

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, JUNE 15, 2021; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

Present: Lammers, Tallman, Inghram, Hepner, Brandsgard, Reinartz, Maness, Garrington, Stelk

Excused: Schneider, Johnson

Staff: Berkley, Werderitch

The Plan and Zoning Commission welcomed its eleventh Commissioner Jim Stelk, whom filled the last remaining vacant seat.

II. Report of the City Council Activity

Berkley stated the Zoning Ordinance Amendments have been adopted by City Council. Staff updated the commission on rezoning cases REZ21-02 and REZ21-03. City Council approved the preliminary plats for Birchwood Grove and Birchwood South First Addition. City Council authorized a six month moratorium on select land uses surrounding the mall to allow staff time to prepare a new zoning district that will better encourage revitalization.

III. Secretary's Report

A. Consideration of the May 18, 2021 meeting minutes.

Motion by Hepner, second by Tallman to approve the May 18, 2021 meeting minutes. Motion to approve was unanimous by voice vote (8-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case P21-03: Request of Dan Dolan Homes for a Preliminary Plat of a 38 lot subdivision on 7.18 acres located south of Lincoln Road, east of Broadlawn Avenue, north of Riverview Park Drive, and west of Kimberly Road. [Ward 6]

Berkley provided an overview of the proposed preliminary plat. The development spans across municipal limits into Bettendorf. Staff has been coordinating technical review with the City of Bettendorf.

Staff recommended the Plan and Zoning Commission table Case P21-03 until after the Petitioner holds the requested neighborhood informational meeting followed by a separate meeting with both Davenport and Bettendorf staff.

Kevin Dolan, Dan Dolan Homes, gave an overview of the proposed development and answered questions during public comments. Dolan asked the case be forwarded to the City Council with a recommendation for approval.

Numerous abutting property owners spoke in opposition to the proposed preliminary plat. Concerns included density, building height, increased traffic, drainage, site grading, utility service, safety, property values, preserving the character of the neighborhood, impacts to wildlife, and tree removal.

Motion by Tallman, second by Hepner to table Case P21-03 for one cycle. Motion to table was unanimous by a roll call vote (8-0).

- ii. Case F21-03: Request of SB Real Estate, LLC for a Final Plat of a 3 lot subdivision on 122.48 acres located at the southeast corner of West 76th Street and North Division Street. [Ward 8]

Werderitch offered an overview of the 3 lot subdivision and explained the split zoning of the property and additional right-of-way acquisition. Additional site challenges include proximity to the Scott County Waste Commission and Goose Creek floodplain.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F21-03 to the City Council with a recommendation for approval subject to the 11 listed conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.

3. That all easements be a minimum of 15 feet or twice the depth of the utility line.
4. Include a recreational trail easement per City Green Way Plan.
5. Label Goose Creek on the plat.
6. Include language on the plat limiting basement locations and requiring vapor barriers within 100' of the landfill boundaries.
7. Include a note stating, "No subsurface basements are allowed within 100 feet of the east line of the subdivision."
8. A minimum of 80 feet of ROW for Marquette Street shall be dedicated adjacent to the landfill property. Future Marquette pavement is to be centered in the west 70 feet.
9. Any utilities placed on the east side of Marquette Street shall be overhead or shall use approved methods of preventing subsurface gas migration.
10. A minimum 20 foot wide utility easement shall be dedicated on the west side of Marquette Street.
11. Any storm or sanitary sewer placed within Marquette Street ROW shall be constructed using approved methods of preventing subsurface gas migration.

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The final plat raises issues regarding public safety due to flooding and adjacent land uses.
4. There are significant issues that will need to be addressed prior to the further subdivision of lot 3 for residential development.
5. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Inghram inquired about the close proximity of industrially zoned land adjacent to residential. Berkley addressed setback and landscaping requirements. At this time no future residential development is proposed. The purpose of the final plat is to facilitate sale of the industrially zoned property.

Motion by Tallman, second by Hepner to approve Case F21-03 in accordance with the listed findings and conditions. Motion to approve was unanimous by a roll call vote (8-0).

- iii. Case F21-04: Request of Speedway, LLC for a Final Plat of a 2 lot subdivision on 16.74 acres located at 8320 Hillandale Road. [Ward 8]

Berkley introduced the final plat. A second lot is being separated from the Speedway gas station site to create a potential second developable lot.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F21-04 to the City Council with a recommendation for approval subject to the listed conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Include ties to two quarter corners or two previously established lot corners.
4. Add a note stating that areas identified as ROW dedication areas are hereby dedicated to the City of Davenport with the recording of the plat.
5. The legend, curve table and line table shall be moved to outside of Lot 1.
6. Remove all references to flood areas.
7. The Dengler Drive Right-of-Way shall extend an addition 14 feet to the north.
8. That all easements be a minimum of 15 feet or twice the depth of the utility line.
9. A 15 foot utility easement shall be placed along all street frontages including Northwest Boulevard and Dengler Drive.
10. Reference the document recording number for the newly dedicated ROW at the SE corner of Dengler Drive.
11. Add a note stating that sidewalks shall be constructed as development occurs or when so ordered by the City.
12. Add a note stating blanket underground easements are granted for sewer, water, gas, electric, and communications services.
13. Add a note stating all public utilities shall be located within easements or public ROW.
14. Include stormwater detention area in an easement with appropriate access for maintenance and inspection.
15. Add a note stating that the stormwater easements shall be owned and maintained by the property owner.
16. Add a note stating that Stormwater detention and water quality treatment will be required for this subdivision per City Code Section 13.34 Stormwater Management. Details and required easements shall be provided upon development.

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.

3. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Motion by Tallman, second by Maness to approve Case F21-04 in accordance with the listed findings and conditions. Motion to approve was unanimous by a roll call vote (8-0).

- iv. Case F21-05: Request of 3rd Gen LLC for a Final Plat of a 2 lot subdivision on 13.11 acres located at 3053 Research Parkway. [Ward 8]

Werderitch offered a summary of the proposed industrial subdivision, which is being split to create a second developable parcel.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F21-05 to the City Council with a recommendation for approval subject to the listed conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. That all easements be a minimum of 15 feet or twice the depth of the utility line.
4. Access to Research Parkway shall be limited to sharing the existing drive on Lot 2 or from the existing ROW on the west side of the addition.
5. A note shall be added that sidewalk shall be constructed on Research Parkway prior to occupancy or when ordered by the City.

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Motion by Tallman, second by Hepner to approve Case F21-05 in accordance with the listed findings and conditions. Motion to approve was unanimous by a roll call vote (8-0).

VII. Future Business

Berkley stated there is a subdivision plat scheduled for the July 6, 2021 meeting date. In addition, the Rock Church rezoning petition is proceeding forward to second consideration at Committee of the Whole.

VIII. Communications

Reinartz inquired about stormwater drainage and management as it relates to development and disturbance of natural waterways.

Lammers sought clarification from staff regarding the approval process moving forward for Case P21-03. Berkley responded additional meetings are forthcoming with the neighborhood and the City of Bettendorf prior to formal consideration by the Commission.

IX. Other Business

X. Adjourn

Motion by Tallman, second by Maness to adjourn the meeting. Motion to adjourn was unanimous by voice vote (8-0).

The meeting adjourned at 6:20 pm.