PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, MARCH 5, 2024; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

- I. Roll Call
- II. Report of the City Council Activity
- III. Secretary's Report
 - A. Consideration of the February 6, 2024 meeting minutes.
- IV. Report of the Comprehensive Plan Committee
- V. Zoning Activity
 - A. Old Business
 - B. New Business
- VI. Subdivision Activity
 - A. Old Business
 - B. New Business
 - i. Case F24-03: Request of 5CL Illinois LLC for a Final Plat of Nor-Dav 2nd Addition. The 2-lot subdivision is located at 1500 West 76th Street on 19.3 acres. [Ward 8]
- VII. Future Business
- VIII. Communications
 - IX. Other Business
 - X. Adjourn

City of Davenport Plan and Zoning Commission

Department: DNS Contact Info: Matt Werderitch 563.888.2221 Date 3/5/2024

Subject:

Consideration of the February 6, 2024 meeting minutes.

Recommendation:

Staff recommends the City Plan and Zoning Commission approve the February 6, 2024 meeting minutes.

Background:

The February 6, 2024 meeting minutes are attached.

ATTACHMENTS:

Type Backup Material Description Meeting Minutes 2-6-24

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	2/28/2024 - 8:41 AM

MINUTES

PLAN AND ZONING COMMISSION MEETING CITY OF DAVENPORT, IOWA TUESDAY, FEBRUARY 6, 2024; 5:00 PM DAVENPORT POLICE DEPARTMENT | 416 N HARRISON STREET | COMMUNITY ROOM

REGULAR MEETING AGENDA

- Roll Call Present: Inghram, Hepner, Maness, Garrington, Schneider, Schilling, Johnson, Dunlop, Stelk, Schneider, Eikleberry, Tallman Staff: Berkley, Werderitch
- II. Report of the City Council Activity

Staff provided an update of the City Council activity.

- III. Secretary's Report
 - A. Consideration of the January 16, 2024 meeting minutes.

Motion by Tallman, second by Hepner, to approve the January 16, 2024 meeting minutes. Motion to approve was unanimous by voice vote (10-0).

- IV. Report of the Comprehensive Plan Committee
- V. Zoning Activity
 - A. Old Business
 - B. New Business
 - Case REZ24-01: Request of the City of Davenport to rezone approximately 31.9 acres of land at 2800 Eastern Avenue from S-IC Institutional Campus District to C-T Commercial Transitional District and Planned Unit Development. [Ward 5]

Staff presented an overview of the C-T Commercial Transitional District and Planned Unit Development. The purpose is to identify an adaptive reuse and preserve the historic structures at the Annie Wittenmyer Campus. Since the City is positioning the Annie Wittenmyer Campus for private redevelopment, the S-IC Institutional Campus District is no longer appropriate. The C-T Commercial Transitional District was identified as the most appropriate zoning classification to enable residential development while ensuring the existing social services tenants can continue to operate. The C-T District is the least intense commercial district, which allows for mixed-uses that are sympathetic to existing neighborhoods.

The developer, Chris Ales, was in attendance to answer questions about the preliminary plan, which include converting structures into housing. The developer is applying for state and federal tax credits and grants to help finance the project. The intent is to consolidate existing social services into the buildings abutting Eastern Avenue, create senior and workforce housing, and establish additional parking.

Several members of the public were in attendance to provide comment.

Commissioners inquired about traffic impacts and staff's determination that the development would not require a traffic study. Commissioners also asked about ownership of the greenspace at the northwest corner of the site.

Staff recommended Case REZ24-01 be forwarded to the City Council with a recommendation for approval, subject to the following findings.

Zoning Map Amendment Findings:

- 1. The zoning map amendment is consistent with the Comprehensive Plan and adopted land use policies.
- 2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with existing on-site uses and the zoning of nearby developed property.
- 3. The rezoning request is compatible with the established neighborhood character.
- 4. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
- 5. The zoning map amendment facilitates the adaptive redevelopment of a national and local historic landmark.
- 6. The nonconformities created by the zoning map amendment will be mitigated through the planned unit development process.

