

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

**TUESDAY MAY 16, 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 CANCELLED

PUBLIC HEARING AGENDA

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

OLD BUSINESS – None

NEW BUSINESS – None

Next Public Hearing:

Tuesday, June 6, 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 5:00 P.M., there was no public hearing.

I. Roll Call of the Membership

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

Excused: Maness and Martinez

Absent: None

Staff: Rusnak, Flynn, Leabhart and attorney Heyer.

II. Report of the City Council Activity – as presented

III. Secretary's Report May 2, 2017 meeting minutes 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 – None

B. New Business -

- 1. Case No. ROW17-02:** Request of Genesis Health System for the right-of-way vacation (abandonment) of 0.38 acre (16,800 square feet), more or less, of public right-of-way known as East Lombard Street between College Avenue and the west line extended of the north-south alley east of formerly vacated Esplanade Avenue. The request is to facilitate campus expansion.

Findings:

1. The proposed right of way vacation would not impact adjacent property owners since Genesis Health System owns property on both sides of East Lombard Street in the location of the right of way vacation; and
2. A utility easement would preserve the rights for utility providers maintaining utilities within the East Lombard Street right-of-way.

Staff recommends the City Plan and Zoning Commission forward Case No. ROW17-02 to the City Council with a recommendation for approval subject to the following condition:

1. A utility easement be dedicated for the preservation and maintenance of public utilities within the East Lombard Street right-of-way. Alternatively, Genesis Health System could abandon the public utilities.

On a motion by Medd, seconded by Lammers, the City Plan and Zoning Commission accepted the findings and forwards Case No. ROW17-02 to the City Council with a recommendation for approval subject to the condition listed by City staff.

Vote of recommendation for approval of 7-yes, 0-no and 0-abstention.

- 2. Case No. ROW17-03:** Request of Genesis Health System for the right-of-way vacation (abandonment) of 0.26 acre (11,400 square feet), more or less, of public right-of-way known as Denison Avenue between the west line of Adams Street and the railroad. The request is to facilitate securing the property

Findings:

1. The proposed right of way vacation would not impact adjacent property owners since Genesis Health System owns the adjacent property to the north; and
2. A utility easement would preserve the right of the utility provider maintaining the sanitary sewer within the Denison Avenue right-of-way.

Staff recommends the City Plan and Zoning Commission forward Case No. ROW17-03 to the City Council with a recommendation for approval subject to the following condition:

1. A utility easement be dedicated for the preservation and maintenance of the public utility within the Denison Avenue right-of-way. Alternatively, Genesis Health System could abandon the public utility.

On a motion by Medd, seconded by Hepner, the City Plan and Zoning Commission accepted the findings and forwards Case No. ROW17-03 to the City Council with a recommendation for approval subject to the condition listed by City staff.

Vote of recommendation for approval of 7-yes, 0-no and 0-abstention.

- 3. Case No. FDP17-02:** Request of Genesis Health System for a PDD Final Development Plan approval for a medical office building located on 2.92 acres, more or less, of property located at 3200 West Kimberly Road.

Finding:

1. The proposed Final Development Plan would achieve consistency with adopted ORD2014-423 if the building and parking lot setback deficiencies are resolved (either through the granting of a hardship variance by the Zoning Board of Adjustment or the building and parking lot be adjusted on the site to accommodate the required setbacks) and the dumpster and enclosure is relocated to achieve consistency with the required 30 foot buffer adjacent to the north property line adjacent to the residences.

Staff recommends the Plan and Zoning Commission accept the listed condition and forward Case FDP17-02 to the City Council with a recommendation for approval subject to the following conditions:

1. Prior to the City Council's consideration of the proposed Final Development Plan, the building setback and parking deficiencies be resolved (either through the granting of a hardship variance by the Zoning Board of Adjustment or building and parking lot be adjusted on the site to accommodate the required setbacks) and the dumpster and enclosure be relocated to achieve consistency with the required 30 foot buffer adjacent to the north property line adjacent to the residences; and
2. Prior to issuance of Certificate of Occupancy, the portion of the existing sanitary sewer easement within the proposed building foot print shall be vacated. A new sanitary manhole shall be constructed in place of the depicted sewer cleanout shown. The lateral shall be connect to the sewer with a wye connection and not brought into the manhole.

On a motion by Medd, seconded by Tallman, the City Plan and Zoning Commission accepted the finding and forwards Case No. FDP17-02 to the City Council with a recommendation for approval subject to the two conditions listed by City staff.

Vote of recommendation for approval of 7-yes, 0-no and 0-abstention.

- 4. Case No. FDP17-03:** Request of Build to Suit Inc on behalf of Family Care Solutions for a PDD final development plan for offices on 1.2 acres, more or less, being Lot 9 of Utica Corners 6th Subdivision located east of Utica Ridge Road and north of Crow Creek Road.

