot line as defined by city code can consider the second or third lot line directly opposite the front of the principal building as the rear lot line for purposes of fences, screening and wall setbacks. For lots with more than two front lot lines front yards will be determined by the Zoning Officer or Building Official.** Decorative corner treatments which do not exceed six (6) feet in length or three (3) feet in height are not considered fences, screening or walls. Fencing, screening or walls in non-residential districts erected for security or privacy purposes will be considered upon review. Fences erected to secure swimming pools must conform to Title C Chapters 10 and 11 of the City Code of Eldridge, Iowa.

Motion by Merrick to adjourn the meeting. Seconded by Harbour. Motion approved by unanimous voice vote. Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Jeff Martens

Assistant City Administrator



To: Planning and Zoning Commission
From: Jeff Martens, Assistant City Administrator
Re: 230 S. 9th Ave. Rezoning
Date: 03/30/23

Kent Gehrls is seeking a rezoning of his property at 230 S. 9th Avenue. The property is currently zoned C-1 Neighborhood Commercial District and is requested to be rezoned to C-3 General Commercial District.

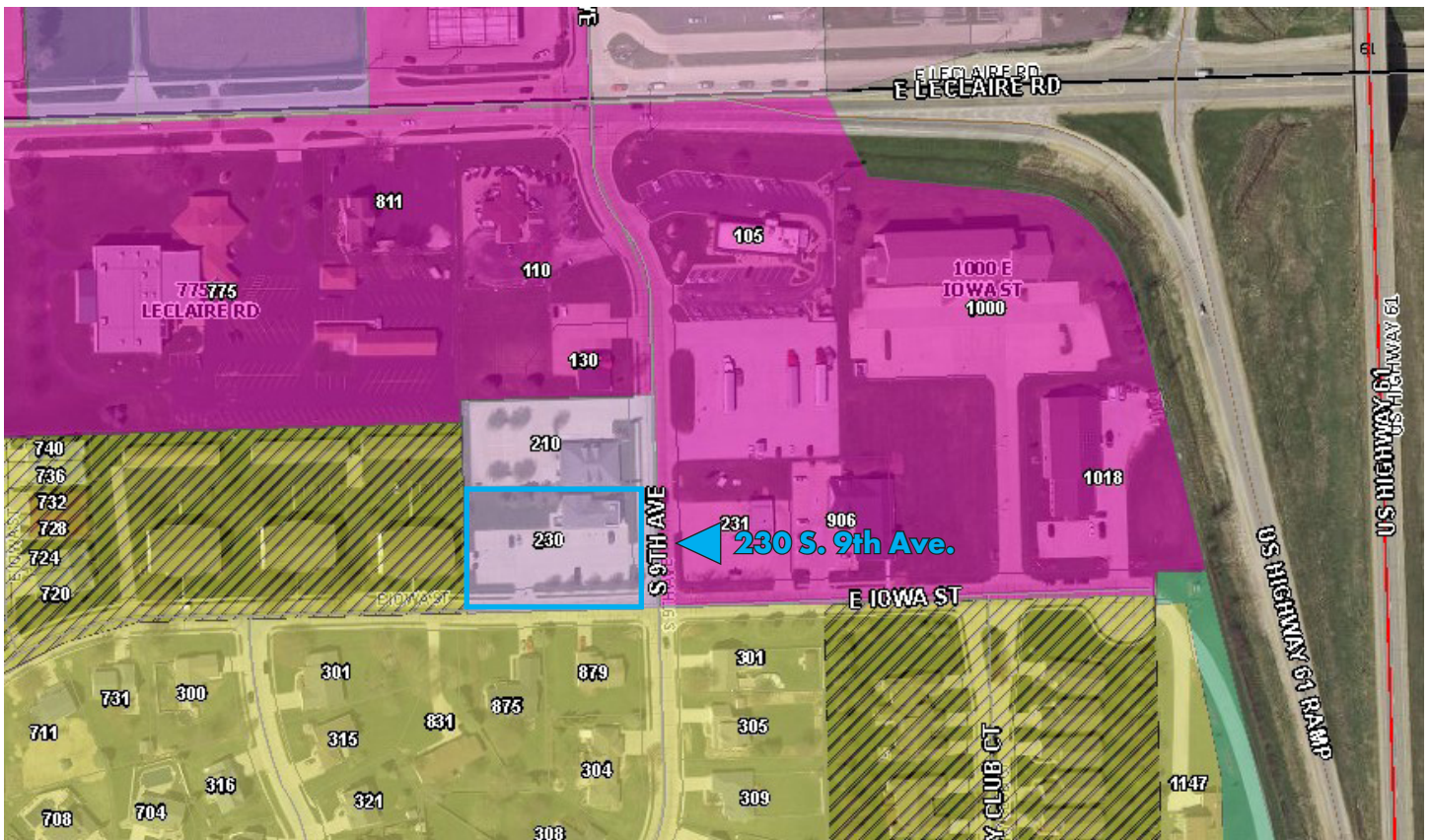
Following this exhibit is a zoning map, the application, the permitted uses in C-1 to C-3 Commercial Districts and the letter sent to adjacent property owners.