Planned Unit Development Findings:

- 1. The preliminary development plan provides a public benefit to the City.
- 2. The proposed preliminary plan meets the purpose of a planned unit development.
- 3. The proposed planned unit development will not impede the normal and orderly development and improvement of surrounding property.

- 4. There is provision for adequate utilities and infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities. A traffic study is not required.
- 5. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.
- 6. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, are compatible with the surrounding neighborhood and adjacent land uses.

Motion by Hepner, second by Maness, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

 Case ORD24-01: Request of Chris Kretz to amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Bed and Breakfast" and "Reception Facility" as permitted uses in the C-T Commercial Transitional Zoning District. [All wards]

City staff outlined a private citizen's request to amend the Zoning Ordinance to allow "Bed and Breakfast" and "Reception Facility" as permitted uses in the C-T Commercial Transitional Zoning District. The proposed zoning text amendment will impact all properties throughout Davenport zoned C-T Commercial Transitional District.

Chris Kretz, petitioner, was in attendance to answer questions about the request and his impacted property.

There were no comments from the public.

Staff recommended the Plan & Zoning Commission accept the listed findings and forward Case ORD24-01 to the City Council with a recommendation for approval, subject to the following condition:

 Amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Bed and Breakfast" and "Reception Facility" as a Special Use in the C-T Commercial Transitional Zoning District.

Findings:

- 1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
- 2. The proposed amendment promotes the public health, safety, and welfare of the City.
- 3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
- 4. The amendment reflects a change in policy and development trends.

5. The proposed amendment eliminates any existing nonconformities.

Motion by Hepner, second by Johnson, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

Case ROW24-01: Request of the City of Davenport to vacate a portion of unimproved Marquette Street right-of-way located south of West 76th Street. [Ward 8]

Staff presented an overview of the request. The City, on behalf of the Waste Commission of Scott County, is petitioning that a portion of unimproved Marquette Street south of West 76th Street be vacated. The subject land is part of the landfill that was decommissioned in the 1970s. Due to the restrictions on how this area is treated, the construction of a road and installation of underground utilities is infeasible. The area to be vacated is approximately 32,193 square feet or .739 acres, more or less. The intention is to return this area to the Waste Commission of Scott County, since there is landfill within the current right-of-way.

Brian Seals and Bryce Stalcup, Waste Commission of Scott County, were in attendance to answer questions and explain the history of the landfill.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way on Emerald Drive in Case ROW24-01 to the City Council with a recommendation for approval, subject to the following findings and conditions:

Findings:

- 1. The existing public right-of-way is not required for city purposes.
- 2. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Conditions:

- 1. All existing utilities located in the Right-of-Way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.
- 2. That a 20-foot multi-use trail easement shall be established on the western boundary of the land to be vacated.

Motion by Hepner, second by Eikleberry, to approve staff recommendation. Motion was approved by a roll call vote (9-0). Commissioner Tallman abstained.

VI. Subdivision Activity

A. Old Business

B. New Business

 Case F24-01: Request of Klinger & Associates, P.C., on behalf of LNL LLC, for a Final Plat of Golf Course Heights Addition. The 1-lot subdivision is located at 2718 Wisconsin Avenue on 3.15 acres. [Ward 1]

Staff outlined the proposed subdivision. The purpose of the final plat is to separate the existing residential dwelling along Wisconsin Avenue from the farm field to the west. The barn and agricultural buildings were removed from the property in 2019.

Luke Miller, Klingner & Associates PC, was in attendance to answer questions.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F24-01 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

- The final plat conforms to the comprehensive plan Davenport +2035.
- 2. The final plat (with conditions recommended by City Staff) will 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.

Motion by Eikleberry, second by Hepner, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

 Case F24-02: Request of Klinger & Associates, P.C., on behalf of LNL LLC, for a Final Plat of Locust View Addition. The 1-lot subdivision is located at 5328West Locust Street on 2.6 acres. [Ward 1]

Werderitch stated the purpose of the final plat is to separate the existing residential dwelling along West Locust Street from the surrounding farm field. The barn and agricultural buildings were removed from the property in 2020.

Luke Miller, Klingner & Associates PC, was in attendance to answer questions.