Finding:

1. The proposed Final Development Plan meets consistency with adopted ORD99-494.

Staff recommends the Plan and Zoning Commission accept the listed finding and forward Case FDP17-03 to the City Council with a recommendation for approval.

On a motion by Medd, seconded by Lammers, the City Plan and Zoning Commission accepted the finding and forwards Case No. FDP17-03 to the City Council with a recommendation for approval.

Vote of recommendation for approval of 7-yes, 0-no and 0-abstention.

VI. Subdivision Activity

A. Old Business – None

B. New Business –

- 1. Case No. F17-10:** Final plat of Interstate 80 Airport Industrial Park 10th Addition, being in part a replat of Lot 2 of Interstate 80 Airport Industrial Park 4th Addition, located at the northeast corner of Hillandale Road and Research Parkway, containing two industrial lots on 29.43 acres, more or less.

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035;
2. The plat would achieve consistency with subdivision/zoning requirements

Staff recommends the City Plan and Zoning Commission forward Case No. F17-10 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;
4. That a note be added to the plat stating that sidewalks shall be installed along street frontages when so ordered by the City;
5. That the existing 30 foot wide sewer easement be extended and shown as dedicated along the remaining Hillandale Road frontage and along the Enterprise Way frontage. The utility easements shall remain shown as is; this 30 foot dedication would begin at the ROW lines and overlap those utility easements;
6. That a note be added to the plat stating that all street access points shall be approved by the City Traffic Engineer;

7. That the area for storm water detention and water quality treatment be located within an easement in accordance with Section 13.34.260 of the Davenport City Code; and
8. The following note be added to the plat pertaining to the 20 foot wide drainage easement: The owners of lots with drainage easements shall maintain a storm water passageway within the area platted as "Drainage Easement". This area shall be planted in grass and maintained as a lawn free of structures, fences, bushes, trees and other landscaping that would impede the flow of storm water."

On a motion by Reinartz, seconded by Tallman, the City Plan and Zoning Commission accepted the findings and forwards Case No. F17-10 to the City Council with a recommendation for approval subject to the eight conditions listed by City staff.

Vote of recommendation for approval of 7-yes, 0-no and 0-abstention.

2. **Case No. P17-02:** Preliminary plat of Inverness Estates located east of Division Street and south of West 76th Street, containing 246 residential lots and 51 outlots on 123 acres, more or less.

Findings:

1. The preliminary plat conforms to the comprehensive plan land use.
2. The preliminary plat prepares the area for future residential development.
3. The preliminary plat raises issues regarding public safety due to flooding.
4. While approval of a preliminary plat does not constitute acceptance of the subdivision by the city, it is deemed to be an authorization to proceed with the preparation of the final plat, the developer need to be clear there are significant issues that will need to be addressed prior to or with final platting.

Recommendation

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. P17-02 to the City Council with a recommendation for approval.

On a motion by Reinartz, seconded by Lammers, the City Plan and Zoning Commission accepted the findings and forwards Case No. P17-02 to the City Council with a recommendation for approval.

Vote of recommendation for approval of 6-yes, 0-no and 1-abstention (Tallman).

VII. Other Business –

VIII. Future Business – Preview of items for the May 16th public hearing and/or regular meeting (*note-not all items to be heard may be listed*):

1. Case No. F17-10: Request of Greater Davenport Redevelopment Corporation for a two lot final plat on 29.43 acres, more or less, located at the northeast corner of Hillandale Road and Research Parkway. The proposed plat is a replat of Lot 2 of Interstate 80 Airport Industrial Park 4th Addition and unplatted land. The property is zoned "M-1" Industrial District.

2. Case No. FDP17-02: Request of Genesis Health System for a PDD Final Development Plan approval for a medical office building located on 2.92 acres, more or less, of property located at 3200 West Kimberly Road.
3. Case No. P17-02: the preliminary plat of Inverness Estates located east of Division Street and south of West 76th Street, containing 246 residential lots and 51 outlots.

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 5:55 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:

Tuesday, June 6, 2017 at 5:00 P.M. in the Council Chambers of Davenport City Hall 226 West 4th Street.

Report of City Council Activity

May 10, 2017 Meeting –

Resolution approving Case No. F17-04 being the final plat of Cross First Addition located north of Deer Woods Drive which is north of Rickerhill Road, containing one (1) residential lot. [1st Ward]

Resolution approving Case No. P17-01 being the petition of Grunwald Land for approval of a preliminary plat to develop 70 lots of single family residential south of the Eagle's Crest development. The plat contains 22.15 acres, more or less. The property is zoned "R-3" Industrial District. [1st Ward]