

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, OCTOBER 18, 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 ORD22-01: Request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow “Dwelling – Single-Family” as a permitted use in the R-MF Multi-Family Residential Zoning District. [All Wards]

II. Next Public Hearing: November 1, 2022

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

- A. Consideration of the October 4, 2022 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ22-06: Request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

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
10/18/2022

Subject:

Case ORD22-01: Request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. [All Wards]

Recommendation:

Hold the Public Hearing.

A formal staff recommendation will be provided at the November 1, 2022 Plan and Zoning Commission Meeting.

Background:

City staff received an Application for a Zoning Text Amendment from a property owner requesting an amendment to allow "Dwelling - Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District.

The Cities of Bettendorf, Moline, and Rock Island all allow for single-family dwellings in their respective multi-family/high density residential districts. The proposed zoning text amendment will impact all properties throughout Davenport zoned R-MF Multi-Family Residential District.

The **R-MF Multi-Family Residential Zoning 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.

Dwelling - Single-Family. A structure containing only one dwelling unit on a single lot. When a manufactured home meets all the requirements for a single-family dwelling, including the definition of a dwelling unit, and is located and installed to the same standards as a single-family dwelling, such manufactured home is considered a single-family dwelling, subject to any additional requirements or specific exceptions of Iowa State Code Section 414.28.

Approval Standards for Text Amendments

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.
5. The extent to which the proposed amendment creates nonconformities.

Public Input:

A Notice of Public Hearing was published in the Quad City Times informing the community of the October 18, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has not received any responses from the community.

Staff will apprise the Commission of any correspondence at the November 1, 2022 Plan and Zoning Commission Public Hearing.

ATTACHMENTS:

Type	Description
▢ Backup Material	Application
▢ Backup Material	Table 17.08-1 Use Matrix

Staff Workflow Reviewers**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berkley, Laura	Approved	10/14/2022 - 10:08 AM

ZONING TEXT AMENDMENT APPLICATION & PROCEDURE

1. The petitioner shall meet with City staff to discuss the request, alternatives and the text amendment process.
2. Submit Petition including proposed text amendment language, petitioner's signature(s); file reference form and filing fee.
3. Petition is processed at staff level; public hearing notice is drafted, and background report is written. Item is previewed by the Commission and sent to the Technical Review Committee.
4. Public Hearing is held before the Davenport City Plan and Zoning Commission.
5. Staff report is presented to the City Plan and Zoning Commission for discussion and recommendation. Commission report is drafted.
6. Commission report is forwarded to the City Council.
7. Public Hearing before the Committee of the Whole (COW) is held.
8. Three Readings before the City Council, one at each Council meeting, are required for the Ordinance Amendment.
9. Publication of Ordinance. (Generally, publication occurs prior to the next City Council meeting.)

See Development Calendar for submittal deadlines.

Zoning Text Amendment Fee Schedule:

\$400.00 plus public hearing notice and recording costs.

Submit Application to:

planning@davenportiowa.com

or

Public Works – DNS Planning
1200 E. 46th St
Davenport Iowa 52807

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend title 17 of the City of Davenport Municipal Code entitled "Zoning" by changing the following text:

FROM: "Section 17.04.010. (Provide the existing text language or an attachment of the existing text language here.)

R-MF Multi-Family Residential Zoning District. The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types, including semidetached dwellings, two-family dwellings, townhomes and multifamily dwellings. Limited nonresidential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District. [Amended 9-11-2019 by Ord. No. 2019-363]"

(Text description may be continued on another sheet if necessary.)

TO: (Provide the proposed text language or an attachment of the proposed text language here.)

"R-MF Multi-Family Residential Zoning District. The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types, including semidetached dwellings, single-family dwellings, two-family dwellings, townhomes and multifamily dwellings. Limited nonresidential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District."

(Text description may be continued on another sheet if necessary.)

Respectfully submitted,

Signature: _____

Print full name: Scott Ryder

Date: 09/27/2022

CONTACT INFORMATION

PETITIONER: Name: Scott Ryder
Address: 221 E. 2nd St., Davenport, IA 52801
Phone: (563) 505-9190 FAX: _____
Mobile Phone: _____ Email: sryder@exitqc.com

CONTACT PERSON: Name: Chris Townsend of Townsend Engineering
Address: 2224 E. 12th St., Davenport, IA 52803
Phone: (563) 386-4236 FAX: (563) 386-4231
Mobile Phone: _____ Email: chris@townsendengineering.net

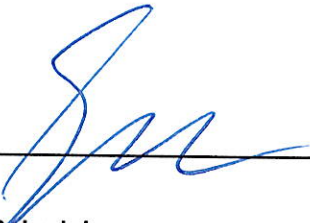
REASON FOR TEXT AMENDMENT I am requesting that Single-Family zoning be added as a permitted use in R-MF zones. Table 17.08-1: Use Matrix Table, should be updated to include "Dwelling – Single-Family" as a use permitted by-right in the district. The proposed dimensional standards for SF lots under this classification are as follows:

BULK

- Minimum Lot Area – SF: 4,000 square feet
- Minimum Lot Width – SF: 40 feet
- Maximum Building Height – SF: 35 feet
- Maximum Building Coverage – SF: 40%
- Maximum Impervious Surface – SF: 60%

SETBACKS

- Minimum Front Setback – SF: 15 feet or average of front set-backs, whichever is less
- Minimum Interior Side Setback – SF: 5 feet
- Minimum Corner Side Setback – SF: 10 feet
- Minimum Reverse Corner Side Setback – SF: 15 feet
- Minimum Rear Setback – SF: 15 feet or 20% of lot depth, whichever is less

SIGNATURE OF PETITIONER:  Date: 10/5/22

Zoning Text Amendment Fee Schedule:

\$400.00

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Adult Use																S	S					Sec. 17.08.030.A	
Agriculture																			P				
Amusement Facility - Indoor									P	P	P		P	P	P	P		P					
Amusement Facility - Outdoor										S	S				S	P		S					
Animal Care Facility – Large Animal																			P				
Animal Care Facility – Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B	
Animal Breeder																			P			Sec. 17.08.030.B	
Art Gallery							P	P	P	P	P		P	P	P			P					
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P					
Bar									P	P	P		P	P	P			P					
Bar – Neighborhood								P														Sec. 17.08.030.C	
Bed and Breakfast	S	S	S	S	S														P			Sec. 17.08.030.D	
Billboard									P	P						P	P					Sec. 17.08.030.E	
Body Modification Establishment								P	P	P	P		P		P			P					
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P		
Campground																			S	P		Sec. 17.08.030.F	
Car Wash									P	P					S			P				Sec. 17.08.030.G	
Casino															P								
Cemetery																				P			
Children’s Home					P				P	P					P			S			P	Sec. 17.08.030.H	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I	
Conservation Area																			P	P			
Country Club																				P			
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J	
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K	
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K	
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L	
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L	
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H	
Dwelling – Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M	

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Dwelling – Manufactured Home						P													S			Sec. 17.08.030.N	
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P			P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine, Keeping of/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																	P	P	P				
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Greenhouse/Nursery - Retail										P					P			P	S				
Group Home	P	P	P	P	P																	Sec. 17.08.030.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
Healthcare Institution																					P		
Heavy Rental and Service																P		P					
Heavy Retail										S					S	P		P					
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L	
Hotel									P	P	P	P	P	S	P			P					
Industrial - General																	P						
Industrial - Light												P				P	P	P					
Industrial Design								P	P	P		P	P		P	P	P	P					

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Live Performance Venue										P	P		P	P	P	P		P					
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P		
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public Works Facility												P				P	P	P	P		P		
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P				P	P	P			P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Retail Alcohol Sales									P	P	S		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Vehicle Dealership – Enclosed										P		S	P		P	S		P					
Vehicle Dealership – With Outdoor Storage/Display										S					S	S		P					
Vehicle Operation Facility																P	P				P		
Vehicle Rental – Enclosed										P		S	P		P	S		P					
Vehicle Rental – With Outdoor Storage/Display										S					S	S		P					
Vehicle Repair/Service– Major										S						P	P	P				Sec. 17.08.030.EE	
Vehicle Repair/Service – Minor									P	P					P	P	P	P				Sec. 17.08.030.EE	
Warehouse																P	P						
Wholesale Establishment																P	P	S					
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE	
Wine Bar								S	P	P	P		P	P	P			P					
Winery																			S				
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A	
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B	
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C	
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D	
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E	
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F	
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G	
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H	

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
10/18/2022

Subject:
Consideration of the October 4, 2022 meeting minutes.

Recommendation:
Staff recommends the City Plan and Zoning Commission approve the October 4, 2022 meeting minutes.

Background:
The October 4, 2022 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 10-4-22

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	10/10/2022 - 10:03 AM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, OCTOBER 4, 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 REZ22-06: Request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

Werderitch introduced the rezoning petition. There are two vacant commercial buildings on the subject property, which will be demolished. The purpose of the rezoning request is to redevelop the site for a light industrial user.

The applicant, Ryan Scriven, was in attendance to answer questions. No members of the public spoke in favor or opposition.

Commissioners inquired about the applicant's business operation, condition of the existing site, and the previous zoning classification prior to the 2019 rewrite.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Eikleberry, Inghram, Hepner, Maness, Garrington, Stelk
Excused: Johnson, Tallman, Brandsgard, Reinartz
Staff: Berkley, Werderitch

II. Report of the City Council Activity

Berkley provided an update of the City Council activity.

