

PLAN AND ZONING COMMISSION MEETING MINUTES

CITY OF DAVENPORT, IOWA

TUESDAY, DECEMBER 18, 2018; 5:00 PM

CITY COUNCIL CHAMBERS

COMBINED PUBLIC HEARING & REGULAR MEETING

PUBLIC HEARING AGENDA

Roll Call. Present: Connell, Hepner, Inghram, Johnson, Lammers, Maness, Medd, Quinn, Reinartz, Tallman, Schroeder.

Absent: None.

Staff: Flynn, Longlett, Rusnak

I. New Business

- A. Public Hearing for Case REZ18-18: Request by Ahmed Ismail, for WK Development, to rezone 0.83 acres, more or less, of property located immediately northwest of the intersection of Elsie Avenue and West Kimberly Road from R-5M Medium Density Residential to C-2, General Commercial [Ward 2]

Charlie Armstrong was present and spoke. Sarah Lannan spoke in opposition. No one else testified. Public Hearing was closed.

- B. Public Hearing for Case FPD18-01: Request of Riverfront Improvement Commission and Taste of Ethiopia LLC for a floodplain variance to establish business at 102 S Harrison Street. [Ward 3]

Laura Berkley presented the petition. No one else testified. Public Hearing was closed.

REGULAR MEETING AGENDA

- I. Roll Call. Present: Connell, Hepner, Inghram, Johnson, Lammers, Maness, Medd, Quinn, Reinartz, Tallman, Schroeder.

Absent: None.

Staff: Flynn, Longlett, Rusnak

- II. Report of the City Council Authority

Second Consideration: Ordinance for Case No. ORD18-05: Request of the City of Davenport to repeal and replace Title 17 of the Davenport Municipal Code, entitled, "Zoning", by adopting a new zoning ordinance and map, and amending Titles 2 and 14 in order to make administrative changes to support the new code. [All Wards] **MOVED TO THIRD CONSIDERATION**

Resolution for Case P18-07 being the request for a preliminary plat of Kent Krambeck's 1st Addition being a 4 lot subdivision located north of East 76th Street and approximately 1/2 mile East of Utica Ridge Road. [Ward 6] **ADOPTED 2018-519**

Resolution for Case F18-19 being the request for a final plat of Kent Krambeck's 1st Addition being a 4 lot subdivision located north of East 76th Street and approximately 1/2 mile East of Utica Ridge Road. [Ward 6] **ADOPTED 2018-520**

Resolution for Case F18-18 being the request of Charles Lehman for a final plat for Brady Realty 2nd Addition, being a 2 lot subdivision with 1 outlot located east of Ekstein Drive and south of East 53rd Street. [Ward 7] **ADOPTED 2018-521**

III. Secretary's Report

A. Consideration of the December 4, 2018 meeting minutes.

The December 4, 2018 meeting minutes were approved following a motion by Connell and a second by Hepner.

IV. Report of the Comprehensive Plan Committee.

Zoning Ordinance updates continue to move through City Council.

V. Zoning Activity

A. Old Business:

None

B. New Business

- i. Case REZ18-17: Request of Tim Shaffer, Dale's Automotive Service, to rezone 1915 Zenith Avenue from R-4 Moderate Density Dwelling District to C-2, General Commercial District. [Ward 1].

Motion by Tallman, seconded by Connell, to forward Case REZ18-17 to the City Council with a recommendation for approval.

Findings:

1. The property is consistent with the Comprehensive Plan as it is a limited commercial development along an edge of a node designated RG, Residential General.
2. The property has access and frontage along Locust Street, a major arterial street.
3. Rezoning will facilitate the expansion of a healthy, growing business in West Davenport.

Conditions:

1. Screening along the north property line will meet zoning requirements but at a minimum contain a 6 foot high wood fence.
2. Upon adoption of the new zoning ordinance, the property shall be zoned C-2, Corridor Commercial Zoning District.

Vote to approve was 8-0.

- ii. Case REZ18-19: Request of St. Ambrose University for a rezoning from R-4 Moderate Density Dwelling District and C-2 General Commercial District to PID Planned Institutional District on .675 acres, more or less, and an amendment to a PID Planned Institutional District Land Use Plan for the property located west of Harrison Street, north of West Locust Street, east of Brown Street and south of West Lombard Street. The purpose of the request is to allow a substantial addition to the building located at the northeast corner of West Locust Street and Gaines Street. [Wards 4 & 5]

Motion by Tallman, seconded by Johnson, to forward Case REZ18-19 to the City Council with a recommendation for approval.

Findings:

1. The use of the property would comply with the Davenport 2035 Civic & Institutional Future Land Use Map designation; and
2. Due to the location of the proposed development, the impact to the surrounding residential properties would be minimal.

Condition:

1. In the event that the "PID" Planned Institutional District is supplanted by the "S-IC" Institutional Campus District classification, the City shall rezone the property to the "S-IC" Institutional Campus District classification.

Vote to approve was 7-0 with Quinn abstaining.

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F18-17: Request of Michael Richmond with Townsend Engineering for a Final Plat of a 3 lot subdivision located North of Hickory Grove Rd between North Thornwood Ave and North Lincoln Avenue. [Ward 2]

Motion by Maness, seconded by Tallman, to forward Case F18-17 to the City Council with a recommendation for approval.

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Conditions:

1. That the utility providers sign the plat when their needs have been met;
2. That the plat include the owner/developer and their contact information;
3. That an agreement not sever be provided and recorded for Lot 3.
4. That a minimum of two previously established property corners or section corner ties to the property boundary;
5. That 17 feet of right-of-way be dedicated Lots 1 and 2 to allow for a total of 50 feet of right-of-way;
6. That the Hickory Grove right-of-way be shown and dimensioned;
7. That floodplain information be shown on the plat and easement for such area; and
8. That "no storm water detention required" be removed from the plat. This will be determined during the City's review of the proposed site plan.

Vote to approve was unanimous 10-0.

VII. Future Business

- A. Case ROW18-04: Request of McManus Development for the vacation (abandonment) of public right-of-way south of 2950 Crestline Drive, containing 3,000 square feet, more or less. [Ward 6]

VIII. Communications.

None.

IX. Other Business.

- A. Case ROW18-04: Request of McManus Development for the vacation (abandonment) of public right-of-way south of 2950 Crestline Drive,

containing 3,000 square feet, more or less. [Ward 6]X. Adjourn. The meeting adjourned at 6:00 p.m.

Motion Tallman, seconded by Connell, to approve.

Findings

- The subject property is listed on the National Register of Historic Places and floodproofing the structure would impact the historic character of the structure;
- While floodplain management practices would prefer mitigation of uses in the floodplain this must be tempered by preservation of historic resources.
- The proposed development meets the goals of the City's Comprehensive Plan, specifically the Historic Preservation Chapter.
- The proposed development fosters the economic redevelopment of this portion of the downtown core.
- As conditioned the proposed development is the minimum variance necessary.

Conditions and forward to the Iowa Department of Natural Resources for its concurrence.

1. That the existing and proposed utility systems meet the elevation and/or floodproofing requirements. Backflow prevention is required for water and sanitary services located below the BFE plus one-foot. A water heater is permitted in the basement per building code as long as it is elevated as high as possible to mitigate risk. No other permanent structures will be allowed.
2. That the Iowa Department of Natural Resources concurrence is required prior to issuance of a floodplain development permit and building permit. This concurrence shall be provided with application for these permits.
3. That the basement remains unoccupied and unimproved to allow seepage and floodwater.

Vote to approve was 8-0.