Commissioner Johnson inquired about the shape of the parcel and its inclusion of row crops.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F24-02 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

- The final plat conforms to the comprehensive plan Davenport +2035.
- 2. The final plat (with conditions recommended by City Staff) will 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.

Motion by Eikleberry, second by Maness, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

- VII. Future Business
- VIII. Communications
- IX. Other Business
- X. Adjourn

Motion by Tallman, second by Johnson, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (10-0).

The meeting adjourned at 5:40 pm.

City of Davenport Plan and Zoning Commission

Department: Development & Neighborhood Services Contact Info: Matt Werderitch 563.888.2221 Date 3/5/2024

Subject:

Case F24-03: Request of 5CL Illinois LLC for a Final Plat of Nor-Dav 2nd Addition. The 2-lot subdivision is located at 1500 West 76th Street on 19.3 acres. [Ward 8]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F24-03 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) will 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. Vacate existing utility easements that do not contain infrastructure or are no longer required.
- 4. Provide an access easement for the shared driveway on West 76th Street.
- 5. Provide continuous sanitary sewer easement through southerly line of proposed lots 1 and 2.
- 6. Provide a private sanitary sewer easement for the line extending to Hawkeye Motorworks.
- 7. The existing stormwater detention easement area shall be depicted in the plat.

Background:

Discussion:

The purpose of the final plat is to separate the industrial building on the east side of the property from the two structures closest to the intersection of Division Street and West 76th Street. No site development is proposed with this subdivision.

Comprehensive Plan:

- 1. Within Existing Urban Service Area: Yes
- 2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

The subject property is designated as **Industry (I)** in the Davenport +2035 Future Land Use Map. This land use category 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.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment. The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning:

The subject property is zoned **I-1 Light 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.

Technical Review:

- 1. <u>Zoning</u>: The I-1 Light Industrial District does not have a minimum lot area or lot width requirements. Both lots and existing buildings satisfy district dimensional requirements.
- 2. <u>Streets</u>: The existing site has one access point onto West 76th Street. An access easement shall be established across the driveway to enable shared ingress/egress to each lot. No right-of-way will be dedicated with this subdivision.
- 3. <u>Storm Water</u>: There is an existing stormwater detention basin on the eastern portion of the site. A Maintenance and Repair Agreement will be required if the basin crosses property lines. The site is currently served by storm sewer, which is located at the intersection of Division Street and West 76th Street.
- 4. <u>Sanitary Sewer</u>: A sanitary sewer line is located along the south and east lot lines of the development.
- 5. <u>Other Utilities:</u> Normal utility services are available at this site. Existing utility easements on the site that do not contain infrastructure will be vacated upon recording.

Description

Application

Final Plat of Nor-Dav 2nd Addition

Vicinity, Zoning, & Future Land Use Map

6. <u>Parks/Open Space</u>: There are no impacts to parks/open space

Public Input:

No public hearing or public notification is required for a Final Plat.

ATTACHMENTS:

Type	T	y	
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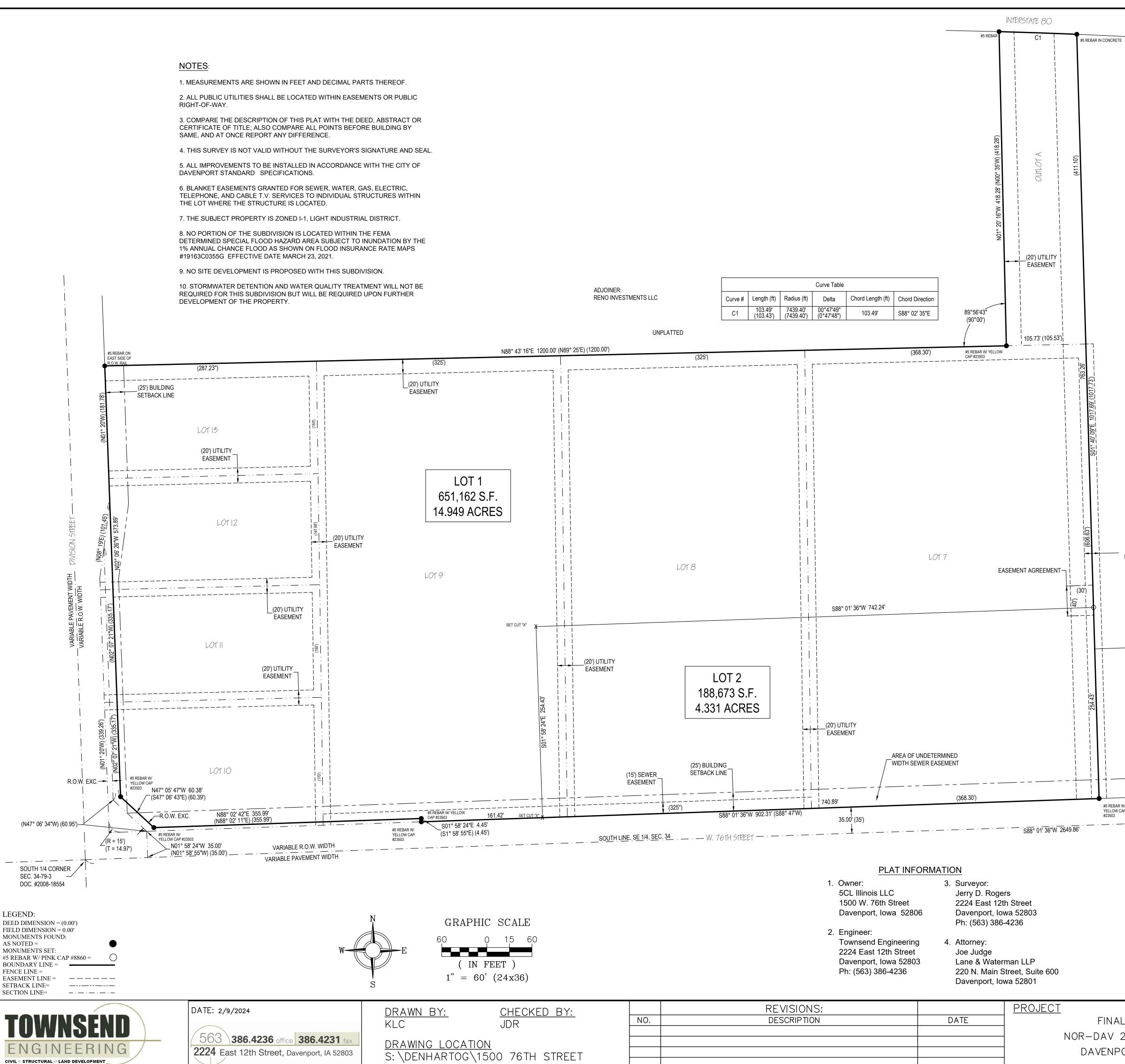
- Backup Material
- Backup Material
- Backup Material

