

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, MAY 3, 2022; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

- A. Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]
- B. Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

- A. Consideration of the April 19, 2022 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ22-02: Request of Menard Inc. to rezone the 4.48 acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/3/2022

Subject:

Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

Recommendation:

Hold the Public Hearing.

Background:

Background:

The property was rezoned in July of 2018 to PDD. At the time, the rezoning encompassed the entirety of the lot. As part of the City Zoning Code rewrite and zoning map, the city erred when assigning zoning districts as part of that process by utilizing an incorrect legal description. Since the City rezoning action took effect on January 20, 2019, which overwrote the previous action, the city is initiating this request.

The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. A survey of the property has been provided by the applicant delineating the land to be rezoned. The existing residentially zoned portion of the property encompasses the western 100 feet of the site for a total of approximately 1.56 acres.

The purpose of the rezoning request is to place the entirety of the property under a commercial zoning classification. The site is currently vacant and contains a Drainage & Greenway Easement along the northern portion abutting Pheasant Creek.

Why is a Zoning Map Amendment Required?

The applicant is preparing the site for future development that is consistent with the permitted and special uses allowed in the C-3 General Commercial District. At this time there is no intention to construct single-family dwellings. Therefore, rezoning the entirety of the site to a commercial district maximizes the buildable area of the lot.

-

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designations:

The property is designated Regional Commercial in the Davenport +2035 Land Use Plan.

1. **Regional Commercial (RC)** – Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will

drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

Zoning:

The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District.

1. **R-2 Single-Family Residential District** - This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.
2. **C-3 General Commercial District** - This district is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Technical Review:

City Departments are reviewing the proposed Zoning Map Amendment Application. Further comments will be provided at the May 17, 2022 Plan and Zoning Commission meeting.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the May 3, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the May 17, 2022 Plan and Zoning Commission meeting.

ATTACHMENTS:

Type	Description
▢ Backup Material	Maps
▢ Backup Material	Application
▢ Backup Material	Legal Description
▢ Backup Material	Lot 2 Deed
▢ Backup Material	Public Notice

Staff Workflow Reviewers

REVIEWERS:

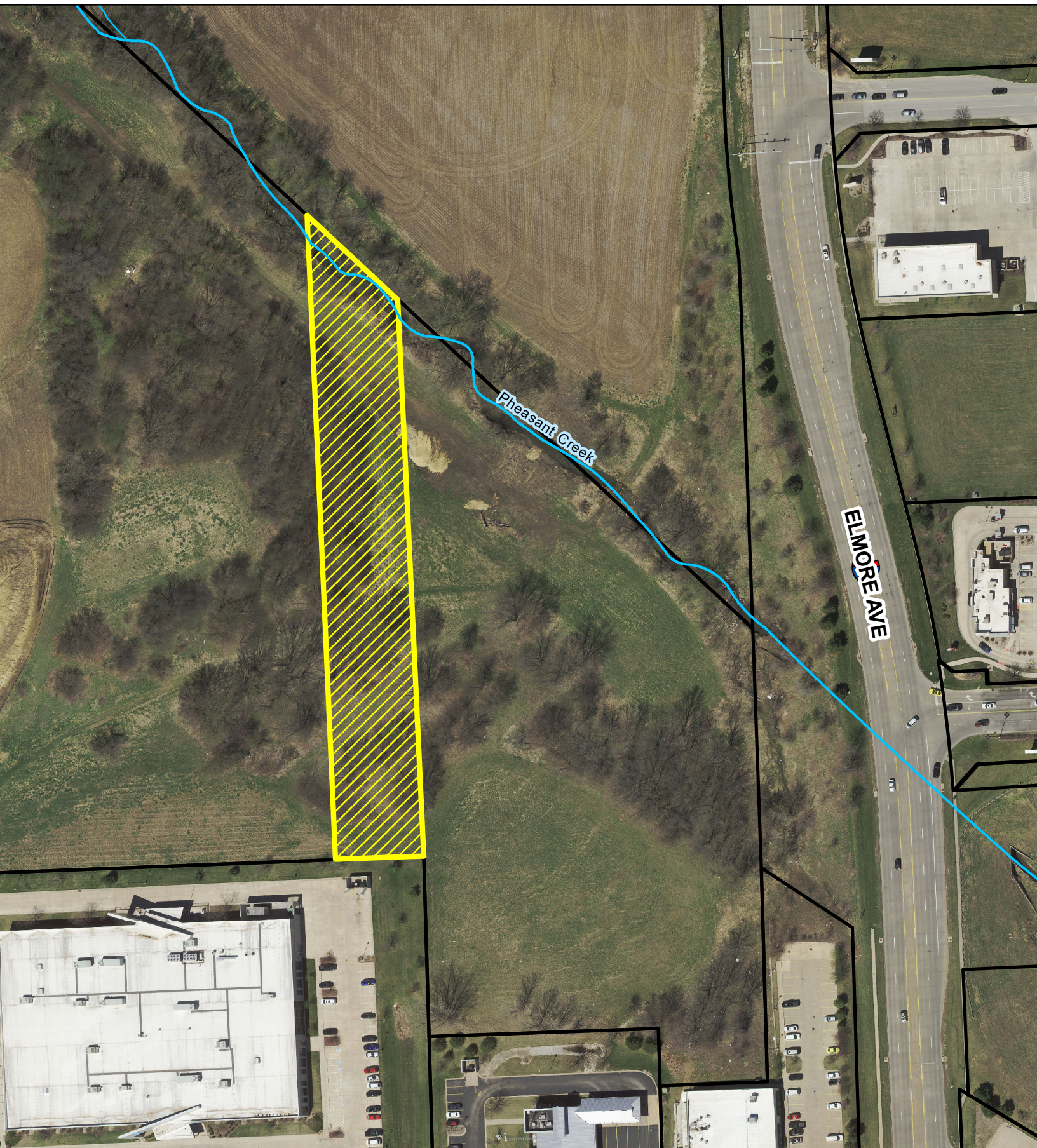
Department	Reviewer	Action	Date
Community Planning & Economic Development	Berkley, Laura	Approved	4/29/2022 - 8:59 AM

Rezoning Request-Vicinity Map

Case REZ22-03

Rezone from R-2 Single-Family Residential District to
C-3 General Commercial District

 Subject Property



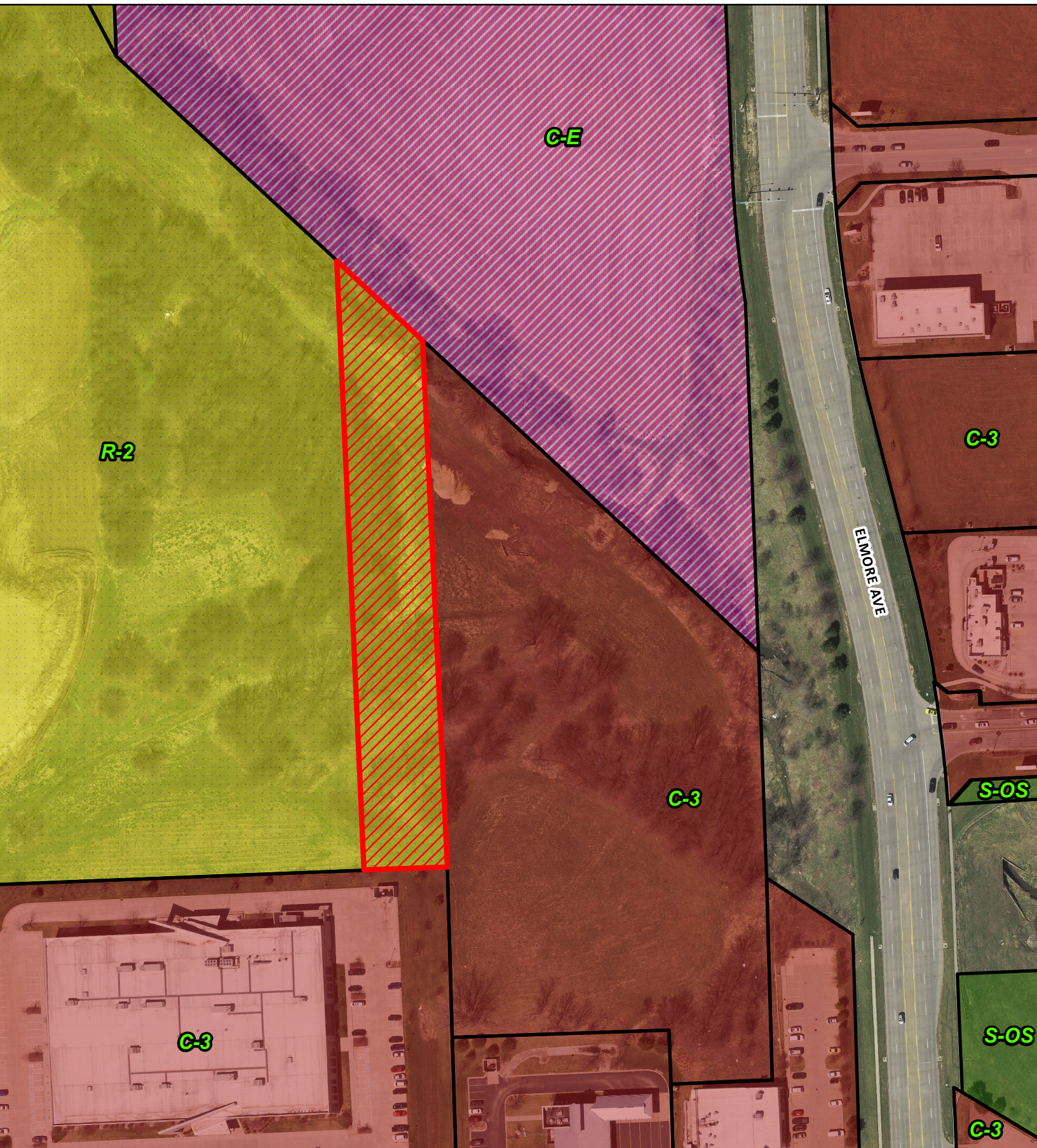
Rezoning Request

Case REZ22-03

Rezone from R-2 Single-Family Residential District to
C-3 General Commercial District



Subject Property

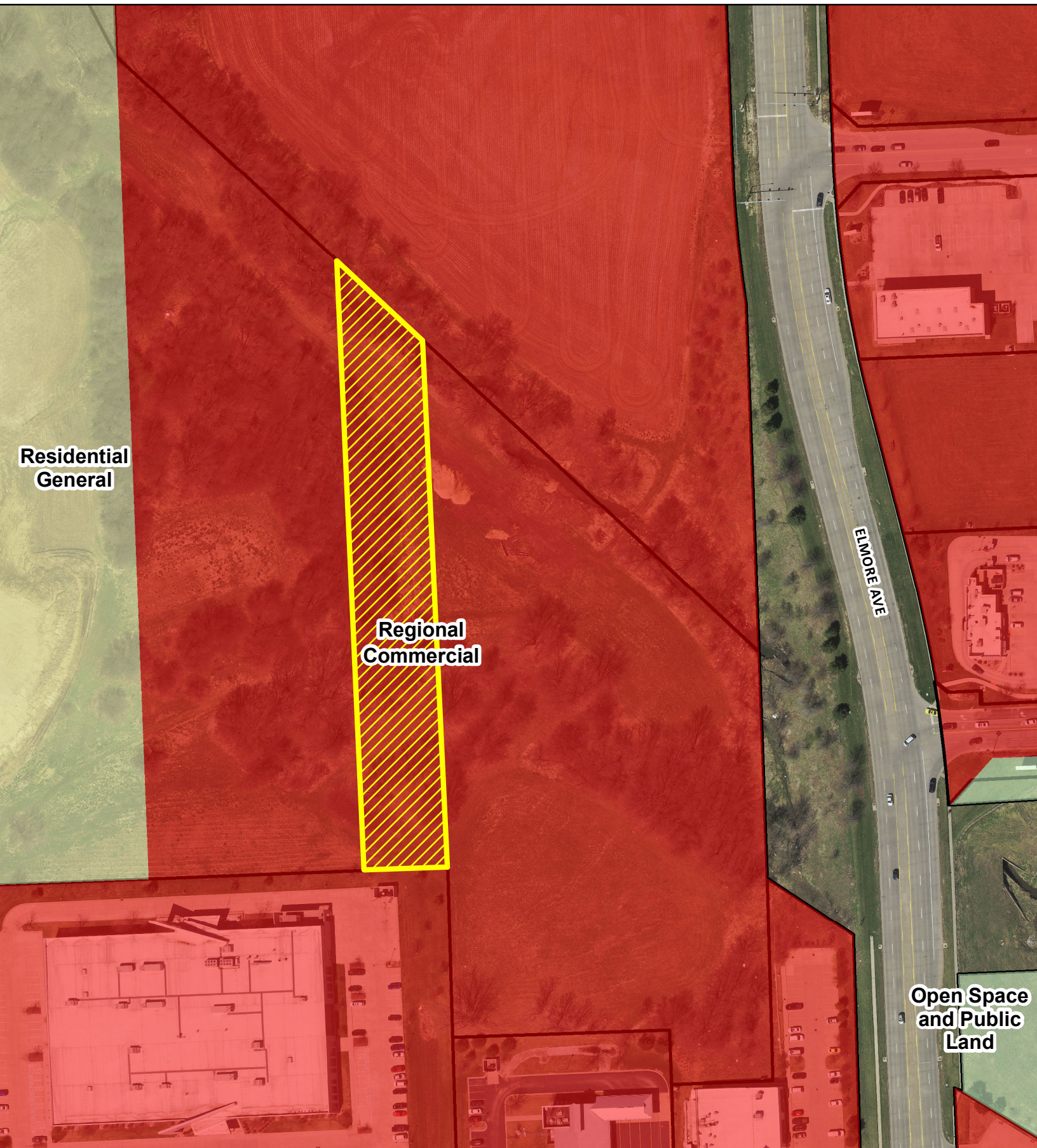
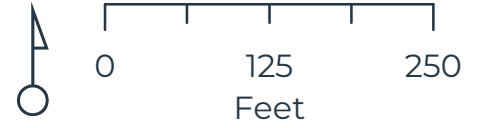


