

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

MONDAY JULY 02, 2018 • 5:00 PM

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

PUBLIC HEARING AND REGULAR MEETING MINUTES

PUBLIC HEARING AGENDA

There was no old or new business on the public hearing agenda.

REGULAR MEETING AGENDA

The regular meeting was called to order at 5:00 P.M.

I. Roll Call of the Membership

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

II. Report of the City Council Activity

III. Secretary's Report

The minutes of the June 19, 2018 meeting were approved.

IV. Report of the Comprehensive Plan Committee

Flynn provided a brief update on the Zoning Ordinance rewrite.

V. Zoning Activity

A. Old Business

There was no old business.

B. New Business

The chairperson stated that Case No. REZ18-09 would be considered first as it was his understanding that there was a request for the item to be tabled.

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]

Motion by Tallman, second by Reinartz to table REZ18-09 to the July 19, 2018 meeting. Vote to table was unanimous 9-yes, 0-no and 0-abstention.

2. Case No. REZ18-08: Request of William Torchia on behalf of WCT Investments Davenport Series, LLC for a rezoning on 6.5 acres, more or less, located along the south of East 53rd Street and east of Lorton Avenue from “R-1 Low Density Dwelling District to “PDD” Planned Development District to facilitate commercial development. [Ward 6]

Rusnak summarized the staff report.

Findings:

1. The commercial use of the property would comply with the Davenport 2035 Future Land Use Map designation due to the proposed scale of the development as depicted on the “PDD” Planned Development District Land Use Plan and the rezoning conditions recommended by City staff;
2. The design of the proposed commercial use of the property as depicted on the “PDD” Planned Development District Land Use Plan and the rezoning conditions recommended by City staff help mitigate potential any negative impacts to surrounding residential property owners;
3. The traffic impact study demonstrates that additional traffic caused by the proposed development would not significantly impact adjacent roadways; and
4. Planned improvements to East 53rd Street facilitate commercial development at this location.

Recommendation:

Staff recommends that the Plan and Zoning Commission forward Case No. REZ18-08 to the City Council with a recommendation for approval subject to the following conditions:

1. That the property be substantially developed in accordance with the “PDD” Planned Development District Land Use Plan;
2. That a 25 foot wide landscape buffer be maintained along the south property line. This landscape buffer has contain a 6 foot high fence along the northern portion of the landscape buffer;
3. That a 25 foot wide landscape buffer be maintained along the west property line;
4. That there be no vehicular access to Lorton Avenue;
5. That the following uses be prohibited because the potential for incompatibility with the surrounding residential properties: carryout sales of alcoholic beverages; gasoline stations and car washes;
6. That any dumpsters be located at least 60 feet from the south and west property line;
7. That parking lot lighting be shielded and directed away from the residential properties to the south and west;

8. That a sidewalk be installed from the East 53rd Street sidewalk into the proposed development to facilitate pedestrian access to the commercial development;
9. That the west driveway access to East 53rd Street turn and through lanes extend to the southernmost east-west driveway to avoid being blocked by the through movement queue; and
10. In the event that the “PDD” Planned Development District and/or “HCOD” Highway Corridor Overlay District are supplanted by new zoning ordinance classifications and regulations, the City or property owner shall rezone the property to a commercial classification most consistent with the proposed development. Undeveloped portions of the property shall adhere to the new zoning ordinance classification and regulations. Existing portions of the property rendered non-conforming by the new zoning ordinance classifications and regulations shall be considered legally established non-conformities.

Several residents raised concerns related to increased traffic in the area including, existing and increased stormwater and the general impact of rezoning commercial further on 53rd Street.

A few residents spoke in favor of the request.

A few technical questions were asked by Commissioners.

A motion by Tallman, seconded by Connel, to accept the listed findings and forward Case No. REZ18-08 to the City Council with a recommendation for approval subject to the above stated conditions. Vote for approval was 5-yes, 4-no and 0-abstention.

3. Case No. CP18-02: Request of the City of Davenport to amend the Davenport 2035 Future Land Use Map Designation from “RG” Residential General to Commercial Corridor on 6.5 acres of property, more or less, located along the south side of East 53rd Street east of Lorton Avenue. [Ward 6]

Rusnak summarized the staff report.