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	3/1/2024 - 2:49 PM

REQUIRED FOR THIS SUBDIVISION BUT WILL BE REQUIRED UPON FURTHER



FINAL PLAT NOR-DAV 2ND ADDITION DAVENPORT, IOWA

FINAL PLAT

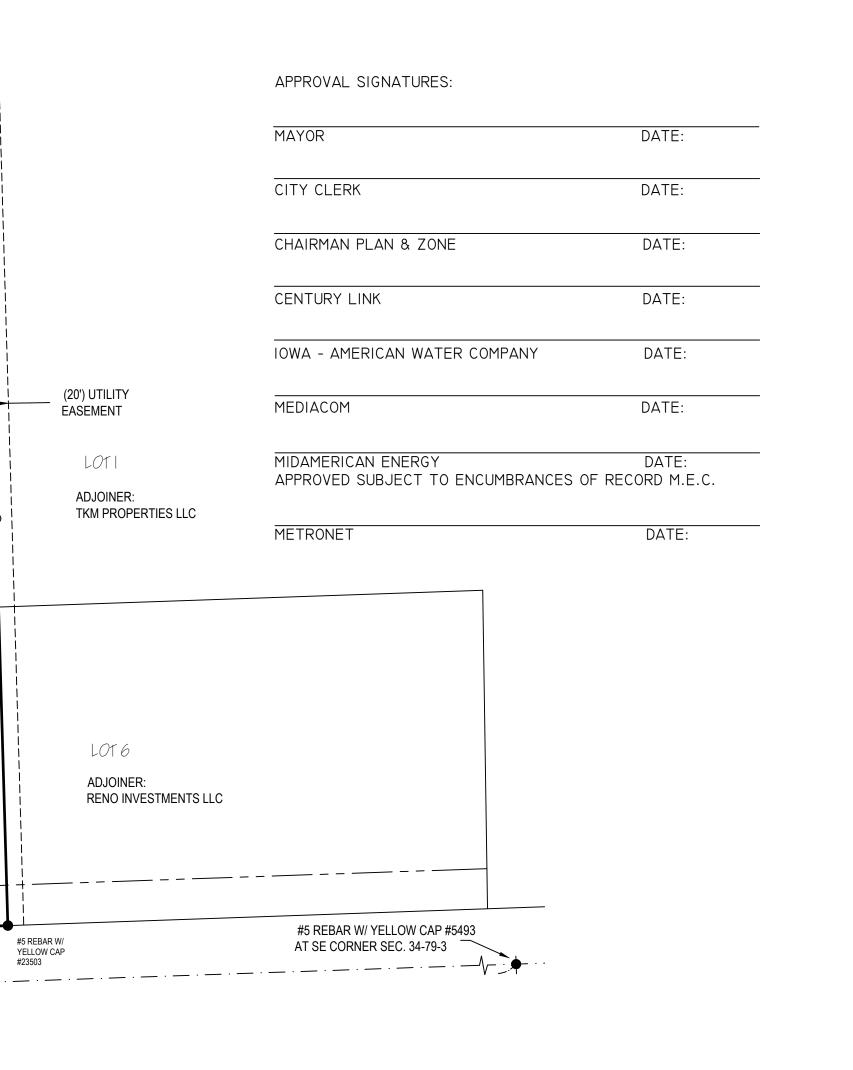
NOR-DAV 2ND ADDITION

TO THE CITY OF DAVENPORT, IOWA, BEING A REPLAT OF LOT NUMBERS 7, 8, 9, 10, 11, 12, 13 AND OUTOT A IN THE FINAL PLAT OF NOR-DAV ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

EXCEPTING THEREFROM: A TRACT OF LAND TO BE ACQUIRED FOR PURPOSES, LOCATED IN LOT 10 OF THE FINAL PLAT OF NOR-DAV ADDITION TO THE CITY OF DAVENPORT, BEING PART OF THE SE 1/4 OF SEC. 34, TWP, 79 N., R 3 E OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW COMER OF THE SE 1/4 OF SAID SEC. 34; THENCE N 1°20' W 84.99 FEET ALONG THE W LINE OF THE SE 1/4 OF SAID SEC. 34; THENCE N 88°40' E 33 FEET TO A POINT IN THE EXISTING 33 FOOT R.O.W LINE OF N. DIVISION STREET WHICH IS THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE S 46°20' E 70.84 FEET TO A POINT ON THE NORTH 33 FOOT R.O.W LINE OF W 76TH STREET THENCE S 88°47' W 50.09 FEET ALONG THE NORTH 35 FOOT R.O.W LINE OF W 76TH STREET TO THE SW CORNER OF LOT 10; THENCE N 1°20' W 49.99 FEET ALONG THE EXISTING 33 FOOT R.O.W LINE OF N. DIVISION STREET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PART OF LOTS 9, 10, 11 AND 12, NOR-DAV ADDITION, AN OFFICIAL PLAT IN THE CITY OF DAVENPORT SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH PM.; THENCE NORTH 88°01'05" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 83.00 FEET THENCE NORTH 1 °58' 55" WEST 35.00 FEET TO THE NORTH RIGHT OF WAY OF 76TH STREET AND THE POINT OF BEGINNING; THENCE NORTH 47°06'34" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.95 FEET TO THE EAST RIGHT OF WAY LINE OF DIVISION STREET; THENCE NORTH 2°07'21" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 335.17 FEET; THENCE NORTH 7°15'48" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 61.32 FEET; THENCE SOUTH 2°07'21" EAST 391.53 FEET THENCE SOUTH 47°06'34" EAST 60.39 FEET; THENCE NORTH 88°02'11" EAST 355.99 FEET; THENCE SOUTH 1°58'55 EAST 4.45 FEET TO SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°01'05" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 365.58 FEET 10 THE POINT OF BEGINNING.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of lowa.

