

## Committee-of-the-Whole Agenda

6:30 p.m.

Tuesday, October 9, 2012

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### Oath of Office

Mayor's Appointment of David Parker, Jr. to 2<sup>nd</sup> Ward Alderman to fill the unexpired term of Richard Meredith to expire April 30, 2013.

### Proclamations

- Request from Illinois Municipal League to declare October as "Texting & Driving Awareness Month."

### Informational

Presentation on Community Development Grant with Rock Island Economic Growth for Housing and Neighborhood Improvements (Ray Forsythe, Planning & Development Director and Brian Hollenback, Rock Island Economic Growth)

### Questions on the Agenda

### Agenda Items

1. **Request from the City of Moline's Neighborhood Stabilization Program 2 for a variance to the sidewalk installation requirements for a property located at 302 5<sup>th</sup> Avenue.** (Shawn Christ, Land Development Manager)
2. **Request from the City of Moline's Neighborhood Stabilization Program 2 for a partial variance to the sidewalk installation requirements for a property located at 1203 7<sup>th</sup> Avenue.** (Shawn Christ, Land Development Manager)
3. **Declaration of one seized and forfeited vehicle as surplus property and authorizing the Finance Director to dispose of same.** (Kim Hankins, Interim Public Safety Director)
4. Other

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# Explanation

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- 1. Request from the City of Moline's Neighborhood Stabilization Program 2 for a variance to the sidewalk installation requirements for a property located at 302 5<sup>th</sup> Avenue.** (Shawn Christ, Land Development Manager)

**Explanation:** The City recently acquired this lot, demolished the vacant storefront and apartment building, and constructed a new single-family home using NSP2 stimulus funds. As part of the lot redevelopment, City code requires the missing public sidewalk to be constructed along the 3<sup>rd</sup> Street frontage. There are two issues that complicate the sidewalk construction at this location. First, the lot survey indicated there is inadequate right-of-way at the lot corner to construct the required ADA ramp. 5<sup>th</sup> Avenue is a state route; additional property from the Illinois Department of Transportation would be needed. This would be a costly, lengthy, and burdensome process. Second, 3<sup>rd</sup> Street southbound has a steep incline, and the slope of the adjoining lot to the south will not accommodate construction of a sidewalk. If a sidewalk were required on this lot, it will never connect or be extended southward in the future. Public sidewalks exist on adjoining lots, including the west side of 3<sup>rd</sup> Street, so alternate routes do exist for pedestrians.

**Staff Recommendation:** Approve request for variance  
**Fiscal Impact:** None  
**Public Notice/Recording:** N/A  
**Goals Impacted:** Improved City Infrastructure & Facilities; Desirable Place to Live; Quality Neighborhoods

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- 2. Request from the City of Moline's Neighborhood Stabilization Program 2 for a partial variance to the sidewalk installation requirements for a property located at 1203 7<sup>th</sup> Avenue.** (Shawn Christ, Land Development Manager)

**Explanation:** The City recently acquired this lot, demolished the vacant apartment building, and is finalizing plans to construct a new single-family home using NSP2 stimulus funds. This lot is triangular-shaped and fronts on three streets. No public sidewalks exist on these lot frontages; sidewalks are required as part of the lot redevelopment. Staff feels sidewalks are important on this lot to complete missing connections to 12<sup>th</sup> Street and to 6<sup>th</sup> Avenue. Sidewalks are proposed for two of the three frontages: along 7<sup>th</sup> Avenue and along 12<sup>th</sup> Street. A variance is requested to eliminate the third required sidewalk along the 12<sup>th</sup> Street Place frontage for two reasons. First, this is a dead-end street that terminates south of 6<sup>th</sup> Avenue. A sidewalk placed here would loop around the side of this home and connect not to 6<sup>th</sup> Avenue but to the new sidewalk on 12<sup>th</sup> Street, serving this lot and no others. Second, there is a substantial slope up to the curb's edge on this street segment, requiring a difficult and costly retaining wall to stabilize the slope. Staff feels the expense does not justify the minimal return, and an alternate pedestrian sidewalk does exist on the east side of 12<sup>th</sup> Avenue Place. By eliminating this sidewalk segment but completing the remaining sidewalks, the sidewalk network along both sides of 7<sup>th</sup> Avenue and also 12<sup>th</sup> Street will be complete. Additional documentation attached.

