CITY PLAN AND ZONING COMMISSION
CITY OF DAVENPORT, IOWA

TUESDAY OCTOBER 03, 2017 • 5:00 PM
COUNCIL CHAMBERS – DAVENPORT CITY HALL
226 W 4TH STREET DAVENPORT, IA

MINUTES

PUBLIC HEARING AGENDA

The public hearing was called to order at 5:01 p.m.following a moment of silence for the victims of the Las Vegas shooting incident; the following public hearings were held:

OLD BUSINESS –

NEW BUSINESS –

- REZ17-09: Request of Michael R Leep, Sr. for the rezoning of 13.435 acres of property located south of 53rd Street and east of Eastern Avenue from "C-1" Neighborhood Shopping District to "C-2" General Commercial District to allow the development of a car dealership showroom , with sales and service.
- Case No. REZ17-10: Request of Women in Spiritual Hope Ministries, Inc. to rezone 7,841 square feet, more or less, of property located at 5210 North Division Street from "R-4" Moderate Density Dwelling District to "C-O" Office-Shop District.

Next Public Hearing:

Tuesday, October 17, 2017 at 5:00 P.M. in the Council Chambers of Davenport City Hall – 226 West 4th Street.

REGULAR MEETING AGENDA

The regular meeting was called to order at 6:19 p.m. following the public hearings.

I. Roll Call of the Membership
Present: Connell, Hepner, Inghram, Kelling, Lammers, Maness, Martinez, Medd, Quinn, and Reinartz
Excused: Tallman
Absent:
Staff: Flynn, Heyer, Koops, Leabhart, Rusnak, and Wille.

II. Report of the City Council Activity – as presented

III. Secretary's Report - September 19, 2017 meeting minutes were approved as presented

IV. Report of the Comprehensive Plan Committee - Flynn stated staff had received a first draft of the ordinance and started an initial review and that a meeting with the consultants will be schedule early next month.

V. Zoning Activity

A. Old Business –

1. **Case No. REZ17-05:** Request of Steven and Merideth Hirsch for the rezoning of 0.65 acre (28,340 sqft), more or less, of real property located at the 5135 Marquette Street (south of West 53rd Street and east of Marquette Street) from R-1 Low Density Dwelling District to R-3 PUD Planned Unit Development to facilitate development of multiple residences; two 2-unit buildings.

   A motion by Connell, seconded by Medd, to remove this item from the table was unanimously approved by voice vote.

   Findings:
   - The rezoning is compatible with the Comprehensive Plan RG designation.
   - The proposal supports infill development.
   - The concept plan and elevations are compatible with the existing residential development.

   Recommendation:
   Staff recommends the Plan and Zoning Commission forward Case No. REZ17-05 to the City Council for approval subject to the following conditions:
   1. That the final development plan substantially conform to the proposed renderings and site plan (conformance may allow for reconfiguration of the footprint and layout on the property);
   2. That significant deviation from the proposed renderings and site plan will require revision to the concept plan following the rezoning process with public hearing;
   3. A dedication to match this sites west property line to the existing property to the north shall be required as per the City Engineer.

   A motion by Lammers, seconded by Connell, to accept the findings and forward Case No. REZ17-05 to the City Council for approval was approved on a split vote of 6-yes, 3-no (Kelling, Lammers and Reinartz) with 0-abstention.

2. **Case No. REZ17-08**: Request of Aaron Christopher on behalf of Palmer College of Chiropractic to rezone 38.65 acres, more or less, generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-O" Office-Shop District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District.
   This case remains tabled (no action necessary).

B. New Business -

VI. Subdivision Activity

A. Old Business –

B. New Business –

1. **Case No. SNC17-01**: Request of the City of Davenport (Public Works Department) to change the name of a segment of Forest Grove Drive east of Utica Ridge Road to Forest Grove Court.

Findings:

- The new alignment of Veterans Memorial Parkway and Forest Grove Drive adjacent to Utica Ridge Road requires the name change.
- The name change to Court is the least disruptive change.

Staff recommends the Plan and Zoning Commission forward Case No. SNC17-01 to the City Council for approval.

A motion by Connell, seconded by Hepner, to accept the findings and forward Case No.SNC17-01 to the City Council for approval was approved on a vote of 9-yes, 0-no with 0-abstention.

2. **Case No. SNC17-02**: Request of the City of Davenport (Public Works Department) to change the name of a segment of Veterans Memorial Parkway (old 67th Street) located between the new Veterans Memorial Parkway and Utica Ridge Road back to East 67th Court.