Rezoning Request-Future Land Use Map

Case REZ22-03

Rezone from R-2 Single-Family Residential District to
C-3 General Commercial District

 Subject Property



Rezoning Request-FEMA Flood Map

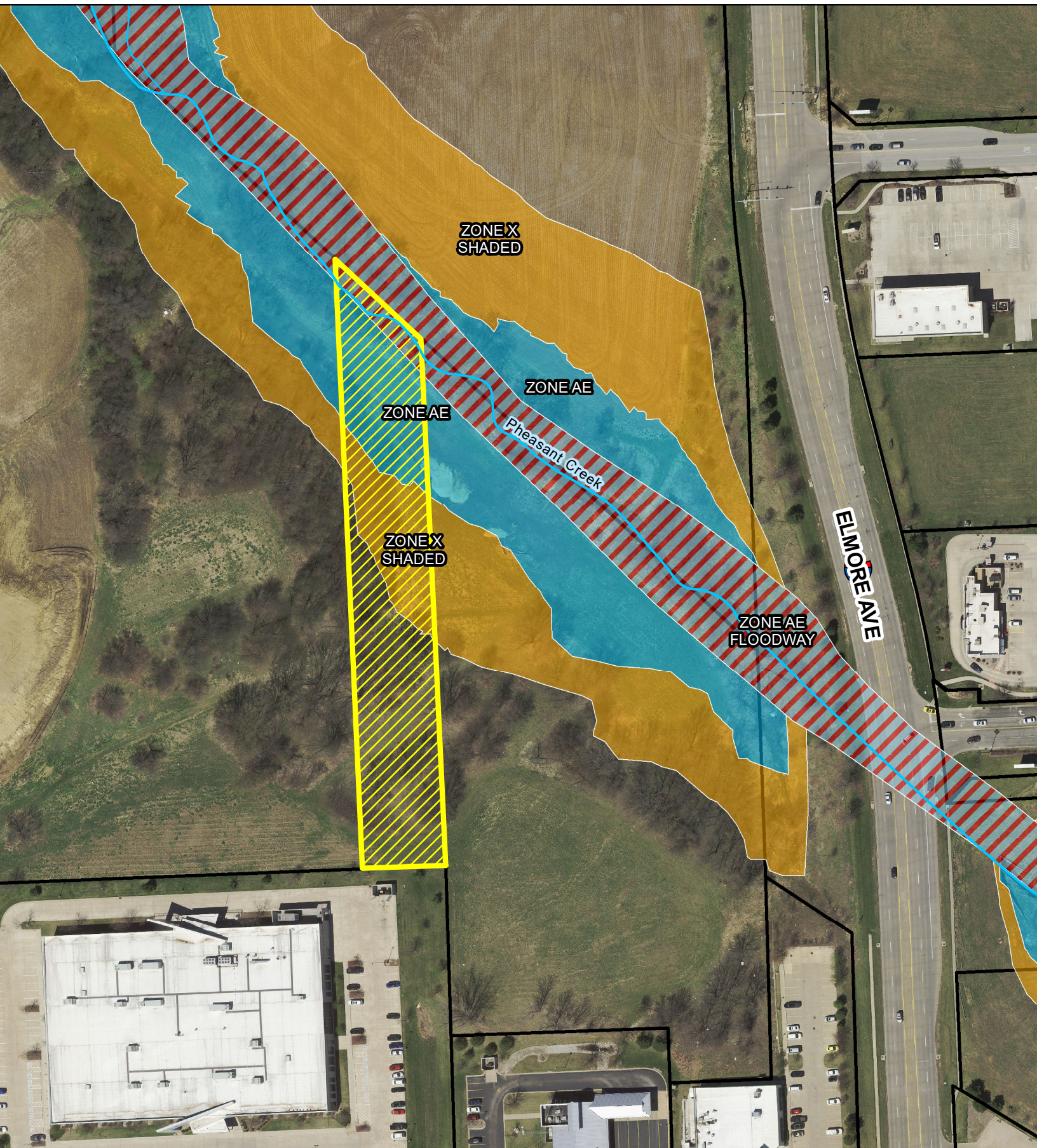
Case REZ22-03

Rezone from R-2 Single-Family Residential District to
C-3 General Commercial District

 Subject Property



0 125 250
Feet





1200 E 46th St
Davenport, Iowa 52807
(563) 326-6198
Planning@davenportiowa.com

Complete application can be emailed to: planning@davenportiowa.com

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)**

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☒
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:Existing Zoning: Proposed Zoning Map Amendment:

Purpose of the Request:

To provide a zoning classification on this 100 foot wide strip to match the Zoning on the commercial tract between it and Elmore Avenue to the east.

Total Land Area: Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☒ Yes ☐ No**Submittal Requirements:**

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
Zoning Map Amendment is less than 1 acre - \$400.
Zoning Map Amendment is one acre but less than 10 acres - \$750 plus \$25/acre.
Zoning Map Amendment is 10 acres or more - \$1,000 plus \$25/acre.
\$10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:

- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission public hearing:

- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:

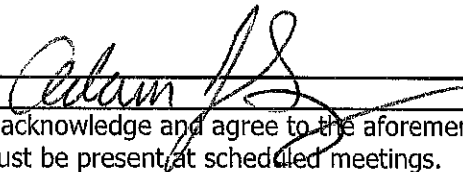
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: Adam Seitz



Date: 04/06/2022

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by:

Planning staff

Date:

Date of the Public Hearing:

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

LEGAL DESCRIPTION

PART OF LOT 2, PHEASANT RIDGE FIRST ADDITION

DAVENPORT, IOWA

Part of Lot 2, Pheasant Ridge First Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the northwest corner of said Lot 2, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 142.21 feet along the north line of said Lot 2;

thence South 00°-18'-15" East 631.49 feet to the northeast corner of Lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 100.00 feet along the north line of Lot 2 of said Lakehurst Commercial Park Fifth Addition to the southwest corner of Lot 2 of said Pheasant Ridge First Addition;

thence North 00°-18'-15" West 732.61 feet along the west line of Lot 2 of said Pheasant Ridge First Addition to the point of beginning.

Containing 1.57 acres, more or less, subject to easement of record.



Doc ID: 021546920001 Type: LAN
Recorded: 09/19/2018 at 01:42:35 PM
Fee Amt: \$12.00 Page 1 of 1
Scott County Iowa
Rita A. Vargas Recorder

File **2018-00024343**

Prepared by &

Return to: Samuel J. Skorepa, Lane & Waterman LLP, 220 N. Main St., Ste. 600, Davenport, IA 52801 (563) 324-3246

Address Tax Statement: A. Jeffrey Seitz, Manager, 4215 E. 60th Street, Davenport, IA 52807

QUIT CLAIM DEED

For the consideration of Ten and no/100----- Dollar(s) and other valuable consideration, Pheasant Creek Estates, LLC, does hereby Convey to VSM Holdings, LLC, an Iowa limited liability company the following described parcel of real estate in SCOTT County, Iowa:


Lot 2 of the Final Plat of Pheasant Ridge First Addition, an Addition to the City of Davenport, Scott County Iowa

This transfer is exempt from transfer taxes pursuant to Iowa Code Section 428A.2(21).

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: August 28, 2018.

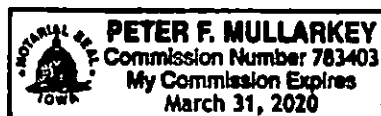
PHEASANT CREEK ESTATES, LLC

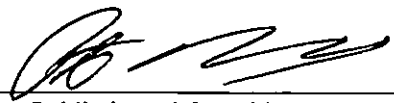

A. Jeffrey Seitz, Manager

STATE OF IOWA, SCOTT COUNTY, SS:

On this 28 day of August, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared A. Jeffrey Seitz, Manager of Pheasant Creek Estates, LLC, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same on behalf of the company as its voluntary act and deed.

(Notary Seal)




Notary Public in and for said County and State



PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 5/3/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00 PM Subject: Public Hearing for a Rezoning Request before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject property located west of Elmore Avenue and south of Pheasant Creek (The west 100 feet of Parcel #Y0801-03).

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject property is currently split zoned between R-2 Single-Family Residential and C-3 General Commercial District. The purpose of the Rezoning Request is to place the entirety of the property under a commercial zoning classification.

Request/Case Description

Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 3, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 17, 2022. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Rezoning Request

Case REZ22-03

Rezone from R-2 Single-Family Residential District to
C-3 General Commercial District



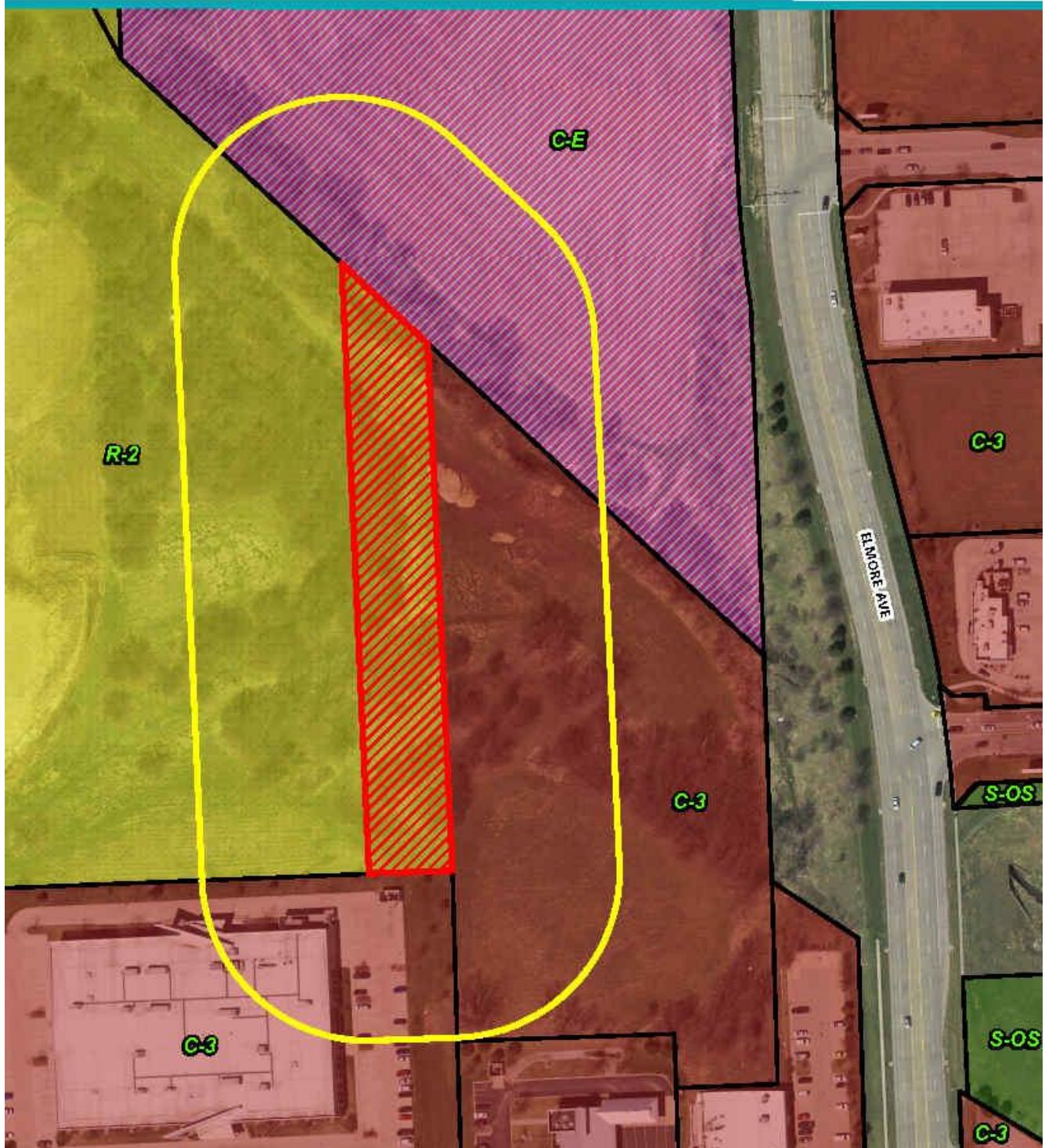
Subject Property



200' Notification Boundary



0 125 250
Feet



City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/3/2022

Subject:

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

Recommendation:

Hold the public hearing.

