

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, OCTOBER 1, 2019; 5:00 PM

COUNCIL CHAMBERS CITY HALL 226 WEST 4TH STREET

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

- A. 1. Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5] **ADOPTED 2019-390**

III. Secretary's Report

- A. Consideration of the September 17, 2019 Meeting Minutes

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business: None

B. New Business

- i. Case REZ19-10: Request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]
- ii. Case ORD19-03: Request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

VI. Subdivision Activity

A. Old Business: None

B. New Business

- i. Case F19-03: Request of HOA Development, LLC for a Final Plat for a 3 lot subdivision located east of Elmore Avenue and southeast of the terminus of East 46th Street.[Ward 6]

The Plan and Zoning Commission recommended approval of this request at its March 19, 2019 meeting. However, the Plat was reconfigured so it is being returned to the Plan and Zoning Commission for reconsideration.

VII. Future Business: There will be subdivision plats for consideration at the next meeting.

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Contact Info:

Date
10/1/2019

Subject:

1. Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5] **ADOPTED 2019-390**

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/27/2019 - 10:41 AM

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn, 888-2286

Date
10/1/2019

Subject:
Consideration of the September 17, 2019 Meeting Minutes

Recommendation:
Approve the minutes

ATTACHMENTS:

Type	Description
▣ Backup Material	9-17-2019 minutes

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	9/26/2019 - 9:50 AM

MINUTES

PLAN AND ZONING COMMISSION MEETING CITY OF DAVENPORT, IOWA

**TUESDAY, SEPTEMBER 17, 2019; 5:00 PM
COUNCIL CHAMBERS CITY HALL 226 WEST 4TH STREET**

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. Roll Call:

Chairperson Inghram called the meeting to order at approximately 5:00 pm.

Present: Brandsgard, Inghram, Johnson, Lammers, Maness, Medd, Schneider, Tallman, Hepner, Reinartz

Excused: Connell

Staff: Flynn, Rusnak, Melton, Koops.

II. New Business

A. Case REZ19-10: Request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

This item was tabled from the September 2, 2018 Plan and Zoning Commission public hearing.

Rusnak gave an overview of the proposal. The petitioner's brother, Tim Whitty, was present on his behalf. Mr. Whitty stated that they were seeking C-2 to help the investors and developers move the property and give them more opportunities. Some interest has been expressed for a mixed use development with retail on the first floor and multifamily housing above. Some of the proposed uses could be supported by C-1 zoning.

Scott Tunnicliff, Hilltop Campus Village Director, spoke and is supportive of C-1, not C-2.

B. Case ORD19-03: Request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

Melton gave an overview of the proposal.

Tom Jacobson, resident and president of Jersey Farms Neighborhood Association, expressed support for the proposal.

Candy Pasternak, representing a landowner in the area affected by the potential height limitation, spoke in opposition of the proposal.

REGULAR MEETING AGENDA

- I. Roll Call:
Present: Brandsgard, Inghram, Johnson, Lammers, Maness, Medd, Schneider, Tallman, Hepner, Reinartz
Excused: Connell
Staff: Flynn, Rusnak, Melton, Koops.
- II. Report of the City Council Activity
 1. Third Consideration: Ordinance for Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [All Wards] **ADOPTED 2019-363**
 2. Third Consideration: Ordinance for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Dr and Telegraph Rd, bounded roughly by Wisconsin Ave and S Vermont Ave to the east and west respectively, from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1] **ADOPTED 2019-364**
 3. Resolution for Case P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7] **ADOPTED 2019-366**
 4. Resolution for Case F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7] **ADOPTED 2019-367**
 5. Resolution for Case F19-14 being the request of Montgomery LC for a final plat for a 2-lot subdivision on 3.4 acres, more or less, of property located on the north side of E 53rd Street approximately 155 feet east of Belle Ave. [Ward 8] **ADOPTED 2019-368**
- III. Secretary's Report

Consideration of the September 3, 2018 meeting minutes.