   Findings:

   - The new alignment of Veterans Memorial Parkway adjacent to Utica Ridge Road requires the name change.
   - The name change to East 67th Court is the least disruptive change.

   Staff recommend the Plan and Zoning Commission forward Case No. SNC17-02 to the City Council for approval.

   A motion by Connell, seconded by Hepner, to accept the findings and forward Case No.SNC17-02 to the City Council for approval was approved on a vote of 9-yes, 0-no with 0-abstention.

3. **Case No. ROW17-06**: Request of the City of Davenport for the right-of-way vacation (abandonment) of 10,370 more or less, of public right-of-way south of the west terminus of Dugan Court and north of the west terminus of the right-of-way south of Dugan Court.

   Findings:

   1. The right of way vacation would not impact adjacent property owners or utility providers since the area is not improved with any public infrastructure.

   Staff recommends the City Plan and Zoning Commission forward Case No. ROW17-06 to the City Council with a recommendation for approval without any special conditions.

   A motion by Connell, seconded by Hepner, to accept the findings and forward Case No.ROW17-06 to the City Council for approval was approved on a vote of 9-yes, 0-no with 0-abstention.

4. Case No. F17-18: Final plat of Landon Prairie, being a replat of part of Lot 2 of Victory Acres, located north of Kimberly Road and west of Marquette Street (1366 West Kimberly Road), containing three (3) lots.

Finding:

- The subdivision conforms to the zoning and land use portion of the comprehensive plan.

Recommendation:
Staff recommends the Plan and Zoning Commission forward Case No. F17-08 to the City Council for approval subject to the following condition(s):

1. That the area shown as 40th Street within the boundary of the replat be shown and labeled as being dedicated for public right-of-way purposes.

A motion by Connell, seconded by Hepner, to accept the findings and forward Case No.F17-18 to the City Council for approval was approved on a vote of 9-yes, 0-no with 0-abstention.

VII. Other Business –

VIII. Future Business – Preview of items for the *October 17th* public hearing and/or regular meeting *(note-not all items to be heard may be listed)*:

IX. Communications Commission (Time open for citizens wishing to address the on matters *not on the established agenda*)

X. Adjourn – the meeting was adjourned at 6:36 p.m.

- *Note: Pursuant to §17.60.030 and §2.64.120 of the Davenport City Code the Commission is required to act on this item within 30 days unless the petitioner waives this requirement. Pursuant to the city code if the Commission does not act and report on this item within 30 days' time this agenda item is to be construed as approved by the Commission.*
- *Note: The Plan and Zoning Commission meeting is not a public hearing. It is time for the commission to discuss the issue(s) with City staff and if questions rise, with the developer.*
- *A rezoning or ordinance text amendment has a second public hearing before the City Council at its Committee of the Whole meeting. Notification of that meeting will be sent to surrounding owners following the Plan and Zoning Commission meeting.*

Next Public Hearing/Regular Plan & Zoning Meeting:

Tuesday, October 17, 2017 at 5:00 P.M. in the Council Chambers of Davenport City Hall 226 West 4th Street.

Report of City Council Activity

September 27, 2017 Meeting –

First Consideration: Ordinance for Case No REZ17-06 request of David A. Parochetti dba David A. Parochetti Revocable Trust to remove conditions of City Ordinance 1999-569 on 0.70 acre located at the northwest corner of West Kimberly Road and Sturdevant Street (1616 West Kimberly Road and 3910 Sturdevant Street). The previous development was to be a Schnucks grocery store. Removal of the conditions would allow development of a quick service restaurant (Taco Bell). [7th Ward]
PROTEST RATE EXCEEDS 20.0% (REQUIRES EIGHT VOTES FOR PASSAGE, THREE-FOURTHS VOTE IF ABSTENTION FOR CONFLICT OF INTEREST)

Resolution approving Case No. FDP17-07 being the request of Legacy Design Group for a PDD final development plan on 1.5 acres, more or less, being Lot 1 and part of Lot 2 of Terrace Ridge Park 8th Addition located west of Utica Ridge Road and north of Crow Creek Road. [6th Ward]

Resolution approving Case No. F16-12 being the final plat of Wisor's Historic Addition, being a replat of Lot 7 of Block 11 of the East Davenport Proper, located East of Mound Street and south of East 12th Street (2111 & 2115 East 12th Street) containing one (1) commercial lot. [5th Ward]