Background:

Background:

The purpose of the of the right-of-way vacation is to facilitate development of the abutting 7.41 acre commercial property (parcel #Y0801-03) to the west.

A legal description has been submitted by the applicant describing the 21,026 square foot area located along the west boundary of Elmore Avenue, south of Pheasant Creek. The .48 acre tract of land was intentionally stopped at the existing box culvert near the creek on the north side of the property. In addition, the area does not align with the east lot line of 5388 Elmore Circle to the south. The purpose is to provide an additional five feet of public right-of-way to accommodate a future trail expansion.

A portion of the land to be vacated is within the floodplain, which will limit potential development close to Elmore Avenue. However, the vacated right-of-way will better facilitate access to the site and enhance commercial visibility.

The vacation of public right-of-way is a two step process:

1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners. (No Plan and Zoning Commission action is required.)

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Abutting Future Land Use Designation:

The abutting property is designated Regional Commercial in the Davenport +2035 Land Use Plan.

1. **Regional Commercial (RC)** – Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less

important.

Abutting Zoning:

The abutting property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. The eastern portion of the property, immediately adjacent to Elmore Avenue, is commercially zoned.

1. **R-2 Single-Family Residential District** - This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.
2. **C-3 General Commercial District** - This district is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Technical Review:

City Departments are reviewing the proposed right-of-way vacation request. Further comments will be provided at the May 17, 2022 Plan and Zoning Commission meeting.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the May 3, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the May 17, 2022 Plan and Zoning Commission meeting.

ATTACHMENTS:

Type	Description
▢ Backup Material	Maps
▢ Backup Material	Application
▢ Backup Material	Legal Description
▢ Backup Material	Public Notice

Staff Workflow Reviewers

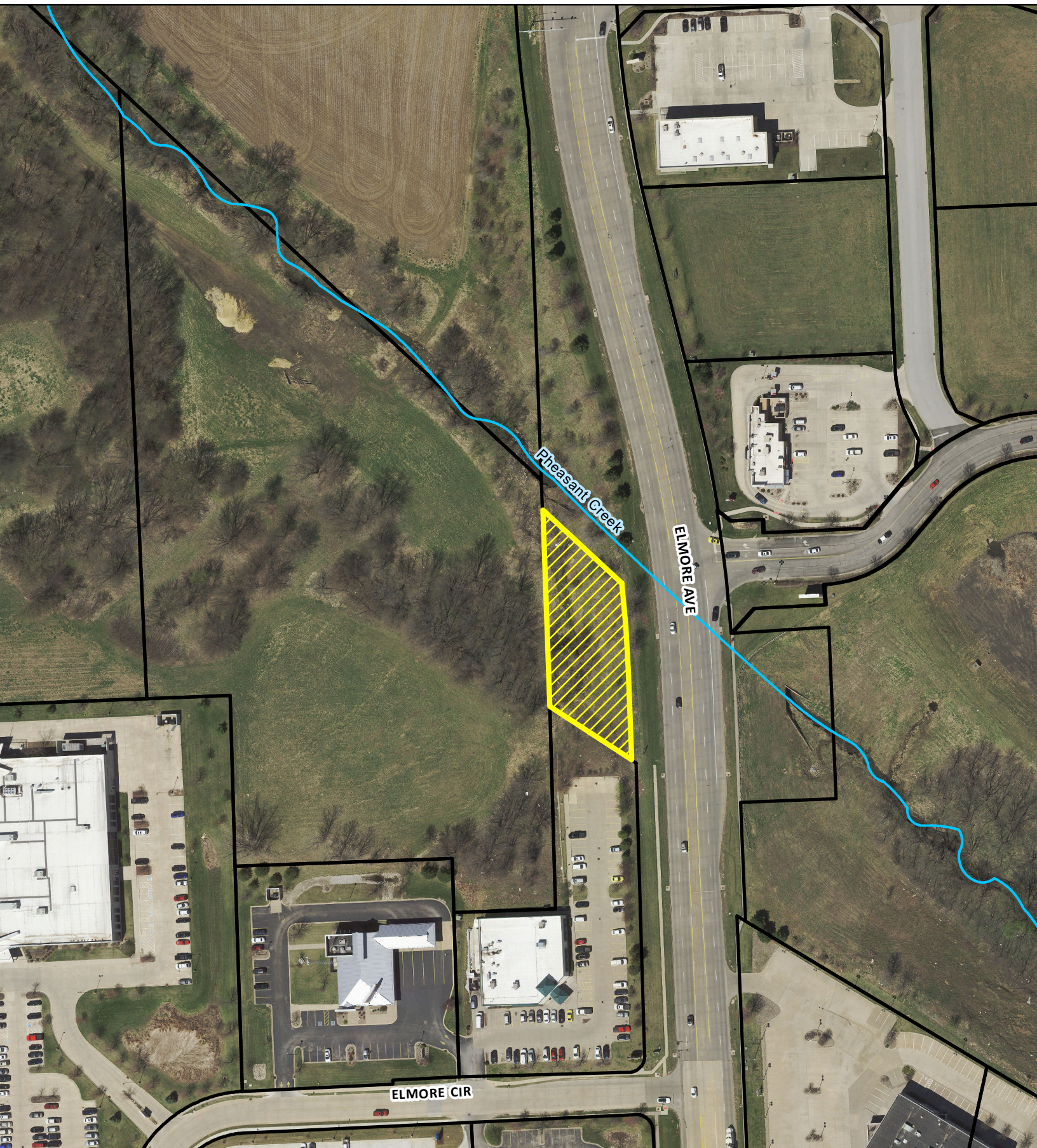
REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berkley, Laura	Approved	4/29/2022 - 9:12 AM

Right-Of-Way Vacation

Case ROW22-03: Request of VSM Holdings, LLC
to vacate unimproved right-of-way west of
Elmore Avenue and south of
Pheasant Creek. [Ward 6]

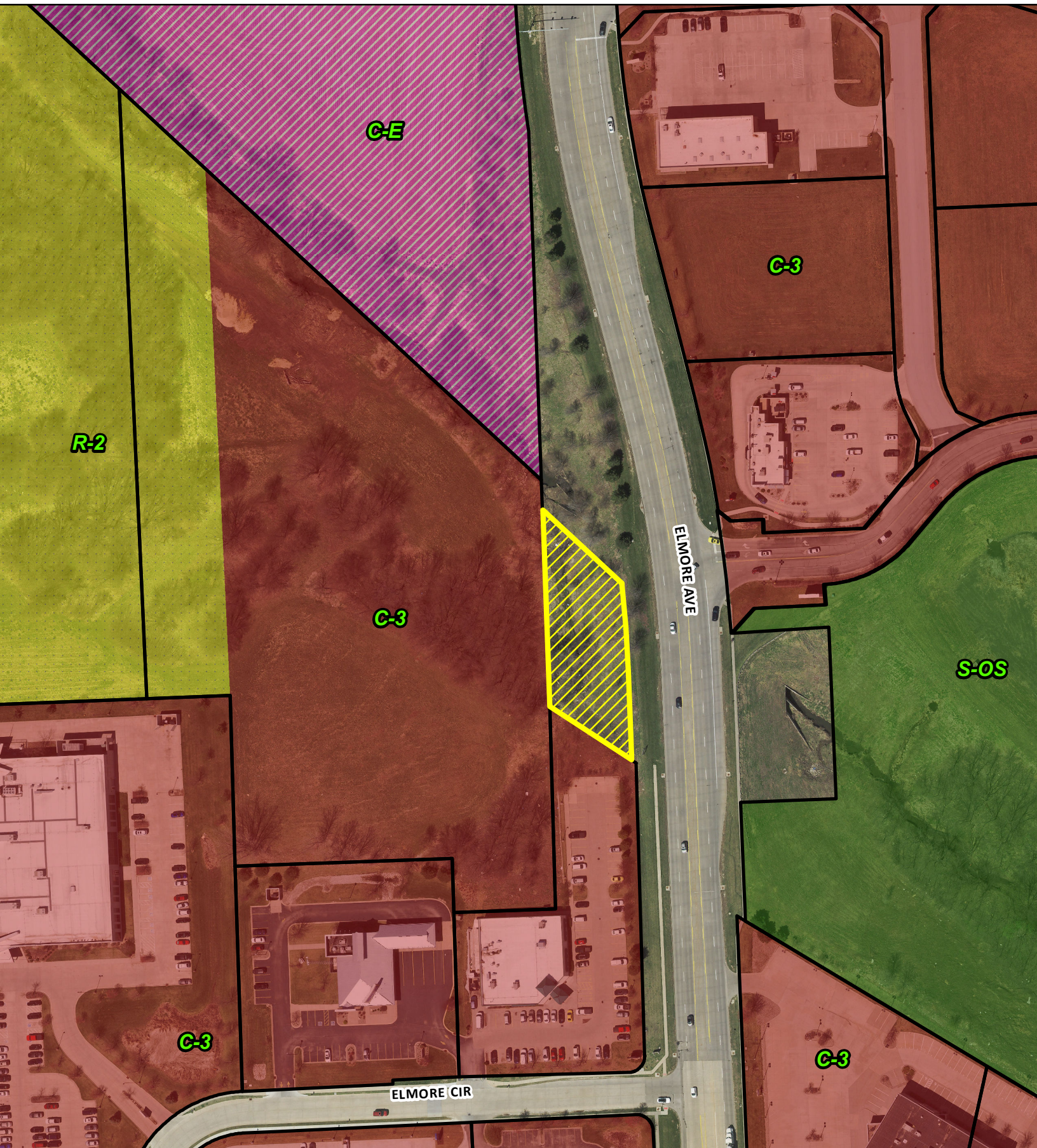
 ROW Vacation



Right-Of-Way Vacation-Zoning Map

Case ROW22-03: Request of VSM Holdings, LLC
to vacate unimproved right-of-way west of
Elmore Avenue and south of
Pheasant Creek. [Ward 6]