III. Secretary's Report

- A. Consideration of the September 20, 2022 meeting minutes.

Motion by Hepner, second by Maness, to approve the September 20, 2022 meeting minutes. Motion to approve was unanimous by voice vote (6-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ22-05: Request of E&A Enterprises, LLC on behalf of Circle K Properties, LLC to rezone approximately 51 acres of land bounded by Forest Grove Drive, Interstate-80, the City Limit, and Utica Ridge Road from S-AG Agricultural District to R-3 Single-Family and Two-Family Residential District and R-MF Multi-Family Residential District. [Ward 6]

Werderitch provided an overview of the proposed rezoning request. The purpose of the rezoning request is to continue the residential subdivision in Bettendorf west into the City of Davenport. The applicant intends to develop the northern 24.3 acres for multi-family residential and the southern 26.7 acres for single-family and two-family homes.

Staff believes a rezoning to R-2 Single-Family Residential District will be more consist with the adjacent Forest Grove Crossings subdivision in terms of lot size and width requirements. Werderitch provided an explanation on each of the seven conditions recommended for the rezoning.

Commissioners inquired about road connectivity and housing types. No members of the public spoke in favor or opposition.

Mike Richmond, Townsend Engineering, spoke on behalf of the property owner. The petitioner was agreeable to the recommended R-2 District and the seven conditions.

Staff recommended that the southern 26.7 acres be rezoned to R-2 Single-Family Residential District in place of the requested R-3 Single and Two-Family Residential District.

With the change to R-2 Single-Family Residential District, Staff recommended Case REZ22-05 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent Forest Grove Crossing subdivision in Bettendorf.
4. With conditions requiring street connectivity and preserving the existing tree buffer along Interstate-80, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. A traffic study is required and additional traffic safety measures may be required as development occurs.
2. Street connections shall be platted to align with the public right-of-way of Eagle Ridge Road, Shane's Way, and Charissa's Place in the City of Bettendorf.
3. A minimum of three street connections shall be platted to the west lot line of the subject site for the purpose of continuing development westward.
4. A street connection to Forest Grove Drive shall be constructed as part of the first phase of development and shall provide connectivity to the entire development.
5. A minimum of .25 acres shall be reserved as a pocket park.
6. No lot shall be platted to contain more than one zoning district.
7. Submit a tree survey from a certified arborist for the northernmost 40 feet of the property. Existing trees over six inches in diameter at breast height and in good condition shall be preserved to the maximum extent practicable to act as buffers between adjoining development and Interstate-80. When tree removal is necessary, replace one tree for every one tree removed.

Motion by Schneider, second by Hepner, to approve staff recommendation and conditions. Motion to approve was unanimous by a roll call vote (6-0).

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F22-12: Request of CF Caiman DVN, LLC for a final plat of Scrabble Addition for a 1-lot subdivision on 158.12 acres, located west of Division Street and north of Interstate-80. [Ward 8]

Staff stated the purpose of the final plat is to dedicate public right-of-way to the City of Davenport for the extension of Research Parkway east to connect with Division Street. The site is currently being developed for a new warehouse and distribution center. The final plat will provide right-of-way access to the new facility through the construction of three new roundabouts. In addition, two outlots are established along the west boundary of the site. The intention is to place the floodplain on a separate parcel from the distribution center.

Mark Harpole, Shive-Hattery Inc., was in attendance to answer questions.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F22-12 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. Add a note to the plat referencing the FIRM panel number, flood zone, and effective date. In the same note state, "Special Flood Hazard Areas are subject to the regulations of the Flood Damage Prevention Ordinance in Section 15.44 of the City Code."
4. Provide a 15 foot utility easement on Outlot A along Research Parkway.
5. Blanket underground easements granted for sewer, water, gas, electric, telephone, and cable TV services to individual structures within the lot where the structure is located.
6. Add a note stating, "Stormwater detention and water quality treatment with this subdivision shall be owned and maintained by the property owner."

Motion by Schneider, second by Hepner, to approve staff recommendation and conditions. Motion to approve was unanimous by a roll call vote (6-0).

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Schneider, second by Hepner to adjourn the meeting. Motion to adjourn was unanimous by voice vote (6-0).

The meeting adjourned at 5:30 pm.

City of Davenport
Plan and Zoning Commission

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

Date
10/4/2022

Subject:

Case REZ22-06: Request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

Recommendation:

Staff recommends Case REZ22-06 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings:

1. The proposed rezoning to I-1 Light Industrial District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character north of West 35th Street, which includes light industrial buildings and commercial establishments.
4. As conditioned, the proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Condition:

1. That Adult Uses shall be prohibited.

Background:

Background:

The petitioner is requesting a rezoning from C-1 Neighborhood Commercial District to I-1 Light Industrial District. There are two vacant commercial buildings on the subject property, which will be demolished. The purpose of the rezoning request is to redevelop the site for a light industrial user.