**Staff Recommendation:** Approve request for variance  
**Fiscal Impact:** None  
**Public Notice/Recording:** N/A  
**Goals Impacted:** Improved City Infrastructure & Facilities; Desirable Place to Live; Quality Neighborhoods

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**3. Declaration of one seized and forfeited vehicle as surplus property and authorizing the Finance Director to dispose of same.** (Kim Hankins, Interim Public Safety Director)

**Explanation:** Illinois State Statute provides that law enforcement agencies may seize vehicles used during the attempt or commission of specific crimes and subsequently initiate forfeiture proceedings on those vehicles. A 2001 Dodge Caravan (VIN# 2B8GP54L11R144199) was seized and forfeited to the police department, and staff is requesting that it be declared as surplus property and disposed of by the Finance Director through the legal disposal process that is most advantageous to the City, whether sealed bid, auction, negotiation or otherwise.

**Staff Recommendation:** Approval

**Fiscal Impact:** Any proceeds after costs are for use by the seizing law enforcement agency.

**Public Notice/Recording:** N/A

**Goals Impacted:** None Identified

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# APPLICATION Request for Variance To Delay Installation of a Public Sidewalk

<i>For Staff Use Only</i>	
Date:	_____
Case #	_____
<b>\$250.00 Application Fee (NON-REFUNDABLE)</b>	

**APPLICANT:**

Name: K. J. Whitley (Neighborhood Stabilization Program 2) Interest in Property: Project Manager – NSP2

Address: 302 5<sup>th</sup> Avenue

Phone: 309-524-2044-o, 309-781-5551-c Email: kwhitley@moline.il.us

**LEGAL DESCRIPTION OF PROPERTY (from deed or survey):**

Outlot 1 Outlots to Alday's Second Addition to East Rock Island, (Now the City of Moline) Rock Island County, Illinois

\_\_\_\_\_ also known as 302 5 Avenue and zoned R2  
(address)

**APPLICANT REQUEST:**

The applicant petitions the City Council for a variance to delay construction of a public sidewalk at the above location.

**APPROVAL POLICY AND CRITERIA:**

Sidewalks are a fundamental component of good land development. Sidewalks provide essential linkages between neighborhoods, allow for the safe movement of the pedestrian public, and contribute to the community's health, safety, and welfare by enhancing those areas of the public realm. The Subdivision Code explicitly states: "Sidewalks shall be installed on both sides of all streets. Sidewalks shall be installed at the time the lot is developed or prior to issuance of the Occupancy Permit."

A request for a variance to the sidewalk requirements of the Subdivision Code is not always permanent, and it may not reduce the expense required to install a sidewalk. The City Council reserves the right to require installation of a sidewalk at a later date as circumstances change, or it may require the developer or property owner to pay an amount equal to the cost of installing the sidewalk for which the variance has been sought.

A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to this Code will result in undue hardship because of site characteristics that are not applicable to most other properties. Such variances shall be granted only when the applicant establishes that all of the following criteria are satisfied (please respond to each of the following criteria):

1. **An unnecessary hardship exists that was created by topographical or other conditions peculiar to this site.**

The South side of this property currently has no sidewalk to connect to make a contiguous path. Due to the excessive slope south of the property, the City does not foresee sidewalk being installed in the future (east side of 3<sup>rd</sup> Street).

2. **Pedestrian Safety.**

This newly constructed single family home faces North. The property South of it is part of Autumn Trails. The east side of 3<sup>rd</sup> Street currently does not have a sidewalk for this parcel to adjoin. The City's Construction Manager, Michael T. Bartels, advised due to the excessive slope south of the property, the City does not for see sidewalk being installed in the future (east side of 3<sup>rd</sup> Street). The west side of 3<sup>rd</sup> Street has continuous sidewalk

for pedestrians to utilize. Third Street has minimal traffic that would hinder appropriate crossing if deemed necessary.