 ROW Vacation



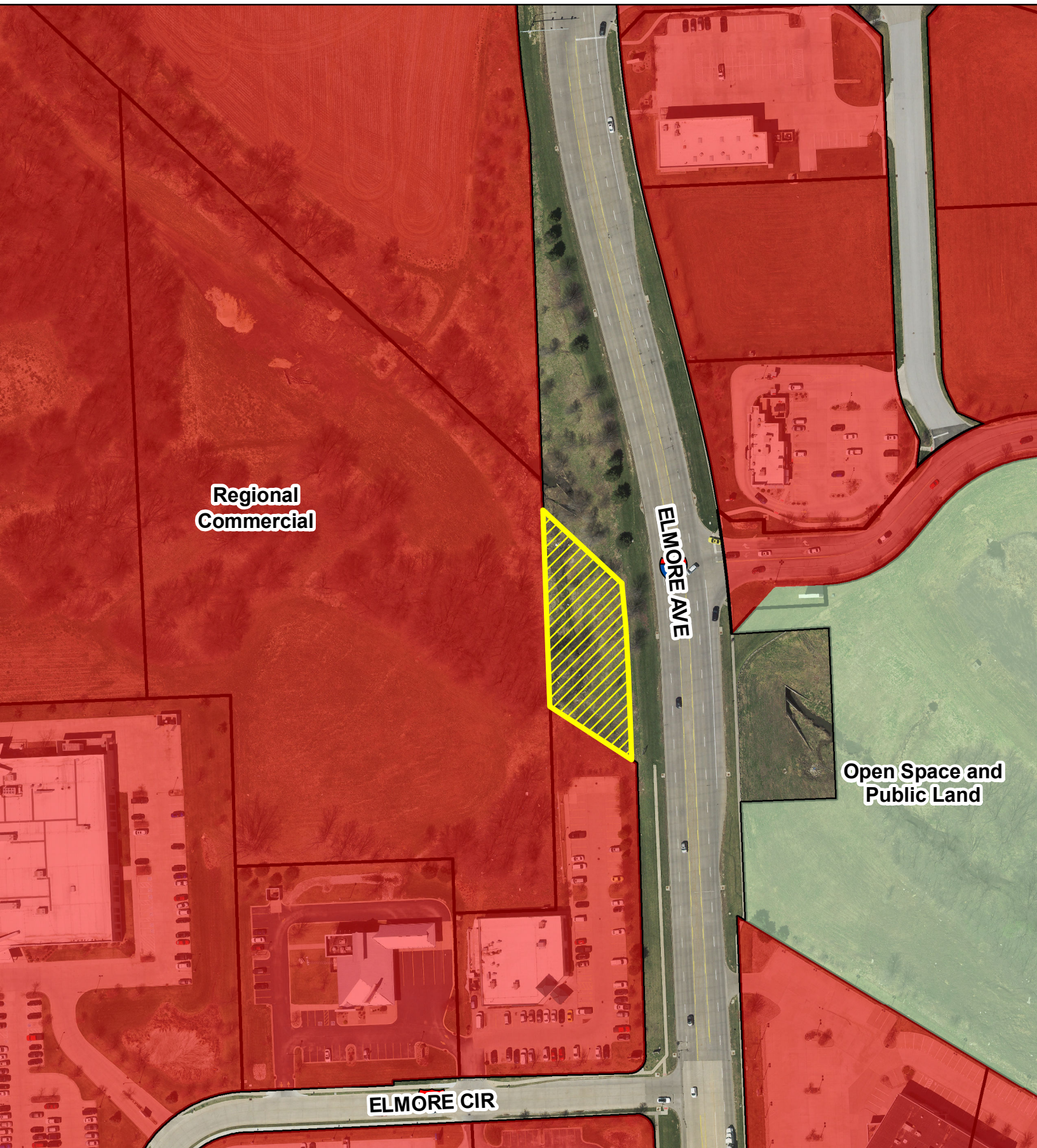
Right-Of-Way Vacation-Future Land Use Map

Case ROW22-03: Request of VSM Holdings, LLC
to vacate unimproved right-of-way west of
Elmore Avenue and south of
Pheasant Creek. [Ward 6]

 ROW Vacation



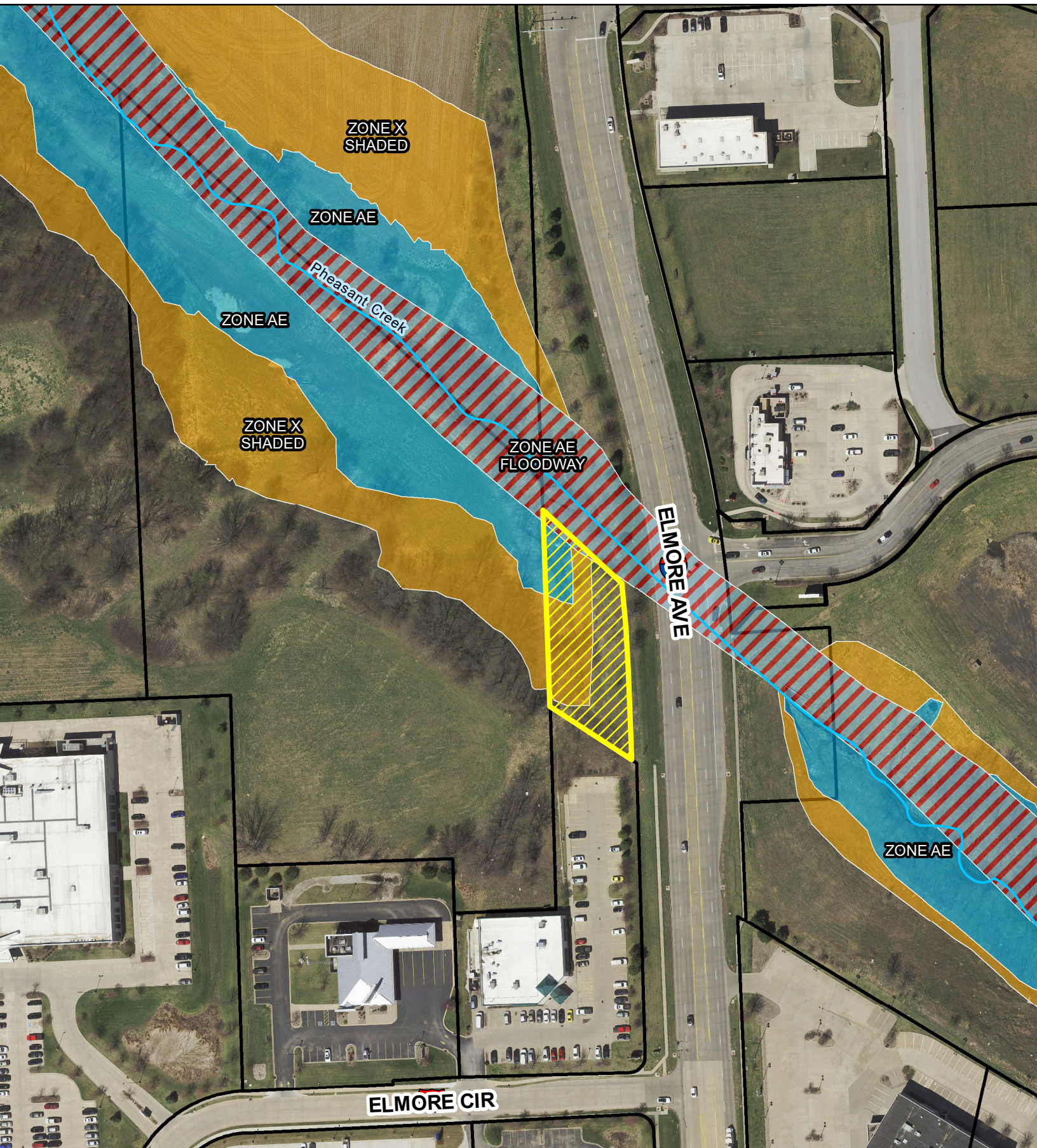
0 125 250
Feet



Right-Of-Way Vacation-FEMA Flood Map

Case ROW22-03: Request of VSM Holdings, LLC
to vacate unimproved right-of-way west of
Elmore Avenue and south of
Pheasant Creek. [Ward 6]

 ROW Vacation





Complete application can be emailed to planning@davenportiowa.com

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☐
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☒
Voluntary Annexation ☐

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Request:

Please consider vacating right of way on Elmore Ave. to gain access for a commercial lot Development.

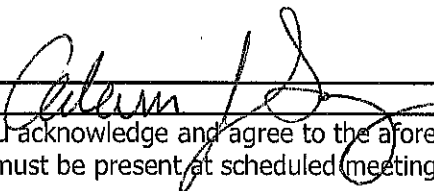
Total Land Area:

Submittal Requirements:

- The completed application form.
- Required fee: \$400.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

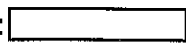
- (1) Application:
 - Prior to submission of the application for the right-of-way or easement vacation, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the right-of-way or easement vacation process.
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Public Notice for the Plan and Zoning Commission public hearing:
 - Planning staff will send a public hearing notice to surrounding property owners.
- (3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:
 - Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (4) City Council's consideration of the right-of-way or easement vacation:
 - Planning staff will send a public hearing notice to surrounding property owners.
 - The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: Adam Seitz 

Date: 04/06/2022

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by: 
Planning staff

Date: 

Date of the Public Hearing: 

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

LEGAL DESCRIPTION

PART OF THE ELMORE AVENUE RIGHT OF WAY

DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot 2;

thence South 44°-59'-10" East 128.78 feet;

thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet;

thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1;

thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning.

Containing 21,026 square feet, more or less.



DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 5/3/2022
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation Before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject public right-of-way located west of Elmore Avenue and south of Pheasant Creek.

What is this About?

This notice is being sent to inform you that a public hearing will be held for a request to vacate unimproved public right-of-way. The purpose of the vacation request is to facilitate development of the abutting 7.41 acre commercial property (Parcel #Y0801-03) to the west.

Request/Case Description

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 3, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 17, 2022. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM one day before the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas":
<http://www.cityofdavenportiowa.com/boards> Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.



THE CITY OF
DAVENPORT
IOWA | USA

ROW Vacation

200' Mailing Radius
Case ROW22-03



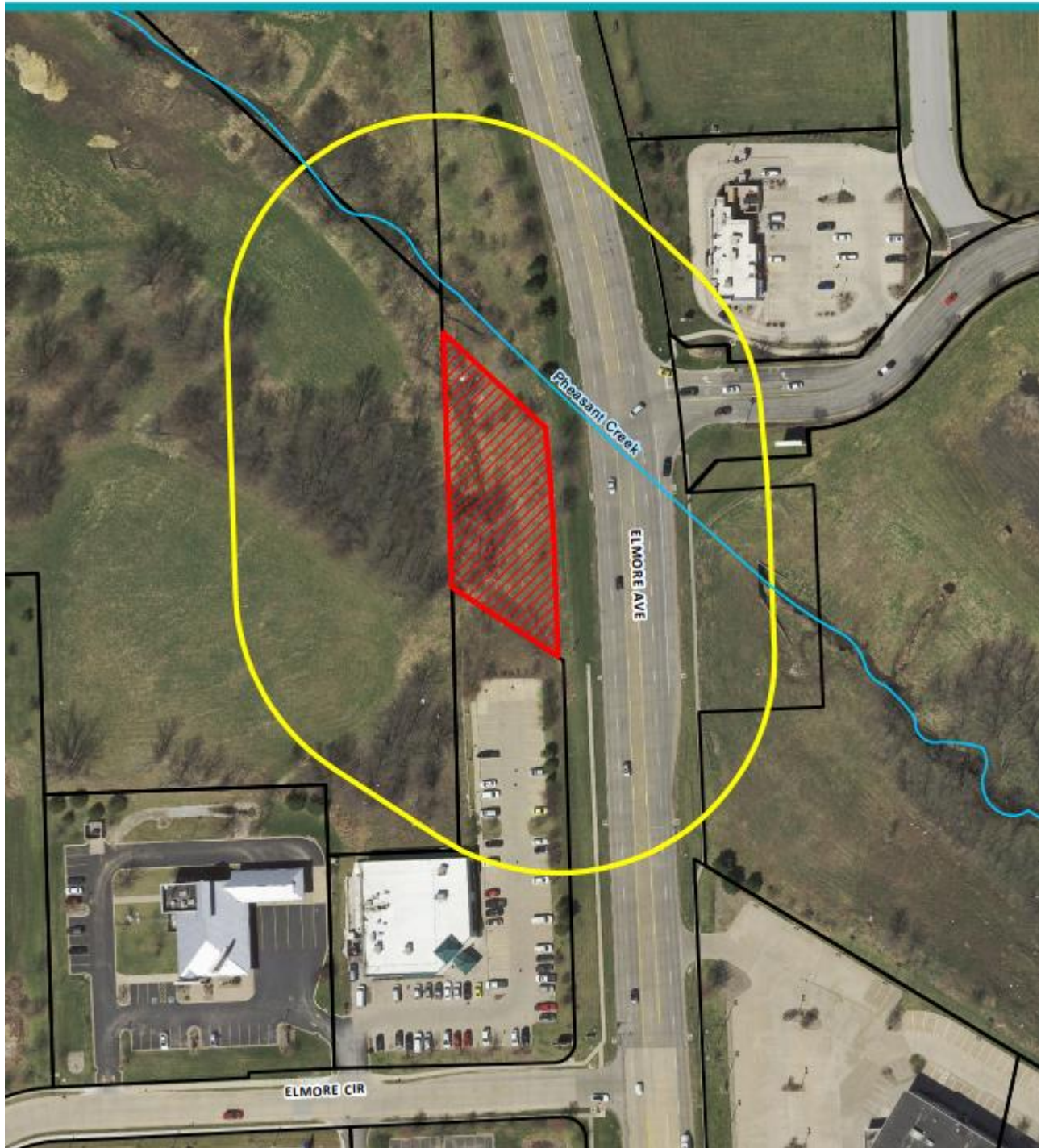
ROW Vacation



200' Notification Boundary



0 100 200
Feet



City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/3/2022

Subject:
Consideration of the April 19, 2022 meeting minutes.