Motion by Tallman, second by Hepner to approve the September 3, 2018 minutes. Vote to approve was unanimous by voice vote.
- IV. Report of the Comprehensive Plan Committee - No Report
- V. Zoning Activity
 - A. Old Business: None
 - B. New Business: None
- VI. Subdivision Activity
 - A. Old Business: None

B. New Business:

- i. Case F19-15 of Terry Whitson for final plat Whitson Subdivision on 1.69 acres at 3802 Boies Ave containing 3 lots zoned for single & two-family residential. [Ward 1]

Findings:

1. The final plat conforms to the comprehensive plan Davenport+2035; and
2. The final plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F19-15 to the City Council with a recommendation for approval subject to the one following condition:

1. That this plat shall meet all requirements of Davenport Municipal Code, 16.24.040 specifically, but not limited to, street paving, cul-de-sacs, and sidewalk installation.

Motion by Lammers, seconded by Johnson for forward Case No. F19-15 to the City Council with a recommendation for approval subject to the one condition recommended by city staff.

- ii. Case F19-16: Request of Cook Real Estate Development for a final plat of A Lot of Storage Subdivision on 5.53 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 2 lots. [Adjacent to Ward 1]

Finding:

1. The plat does not achieve consistency with subdivision requirements nor is the location of the development within the urban service area.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed finding and forward case F19-16 to the City Council with a recommendation for approval.

Motion by Lammers, seconded by Maness for forward Case No. F19-16 to the City Council with a recommendation for approval.

- iii. Case P19-03: Request of Axiom Consultants for a Preliminary Plat for an 83 lot subdivision on 25.07 acres, more or less, of property located immediately west and north of Prairie Heights First Addition.

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport+2035;
and
2. The preliminary plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case P19-03 to the City Council with a recommendation for approval subject to the following nine conditions:

1. That the intended purpose of outlots A, B, and C be noted and conform to the subdivision ordinance;
2. That water course within outlot A be shown;
3. That 100 year flow route be shown and demonstrate existing culverts and roadway overtopping can manage without lot flooding;
4. That Veterans Memorial Parkway be labeled;
5. That Olde Brandy Lane continue or culdesac;
6. That if accessing Veteran's Memorial Parkway, one access would be allowed and would be as far east as possible away from the bridge;
7. That drainage easements be provided to convey stormwater from individual lots to detention and water quality practices;
8. That water detention and quality be located in labeled easements;
9. That a note be added to the plat stating that detention and water quality treatment are required for this subdivision

Motion by Lammers, seconded by Tallman for forward Case No. P19-03 to the City Council with a recommendation for approval subject to the nine conditions recommended by city staff.

- VII. Future Business: None.
- VIII. Communications: None.
- IX. Other Business: None.
- X. Adjourn: The meeting adjourned at 5:50 pm.

City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Department
Contact Info: Ryan Rusnak 563-888-2022
rrusnak@ci.davenport.ia.us

Date
10/1/2019

Subject:

Case REZ19-10: Request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the two listed findings and forward Case REZ19-10 to the City Council with a recommendation for approval as the C-1 Neighborhood Commercial District.

Background:

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

Zoning:

The property is currently zoned R-4C - Single-Family and Two-Family Central Residential Zoning District.

Technical Review:

Streets.

The property located at the southeast corner of West Locust Street and Ripley Street.

Storm Water.

Development of the property will need to comply with the City's stormwater requirements.

Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

Public Input:

Letters were be sent to property owners within 200 feet of the proposed request notifying them of the August 29, 2019 neighborhood meeting and the September 3, 2019 Plan and Zoning Commission Public Hearing.

A few stakeholders attended the neighborhood meeting. The concern was raised about introducing C-2 Corridor Commercial District to the property, as opposed to C-1 Neighborhood Commercial District. At the September 3, 2019 public hearing, a few stakeholders voiced an objection to the C-2 District and that the C-1 District would be more appropriate. The public hearing was tabled to the September 17, 2019 meeting as the petitioner was not present.