3. **The proximity of connection to the existing sidewalk network.**

Sidewalk exists in front of this home, across the street to the North and West (West side of 3<sup>rd</sup> Street only).

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4. **Planned future development or redevelopment of surrounding properties.**

Directly to the East is a residential home and directly to the West is Third Street. The property South of this home is part of Autumn Trails. The City's Construction manager, Michael T. Bartels, advised due to the excessive slope south of the property, the City does not for see sidewalk being installed in the future.

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5. **The classification of street and its type of construction.**

Third Street is considered a typical street with curb and gutter.

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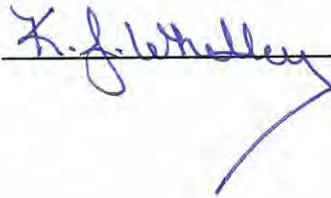
6. **Planned future street improvements.**

The City's Construction manager, Michael T. Bartels, advised due to the excessive slope south of the property, the City does not for see sidewalk being installed in the future. No other plans are known.

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(If you have additional comments, please attach to the application.)

Signature of Applicant:



Date: 9.28.12

# PLAT OF RE-SURVEY

OUTLOT 1, OUTLOTS TO ALDAY'S  
SECOND ADDITION TO EAST ROCK  
ISLAND, (NOW THE CITY OF MOLINE)  
ROCK ISLAND COUNTY, ILLINOIS.

5TH AVENUE (60')

N 90° 00' 00" E  
53.50' (53.5')

SET SAWED "X"  
ON CONCRETE

3RD STREET (55')

N 01° 59' 17" W 140.00' (140')

LOT 1

LOT 2

S 01° 59' 17" E 140.00' (140')

53.50' (53.5')

N 90° 00' 00" W

ALLEY (20')  
(UNIMPROVED)

**PREPARED FOR:**

CITY OF MOLINE

SURVEY ADDRESS:  
302 - 5TH AVENUE  
MOLINE, ILLINOIS

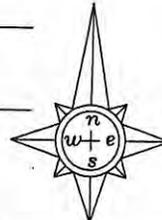
LEGEND: SURVEY DATE: 9-19-11

DEED DIMENSION = (0.0')  
FIELD DIMENSION = 0.0'  
FOUND MONUMENTS = ○  
MONUMENTS SET

(#4 REBAR CAPPED #35-2390) = ● TO THE BEST OF SURVEYOR'S KNOWLEDGE, ALL  
EASEMENTS AFFECTING THIS PROPERTY ARE SHOWN.  
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM  
STANDARDS FOR A BOUNDARY SURVEY.



1 inch = 30 ft.



MICHAEL D. CRAPNELL  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
LICENSE EXPIRATION DATE NOVEMBER 30, 2012

DATE 9-21-11  
NO. 35-2390



Crapnell Land Surveying Company

PROFESSIONAL LAND SURVEYING FIRM #184-002765

814 EAST RIVER DRIVE, DAVENPORT, IA 52803, PHONE: (563) 336-3256



A view looking south toward 302 5<sup>th</sup> Avenue

inadequate ROW  
for ADA ramp



A view of the 3<sup>rd</sup> Street hillside



Looking north toward 5<sup>th</sup> Avenue



Map view



# APPLICATION Request for Variance To Delay Installation of a Public Sidewalk

<i>For Staff Use Only</i>	
Date:	_____
Case #	_____
\$250.00 Application Fee (NON-REFUNDABLE)	

**APPLICANT:**

Name: K. J. Whitley (Neighborhood Stabilization Program 2) Interest in Property: Project Manager – NSP2

Address: 1203 7<sup>th</sup> Avenue

Phone: 309-524-2044-o, 309-781-5551-c Email: kwhitley@moline.il.us

**LEGAL DESCRIPTION OF PROPERTY (from deed or survey):**

Lot 1, Block L, Moline Water Power CO's Addition to Moline, Rock Island County, Illinois

\_\_\_\_\_ also known as 1203 7<sup>th</sup> Avenue and zoned R2  
(address)

**APPLICANT REQUEST:**

The applicant petitions the City Council for a variance to delay construction of a public sidewalk at the above location.

