CITY PLAN AND ZONING COMMISSION
CITY OF DAVENPORT, IOWA

MONDAY JULY 17, 2018 • 5:00 PM

COUNCIL CHAMBERS – DAVENPORT CITY HALL
226 W 4TH STREET DAVENPORT, IA

PUBLIC HEARING AND REGULAR MEETING MINUTES

PUBLIC HEARING AGENDA

The Public Hearing was called to order at 5:00 P.M.

I. Roll Call of the Membership

Present: Connell, Inghram, Johnson, Kelling, Maness, Medd, Quinn, Reinartz and Tallman
Excused: Hepner, Lammers
Absent: None
Staff: Longlett and Rusnak

II. OLD BUSINESS

None.

III. NEW BUSINESS

1. Case No. REZ18-10: Request Jessica Tuttle on behalf of Thompson Thrift Development Company, Inc., to rezone 24.5 acres, more or less, of property located south of east 53rd Street and west of the Bettendorf City Border from "R-2 PUD" Low Density Residential District Planned Unit Development and "PDD" Planned Development District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development. [Ward 6]

   Rusnak summarized the request.

   Jessica Tuttle provided Company background and provided further description of the request.

   Six residents spoke in opposition of the request.

   Commission members asked questions regarding stormwater and why the property has been vacant since the last rezoning.

   Eric Longlett answered questions pertaining to the City's Stormwater Ordinance. Jessica Tuttle surmised that the previous cost of the land made development difficult.

2. Case No. REZ18-11: Request Kevin Koellner on behalf of Build to Suit to rezone 13 acres, more or less, of property located south of East 53rd Street immediately west of the Bettendorf City Border from “R-2PUD” Low Density Residential District Planned Unit Development and “PDD” Planned Development District” to all PDD with a new Land Use Plan. Kevin Koellner, Build to Suit, petitioner. [Ward 6]

   Rusnak summarized the request.

   Kevin Koellner provided futher description of the request.

   The Public Hearing ended at approximately 5:55 p.m.

REGULAR MEETING AGENDA

I. Roll Call of the Membership

Present: Connell, Inghram, Johnson, Kelling, Maness, Medd, Quinn, Reinartz and Tallman
Excused: Hepner, Lammers
Absent: None
Staff: Longlett and Rusnak

II. Report of the City Council Activity

Rusnak stated there was nothing to report.

III. Secretary’s Report

Consideration of the July 2, 2018 meeting minutes.

A motion by Tallman, seconded by Connel to approve the July 2, 2018 meeting minutes. Vote to approve was unanimous by voice vote.

IV. Report of the Comprehensive Plan Committee

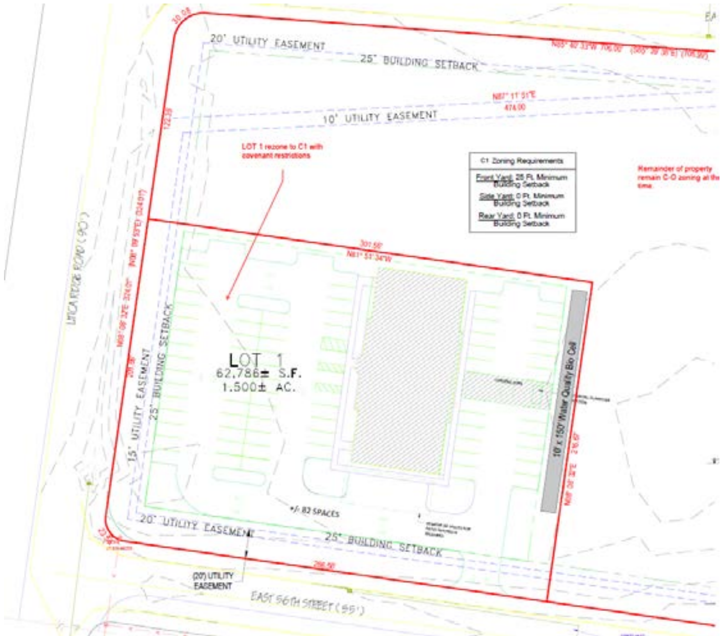
Rusnak discussed the upcoming open houses regarding the draft Zoning Ordinance and Map.

V. Zoning Activity

A. Old Business

1. Case No. REZ18-09: Request of Jerod Engler on behalf of McCarthy Improvement Co. for the rezoning of 8.83 acres, more or less, located along the north side of East 56th Street east of Utica Ridge Road from “C-O” Office Shop District to “C-2” General Commercial District to facilitate commercial development. [Ward 6]

   Rusnak stated that the applicant amended the request to rezoning to “C-1” and only on proposed Lot 1 (see map below). The applicant also provide a list of use restrictions.