At the September 17, 2019 public hearing, the petitioner expressed that potential commercial users were more in favor of the C-2 Corridor Commercial District than the C-1 Neighborhood Commercial District. The specific C-2 use was articulated.

Discussion:

The petitioner is requesting a rezoning to C-2 Corridor Commercial District to facilitate redevelopment of the property. No specific use has been identified.

Section 17.14.040 of the Davenport City Code, entitled *Zoning and Text Amendments*, provides the process for a Zoning Map amendment.

Analysis of Section 17.14.040.E of the Davenport City Code, entitled *Approval Standards* (**staff analysis in bold**).

E. Approval Standards

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.

1. Approval Standards for Map Amendments

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

The Davenport 2035 Residential General (RG) Future Land Use Designation reads: *Neighborhoods 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.

It is staff's opinion that West Locust Street is an edge where higher intensity may be considered. Higher intensity contemplates commercial development. If only residential development were contemplated along an edge, the language would read, "higher density may be considered".

It is staff's opinion that the proposed amendment would be compatible with the Comprehensive Plan.

b. The compatibility with the zoning of nearby property.

The predominant commercial zoning in the area is the C-1 Neighborhood Commercial Zoning District. The exceptions are the two C-2 Corridor Commercial Zoning District properties (Aldi and Walgreens). Staff considers these "bigger box" uses. See Zoning Map on the next page.

There are several uses that are permitted in the C-2 Zoning District that are not permitted in the C-1 Zoning District. This calls into the question the appropriateness of C-2 zoning at this location. A modified version of Table 17.08-1 - Use Matrix is included in the background material.

C-2 Corridor Commercial Zoning is more prevalent along corridor commercial areas such as West Kimberly Road. While West Locust Street is an arterial roadway, there are a variety of zoning districts and uses along the corridor including commercial, institutional and residential. The character of the commercial properties is smaller in scale. Notably, residential zoning and uses are in close proximity to the property.

The C-1 Neighborhood Commercial Zoning District facilitates traditional neighborhood development. C-1 requires "build-to zones", which compels buildings to be closer to the street. While this may be a challenge adjacent to West 18th Street, building up to West Locust Street and Ripley Street would be preferential from a traditional neighborhood development standpoint. The subject property is located within the Hilltop Campus Village, a designated Main Street Iowa urban district. The Director of the Hilltop Campus Village District has expressed that the C-1 District would be more compatible with the "Main Street" development pattern in the district. Chapter 17.05 of the Davenport City Code, entitled Commercial Districts is included in the background material. This articulates the intent of the C-1 and C-2 District and dimensional and design standards for both districts.

It is staff opinion that the C-2 Corridor Commercial Zoning District would not be compatible with the zoning of nearby property. However, the C-1 Zoning District would be compatible with the zoning of nearby property.



c. The compatibility with established neighborhood character.

C-2 Corridor Commercial Zoning is more prevalent along corridor commercial areas such as West Kimberly Road. While West Locust Street is an arterial roadway, there are a variety of zoning districts and uses along the corridor including commercial, institutional and residential. The character of the commercial properties is smaller in scale. Notably, residential zoning and uses are in close approximately to the property.

It is staff opinion that the C-2 Corridor Commercial Zoning District would not be compatible with the established neighborhood character. However, the C-1 Zoning District would be compatible with the established neighborhood character.

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

Residential development is in close proximity to the subject property. There are several uses that are permitted in the C-2 Zoning District that are not permitted in the C-1 Zoning District. This calls into the question the appropriateness of C-2 zoning at this location. Also, The C-1 Neighborhood Commercial Zoning District facilitates traditional neighborhood development, would be more compatible with the "Main Street" development pattern in the district.

It is staff's opinion that the C-2 Corridor Commercial Zoning District would not promote the public health, safety, and welfare of the City. However, the C-2 Zoning District would 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.