**APPROVAL POLICY AND CRITERIA:**

Sidewalks are a fundamental component of good land development. Sidewalks provide essential linkages between neighborhoods, allow for the safe movement of the pedestrian public, and contribute to the community's health, safety, and welfare by enhancing those areas of the public realm. The Subdivision Code explicitly states: "Sidewalks shall be installed on both sides of all streets. Sidewalks shall be installed at the time the lot is developed or prior to issuance of the Occupancy Permit."

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A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to this Code will result in undue hardship because of site characteristics that are not applicable to most other properties. Such variances shall be granted only when the applicant establishes that all of the following criteria are satisfied (please respond to each of the following criteria):

1. **An unnecessary hardship exists that was created by topographical or other conditions peculiar to this site.**

Due to the excessive slopes on the East side of 1203 7 Avenue it would be very difficult and costly to install the sidewalk on the East side of the property or West side of 12 Street Place. Installing sidewalk on the west side of 12 Street Place would involve a 6-7' retaining wall to hold back the slope. 12 Street Place is also a dead end street the would see minimal pedestrian traffic.

2. **Pedestrian Safety.**

This parcel is an island that is currently without sidewalks on all three sides. We, the developer, intend to construct a single family home and install sidewalks on the North side of 7<sup>th</sup> Avenue and on the East side of 12 Street (although the east side of 12 Street will probably require a retaining wall for more than half of the frontage also).

3. **The proximity of connection to the existing sidewalk network.**

This Island Parcel has no sidewalks.

4. **Planned future development or redevelopment of surrounding properties.**

Trimble Funeral Home is due to relocate to a newly constructed building (West of this parcel) in the near future.

5. **The classification of street and its type of construction.**

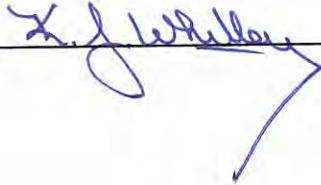
Seventh Avenue is considered a typical street with curb and gutter.

6. **Planned future street improvements.**

No plans are known at this time.

(If you have additional comments, please attach to the application.)

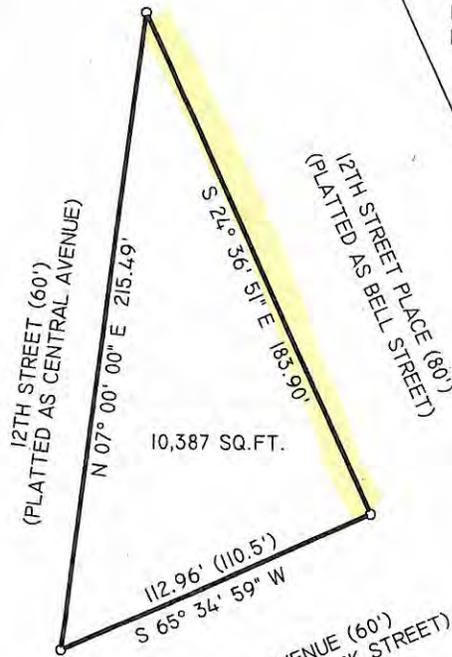
Signature of Applicant:



Date: 9.28.12

# PLAT OF RE-SURVEY

LOT I, BLOCK L, MOLINE WATER  
POWER CO'S ADDITION TO  
MOLINE, ROCK ISLAND COUNTY,  
ILLINOIS.



**PREPARED FOR:**  
CITY OF MOLINE

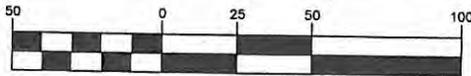
**SURVEY ADDRESS:**  
1203 - 7TH AVENUE  
MOLINE, ILLINOIS

**NOTE:** ALL MONUMENTS  
FOUND ARE #4 REBARS  
YELLOW CAPPED #35-3049  
UNLESS OTHERWISE NOTED.

**LEGEND:**

**SURVEY DATE:** 8-29-12

**GRAPHIC SCALE**



( IN FEET )

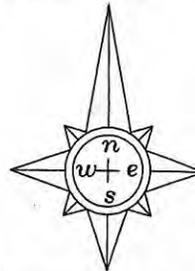
1 inch = 50 ft.