Findings:

1. Since the adoption of Davenport 2035 Land Use Plan Update in 2016, the East 53rd Street corridor continues to develop commercially (Costco on East 53rd Street immediately north of the subject property is ongoing and the proposed automotive dealership at the southeast corner of East 53rd Street and Eastern Avenue is being designed);
2. Costco will be improving East 53rd Street with a signalized intersection with turn lanes into its entrance and two eastbound and two westbound travel lanes and East 53rd Street is being designed to be improved to two eastbound and two westbound travel lanes with center turn lanes from Brady Street to west of Elmore Circle; and
3. The Davenport 2035 Future Land Use Map designation “CC” Commercial Corridor would better reflect the commercial development of the property and the commercial corridor.

Recommendation:

Staff recommends that the Plan and Zoning Commission accept the listed findings and forward Case No. CP18-02 to the City Council with a recommendation for approval.

A motion by Tallman, seconded by Connel, to accept the listed findings and forward Case No. CP18-02 to the City Council with a recommendation for approval. Vote for approval was 5-yes, 4-no and 0-abstention.

VI. Subdivision Activity

A. Old Business

There was none.

B. New Business

1. Case No. ROW18-01: Request of William Torchia on behalf of WCT Investments Davenport Series, LLC for the vacation (abandonment) of 0.34 acre (14,812 square feet), more or less, of right-of-way known as Fairhaven Road extending approximately 285 feet south from East 53rd Street to facilitate commercial development. [Ward 6]

Rusnak summarized the staff report.

Findings:

1. Approved design improvements to East 53rd Street related to the Costco development include a median at the intersection of East 53rd Street and Fairhaven Road, which would convert Fairhaven Road to right-in/right-out only. This would reduce the number of vehicles entering and exiting the East 53rd Street/Fairhaven Road intersection;
2. The traffic impact study demonstrates that additional traffic caused by the proposed development, which includes partially vacating and incorporating Fairhaven Road into the development, would not significantly impact adjacent roadways; and
3. Partially vacating and incorporating Fairhaven Road into the proposed development would allow for a more efficient design of the commercial development.

Recommendation:

Staff recommends that the Plan and Zoning Commission accept the listed findings and forward Case No. ROW18-01 to the City Council with a recommendation for approval subject to the following conditions:

1. That the right-of-way vacation be subject to the approval and adoption of the rezoning ordinance for Case No. REZ18-08;
2. That a utility easement be provided in the location existing utilities; and
3. That the area for the Fairhaven Road turnaround be dedicated to the City of Davenport as public right-of-way.

A motion by Connel, seconded by Tallman, to accept the listed findings and forward Case No. ROW18-01 to the City Council with a recommendation for approval subject to the above stated conditions. Vote for approval was 5-yes, 4-no and 0-abstention.

2. Case No. F18-08: Request of Ted Johnson on behalf of Costco Real Estate for a final plat of Costco Addition, being a one lot subdivision on 17.33 acres, more or less, located at 2790 and 2784 East 53rd Street. [Ward 6]

Rusnak summarized the staff report.

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 forward Case No. F18-08 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 a note be added to the plat stating that sidewalks shall be installed along street frontages when so ordered by the City; and
4. That the plat show an easement for the detention basin and a stormwater easement to convey excess stormwater to the drainage basin. The easement shall connect to the right-of-way for reasonable access for inspection of the stormwater detention/quality practices.

A motion by Connel, seconded by Lammers, to accept the listed findings and forward Case No. F18-08 to the City Council with a recommendation for approval subject to the above stated conditions. Vote for approval was 9-yes, 0-no and 0-abstention.

VII. Other Business

There was none.

VIII. Future Business – Preview of items for the July 17, 2018 public hearing and/or regular meeting (*note-not all items to be heard may be listed*):

- Case No. REZ18-10: Request 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). Jessica Tuttle, Thompson Thrift Development Company, petitioner. [Ward 6]
- Case No. REZ18-11: Request to rezone 13 acres, more or less, of property located south of East 53rd Street immediately west of the Bettendorf City Border from R-2(PUD) (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]

- Case No. F18-09 being the 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.

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

No one from the audience spoke.

X. Adjourn

The meeting was adjourned at 7:20 P.M.