The property is currently zoned R-4C Single-Family and Two-Family Residential Zoning District. It is staff's opinion that higher intensity use would be appropriate in this location because it is oriented toward the West Locust Street Corridor.

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

The existing homes on the property have been demolished. Staff would ensure that any development would achieve consistency with use, dimensional and design standards articulated in the Zoning Ordinance.

Recommendation:

Findings:

1. The size and scale of commercial properties in this area, its close proximity to residential properties make C-1 Neighborhood Commercial Zoning District compatible and consistent in this area; and
2. The proposed zoning map amendment would achieve consistency with approval standards enumerated in Section 17.14.040E.1 (A-F) of the Davenport City Code as the C-1 Neighborhood Commercial District.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ19-10 to the City Council with a recommendation for approval as the C-1 Neighborhood Commercial District.

ATTACHMENTS:

Type	Description
▣ Backup Material	Chapter 17.08 - Use Matrix - C-1 vs. C-2
▣ Backup Material	Chapter 17.05 - Commercial Districts
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map
▣ Backup Material	Neighborhood Meeting Notice, Public Hearing Notice and Notification List

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/26/2019 - 11:01 AM

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-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Amusement Facility - Indoor									P	P		P	P	P			P				
Animal Care Facility – Small Animal							S	S	P	P		S	S	P			P	P			Sec. 17.08.3.B
Art Gallery							P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P		P	P	P			P				
Bar								S	P	P		P	P	P			P				
Broadcasting Facility TV/Radio								P	P	P	P	P	P	P	P	P	P			P	
Car Wash									P	P				S			P				Sec. 17.08.3.F
Children's Home					P				P	P				P			S			P	Sec. 17.08.3.G
Community Center	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	Sec. 17.08.3.H
Cultural Facility							P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P			P			P	Sec. 17.08.3.I
Drive-Through Facility								S	P	P		S		P			P				Sec. 17.08.3.J
Drug/Alcohol Treatment Facility, Residential									S	S				S			S			S	Sec. 17.08.3.K
Drug Treatment Clinic									S	S				S			S			S	Sec. 17.08.3.K
Domestic Violence Shelter					P			P	P	P				P			P			P	Sec. 17.08.3.G
Dwelling - Multi-Family					P		P	P	P	P		P	P	P							Sec. 17.08.3.N
Dwelling - Townhouse					P		P	P	P	P		P	P	P							Sec. 17.08.3.N
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.3.O
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.3.O
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.3.O
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.3.O
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P	
Financial Institution							P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S				S			P				Sec. 17.08.3.P
Food Pantry									P	S				S			S				
Funeral Home							S	S	S	P				P			P				
Gas Station								S	P	P				P	P	P	P				Sec. 17.08.3.Q
Government Office/Facility							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-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Halfway House									S	S				S			S			S	Sec. 17.08.3.K
Homeless Shelter									S	S				S			S			S	Sec. 17.08.3.K
Hotel									P	P	P	P	S	P			P				
Industrial Design								P	P	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			Sec. 17.08.3.S
Medical/Dental Office							P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P		P	P	P	P		P				
Office							P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining								P	P	P	P	P	P	P			P				Sec. 17.08.3.U
Parking Lot (Principal Use)								S	S	S	S	S	S	S			S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							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	
Private Recreation Facility								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	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P		S	S	P			P	S			Sec. 17.08.3.V
Residential Care Facility					P				P	P				P						P	Sec. 17.08.3.W
Restaurant								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	
Retail Alcohol Sales									P	P		S		P	P		P				
Self-Storage Facility: Enclosed									S	P	P			P	P	P	P				Sec. 17.08.3.Y
Social Service Center									P	P				P			P			P	
Specialty Food Service								P	P	P		P	P	P	P		P				
Vehicle Repair/Service – Minor								S	P	P				P	P	P	S				Sec. 17.08.3.BB
Wine Bar								S	P	P		P	P	P			P				
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.3.DD
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	Sec. 17.08.3.DD
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	Sec. 17.08.3.DD
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	Sec. 17.08.3.DD

CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010	Purpose Statements
Section 17.05.020	Uses
Section 17.05.030	Dimensional Standards
Section 17.05.040	Design Standards
Section 17.05.050	C-D District Standards
Section 17.05.060	C-V District Standards
Section 17.05.070	C-E District Standards
Section 17.05.080	General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

B. C-1 Neighborhood Commercial Zoning District

The C-1 Neighborhood Commercial Zoning 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.