Karl Donaubaauer
Tisha Bousselot
Terry Harbour

Mike Martin
Nancy Gruber

Brad Merrick
Duane Miller



City Limit	C/I-Commercial Industrial Transition District	R-MH-Mobile Home Park Residence District
Parcel	I-2-General Industrial District	O-T-Office/Transitional District
C-1-Neighborhood Commercial District	I-1-Light Industrial District	PUD-Planned Unit Development District
C-2-Central Business District	R-1-Single Family Residential District	P/M-Public and Municipal District
C-3-General Commercial District	R-2-Two-Family Residential District	SA-Suburban Agriculture District
C-4-Highway-Oriented Commercial District	R-3-Multiple Family Residential District	

230 S. 9th Avenue is currently zoned C-1 Neighborhood Commercial District and is requesting a zoning change to C-3 General Commercial District.



REZONING APPLICATION

Plan and Zone Commission

Property Address 230 South 9th Ave.
Rezoning Request From C-1 Neighborhood Comm. To C-3
Legal Description of Property Lot 4 Pheasant Hills Comm. Park 1st

Applicant Name Kent Gehrls
Address P.O. Box 110 Eldridge, Ia 52748
Phone Number 563-370-3604
Email Address kentgehrls@gmail.com
Main Contact Person Kent Gehrls

Title Holder's (if different than applicant)
Name _____
Address _____
Phone Number _____

Signature of Applicants (s) [Handwritten Signature]

Intended property use (please be specific) None yet. Would like to rezone for potential buyers. More options for a new business.

On 8 1/2" x 11" paper, please provide the following:
A map showing the property location and surrounding zoning

For office use only				
Filing Fee Paid	\$	<u>154</u>	Date Filed	<u>3/7/2023</u>
Payment Method		<u>Check</u>	Meeting Date	<u>March 30, 2023</u>
Courtesy Letters Sent		<u>3/7/2023</u>		

24.01 PRINCIPAL PERMITTED USES. Property and buildings in a "C-I" Neighborhood Commercial District shall be used only for the purposes outlined in Section [24.01](#) A through O.

A. Any permitted residential use allowed in the "R-3" Multiple-Family Residential District provided that such use is located above the ground or first floor and that the ground or first floor is used for a principal permitted use listed in section [24.01](#), B through P:

B. Antique retail shop, not to include furniture refinishing;

C. Art and school supply store book or stationary shop;

D. Bank and other financial institutions;

E. Barber shop and beauty shop;

F. Camera, computer shop;

G. Dry Cleaning or Laundry pick up and drop off stations

H. Grocery store, meat market, bakery, delicatessen, candy, dairy or ice cream store;

I. Florist shop, gift shop, jewelry store;

J. Municipal administrative or public service office, library or other culture uses;

K. Pharmacy

L. Photographer or artist studio;

M. Professional and business office;

N. Shoe repair, tailor or wearing apparel shop;

O. Variety store, toy store;

P. Accessory uses or buildings customarily incidental to any of the above uses;
and

Q. Any other use determined by the Board to be of the same general character as the foregoing permitted uses.

24.02 PERMITTED USES ON REVIEW. The following principal uses may be permitted on review by the Board in accordance with provisions contained herein:

A. Model home;

B. Drive-up windows for any permitted use;

C. Outdoor storage and display of items

D. Any other use determined by the Board to be of the same general character as the foregoing permitted uses on review.

25.01 PRINCIPAL PERMITTED USES. Property and buildings in the "C-2" Central Business District shall be used only for the purposes outlined in Section [25.01](#), A-N.

- A. Any permitted use in the "C-1" Neighborhood Commercial District;
- B. Automobile service station;
- C. Bar, tavern, or restaurant;
- D. Bicycle sales, rental and repair store;
- E. Convenience store;
- F. Department store;
- G. Gunsmithing, locksmith;
- H. Indoor theater;
- I. Laundry and dry cleaning shop;
- J. Parking lots and parking garages;
- K. Pet shop;
- L. Private club or lodge;
- M. Accessory uses or buildings customarily incidental to any of the above uses;
- N. Any other use determined by the Board to be of the same general character as the foregoing permitted uses.

