

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

**TUESDAY AUGUST 01, 2017 • 5:00 PM
COUNCIL CHAMBERS – DAVENPORT CITY HALL
226 W 4TH STREET DAVENPORT, IA**

MINUTES

By this reference all reports, documents, presentations and the meeting video record are made a part of the minutes.

PUBLIC HEARING AGENDA

The public hearing was opened at 5:00 P.M. and the following public hearings were held:

OLD BUSINESS –

NEW BUSINESS –

- **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.
- **Case No. REZ17-07:** Request of TWG Development LLC for the rezoning of 1.90 acres of real property located at 902 West 4th Street from “M-1” Light Industrial District to “C-4” Central Business District to facilitate residential (multi-family) development.
- **Case No. REZ17-08:** Request of Studio 483 Architects on behalf of Palmer College of Chiropractic to rezone 38.65 acres generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: “R-4” and “R-6M” Moderate and High Density Dwelling Districts respectively; “C-O”, “C-1” and “C-2” Office-Shop, Neighborhood Shopping and General Commercial Districts respectively; and “M-1” Light Industrial District to “PID” Planned Institutional District.

Next Public Hearing:

Tuesday, August 15, 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 6:40 P.M., following the public hearing.

I. Roll Call of the Membership

Present: Connell, Hepner, Inghram, Kelling, Lammers, Maness, Martinez, Medd, Quinn, Reinartz and Tallman

Excused: None

Absent: None

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

II. Report of the City Council Activity

III. Secretary's Report (July 18, 2017 meeting minutes)

IV. Report of the Comprehensive Plan Committee

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.

Staff recommends that the request be tabled indefinitely until the petitioner supplies a site plan as required. Staff will move the item forward at that time.

On a motion by Tallman, seconded by Medd, to table the request indefinitely was unanimously approved: 9-yes, 0-no and 0-abstention.

B. New Business -

1. **Case No. FDP17-05:** Request by MLI Real Estate Group, LLC, for a final development plan for a new free-standing restaurant at property located at 902 W Kimberly Road. (Village Shopping Center).

Staff recommends the Plan and Zoning Commission forward Case No. FDP17-05 to the City Council for approval, with the following condition:

1. Site Plan Approval, including review of landscaping and photometric plans, shall be completed prior to issuance of any building or site development permits.

On a motion by Tallman, seconded by Hepner, to forward Case No. FDP17-05 to the City Council for approval subject to the above condition was unanimously approved: 9-yes, 0-no and 0-abstention.

VI. Subdivision Activity

A. Old Business – None

B. New Business –

1. **Case No. ROW17-04:** Request of St. Ambrose University for the rights-of-way vacation (abandonment) of portions of three streets:
 - a. Rogalski Drive from the former Ripley Street to the west line of Harrison Street,
 - b. West Pleasant Street from the former Ripley Street to the west line of Harrison Street, and
 - c. Ripley Street from the north line of Locust Street to the north line of the east-west alley north of Locust Street;and three alleys:
 - a. the east west alley north of Locust Street between Ripley and Harrison Streets,

- b. the north-south alley west of Harrison Street between the north line of the east-west alley north of Locust Street and the south line of Pleasant Street, and
- c. the north-south alley west of Harrison Street between the north line of Pleasant Street and the south line of Rogalski Drive.

Findings:

- St Ambrose owns almost all of the surrounding property.
- Eventual integration of the street system into the campus was presumed as has happened in the past

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. ROW17-04 to the City Council for approval subject to the following conditions:

1. That an easement be placed on the rights-of-way to maintain, operate, remove, repair, replace, construct, reconstruct, or relocate utility services.
2. That an easement for access be provided to the satisfaction of 2020 Harrison Street (Birthright of Davenport) or its successor.

On a motion by Manes, seconded by Connell, to forward Case No. ROW17-04 to the City Council for approval subject to the above conditions was approved: 8-yes, 1-no (Lammers) and 0-abstention.

2. **Case No. F17-15:** Final Plat of O.R.A. First Addition, located north of Northwest Boulevard between Sturdevant and Division Streets, containing two (2) lots on 8.25 acres.

Findings:

The plat facilitates orderly development with designate detention on lot A (Lot 2).

Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. F17-13 to the City Council for approval subject to the following conditions:

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.
3. Text "This Plat Prepared For" should be "Owner/Agent".
4. "Lot 2" should be labeled "Lot A"
5. Lot A (former Lot 2) is to be called out as a detention and drainage easement.
6. The right-of-way along the east side of Division Street should be labeled as "being dedicated for street purposes with this plat" as per the City Development Engineer's preferred terminology.
7. That two previously established lot corners or two quarter corners are shown on the plat and that there are descriptions for them containing which lot corner or quarter corner they are. They plat needs to be tied to these two monuments.

On a motion by Maness, seconded by Connell, to forward Case No. F17-15 to the City Council for approval subject to the above conditions was unanimously approved: 9-yes, 0-no and 0-abstention.

VII. Other Business – 2016-2nd Quarter Development Report & Fiscal Year FY2017 Development Report

VIII. Future Business – Preview of items for the August 15th public hearing and/or regular meeting (*note-not all items to be heard may be listed*):

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

IX. Adjourn – The meeting was adjourned at 7:07 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:

Monday, August 15, 2017 at 5:00 P.M. in the Council Chambers of Davenport City Hall 226 West 4th Street.