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

D. C-3 General Commercial Zoning District

The C-3 General Commercial Zoning 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.

E. C-OP Commercial Office Park Zoning District

The C-OP Commercial Office Park Zoning District is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

F. C-D Downtown Zoning District

The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

G. C-V Village of East Davenport Zoning District

The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

H. C-E Elmore Corners Zoning District

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

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

B. In the C-V District, only 35% of a blockface can be in the use “bar.” This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.
2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

C. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards					
	C-T	C-1	C-2	C-3	C-OP
Bulk					
Minimum Lot Area	10,000sf	None	None	20,000sf	20,000sf
Minimum Lot Width	60'	None	None	80'	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	45'
Setbacks					
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15'	None	25'	20'
Front Setback Build-To Percentage	70%	70%	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10'	10'	20'	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	25'

Section 17.05.040 Design Standards

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 in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
Façade Design					
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	
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.					•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•
Fenestration Design					
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•		
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•		
Roof Design					
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	
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 a public street. 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.					•

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
Multi-Tenant Commercial Center and Office Park Site Design					
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•
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. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS



- | | |
|--|--|
| <p>A. Blank wall area 40 linear feet or less, measured parallel to the street</p> <p>B. Repeating pattern of two elements at an interval of no more than 40 linear feet</p> <p>C. A visually distinct public entrance from the sidewalk along the primary building frontage</p> <p>D. First floor transparency of 50% measured between two and ten feet in height from grade</p> | <p>E. Upper floor transparency of 15% of the wall area of the story</p> <p>F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet</p> <p>G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details</p> |
|--|--|

C-2 DISTRICT DESIGN STANDARDS



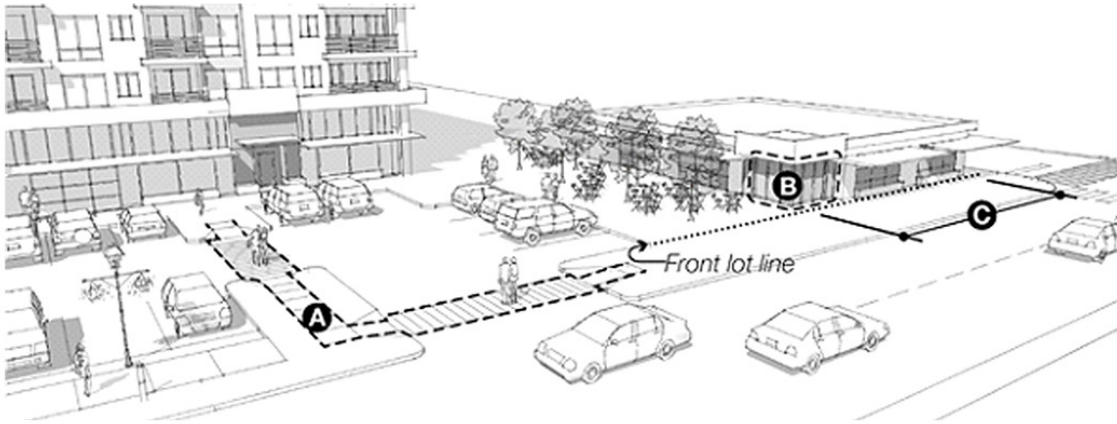
- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 50% measured between two and ten feet in height from grade
- E. Upper floor transparency of 15% of the wall area of the story
- F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

