

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

**TUESDAY JUNE 19, 2018 • 5:00 PM
COUNCIL CHAMBERS – DAVENPORT CITY HALL
226 W 4TH STREET DAVENPORT, IA**

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. 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]
- 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]

The above two public hearings were combined: concerns raised were primarily related to increased traffic in the area including the adjacent local streets and its impact; stormwater was mentioned by a few people; and the general impact of rezoning commercial further on 53rd Street.

- 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]

Concerns about the future uses and change in uses once the property is sold abd McCarthy-Bush is no longer in control; the general commercial (C-2) not in keeping with the area north of 56th Street; and the current C-O zoning allows for the proposed salon use.

The public hearing was closed at 6:52 P.M.

Next Public Hearing: Note Day Change

Monday, July 02, 2018 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 6:52 P.M. following the public hearing.

I. Roll Call of the Membership

Present: Connell, Hepner, Inghram, Johnson, Lammers, Medd, Quinn, Reinartz and Tallman

Excused: Kelling, Maness and Medd

Absent: None

Staff: Flynn, Koops, Longlett, Rusnak, Statz, Wille and attorney Heyer

II. Report of the City Council Activity – as presented

III. Secretary's Report - the minutes of the June 05, 2018 meeting were approved

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business -

1. Case No. REZ18-06: Request of Tim Shaffer of Shaffer Automotive Service LLC dba Dales Service Center for a rezoning on 4,380 square feet (0.10) acre of property known as 1909 North Zenith Avenue located north of West Locust Street and east of North Zenith Avenue. The rezoning is from "R-3" Moderate Density Dwelling District to "C-2" General Commercial District to provide parking for the associated business Dales Service. [Ward 1]

Findings:

- The request mitigates congestion on the local streets.
- The request mitigates the business impact on the surrounding area.
- This request allows a small business to grow and remain.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ18-06 to the City Council for approval subject to the following conditions:

1. That a six foot solid fence be constructed along the north property line (four foot height in the required front yard).

A motion by Tallman, seconded by Lammers, to accept the findings and forward Case No. REZ18-06 to the City Council for approval subject to the above stated condition was unanimously approved, 6-yes, 0-no and 0-abstention.

2. Case No. REZ18-07: Request of Tim Shaffer of Shaffer Automotive Service LLC dba Dales Service Center for a rezoning on 6,000 square feet (0.14) acre of property known as 3816 West Locust Street located north of West Locust Street and east of North Zenith Avenue. The rezoning is from "R-3" Moderate Density Dwelling District to "C-2" General Commercial District to provide parking for the associated business Dales Service. [Ward 1]

Findings:

- The request mitigates congestion on the local streets.
- The request mitigates the business impact on the surrounding area.
- This request allows a small business to grow and remain.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ18-07 to the City Council for approval subject to the following conditions:

1. That a six foot solid fence be constructed along the north and east property lines property lines (four foot height in the required front yard).

A motion by Tallman, seconded by Lammers, to ccept the findings and forward Case No. REZ18-07 to the City Council for approval subject to the above stated conditions was unanimously approved 6-yes, 0-no and 0-abstention.

VI. Subdivision Activity

A. Old Business –

B. New Business –

1. Case No. F18-05: Request of Seng Meadows LLC for a final plat of Seng Meadows First Addition on 14.15 acres, more or less, located west of Northwest Blvd. and north of West 46th Street containing 40 single family lots. [Ward 7] The preliminary plat was approved in April. The area is zoned “R-3” Moderate Density Dwelling District. [Ward 7]

Findings:

- The plat conforms to the Comprehensive Plan land use map.
- The plat proposes infill residential development.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No F18-05 to the City Council for approval subject to the following conditions:

1. The surveyor and utility companies will need to sign the plat.
2. No access to Northwest Boulevard allowed for Lots 1, 11, 12 and 13;
3. Due to the intersection configuration of Seng Court, Warren Sreet and Northwest Boulevard that access to Lots 10 and 11 being as far southerly along Warren Street as practical, and access to Lot 1 should be located at least 150 feet westerly of Northwest Boulevard.
4. West 48th Street shall end in a turn-around acceptable to the City, culdesac ot hammerhead.
5. Lots abutting the detention area or abutting/adjacent to drainage easements shall have water entry levels for structures established as one foot above the one hundred-year flood elevation for the basin.
6. Easements for excess stormwater passage with note for future maintenance need to be shown.
7. The notes should reference meeting SUDAS and City Supplemental Specifications

8. As per Section 534.6 of the State Code Outlot A shall have is proposed use designated on the plat. The notes shall also list the ownership and maintenance responsibility of the outlots

A motion by Connell, seconded by Lammers, to accept the findings and forward Case No F18-05 to the City Council for approval subject to the above stated conditions was unanimously approved 6-yes, 0-no and 0-abstention.

Quinn abstained from the following case.

2. Case No. F18-06: Request of Bush Construction for a final plat of Crow Valley Plaza Eleventh Addition on 8.13 acres, more or less, being a replat of Lot 2 of Crow Valley Plaza Tenth Addition located along the north side of East 56th Street and east of Utica Ridge Road containing two (2) lots. [Ward 6]

Findings:

- The proposed plat facilitates the sale and proposed development of the property.
- The proposed plat generally complies with the land use portion of Davenport+2035: Comprehensive Plan for the City.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-06 to the City Council for approval, subject to meeting Municipal Code Chapter 13.34. Stormwater Management.

A motion by Connell, seconded by Hepner, to accept the findings and forward Case No. F18-06 to the City Council for approval, subject to the above stated condition was approved on a split vote of 5-yes, 0-no and 1—abstention (Quinn).

3. Case No. F18-07: Request of Richard Pierce for a final plat of Monarch Hills First Addition on 9.39 acres, more or less, being a replat of Lot 1 of Richard Pierce Subdivision, east of Vermont Avenue and north of Telegraph Road (405 North Vermont Avenue) containing two agricultural lots. [Ward 1]

Findings:

- The plat conforms to the comprehensive plan.
- The plat facilitates housing choice.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No F18-07 to the City Council for approval.

1. Plat needs to be signed by surveyor and utilities.
2. Sidewalks along Vermont Avenue shall be installed when so required by the City.
3. Remove the note stating “no detention” (site improvements could require detention/water quality per storm water ordinance).

A motion by Connell, seconded by Hepner to accept the findings and forward Case No F18-07 to the City Council for approval subject to the above stated conditions was unanimously approved 6-yes, 0-no and 0-abstention.

- VII. Other Business** – Wille was recognized for his faithful service and congratulated upon his retirement.
- VIII. Future Business** – Preview of items for the July 2nd 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 Commission on matters *not on the established agenda*)
- X. Adjourn** – The meeting was adjourned at 7:20 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, July 02, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall
226 West 4th Street.