Findings:

1. Rezoning only Lot 1 to C-1 allows the development to proceed and protects the neighborhood by maintaining C-O zoning adjacent to the residential properties.
2. The proposed rezoning is consistent with the Comprehensive Plan in that it allows a limited node of neighborhood commercial north of an adjacent regional commercial center and provides a “step down” in land use intensity to the north and east.
3. Rezoning Lot 1 to C-1 does not guarantee or imply future rezonings on land included in the original proposal. Future rezoning petitions will be considered on their own merit.

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ18-09 to the City Council with a recommendation to rezone only proposed Lot 1 to “C-1” Neighborhood Shopping District subject to the following conditions:

1. The following uses are not allowed on proposed Lot 1:

   a. Filling station
   b. Messenger or telegraph service station
   c. Public garage
   d. Used car lot
   e. Garage, storage, and parking lot
   f. Laundry and dry cleaning
   g. Theater
   h. Drive-in theater
   i. Motel/hotel
   j. Undertaking establishment
   k. Service station
   l. Coin operated laundry
   m. Open animal kennels or yards

Some residents spoke in favor of the request. Some spoke in opposition of request, but suggested if the Commission were to vote to recommend approval to add additional use restrictions.

A motion by Tallman, seconded by Connel to accept the findings and forward Case No. REZ18-09 to the City Council with a recommendation to rezone only proposed Lot 1 to “C-1” Neighborhood Shopping District subject to the use prohibitions recommened by City staff.

Vote for approval was 3-yes, 4-no and 1-abstention.

Vote for approval failed. Therefore, the Plan and Zoning Commission recommends denial of the request.

B. New Business

None.

VI. Subdivision Activity

A. Old Business

None.

B. New Business

1. Case No. F18-09: Request of O’Bros. LLC a final plat of Eastern Avenue Farms Fifth Addition located generally north of East 60th Street between Eastern Avenue and Jersey Ridge Road containing 47 residential lots on 18.39 acres, more or less. The property is zoned “R-2” Low Density Dwelling District.

Rusnak summarized the request.

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.

Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. F18-09 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met;
3. That the plat is tied to two quarter corners both labeled with description or two previously established lot corners both labeled with description of each corner; and
4. That a note be added to the plat stating that sidewalks shall be installed along street frontages when so ordered by the City; and
5. All easements shall be a minimum 15 feet in width.

A motion by Tallman, seconded by Connel to accept the findings and forward Case No. Case No. F18-09 to the City Council with a recommendation for approval subject to the conditions recommended by City Staff.

Vote for approval was 8-yes, 0-no and 0-abstention.

VII. Other Business

None.

VII. Future Business

Preview of items for the July 31, 2018 public hearing and/or regular meeting *(note-not all items to be heard may be listed)*:

1. Case No. F18-10 Request of Riverstone Group Inc. for a final plat of Crow Valley Plaza Twelfth Addition on 14.67 acres, more or less, being a replat of Lot 1 of Crow Valley Plaza Tenth Addition located along the north side of East 56th Street and north of Lakeview Parkway containing two (2) lots. [Ward 6]

2. Case No. P18-04 Request of Build To Suit, Inc. for a preliminary plat of Watermark First Addition on 37.92 acres, more or less, property is located at 4607 E 53rd Street, parcel number N0910-01, containing four (4) lots. [Ward 6]

3. Case No. F18-11 Request of Speer Development for a final plat of Speer Commercial Park 1st Addition on 31.64 acres, more or less, located at the southeast corner of East 53rd Street and Eastern Avenue. [Ward 6]

4. Case No. FDP18-02: Request of Jessica Tuttle, Thompson Thrift Company, Inc. for a final development on 24.27 acres +/- located south of East 53rd Street and west of the Bettendorf City Limits. Proposed development is a 294 unit apartment complex with clubhouse and outdoor pool. [Ward 6]

5. Case No. FDP18-03: Request of William Torchia on behalf of WCT Investments Davenport Series, LLC for a "PDD" Planned Development District final development plan for an 8,964 square foot drive-through restaurant on 2.2 acres, more or less located on the south side of East 53rd Street approximately 385 feet east of Lorton Avenue. [Ward 6]

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

No one from the audience spoke.

V. Adjourn

The meeting adjourned at approximately 6:30 pm.