C-3 DISTRICT DESIGN STANDARDS



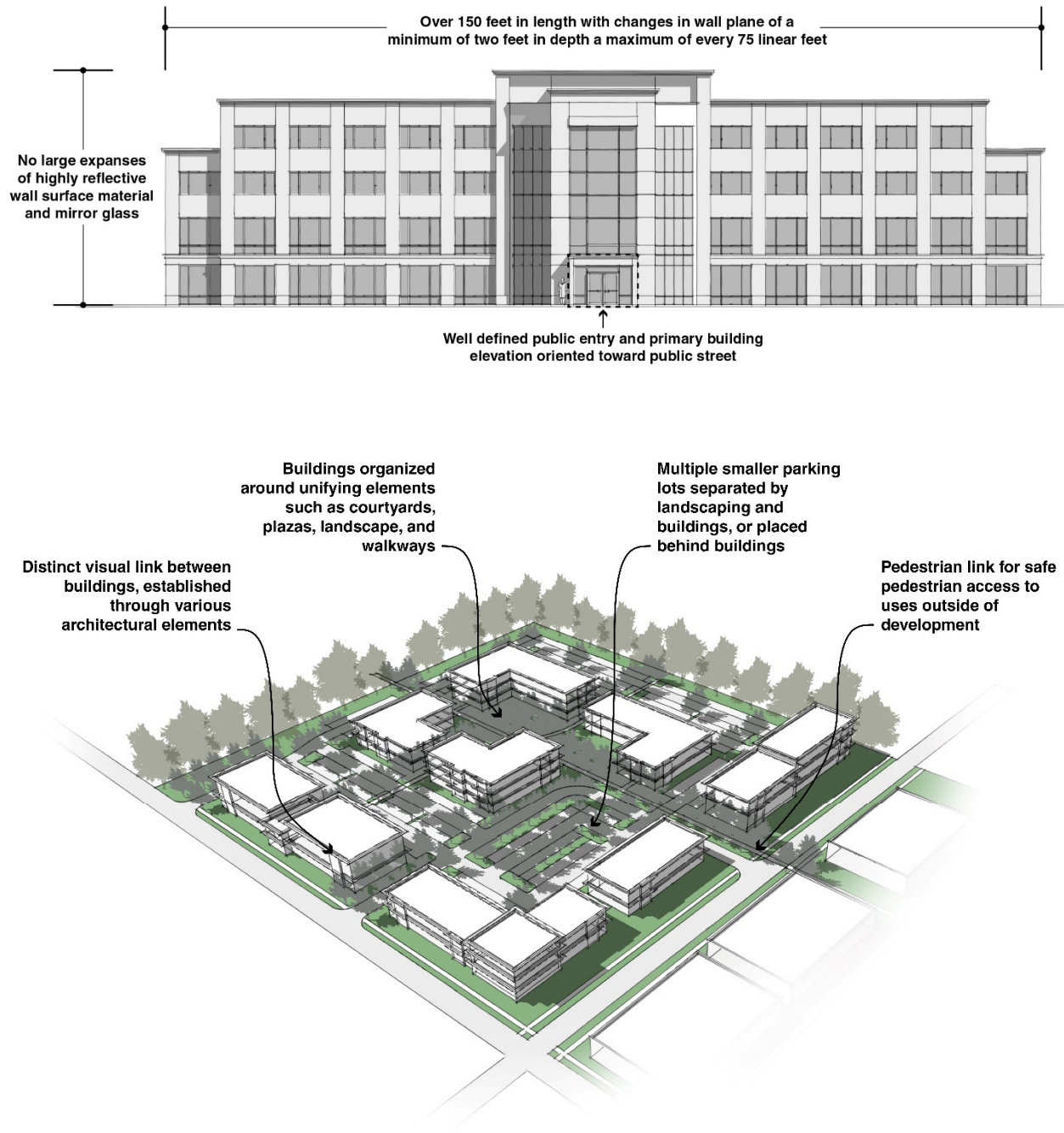
- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 35% measured between two and ten feet in height from grade
- E. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

MULTI-TENANT COMMERCIAL CENTER SITE DESIGN STANDARDS



- A. Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.
- B. Any outlot buildings must meet the minimum transparency requirements of the district, and must include prominent entrances oriented toward both the street and the interior lot.
- C. Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.