24.02 PERMITTED USES ON REVIEW. The following principal uses may be permitted on review by the Board in accordance with provisions contained herein:

- A. Garages for the repairing and servicing of motor vehicles not including body repair or painting.
- B. Funeral Homes and Mortuaries
- C. Drive-up windows for any permitted use
- D. Outdoor storage and display of items
- E. Any other use determined by the Board to be compatible with the other permitted uses allowed in this district.

24.03 HEIGHT REGULATIONS. No building or structure shall exceed three (3) stories or forty (40) feet in height.

26.01 PRINCIPAL PERMITTED USES. Property and buildings in "C-3" General Commercial District shall be used only for the purposes outlined in Sections [26.01](#), A-S

A. Any permitted use in the "C-2" Central Business District.

B. Amusement establishments, including: bowling alleys, miniature golf course, practice golf range, pool halls, dance halls, swimming pools, skating rinks, archery ranges, shooting galleries, and similar amusement facilities:

C. Animal hospitals and kennels;

D. Auction rooms;

E. Automobile laundries;

F. Automobile, boat, farm implement, machinery, motor vehicle and mobile home sales not including junk yards;

G. Frozen food locker;

H. Fuel and oil sales;

I. Furniture refinishing, repair and upholstery;

J. Garages - for storing, repairing, and servicing of motor vehicles. including body repair, painting and engine rebuilding providing all work and storage is completely within an enclosed structure;

K. General retail merchandising including furniture and discount stores;

L. Hotel or motel;

M. Medical and dental laboratories;

N. Monument sales, mortuary and funeral homes;

O. Printing, publishing, engraving, or lithographing shop;

P. Produce market;

Q. Storage warehouse, rental storage units;

R. Accessory uses or buildings customarily incidental to any of the above uses; and

S. Any other use determined by the Board to be of the same general character as the foregoing permitted uses, but not including any use that may become noxious or offensive in a "C-3" District.

T. Adult movie theater (subject to the restrictions of section [43A.00](#))

U. Adult book store (subject to the restrictions of section [43A.00](#))

V. Adult entertainment facility (subject to the restrictions of section [43A.00](#))

X. Multiple family housing intended for senior citizens. The lot area per dwelling unit will follow the provisions of the R-3, Multiple Family District. Deed restrictions will be required during the site plan review process documenting the terms of eligibility for persons inhabiting the

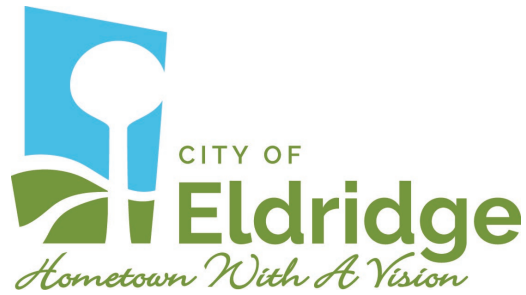
housing development. Such deed restrictions are considered a provision of the zoning ordinance of the City of Eldridge, and may only be amended by following the procedure found in Section [18](#) of this chapter.

Y. Child Care Centers

26.02 PERMITTED USES ON REVIEW. The following principal uses may be permitted on review by the Board in accordance with provisions contained herein:

- A. Contractor shop and construction office;
- B. Model home and garage displays;
- C. Outdoor storage and display of items;
- D. Stadium and auditorium;
- E. Water treatment plant;

F. Any other use determined by the Board to be of the same general character as the foregoing permitted uses on review, but not any use which may become noxious or offensive in a "C-3" District.



305 N. Third Street, P. O. Box 375
Eldridge, Iowa 52748-0375
(563) 285-4841
(563) 285-7376 fax

March 17, 2023

Property Owner,

This is a courtesy letter from the City of Eldridge informing you that the property owners at 230 S. 9th Avenue have submitted a rezoning request that will be considered at a public Planning and Zoning Commission meeting scheduled for Thursday, March 30, 2023 in Eldridge City Hall at 6:00 p.m. The request is to rezone from C-1 Neighborhood Commercial District to C-3 General Commercial District.

Additional information regarding this matter may be obtained from City Hall during regular business hours. Interested individuals may make comments regarding this matter at the meeting. Written comments will be accepted until 4:00 p.m. March 30, 2023.

Jeff Martens
Assistant City Administrator/Zoning Official
City of Eldridge, Iowa