Recommendation:
Staff recommend approval of the April 19, 2022 meeting minutes.

Background:
The April 19, 2022 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 4-19-22

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	4/27/2022 - 10:50 AM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, APRIL 19, 2022; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

- A. Case REZ22-02: Request of Menard Inc. to rezone the 4.48 acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

Werderitch provided an overview of the proposed rezoning case. Tyler Edwards, Menard, Inc., was in attendance to answer questions from the Commission. The purpose of the Rezoning Request is to develop the vacant site, southwest of the existing Menards retail store, into an outdoor self-storage facility. The petitioner discussed the proposed site layout and building elevations.

An abutting residential property owner to the north of the subject site stated support for the development if Main Street remains a dead end.

Commissioners inquired about the marketing of the property under its current residential zoning classification. Additional comments pertained to the number of storage units proposed, access to the site, and other potential Menards uses for the site.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

II. Roll Call

Present: Eikleberry, Tallman, Inghram, Hepner, Stelk, Maness, Schneider, Garrington, Johnson, Brandsgard

Excused: Reinartz

Staff: Berkley, Werderitch

III. Report of the City Council Activity

IV. Secretary's Report

B. Consideration of the April 5, 2022 meeting minutes.

Motion by Hepner, second by Tallman to approve the April 5, 2022 meeting minutes.
Motion to approve was unanimous by voice vote (9-0).

V. Report of the Comprehensive Plan Committee

VI. Zoning Activity

A. Old Business

B. New Business

VII. Subdivision Activity

A. Old Business

B. New Business

- i. Case F22-05: Request of Seven Hills Paving LLC for a final plat of Brady Eighty Industrial Park 7th Addition for a 1-lot subdivision on 2.99 acres, located south of East 59th Street and west of Tremont Avenue. [Ward 8]

Werderitch presented an overview of the proposed industrial subdivision. City Council adopted Ordinance No. 2022-123 at their March 9, 2022 meeting, which vacated the abutting unimproved right-of-way. Seven Hills Paving is currently working with the City's Legal Department to formally convey the vacated right-of-way, which requires approval from City Council.

Mike Richmond, Townsend Engineering, was in attendance to answer questions on behalf of Seven Hills Paving.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F22-05 to the City Council with a recommendation for approval subject to the listed conditions:

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

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Approval of the final plat shall be contingent upon the vacated right-of-way being conveyed to Seven Hills Paving LLC.
4. Revise the water detention note to state, "No stormwater detention or water quality treatment will be required with this plat. Individual lot owners will be responsible for meeting all stormwater code requirements at the time of future development."
5. Indicate the location of existing utility easements between Lots 7-10 as shown in Brady Eighty Industrial Park 6th Addition that are to be vacated.

Motion by Tallman, second by Maness to approve Case F22-05 subject to the listed findings and conditions. Motion to approve staff recommendation and conditions was approved by a roll call vote (9-0).

VIII. Future Business

Berkley stated there will be a public hearing for a rezoning request and right-of-way vacation at the May 3, 2022 meeting. Commissioner Inghram announced there will be an update to the Plan and Zoning Commission Bylaws in May.

IX. Communications

X. Other Business

XI. Adjourn

Motion by Tallman, second by Hepner to adjourn the meeting. Motion to adjourn was unanimous by voice vote (9-0).

The meeting adjourned at 5:33 pm.

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/3/2022

Subject:

Case REZ22-02: Request of Menard Inc. to rezone the 4.48 acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

Recommendation:

Staff recommend Case REZ22-02 be forwarded to the City Council with a recommendation for denial.

Findings:

1. The proposed rezoning to I-1 Light Industrial District is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Residential General. Amending the property to an industrial zoning district is considered spot zoning.
2. The petition is not compatible with the zoning and land uses of nearby property.
3. The rezoning request is not compatible with the established neighborhood character, which includes single-family dwellings, multi-family residential, and commercial uses.
4. The proposed amendment may be detrimental to the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Background:

Background:

The petitioner is requesting to rezone Parcel #X0239-02A from R-MF Multi-Family Residential District to I-1 Light Industrial District. The purpose of the Rezoning Request is to develop the vacant site, southwest of the existing Menards retail store, into an outdoor self-storage facility. Conceptual plans have been submitted by the applicant and are attached.

It is important to note that Davenport's City Council recently removed outdoor self-storage facilities from all commercial districts during an annual review of the zoning ordinance, which was published on December 2, 2021. The rationale of the change is that self-storage is viewed as similar to a warehouse use belonging in industrial zoning districts.

Why is a Zoning Map Amendment Required?

The Zoning Ordinance does not permit 'Self-Storage Facility: Outdoor' within a residential district. This principal use is only allowed within industrial zoning districts. The petitioner was advised by City Staff that a 'Self-Storage Facility: Enclosed' is considered a Special Use within the C-2 Corridor Commercial District and C-3 General Commercial District. Given the abutting commercial zoning districts to the east and south, a commercial zoning would be more compatible with the surrounding area. However, the applicant has expressed there is a greater market demand for outdoor storage. Therefore, the I-1 Light Industrial District is the most applicable zoning classification for the intended development.

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designations:

The property is designated Residential General in the Davenport +2035 Land Use Map. A rezoning to I-1 Light Industrial District requires the land use to be amended to Industry.

1. **Residential General (RG)** - Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.
2. **Commercial Corridor (CC)** - Well-established corridors located along high-volume major streets dominated by retail and office uses that serve the greater community. Development is generally newer and redevelopment is not anticipated within the 20 year planning horizon. Improvements should focus on façade and site improvements, including pedestrian circulation systems and consolidated/updated signage.
3. **Industry (I)** - Designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Zoning:

The property is currently zoned **R-MF Multi-Family Residential District**. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

The applicant is requesting a rezoning of the property to **I-1 Industrial District**. This district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Self-Storage Facility: Outdoor. A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Approval Standards for Map Amendments (Chapter 17.14.040):

The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

Staff Response: The property is designated Residential General (RG) in the Davenport +2035 Land Use Plan. This land use category is intended to retain residential character as well as promote neighborhood growth.

The Future Land Use Map identifies Brady Street and the abutting properties as a Commercial Corridor, with Residential General land uses extending west of this main thoroughfare. Industrial land uses are designated south of I-80 along West 76th Street and further east of Brady Street, abutting East 59th Street and Tremont Avenue. The development of the property to an outdoor self storage facility is categorized as Industry. Given there is no Industry within close proximity to the subject property, the rezoning request does not satisfy this approval criteria.

In considering spot-zoning, courts generally determine whether the zoning relates to the compatibility of the surrounding uses. One of the most important criteria is the extent to which the requested zoning is consistent with the comprehensive plan. Spot zoning is rebutted when the challenged zoning is found to be consistent with present surrounding uses or the comprehensive plan. Given the existing R-3, R-MF, C-2, and C-3 districts in relation to the nearest I-1 zoning in the area, similar land use, and consistency with the comprehensive plan, it is staff's opinion this is spot zoning.

- It is staff's opinion that the proposed rezoning to I-1 Light Industrial District is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Residential General. Amending the property to an industrial zoning district is considered spot zoning.

b. The compatibility with the zoning of nearby property.

Staff Response: The surrounding zoning is a mix of residential to the north and west, with commercial abutting to the east and south. The closest industrial zoning district is either to the east of Brady Street or to the north of West 67th Street. Rezoning to I-1 Light Industrial District will create an island of industrial development within a predominantly commercial and residential neighborhood.

- The following zoning districts abut the subject property:

- North: R-3 Single-Family and Two-Family Residential District
- South: C-2 Corridor Commercial District
- East: C-3 General Commercial District
- West: R-MF Multi-Family Residential District

- The following principal uses abut the 4.48 acre property:

- North: Single-family dwellings at the termination of Main Street.

- South: Hotel (Motel 6)
- East: Retail Goods Establishment (Menards) and Gas Station (Kwik Star)
- West: Multi-family dwellings (Maplewood Apartments)

Staff recommended the applicant consider rezoning the 18.85 acre property (parcel #X0223-33) to the north of the Menards retail store from R-MF Multi-Family Residential District to I-1 Light Industrial District. The vacant site, north of West 67th Street, abuts other industrially zoned property to the east and west. Rezoning this parcel would be more compatible with the zoning of nearby property than the subject site south of the retail store. However, the applicant has decided not to pursue this option given the topography of the site and infrastructure improvements required to develop the property.

In addition, staff also recommended Menards consider rezoning the site to a commercial zoning district. The C-2 Corridor Commercial District and C-3 General Commercial District allow enclosed self-storage facilities as a special use. Since Menards currently operates a successful indoor self-storage facility at 110 West 53rd Street, there is no further customer demand for additional climate controlled units. The retailer has greater demand for outdoor storage, leading the applicant to petition the industrial zoning classification.

- It is staff's opinion that the proposed amendment is not compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The existing R-MF zoning classification promotes a high-density neighborhood environment that is characterized by a mixture of housing types and limited non-residential uses. In addition, there are residential design standards that regulate architectural forms, dimensional elements, high quality building materials, and transparency. Residential design standards will ensure future development of the property will be compatible with the character of the adjacent apartment complex and single-family neighborhoods.

In contrast, the industrial building design standards are intentionally relaxed to promote large scale manufacturing and warehouse users. Industrial districts are allowed to incorporate lower quality building materials, such as metal panels or corrugated siding. Architectural elements and design features are not regulated, enabling construction of substantial structures on large lots. In addition, there are also no transparency or articulation requirements.

Industrial building design standards are insufficient in requiring construction to be compatible with the surrounding residential neighborhoods as well as the commercial character of Brady Street.

- It is staff's opinion that the proposed amendment is not compatible with the established neighborhood character.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

Staff Response: While the applicant is proposing to develop the property as an outdoor self-storage facility, approval of the request should take into consideration all permitted and special uses within the I-1 Light Industrial District. Industrial districts allow for a variety of manufacturing,

fabricating, processing, distributing, and warehousing uses. Development of the property for an industrial use increases the likelihood for noise, traffic, light, or other nuisances that may negatively impact the surrounding residential neighborhood.

- It is staff's opinion that the proposed zoning map amendment will not develop in a manner that promotes the public health, safety, and welfare of the City.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

Staff Response: The property is presently zoned R-MF Multi-Family Residential District. This district allows for a variety of different housing types, including two-family, single-family semi-detached, townhomes, and multi-family dwellings. Nonresidential uses include bed and breakfast, children's home, community center, community garden, day care center, day care home, domestic violence shelter, group home, lodge/meeting hall, neighborhood commercial establishment, place of worship, public park, public safety facility, residential care facility, and wireless telecommunications. The R-MF district enables a wide range of development opportunities that will ensure consistency with the surrounding neighborhood while mitigating incompatible development.

- It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner inconsistent with the surrounding neighborhood.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: If rezoned to I-1 Light Industrial District, the vacant 4.48 acre property will be conforming to the district dimensional standards. There are no minimum lot area or width requirements in the I-1 district. Future development will be limited to the maximum building height of 90 feet and subject to the setback requirements.

It is staff's opinion that the proposed zoning map amendment will not create any nonconformities.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the April 19, 2022 Plan and Zoning Commission Public Hearing. At this meeting, a neighboring property owner expressed support of the development if Main Street remains a dead end road.

To date, staff has received one written comment in opposition to the rezoning request from an adjacent property owner.

Staff will apprise the Commission of any correspondence at the May 3, 2022 Plan and Zoning Commission meeting.