Why is a Zoning Map Amendment Required?

The Zoning Ordinance does not permit light industrial uses in a commercial district. The Zoning Ordinance defines "Industrial-Light" as:

Research and development activities, and the manufacture, fabrication, processing, reduction, and/or destruction of any article, substance, or commodity, or any other treatment thereof in such a manner as to change the form, character, and/or appearance, where such activities are conducted wholly within an enclosed building. A light industrial use may also include a showroom, ancillary sales of products related to the items manufactured or stored on-site, and/or ancillary outdoor storage.

Comprehensive Plan:

Within Urban Service Area 2035: Yes

Future Land Use Designations:

The subject property is designated Regional Commercial in the Davenport +2035 Land Use Plan. The land immediately adjacent to the west is designated as Industry.

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.
2. **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 **C-1 Neighborhood Commercial District**. This district is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.

The applicant is requesting to rezone the property to **I-1 Light Industrial Zoning 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:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems.

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 as Regional Commercial in the Davenport +2035 Land Use Plan. However, the property immediately adjacent to the west is designated as Industry. A rezoning to a I-1 Light Industrial District will not require an amendment to the Land Use Plan given the close proximity to Industry and consistency with surrounding land uses along West 35th Street.

The City of Davenport owns the property to the south of the subject site, which is designated as Parks and Recreation. Junge Park will serve as a buffer to any residential land uses.

It is staff's opinion the proposed amendment is generally consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The West 35th Street corridor, between Harrison Street and Marquette Street, contains several different industrial, commercial, open space, and residential zoning classifications. Junge Park, located south of West 35th Street, is S-OS Open Space District.

The subject property is part of a linear stretch of lots zoned C-1 Neighborhood Commercial District spanning the north side of West 35th Street. There is a transition to I-1 Light Industrial Zoning beginning at the west lot line of the subject property. Industrial zoning extends westward down 35th Street as well as north to Kimberly Road.

Since the abutting properties to the north and west are zoned I-1 Light Industrial District, a change to an industrial zoning classification will still align with uses of nearby property.

It is staff's opinion the proposed zoning amendment to I-1 Light Industrial District is generally compatible with the zoning of nearby developed property.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character is a mix of light industrial and commercial uses to the west and north of the subject property.

It is staff's opinion the proposed zoning districts and boundaries are 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: The petitioner's intention is to demolish the existing buildings and construct a building to house a construction related business. The surrounding area is currently developed as uses supported by the I-1 Light Industrial zoning. Due to the proximity to a public park, staff has recommended prohibiting Adult Uses as a condition of the zoning map amendment.

It is staff's opinion that with the condition to prohibit Adult Uses, the proposed zoning map amendment will have minimal impacts to 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 site would be suitable for uses within the C-1 Neighborhood Commercial District. However, the site does have challenges associated with its proximity to the floodplain and topography and is a lower volume traffic street which may make the viability of a Neighborhood Commercial District use more challenging.

It is staff's opinion that the proposed zoning map amendment supports the feasibility of

developing the property.

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

Staff Response: The I-1 Light Industrial District does not have a minimum lot area or width requirement. The two existing structures on the site comply with industrial district setback, building height, and design requirements. However, the applicant intends to demolish the existing buildings to redevelop the site for an industrial business. Redevelopment of the property shall be in accordance with applicable city codes and meet the standards of the I-1 Light Industrial District.

It is staff's opinion that the proposed 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 October 4, 2022 Plan and Zoning Commission Public Hearing. No members of the public spoke in favor or opposition to the request.

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

Staff will apprise the Commission of any correspondence at the October 18, 2022 Plan and Zoning Commission meeting.

ATTACHMENTS:

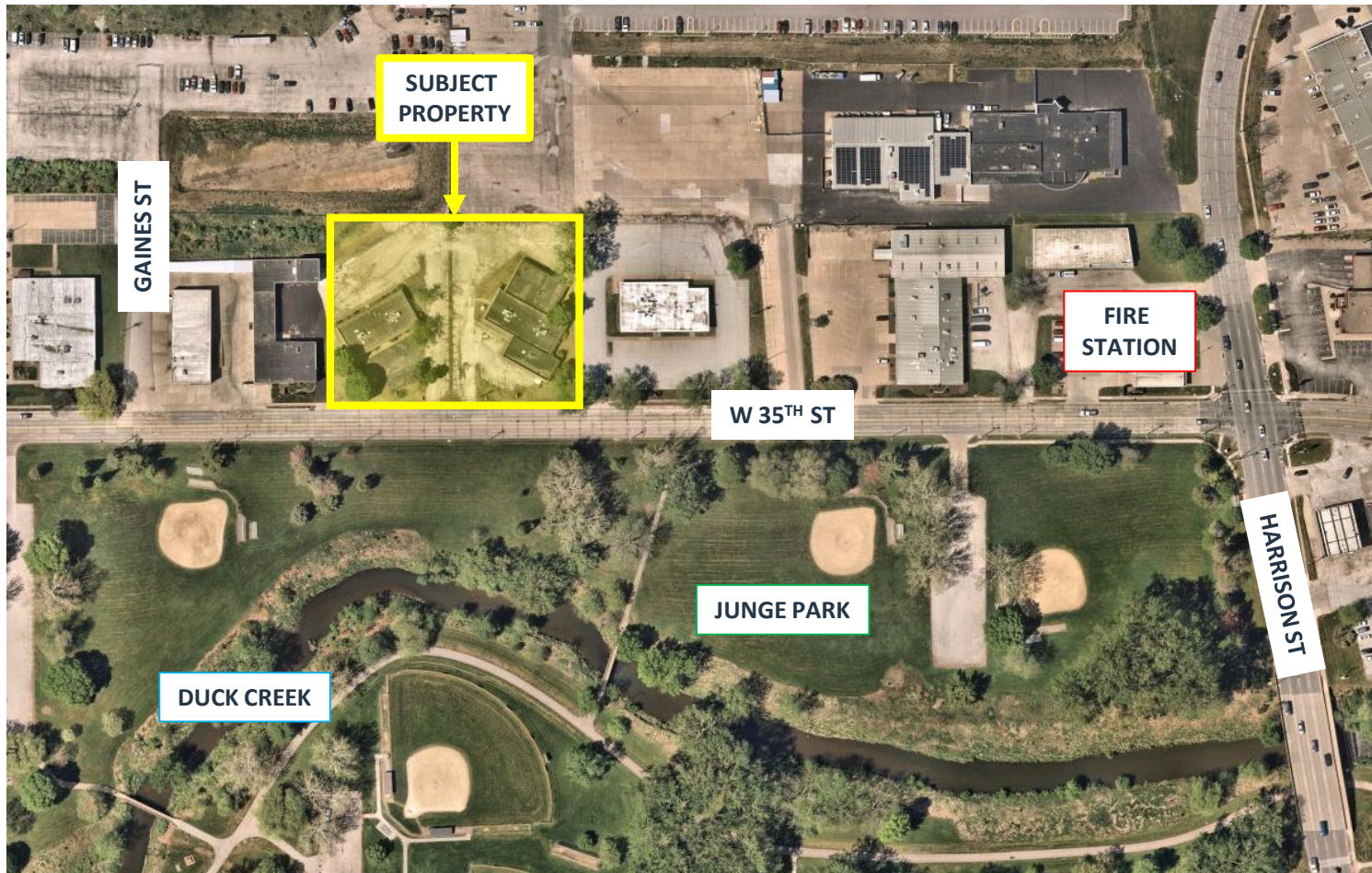
Type	Description
▢ Backup Material	Zoning & Future Land Use Map
▢ Backup Material	Application
▢ Backup Material	Legal Description
▢ Backup Material	Public Notice

Staff Workflow Reviewers

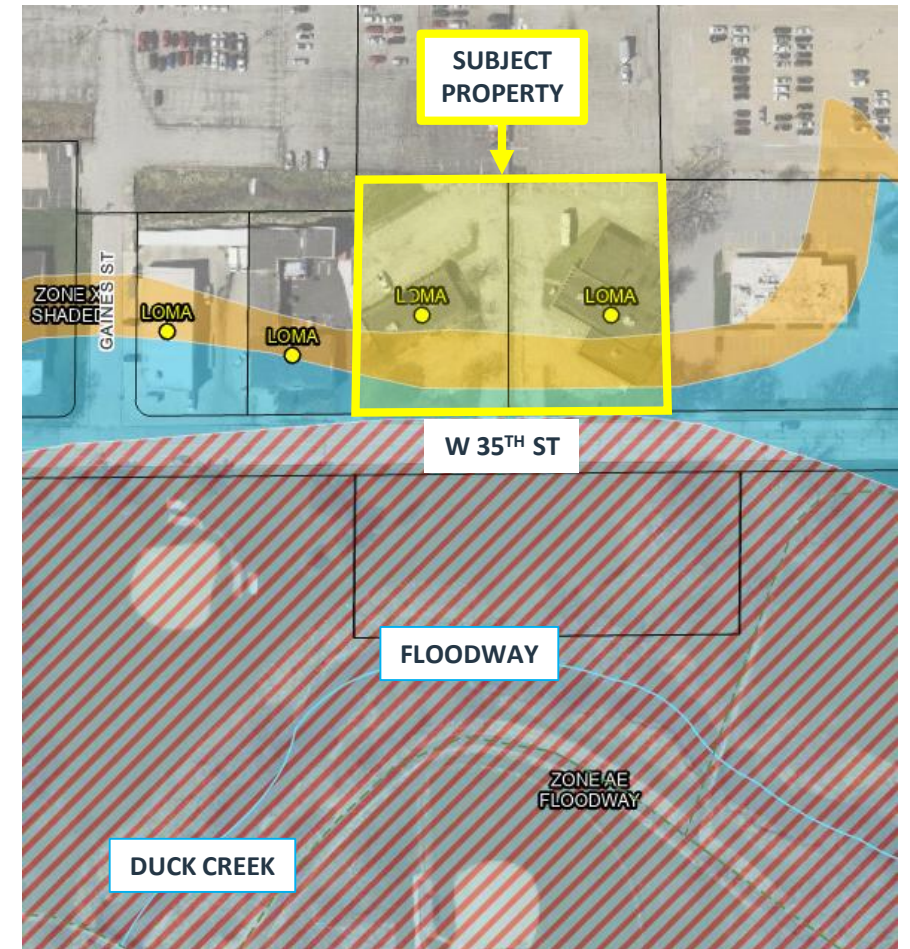
REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/14/2022 - 1:00 PM