JERRY D. ROGER lowa License Number: 8860 My license renewal date is December 31, 2025 Pages or sheets covered by this seal: 1

<u>owner</u>



5CL ILLINOIS LLC 1500 W 76TH ST DAVENPORT IA 52806

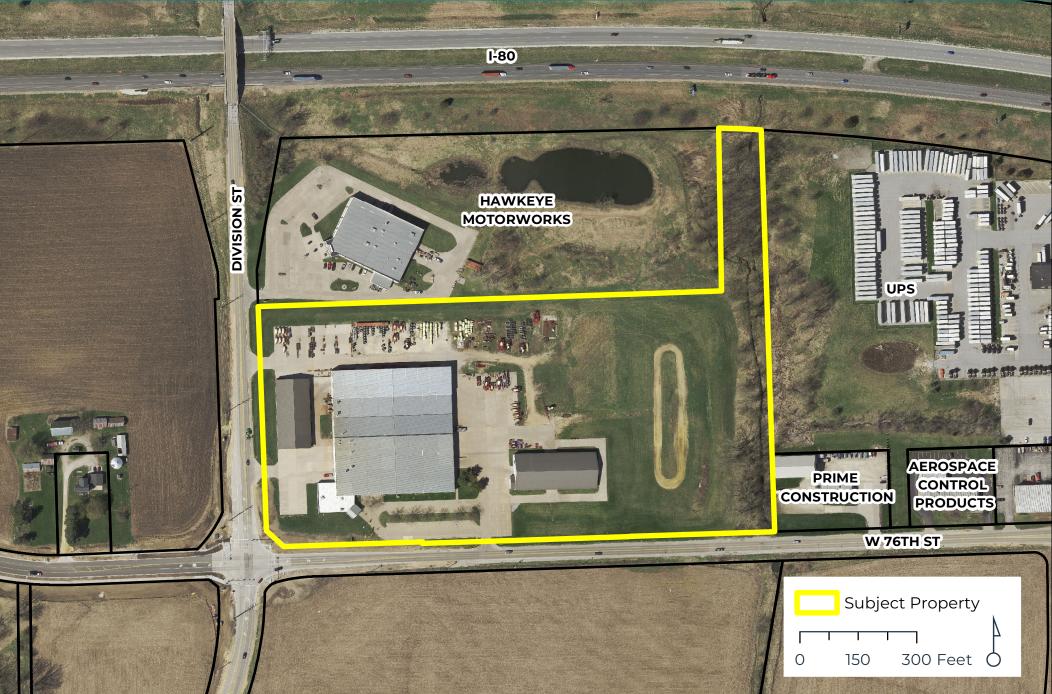
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1 OF



