

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

**TUESDAY MAY 15, 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 hearing was held:

OLD BUSINESS –

NEW BUSINESS –

- Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning" by amending Section 17.29 in part by clarifying the Design Review Board's consideration of encroachment permits as recommendation only. [Wards All]

The public hearing was closed at 5:04 P.M.

Next Public Hearing:

Tuesday, June 05, 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 5:04 P.M. following the public hearing.

I. Roll Call of the Membership

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

Excused: Johnson, Kelling and Lammers

Absent: None

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

II. Report of the City Council Activity – as presented

III. Secretary's Report May 01, 2018 meeting minutes were corrected to reflect Kelling as abstaining, not Hepner.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business -

1. Case No REZ18-04 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "R-2" Low Density Dwelling District on 33.11 acres, more or less, located west of Elmore Avenue and north of 53rd Street for residential development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

Several members of the audience spoke in favor of a connection to Elmore Avenue while several in the audience living on 58th Street spoke against the connection.

A motion by Medd, seconded by Connell to accept the findings and forward Case No REZ18-04 to the City Council for approval subject to the above stated condition was approved on a split vote of 3-yes, 2-no (Hepner & Reinartz) and 2-abstention (Quinn & Tallman).

2. Case No REZ18-05 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "PDD" Planned Development District on 7.41 acres, more or less, located west of Elmore Avenue and south of Pheasant Creek for commercial development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

On a motion by Medd, seconded by Hepner, the Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval subject to the above stated condition on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

VI. Subdivision Activity

A. Old Business –

B. New Business –

1. Case No. F18-03: Final plat of Pheasant Ridge First Addition on 43.27 acres, more or less located west of Elmore Avenue and north of East 53rd Street containing three (3) lots. [Ward 6]

Findings:

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

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-03 to the City Council for approval subject to the following conditions:

1. That a drainage easement and the Flood Insurance Rate Map floodplain boundary be shown on the plat as it impacts each lot and potential development within this plat.
2. The drainage easement along Pheasant Creek which includes the floodplain area shall also be designated a greenway easement.

On a motion by Reinartz, seconded by Medd, the Commission forwards Case No. F18-03 to the City Council for approval subject to the above stated conditions on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

VII. Other Business – Election of Officers

A motion by Hepner, seconded by Reinartz, to re-elect the current slate of officers was approved on three separate unanimous voice votes, one for each office, with Tallman being retained as Secretary, Connell being retained as Vice-Chairman and Inghram being retained as Chairman.

VIII. Future Business – Preview of items for the June 5th public hearing and/or regular meeting (*note-not all items to be heard may be listed*):

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

X. Adjourn – The meeting was adjourned at 6:08 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 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall
226 West 4th Street.**