ATTACHMENTS:

Type	Description
▢ Backup Material	Zoning & Future Land Use Map
▢ Backup Material	Application
▢ Backup Material	Self-Storage Facility Site Plan

- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material

Self-Storage Facility Elevations
 Multi-Family Residential & Industrial Design
 Standards
 Spot Zoning Fact Sheet
 Public Notice
 Public Comment

Staff Workflow Reviewers

REVIEWERS:

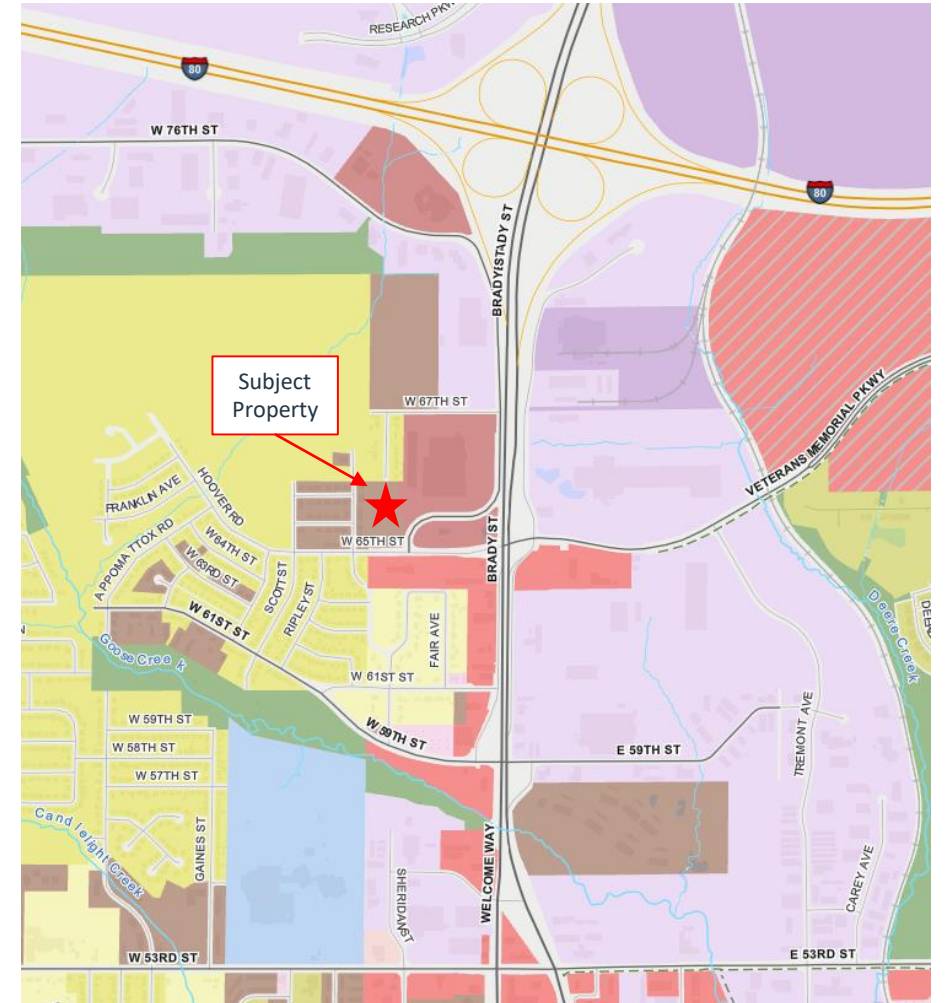
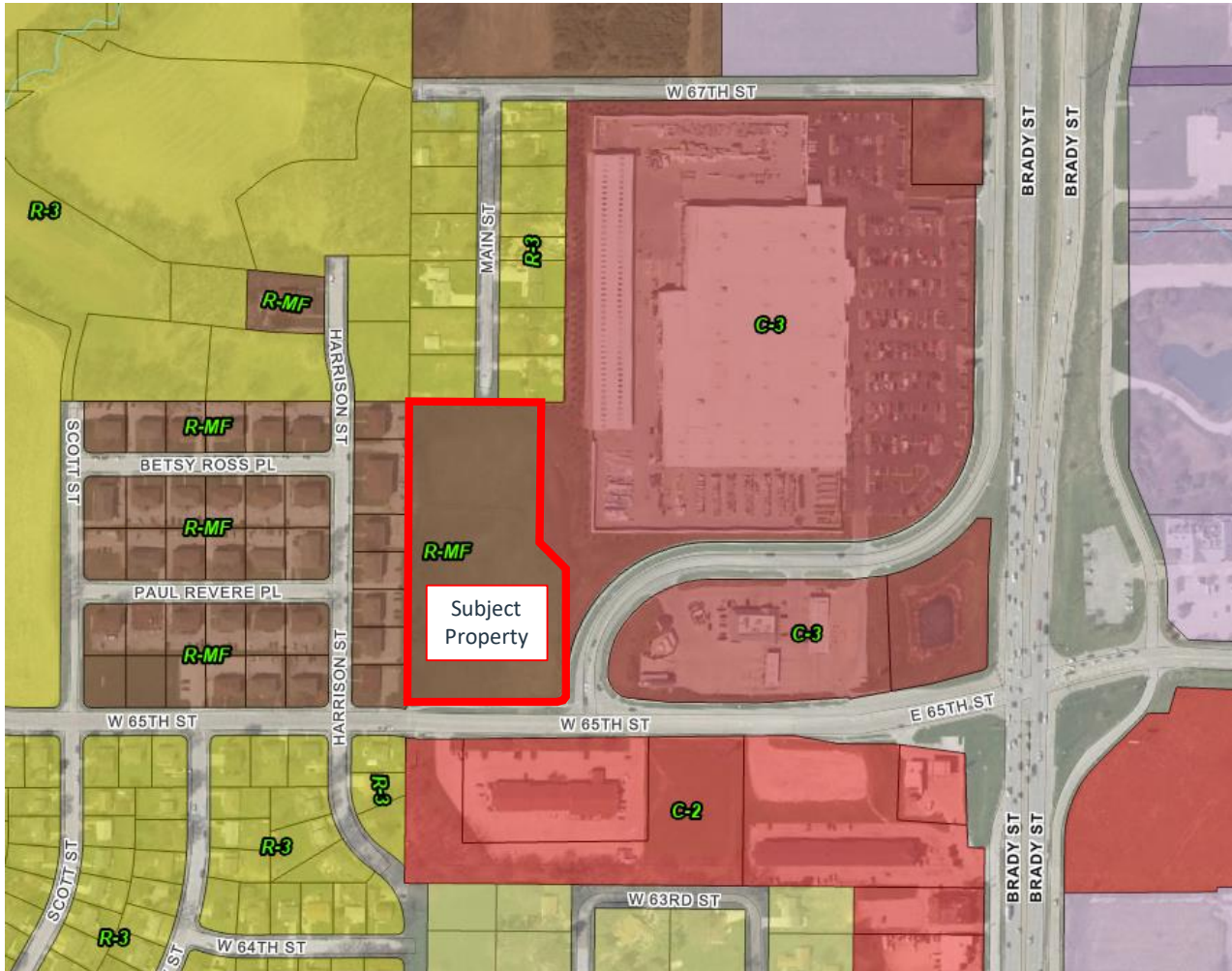
Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	4/29/2022 - 11:00 AM

Vicinity Map

DAVENPORT
IOWA | USA



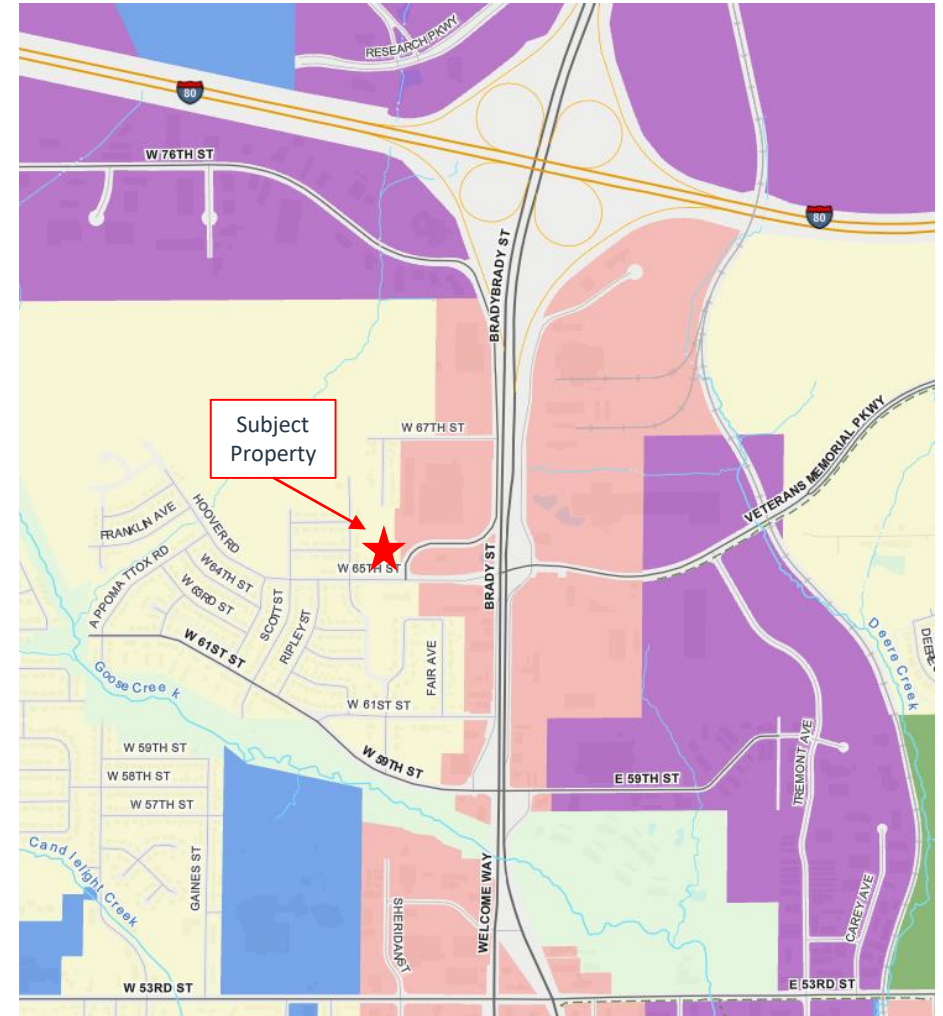
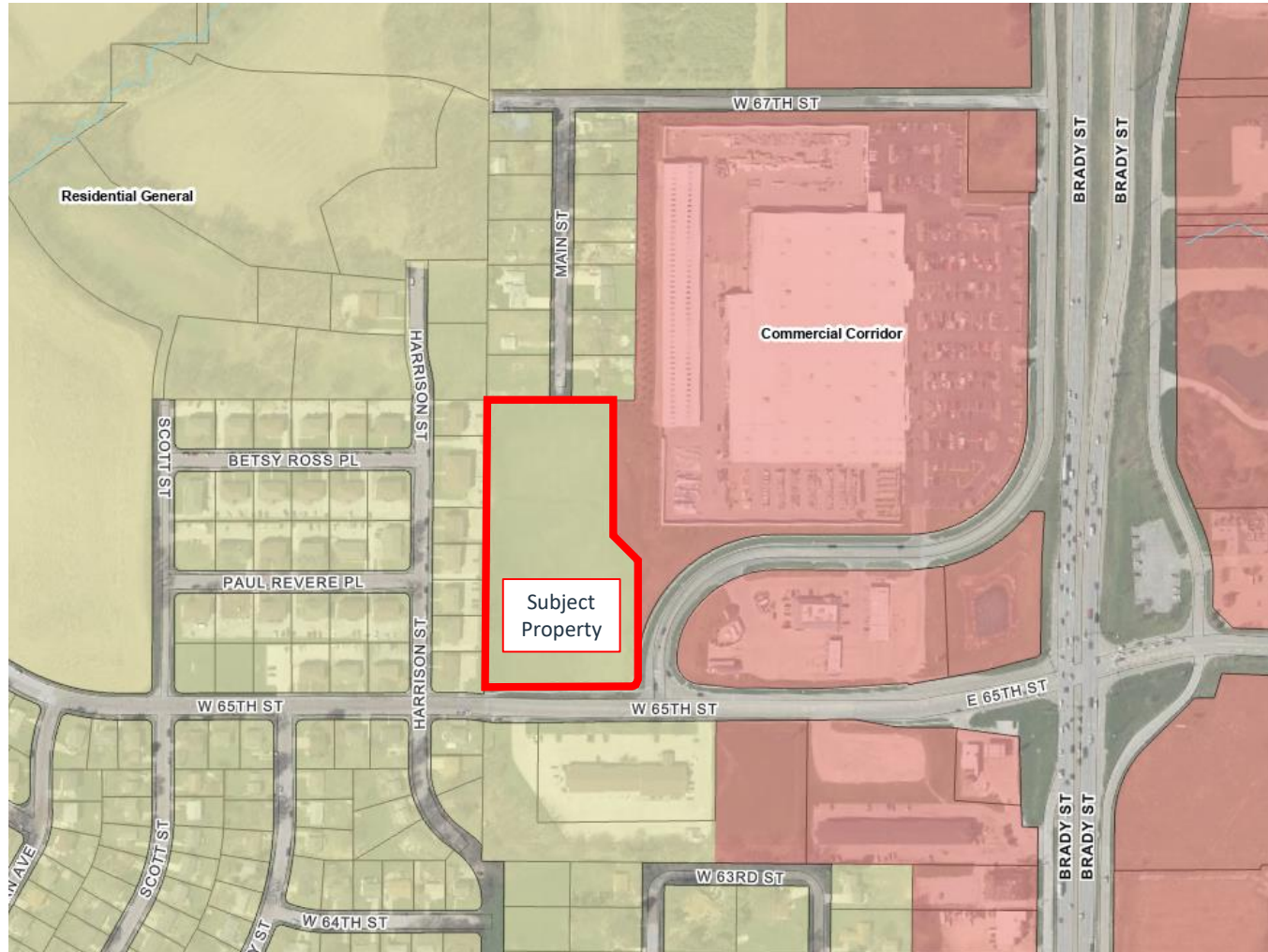
Zoning Map