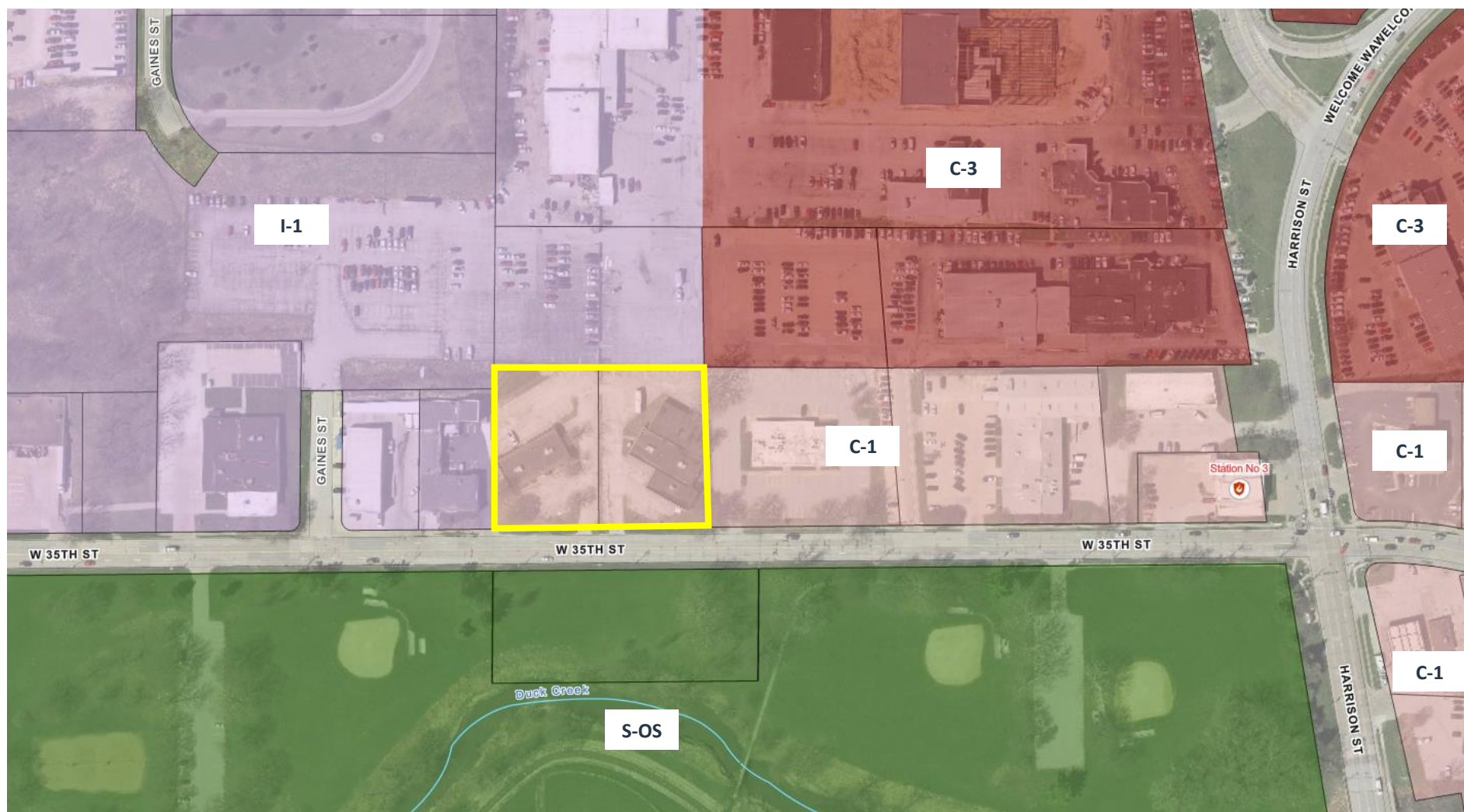
Vicinity Map



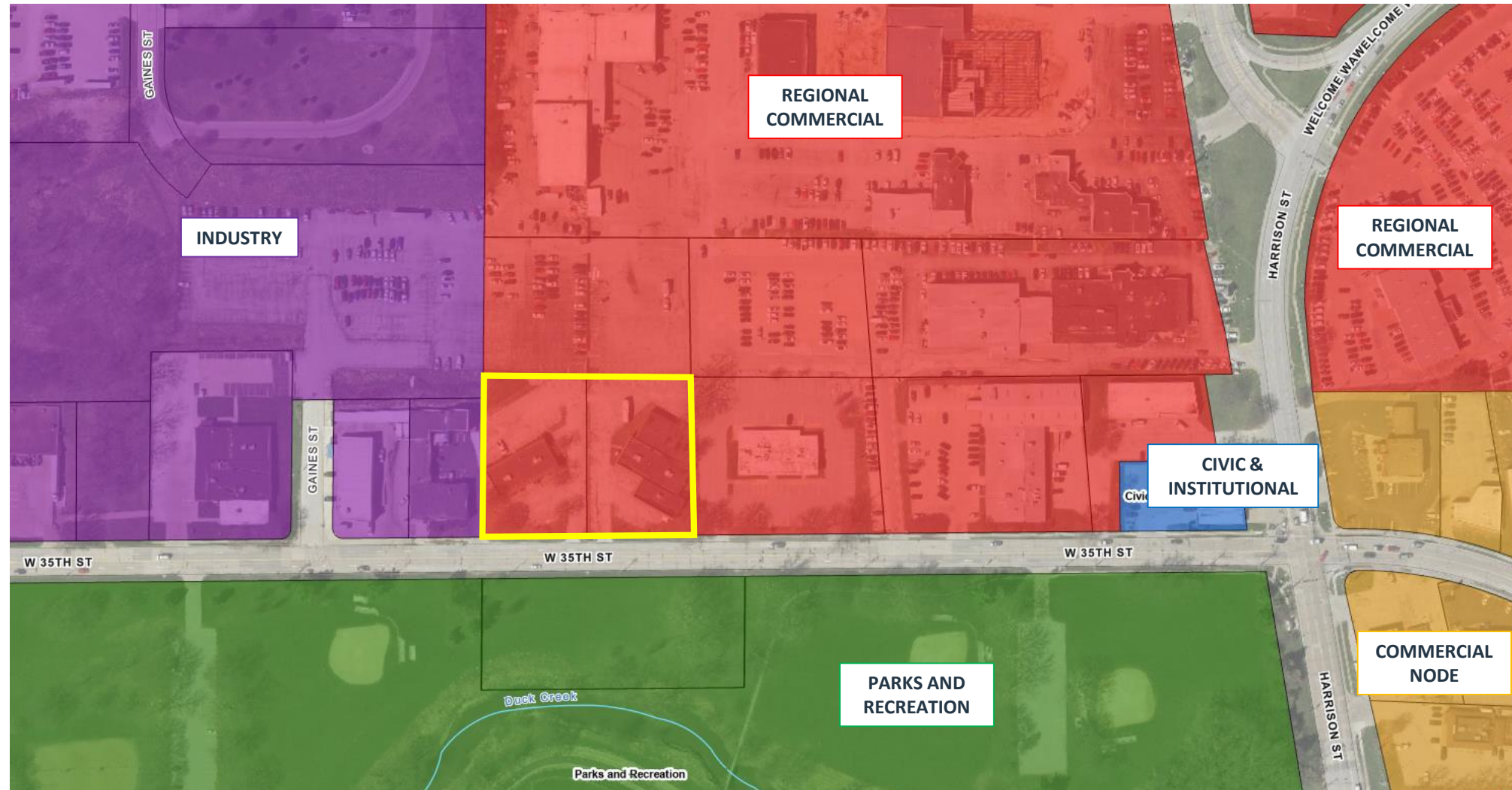
DAVENPORT
IOWA | USA



Zoning Map



Future Land Use Map





Complete application can be emailed to planning@ci.davenport.ia.us

Property Address* 516 West 35th St

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

Applicant (Primary Contact)**

Name: Ryan Scriven
Company:
Address: 1412 W 63rd St
City/State/Zip: Davenport, Iowa 52806
Phone: 563 340-0854
Email: ahheblastingandcoatings@gmail.com

Owner (if different from Applicant)

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

Engineer (if applicable)

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

Architect (if applicable)

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

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.