DEED DIMENSION = (0.0')  
FIELD DIMENSION = 0.0'  
FOUND MONUMENTS = ○  
MONUMENTS SET

(#4 REBAR CAPPED #35-2390) = ●

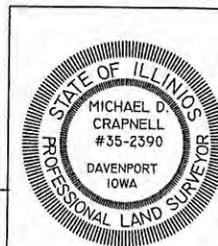
TO THE BEST OF SURVEYOR'S KNOWLEDGE, ALL  
EASEMENTS AFFECTING THIS PROPERTY ARE SHOWN.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM  
STANDARDS FOR A BOUNDARY SURVEY.



*[Signature]*  
MICHAEL D. CRAPNELL  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
LICENSE EXPIRATION DATE NOVEMBER 30, 2012

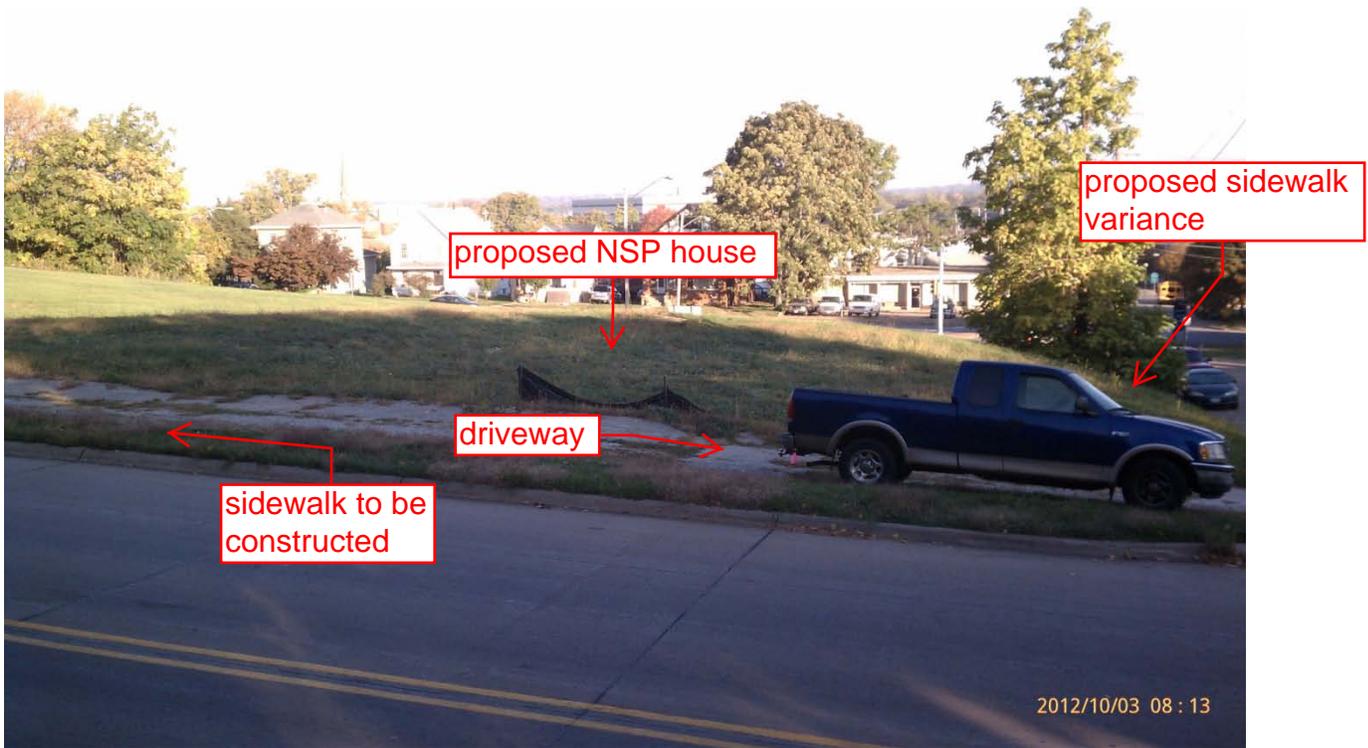
DATE 8-31-12  
NO. 35-2390