Rezone from R-MF Multi-Family Residential District to I-1 Light Industrial District

Future Land Use Map

DAVENPORT
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1200 E 46th St
Davenport, Iowa 52807
(563) 326-6198
Planning@davenportiowa.com

Complete application can be emailed to: planning@davenportiowa.com

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)**

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☒
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:Existing Zoning: Proposed Zoning Map Amendment:

Purpose of the Request:

Rezoning to allow a Menards Self Storage facility on the vacant land SW of the Menards retail store.

Total Land Area: Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No**Submittal Requirements:**

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
 - Zoning Map Amendment is less than 1 acre - \$400.
 - Zoning Map Amendment is one acre but less than 10 acres - \$750 plus \$25/acre.
 - Zoning Map Amendment is 10 acres or more - \$1,000 plus \$25/acre.
 - \$10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:

- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission public hearing:

- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: [Signature] Real Estate Rep. Monard Inc.

Date: 2/22/22

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by: _____

Planning staff

Date: Date of the Public Hearing:

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.



March 11, 2022

RE: Menards Rezoning Request

Dear Ms. Berkley,

Menard, Inc. is submitting a rezoning request for the property southwest of the Menards retail store. That property has been zoned residential for many years and never developed. Menards does not actually want to rezone the property to an industrial district even though that is the request being made. After discussing the project with you and the city staff it seems that rezoning was the only option but not the preferred option on either side. It is still our preference to create a PUD or Special Use overlay district that only allows for storage rather than a blanket industrial zoning. In reality Menards is submitting the application to create a new storage facility on that property.

Menards first purchased the new store property in 2007 and this property was set aside for future development however in that time it has not development and there has been no interested parties in developing it. We do not want the property to stay vacant forever as that does not benefit Menards and it does not benefit the city. Menards has operated self storage facilities for over 10 years on land and in buildings we own. The storage facility operated by Menards in the old store has been a successful operation since it opened and was even expended. The benefits of the Menards self storage business is that they are run by the same people that run the Menards stores. This also allows the ownership of that lot to stay with Menards and a new business to be created.

Menards built storage facilities differently than the completion. All the units at Menards face inside the facility and the exterior is the back of the storage buildings. The elevations are included in this application. The facility is designed to be similar to the look of the Menards store but different in its own way. Branding is very important in 2022 and this accomplishes both of those goals. Please keep in mind Menards has owned and operated a storage facility a mile to the south in the old store location and not only has that facility been 100% full constantly with a waiting list but there have been very few problems associated with that facility.

Self storage is a very good neighbor and is compatible to the residential to the west and north. The average self storage tenant visits their unit once a month which means a smaller commercial use or a residential use sees that same number of trips in a day. Storage also has a smaller footprint as they are smaller single story buildings on the property compared to a multi story residential property. A storage facility uses less lights and they are contained within the facility screened by the wall. There is also no noise associated with storage compared to commercial or residential.

Menards us unable to allow that property to remain vacant forever and this is a use that creates a new business that Menards knows how to run well and it has a low impact on the surrounding properties from the reasons described above. This is a fairly substantial investment being made by Menards on a property that needs to be developed. Please review the application materials and consider any options that Menards can request other than a straight rezoning. We look forward to working with you on



another project. If you have any questions as you review the project and the materials please let me know. Thank. You.

Sincerely,
Menard, Inc.

A handwritten signature in black ink, appearing to read "Tyler Edwards", written over a horizontal line.

Tyler Edwards
Real Estate Representative
Menard, Inc. 5101 Menard Drive Eau Claire, WI 54703
O: 715.876.2143 C: 715.579.6699 tedwards@menard-inc.com



March 11, 2022

VIA US MAIL

City of Davenport
Attn: Laura Berkley
1200 E 46th Street
Davenport, IA 52807

Re: Menards Self Storage Proposal

Dear Ms. Berkley,

Please find enclosed the self storage proposal summary information.

1. Project Narrative (1 Copy);
2. Rezoning Application (1 Copy);
3. Application Fee (1 Copy);
4. 11x17 Site Plan (3 Copies);
5. 11x17 Elevations (3 Copies);
6. 24x36 Site Plan (3 Copies);
7. 24x26 Elevations (3 Copies);

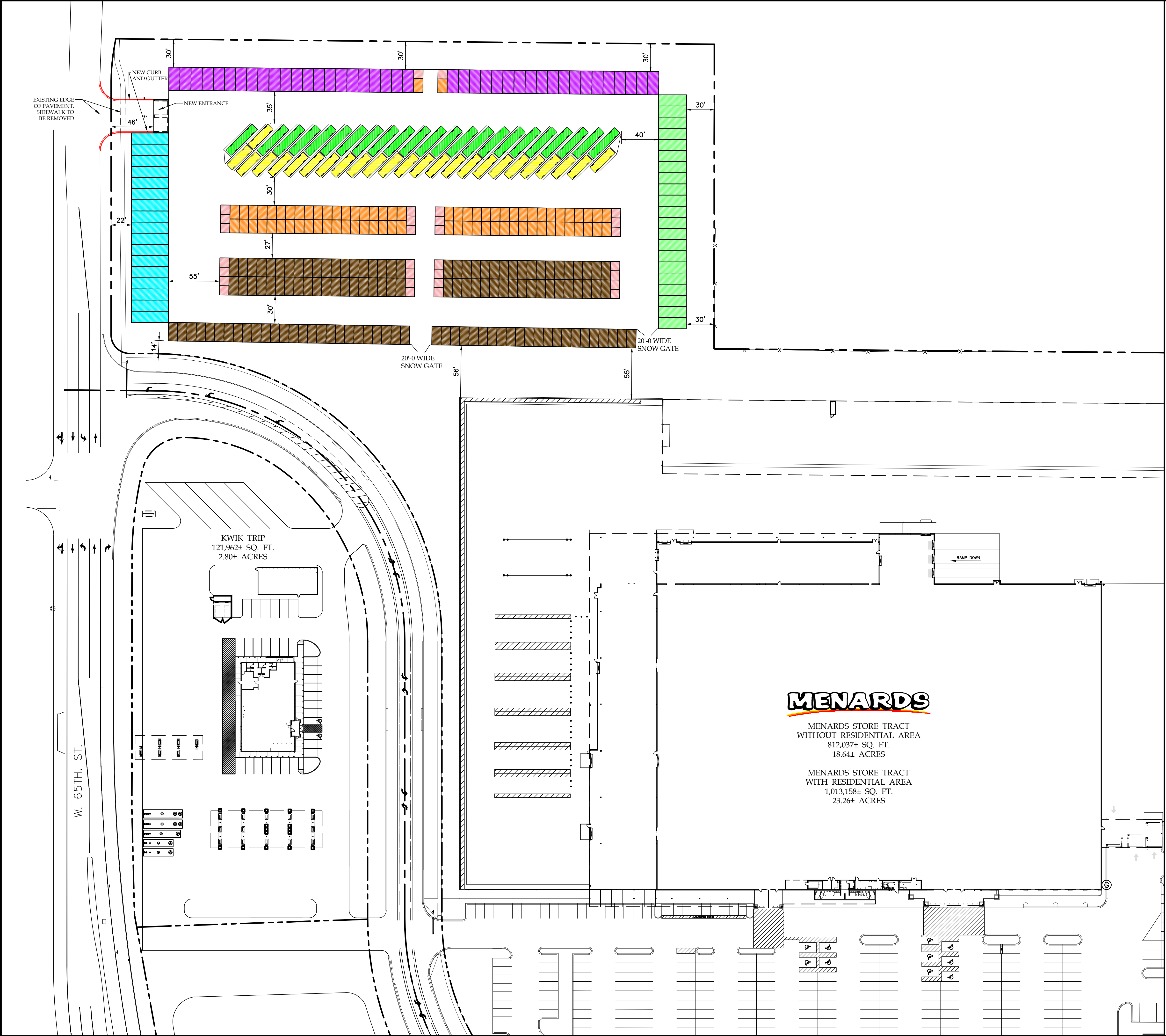
Please let me know if you need anything else. Thank you.

Sincerely,
Menard, Inc.

A handwritten signature in black ink, appearing to read "Tyler Edwards", is written over a horizontal line.

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Enclosures



307 CLOSED UNITS
48 VEHICLE PARKING STALLS
TOTAL = 355

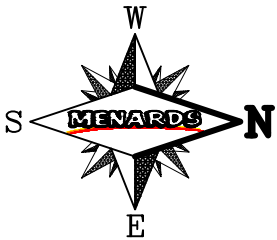
STORAGE LOT
194,931 SQ. FT.
4.48± ACRES

OUTDOOR STORAGE	
QTY	UNIT SIZE
30	10'x10' UNIT
76	10'x15' UNIT
22	10'x20' UNIT
41	12'x25' UNIT
21	12'x30' UNIT
17	12'x40' UNIT
25	30' PARKING
23	40' PARKING



MENARDS STORE TRACT
WITHOUT RESIDENTIAL AREA
812,037± SQ. FT.
18.64± ACRES

MENARDS STORE TRACT
WITH RESIDENTIAL AREA
1,013,158± SQ. FT.
23.26± ACRES

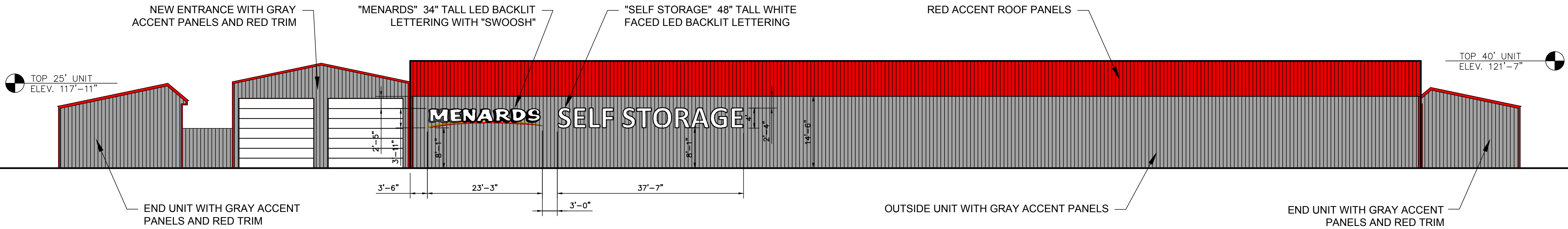


CONTACT INFORMATION
Tyler Edwards
Real Estate Representative
Menard, Inc.
5101 Menard Drive
Eau Claire, Wisconsin 54703
Davenport, Iowa
February 28, 2022 Scale: 1" = 50'-0"

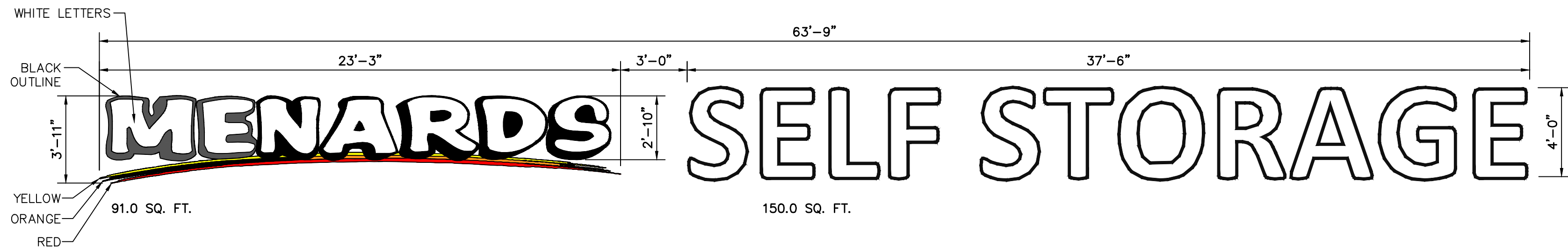
MENARDS®

Self Storage

Davenport, Iowa



SOUTH ELEVATION



- NOTES:**
- (1) INTERNALLY LIT INDIVIDUALLY MOUNTED CHANNEL LOGO.
 - LOGO BACK TO BE ROUTED .080" THICK ALUMINUM WITH A 5" REFINISHED BLACK ALUMINUM RETURN.
 - LOGO TO INCLUDE MENARDS UDESCORE BENEATH THE LETTERING.
 - LOGO FACE TO BE ROUTED .150" THICK WHITE ACRYLIC WITH 1" BLACK JEWELITE TRIM CAP, APPLY 3M HP BLACK VINYL AND 3M PRINTED TRANSLUCENT VINYL UNDERSCORE.
 - LIGHTING TO BE SUPPLIED BY WHITE LEDS 120V POWER SUPPLY AND SWITCH.