Vicinity Map | Case F24-03

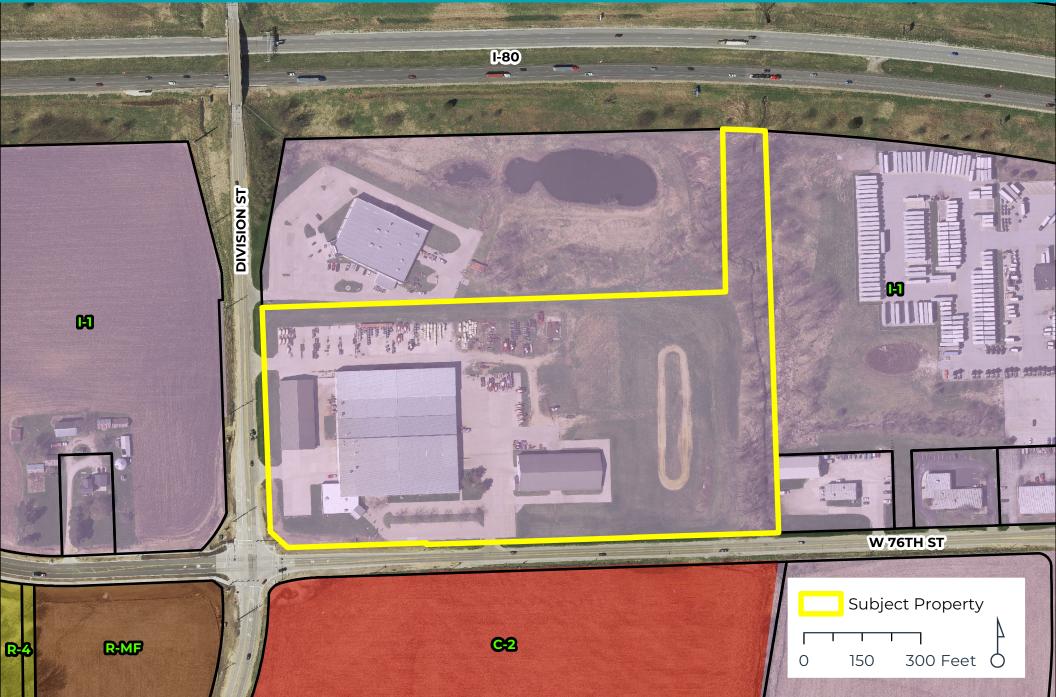
Request of 5CL Illinois LLC for a Final Plat of Nor-Dav 2nd Addition. The 2-lot subdivision is located at 1500 West 76th Street on 19.3 acres. [Ward 8]





Zoning Map | Case F24-03

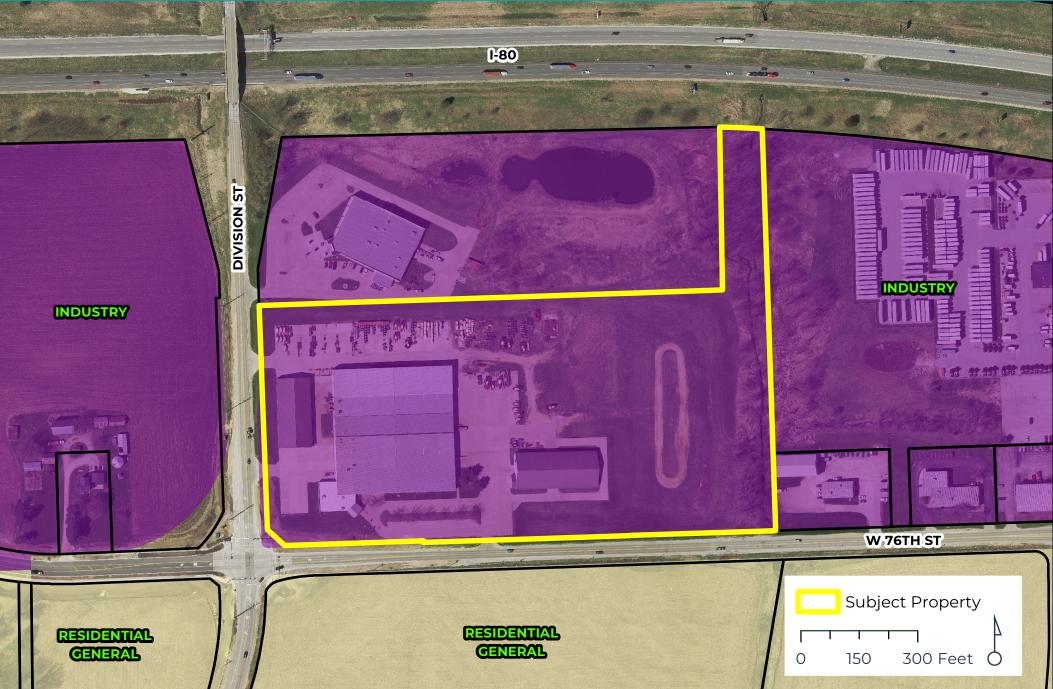
Request of 5CL Illinois LLC for a Final Plat of Nor-Dav 2nd Addition. The 2-lot subdivision is located at 1500 West 76th Street on 19.3 acres. [Ward 8]





