

**CITY PLAN AND ZONING COMMISSION
CITY OF DAVENPORT, IOWA**

**TUESDAY SEPTEMBER 19, 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 5:00 p.m. and the following public hearings were held:

OLD BUSINESS –

NEW BUSINESS –

- 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.
- 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.
- 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.

Next Public Hearing:

Tuesday, October 03, 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 5:13 p.m. following the public hearing.

I. Roll Call of the Membership

Present: Connell, Hepner, Inghram, Kelling, Medd, Reinartz and Tallman

Excused: Lammers, Maness and Quinn

Absent: Martinez

Staff: Flynn, Heyer, Koops, Leabhart, Rusnak, and Wille.

II. Report of the City Council Activity - as presented

III. Secretary's Report September 05, 2017 meeting minutes were approved as presented.

IV. Report of the Comprehensive Plan Committee – Flynn indicated he should have a report on the progress of the zoning ordinance re-write at the next meeting.

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.

This case remains tabled (no action necessary)

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. ROW17-05: Request of Genesis Health Systems at 3200 West Kimberly Road (corner of Kimberly Rd Elsie Ave) to vacate a portion of a sanitary sewer easement which would be located under the proposed medical building. Existing facilities located in the area to be vacated will be located adjacent to the proposed building in the remaining portion of the sanitary sewer easement.

Findings:

- The proposed right of way vacation would not impact adjacent property owners.

Staff recommends the City Plan and Zoning Commission forward Case No. ROW17-05 to the City Council with a recommendation for approval subject to the following conditions:

1. An excavation permit is to be acquired for the sewer work, inspection by Public Works is necessary.
2. The new manhole is to be constructed a minimum of 20' clear of the building, it is currently shown at 10'.
3. The City Sewer Division is to be contacted for first rights to the old manhole frame and cover.
4. While removing the existing manhole and sewer the contractor is responsible for verification that there are no existing connections which may need relocation.

On a motion by Connell, seconded by Tallman, the Plan and Zoning Commission forwarded Case No. ROW17-05 to the City Council for approval subject to the above stated conditions on a unanimous vote of 6-yes, 0-no and 0-abstention.

2. Case No. F17-17: Final plat of Richard Pierce Second Subdivision, being a replat of Lot 1 of Richard Pierce Subdivision, located north of Telegraph Road and East of Vermont Avenue (405 N Vermont Ave) containing 3 agricultural lots.

Findings:

- The plat conforms to the comprehensive plan (RG designated & within the 2035+USA)

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. F17-17 to the City Council for approval subject to the following conditions:

1. That a rezoning the residential lots will be required prior to construction of a new residence.
2. That the width of Vermont Avenue be clarified (corrected).

On a motion by Connell, seconded by Tallman, the Plan and Zoning Commission forwarded Case No. F17-17 to the City Council for approval subject to the above stated conditions on a unanimous vote of 6-yes, 0-no and 0-abstention.

VII. Other Business –

VIII. Future Business – Preview of items for the October 03rd public hearing and/or regular meeting (*note-not all items to be heard may be listed*):

- 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.
- 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.
- 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.

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

X. Adjourn – the meeting was adjourned at 5:22 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 03, 2017 at 5:00 P.M. in the Council Chambers of Davenport City Hall 226 West 4th Street.