**Crapnell Land Surveying Company**

814 EAST RIVER DRIVE, DAVENPORT, IA 52803, PHONE: (563) 336-3256

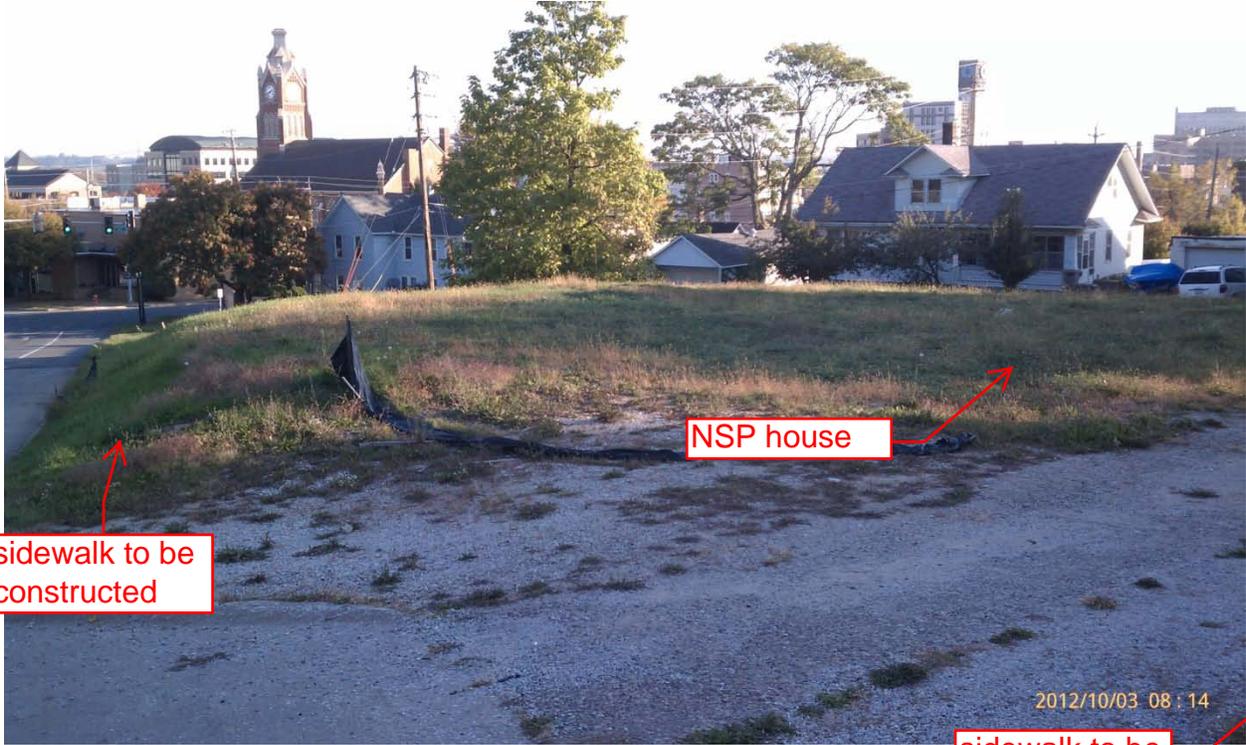
PROFESSIONAL LAND SURVEYING FIRM #184-002765



A view looking north toward 1203 7<sup>th</sup> Avenue



Looking north toward the 12<sup>th</sup> Street Place frontage and hillside



sidewalk to be constructed

NSP house

2012/10/03 08:14

sidewalk to be constructed

Looking north along 12<sup>th</sup> Street toward 6<sup>th</sup> Avenue



sidewalk to be constructed

proposed sidewalk variance

sidewalk to be constructed

Map view