Future Land Use Map | Case F24-03

Request of 5CL Illinois LLC for a Final Plat of Nor-Dav 2nd Addition. The 2-lot subdivision is located at 1500 West 76th Street on 19.3 acres. [Ward 8]





CITY OF DAVENPORT Development & Neighborhood Services – Planning 1200 W. 46th St Davenport, IA 52807

APPLICATION FOR SUBDIVISON PLAT

(LAND DIVISION)

	Office 563.326.6198	SUBDIVISION NAME					
Office 563.326.6198 planning@davenportiowa.com							
planning@davenportowa.com		LOCATION DESCRIPTION			SUBMITTED		
APPLICANT INFORMATION		1500 W.	76th St.			02/0	9/2024
Applicant Name		NUMBER C	F LOTS BY USE TYP	E A	CRES	STRE	ETS ADDED
5CL Illinois LLC		2 @ M-1		1	9.28	0	
Address		PLAT TYP	PE SUBMITTED:				
1500 W. 76th St.		2010/01/02	MINARY PLAT:				
City State Zip		FINAL	PLAT:	§16.20	Requirements	3	\boxtimes
Davenport, IA 52806		PRELIMI	NARY PLAT REG	UIREN	IENTS:		
Phone		Prelim	inary Plat				
(614) 410-5654		Conto	urs (2') & Infrast	ructure	e (pre/post)		
Secondary Phone			AT REQUIREME				
			g Certificates pe	er §354	4.11 State Co	ode	
E-Mail Address		Final	Plat				
joel.yakovac@colliers.com		GENERA	L REQUIREMEN	TS:			
Acceptance of Applicant		Autho	rization to Act as	s Appli	cant, if need	ed	
l, the undersigned, certify that the inf	formation on this application to the best of		ation Fee (REQL				
the property in question, and/or that	further certify that I have a legal interest in I am legally able to represent all other		Subdivision Platting Fee Schedul		ee Schedule		
persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.			Number of Lots	Fee			
In addition to the application fee, I understand I am responsible for all development review costs, including but not limited to a traffic study.			1 lot to 10 lots	\$4	00 plus \$25/lot		
			11 to 25 lots	\$7	00 plus \$25/lot		
Joel Yakovac			26 or more lots	\$1,0	000 plus \$25/lot		
Print Applicant's Name							
		Submit this form, and any questions, to DNS Planning Division at					
Applicant's Signature 02/09/2024 Date		planning@davenportiowa.com .					
		PMENT TEAM					
Developer / Project Manage		Enginee					
Developer / Project Manage Colliers Columbus Indus		-	end Engineerin	a			
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(614) 410-5654		(563) 386-4236					
E-Mail Address		E-Mail Addre					
joel.yakovac@colliers.com		chris@townsendengineering.net					
Owner		Attorney					
CL Illinois LLC		Lane & Waterman LLP 220 N. Main St., # 600, Dav.					
Address		Address	Matowers 11	0 0 0 0	N Main St	# 6	
1500 W. 76th St., Daver		Phone &	Waterman LLI	- 220	N. Main St. Secondary Phone	, # 0	oo, Dav.
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Development and Neighborl		326.6198			davenportiowa		DNS
1200 East 46th St. Davenport, I	lowa 52807 E planr	ning@davenpc	rtiowa.com		revised Jan. 20	023	

Authorization to Act as Applicant

wner(s)]	
erson(s)]	
llowing board: Plan & Zoning Cor	mmission *
Signature(s)*	
*Please note: original signature(s) are requ	ired signed in front of a Notary.
	Dete
	Date
[identification type]	
	Signature(s)* *Please note: original signature(s) are requ

My Commission Expires:

* Application Form by Board Type

Plan and Zoning Commission

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

Zoning Board of Adjustment

Special Use Hardship Variance Zoning Appeal Nonconforming Use Exception

Design Review Board

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

Historic Preservation Commission

Certificate of Appropriateness Landmark Nomination Demolition Request