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 ☐

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

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 ☐

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Request:Existing Zoning: C1-NEIGHBORHOOD COMMERCIALProposed Zoning Map Amendment: T1 LIGHT INDUSTRIAL

Purpose of the Request:

Request is to demo the existing dilapidated vacant buildings and rebuild new functional buildings. This property v

Total Land Area: 1.866 Acres ☐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: Ryan Scriven

Date: 09/01/2022

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: Matt Wardenitch
Planning staff

Date: 9-1-22

Date of the Public Hearing:

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

Authorization to Act as Applicant

I, Ryan Scriven

authorize myself

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Signature(s)

State of ,

County of .

Sworn and subscribed to before me

This day of 20

Form of Identification

Notary Public

My Commission Expires:

Date of this notice: 05-12-2016

Employer Identification Number:
81-2608374

Form: SS-4

Number of this notice: CP 575 G

AHHE COATINGS
RYAN H SCRIVEN SOLE MBR
1412 W 63RD ST
DAVENPORT, IA 52806

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-2608374. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is AHHE. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

TRACT I. Part of the S.E. 1/4 of Section 14, Township 78 North, Range 3 East of the 5th P.M., Scott County, Iowa, more particularly described as follows: Commencing at the Southwest corner of the S.E. 1/4 of said Section 14; thence North 00 degrees, 04'23" West 1097.79 feet along the West line of the S.E. 1/4 of said Section 14 to a point on the North line of 35th Street, said point being the point of beginning; thence continuing North 00 degrees 04'23" West 431.94 feet; thence North 89 degrees 48'37" East 99.09 feet; thence South 00 degrees 31' East 430.73 feet to a point on the North line of said 35th Street; thence South 89 degrees 03'39" West 102.33 feet along the North line of 35th Street to the point of beginning, containing 0.997 acres, more or less.

AND

Part of the Southeast Quarter of Section 14, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, more particularly described as follows:

The West 17 feet of Tract II as described in W.D. 2019-04312. Containing 3,922 square feet, more or less. Subject to easements and restrictions of record.

AND

TRACT II. Part of the S.E. 1/4 of Section 14, Township 78 North, Range 3 East of the 5th P.M., Scott county, Iowa, more particularly described as follows: Commencing at the Southwest corner of the S.E. 1/4 of said Section 14; thence North 00 degrees 04'23" West 1097.79 feet along the West line of the S.E. 1/4 of said Section 14 to a point on the North line of 35th Street; thence North 89 degrees 03'39" East 102.33 feet along the North line of 35th Street to the point of beginning; thence North 00 degrees 31' West 430.73 feet; thence North 89 degrees 48'37" East 198.19 feet; thence South 01 degrees 23' East 428.14 feet to a point on the North line of 35th Street; thence South 89 degrees 03'39" West 204.66 feet along the North line of 35th Street to the point of beginning, containing 1.99 acres, more or less.

EXCEPT

Part of the Southeast Quarter of Section 14, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, more particularly described as follows:

The West 17 feet of Tract II as described in W.D. 2019-04312. Containing 3,922 square feet, more or less. Subject to easements and restrictions of record.

FURTHER EXCEPTING THEREFROM:

Part of the Southeast Quarter of Section 14, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, more particularly described as follows: Commencing as a Point of Reference the Southwest Corner of the Southeast Quarter of said Section 14; thence North 00°04'23" West 1,097.79 feet along the West line of said Southeast Quarter of said Section 14 to the Northerly line of 35th Street (for purposes of this description, the said West line is assumed to bear North 00°04'23" West); thence continuing North 00°04'23" West 232.13 feet to Point A which is also the Point of Beginning of the parcel herein described; thence continuing North 00°04'23" West 200.00 feet; thence North 89°53'20" East 296.44 feet; thence South 01°27'40" East 200.05 feet; thence South 89°53'20" West 301.28 feet to the Point of Beginning. This parcel contains 1.37 acres more or less.



PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 10/4/2022

Location: Council Chambers | City Hall | 226 W. 4th ST.

Time: 5:00 PM

Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located at 516 West 35th Street

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 zoned C-1 Neighborhood Commercial District. The property owner is requesting a rezoning to I-1 Light Industrial District to redevelop the site for an industrial business.

Request/Case Description

Case REZ22-06: Request of AHHE Coatings LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on October 4, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on October 18, 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 | Public Hearing Notice

Case REZ22-06: Rezone from
C-1 Neighborhood Commercial District to
I-1 Light Industrial District

 Subject Property
 200' Notification Boundary

