



**Minutes
City of Davenport
Zoning Board of Adjustment
January 12, 2017**



By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.

Call to order

Chairman Hart called the meeting to order at 5:00 p.m.

Board Members present: Strayhall, Woodard, and Hart.

Staff present: Matt Flynn, Ryan Rusnak, Gary Statz.

I. Secretary's Report:

Consideration of the minutes from the December 22, 2016 public hearing.

Motion by Woodard, second by Strayhall to approve the minutes from the December 22, 2016 public hearing. Motion to approve was unanimous (3-0) by voice vote.

II. Old Business:

None.

III. New Business:

1. Request SUP17-01 of Hy-Vee, Inc. on behalf of First Equity Management, L.C. at 3200 East Kimberly Road for a Special Use Permit for a Class "A" service station for the sale of motor vehicle fuel. The property is zoned "C-2" General Commercial District.

Section 17.48.020B.1 of the Davenport Municipal Code authorizes the Zoning Board of Adjustment to review and approve gasoline sales.

Hart informed the petitioner that the Bylaws allow for the petitioner to ask for a tabling in the event there are only three Board members because the petition would need all three votes in favor for it to be approved.

Kacie Bonjour on behalf of Hy-Vee, Inc., indicated that they wish for the petitioned to be considered this evening.

Rusnak presented the staff report.

He stated that eight notices were sent to property owners within 200 feet of the subject property and that he had not received any correspondence regarding the request.

He stated that a traffic impact study was submitted and that Gary Statz with Davenport Public Works was in the audience if there any traffic related questions.

Recommendation

Staff recommends approval of SUP17-01 subject to the following condition:

1. That a sidewalk be installed along East Kimberly Road/Elmore Avenue and up to the intersection of Elmore Avenue and Spruce Hills Drive.

Kacie Bonjour provided a brief introduction and stated that she was present to answer any questions.

Strayhall asked Statz if the proposed development would add to the congestion at Intersection of East Kimberly Road and Elmore Avenue.

Statz stated that the proposed development would add some additional traffic, but the roadway design allows for additional traffic. He said the City could monitor the traffic and increase signal timing if needed.

Motion:

Strayhall moved to approve the request subject to the condition recommended by City staff. Woodard seconded the motion and it carried unanimously (3-0) on a roll call vote.

2. Request HV17-01 of Jasveer Saini at 1802 West 7th Street for a Hardship Variance to allow a second dynamic display sign. The property is zoned "C-2" General Commercial District.

Section 17.45.051.B of the Davenport Municipal Code limits a property to one dynamic display sign per lot.

Hart informed the petitioner that the Bylaws allow for the petitioner to ask for a tabling in the event there are only three Board members because the petition would need all three votes in favor for it to be approved.

Robbie Ortiz on behalf of Jasveer Saini indicated that he would like the petition tabled one cycle.

Motion:

Strayhall moved to approve to table the request to the January 26, 2017 public hearing. Woodard seconded the motion and it carried unanimously (3-0) by voice vote.

IV. Adjourn**Motion:**

Strayhall moved to adjourn the public hearing. Woodard seconded the motion and it carried unanimously (3-0) by voice vote.