- NOTES:**
- (1 OF EACH) INTERNALLY LIT INDIVIDUALLY MOUNTED CHANNEL LETTERS.
 - LETTER BACKS TO BE ROUTED .063" THICK ALUMINUM WITH A 5" REFINISHED BLACK ALUMINUM RETURN.
 - LETTER FACES TO BE ROUTED 3/16" THICK WHITE ACRYLIC WITH 1" BLACK JEWELITE TRIM CAP.
 - LIGHTING TO BE SUPPLIED BY WHITE LEDS WITH REMOTE MOUNTED 120V POWER SUPPLY AND SWITCH.

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Menard, Inc.
5101 Menard Drive
Eau Claire, Wisconsin 54703
Davenport, Iowa
February 28, 2022 Scale: 3/32" = 1'-0"

Dwelling - Multi-Family Residential Design Standards

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
 - a. The following building materials are prohibited on any part of any façade:
 - i. Plain concrete block
 - ii. Plastic
 - iii. Exterior insulating finish systems (EIFS)
 - b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
 - i. Corrugated metal
 - ii. Exposed aggregate (rough finish) concrete wall panels
 - iii. T-111 composite plywood siding
5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.
 - a. Structures shall maintain the character of the multi-family development.
 - b. Structures are encouraged to match the pitch of the roof of the principal dwelling.
 - c. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).
6. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

CHAPTER 17.06. INDUSTRIAL DISTRICTS

Section 17.06.010	Purpose Statements
Section 17.06.020	Uses
Section 17.06.030	Dimensional Standards
Section 17.06.040	Design Standards
Section 17.06.050	General Standards of Applicability

Section 17.06.010 Purpose Statements

A. I-1 Light Industrial Zoning District

The I-1 Light Industrial Zoning District is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

B. I-2 Heavy Industrial Zoning District

The I-2 Heavy Industrial Zoning District is intended to provide for a variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-2 District may result in some external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

C. I-MU Industrial Mixed-Use Zoning District

The purpose of the I-MU Industrial Mixed-Use Zoning District is to provide for a mix of light industrial uses, as well as compatible commercial uses such as recreation, entertainment, and retail establishments to promote the reuse of older, character giving structures that may no longer be suitable for their original purposes. The I-MU District may also function as a transition district between the C-D Downtown District and surrounding areas. Higher density residential is also permitted in the I-MU District.

Section 17.06.020 Uses

Chapter 17.08 lists permitted, special, and temporary uses for the industrial districts.

Section 17.06.030 Dimensional Standards

Table 17.06-1: Industrial Districts Dimensional Standards establishes the dimensional standards for the industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 17.02.040 for measurement methodologies.

Table 17.06-1: Industrial Districts Dimensional Standards			
	I-1	I-2	I-MU
Bulk			
Minimum Lot Area	None	10,000sf	None
Minimum Lot Width	None	70'	None
Maximum Building Height	90'	90'	90'
Setbacks			
Minimum Front Setback	25'	25'	0'-10' build-to zone
Front Setback Build-to Percentage	None	None	80%
Minimum Interior Side Setback	None, unless abutting a residential district then 25'	15', unless abutting a residential district then 25'	None
Minimum Corner Side Setback	20'	20'	0'-10' build-to zone
Corner Side Setback Build-to Percentage			60%
Minimum Rear Setback	15'	25'	None, unless abutting a residential district then 20'

Section 17.06.040 Design Standards

A. The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure. However, only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling. Table 17.06-2: Industrial Building Design Standards indicates the applicability of building design standards to the industrial districts. A “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard is not applicable.

Table 17.06-2: Industrial Building Design Standards			
	I-1	I-2	I-MU
Façade Design			
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.			•
Roof Design			
Green roof, blue roof, and white roof designs are encouraged.	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•
Entrance Design			
Public entrances and primary building elevations must be oriented toward public streets. Main entrances to the buildings must be well defined.			•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.			•
Site Design			
The parking lot must not be the dominant visual element of the site when viewed from the primary roadway.			•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.	•		•

B. In the I-1 and I-MU Districts, the following building materials are limited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a lot in residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

1. Exposed aggregate (rough finish) concrete wall panels
2. T-111 composite plywood siding
3. Plastic
4. Vinyl

Spot Zoning

Spot zoning is when a rezoning decision results in a single parcel, or small island of property, with restrictions on its use different from those imposed on the surrounding property. Spot zoning can be valid if there is a reasonable basis to treat the spot-zoned property differently from the surrounding property. For example, a parcel or two designated as neighborhood commercial in a residential area is perfectly appropriate if it provides needed retail services to residents. However, zoning is not appropriate if it is for the financial benefit of an individual property owner but detrimental to the surrounding area. According to the Iowa courts, the factor of primary importance is whether the rezoned tract has a peculiar adaptability to the new classification as compared to the surrounding property. Spot zoning for the sole benefit of the landowner and contrary to the comprehensive plan is unreasonable.

The case for creating these “spot zones” is best made through the comprehensive planning process, where the community can explain the benefits that such differential treatment brings to the area.



PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 4/19/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00 PM Subject: Public Hearing for a Rezoning Request before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A).

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The purpose of the Rezoning Request is to develop the vacant site, southwest of the existing Menards retail store, into a self storage facility.

Request/Case Description

Case REZ22-02: Request of Menard Inc. to rezone the 4.48 acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on April 19, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 3, 2022. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Rezoning Request

Case REZ22-02: Menard Inc.

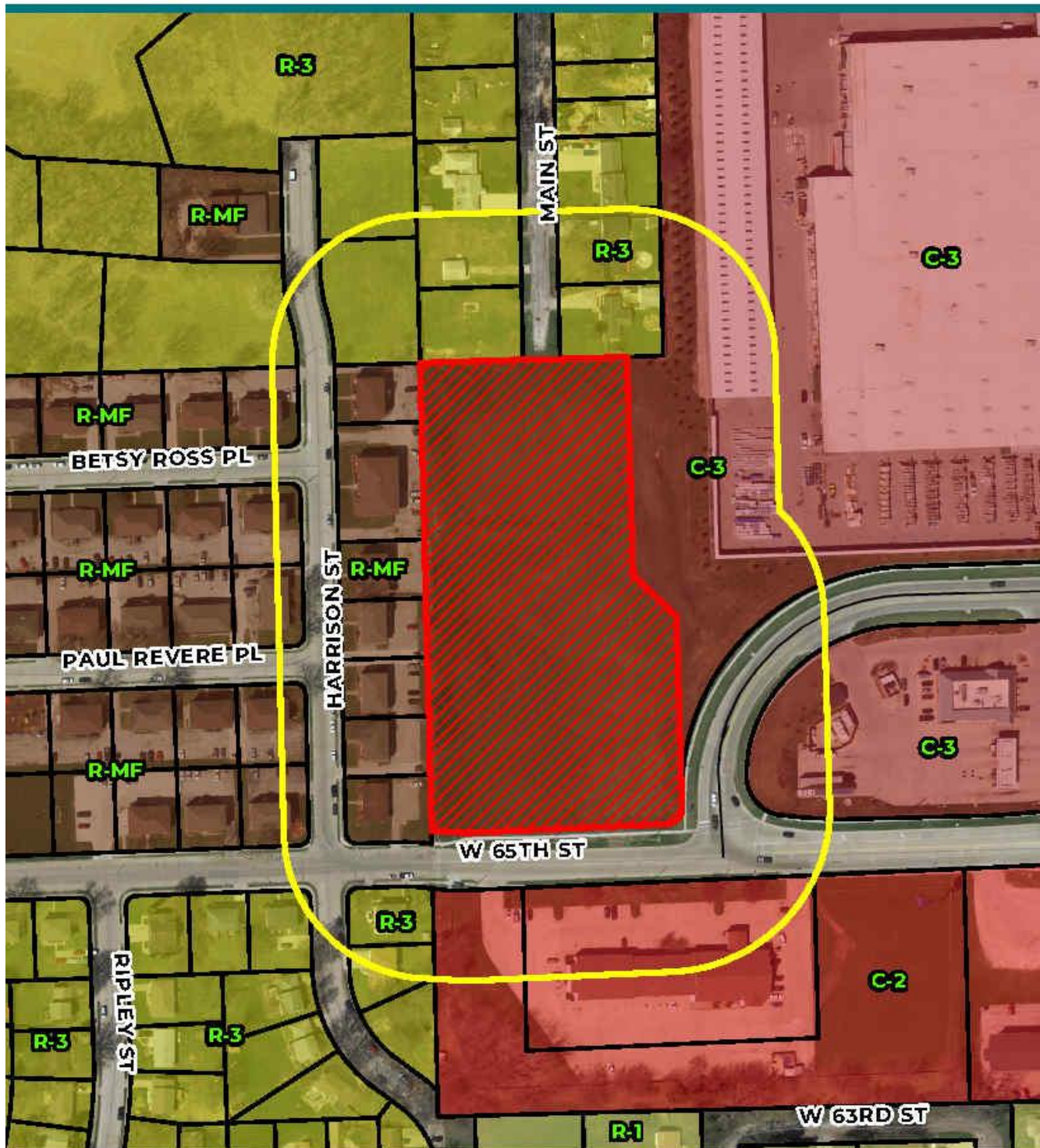
Rezone from R-MF Multi-Family Residential District to
I-1 Light Industrial District



Subject Property



200' Notification Boundary



Werderitch, Matt

From: DNSD Info
Sent: Tuesday, April 12, 2022 7:48 AM
To: Planning
Cc: contactus
Subject: FW: [EXT] Rezoning

-----Original Message-----

From: contactus <contactus@davenportiowa.com>
Sent: Monday, April 11, 2022 9:28 AM
To: DNSD Info <dnsd.info@davenportiowa.com>
Cc: contactus <contactus@davenportiowa.com>
Subject: FW: [EXT] Rezoning

Please respond by including only the original eGov request below and copy contactus@davenportiowa.com.
Thank you.

Customer Experience Team
Public Works – Customer Experience Division City of Davenport

T 563-326-7923
1200 E. 46th St., Davenport, IA 52807

davenportiowa.com

-----Original Message-----

From: Karen Lindquist <kkindquist2@gmail.com>
Sent: Sunday, April 10, 2022 7:26 PM
To: contactus <contactus@davenportiowa.com>
Subject: [EXT] Rezoning

I received a letter and map from the Davenport and Neighborhood Service last week. There will be a Public Hearing on 4/19/2022 at 5:00 pm.

I am contacting you to ask you what this will mean to me and my residence. I am very concerned as to what this will do to our community area. We would prefer to have something in the area that is more beneficial to our community. Police or ambulance sub station would be very beneficial. The activity at the Motel 6 is very questionable. Storage area of Menards is no benefit to anyone in our community. Please send my request to whom ever is making these decisions.

Sincerely,

Karen Lindquist
6431 N Harrison St.

Davenport, IA 52806
563-505-2574
kkindquist2@gmail.com