C-OP DISTRICT DESIGN STANDARDS



Section 17.05.050 C-D District Standards

A. Purpose Statement

The C-D District is intended to accommodate the unique development environment within Downtown Davenport. Development in Downtown should be oriented toward reinforcing the area as a point of regional focus and strengthening its position as a center of office, finance, retail, and governmental activities. Additionally, the C-D District standards are intended to:

1. Add to the downtown's appeal as a visitor, cultural, sports and entertainment center.
2. Encourage downtown residential development in a variety of housing types.
3. Accommodate a variety of active uses and enhance the walkability and pedestrian orientation of Downtown.
4. Ensure high-quality design that maintains and enhances the aesthetic appeal of Downtown.

B. C-D District Dimensional Standards

Table 17.05-3: C-D District Dimensional Standards establishes the dimensional standards for Downtown. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

Table 17.05-3: C-D District Dimensional Standards	
	C-D
Bulk	
Minimum Lot Area	None
Minimum Lot Width	None
Maximum Building Height	None
Minimum Building Height	24'
Setbacks	
Front Setback	0'-10' build-to zone
Required Build-to Percentage	80%
Interior Side Setback	None
Corner Side Setback	0'-10' build-to zone
Rear Setback	None

C. C-D District Design Standards

Development in the C-D District is subject to design review per Section 17.14.100, and must be designed in accordance with the City of Davenport's adopted Downtown Design Guidelines and Downtown Davenport Streetscape Improvement Plan.

17.05.060 C-V District Standards

A. Purpose Statement

The C-V District is intended to ensure that new development in the Village of East Davenport is compatible with the unique cultural and historic character of the area. To that end, the C-V District standards contain contextual controls and a series of design considerations that address height, width, proportion, and relationship to the street, as well as architectural considerations such as roof and cornice form, visual composition, rhythm, fenestration and articulation, and materials.

B. C-V District Dimensional Standards

Table 17.05-4: C-V District Dimensional Standards establishes the dimensional standards for the Village of East Davenport. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

Table 17.05-4: C-V District Dimensional Standards	
	C-V
Bulk	
Minimum Lot Area	None
Minimum Lot Width	None
Maximum Building Height	45'
Setbacks	
Front Setback	0-10' build-to-zone, or average of adjacent structures
Required Build-to Percentage	80%
Interior Side Setback	None, unless abutting a residential district then 5'
Corner Side Setback	0'-10' build-to zone
Rear Setback	None, unless abutting a residential district then 25'

C. C-V District Design Standards

Development in the C-V District is subject to design review per Section 17.14.100. Design requirements for the C-V District are described in the adopted Village of East Davenport Performance Standards.

Section 17.05.070 C-E District Standards

A. Purpose Statement

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

B. C-E District Dimensional Standards

Table 17.05-5: C-E District Dimensional Standards establishes the dimensional standards for Elmore Corners. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

Table 17.05-5: C-E District Dimensional Standards	
	C-E
Bulk	
Minimum Lot Area	20,000sf
Minimum Lot Width	80'
Maximum Building Height	120'
Minimum Setbacks	
Front Setback	25'
Interior Side Setback	10', unless abutting a residential district then 20'
Corner Side Setback	20'
Rear Setback	10', unless abutting a residential district then 25'

C. C-E District Design Standards

Development in the C-E District is subject to design review per Section 17.14.100. Design requirements for the C-E District are described in the adopted Elmore Corners Plan.

Section 17.05.080 General Standards of Applicability

A. Site Development Standards

See Chapter 17.09 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

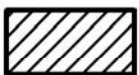
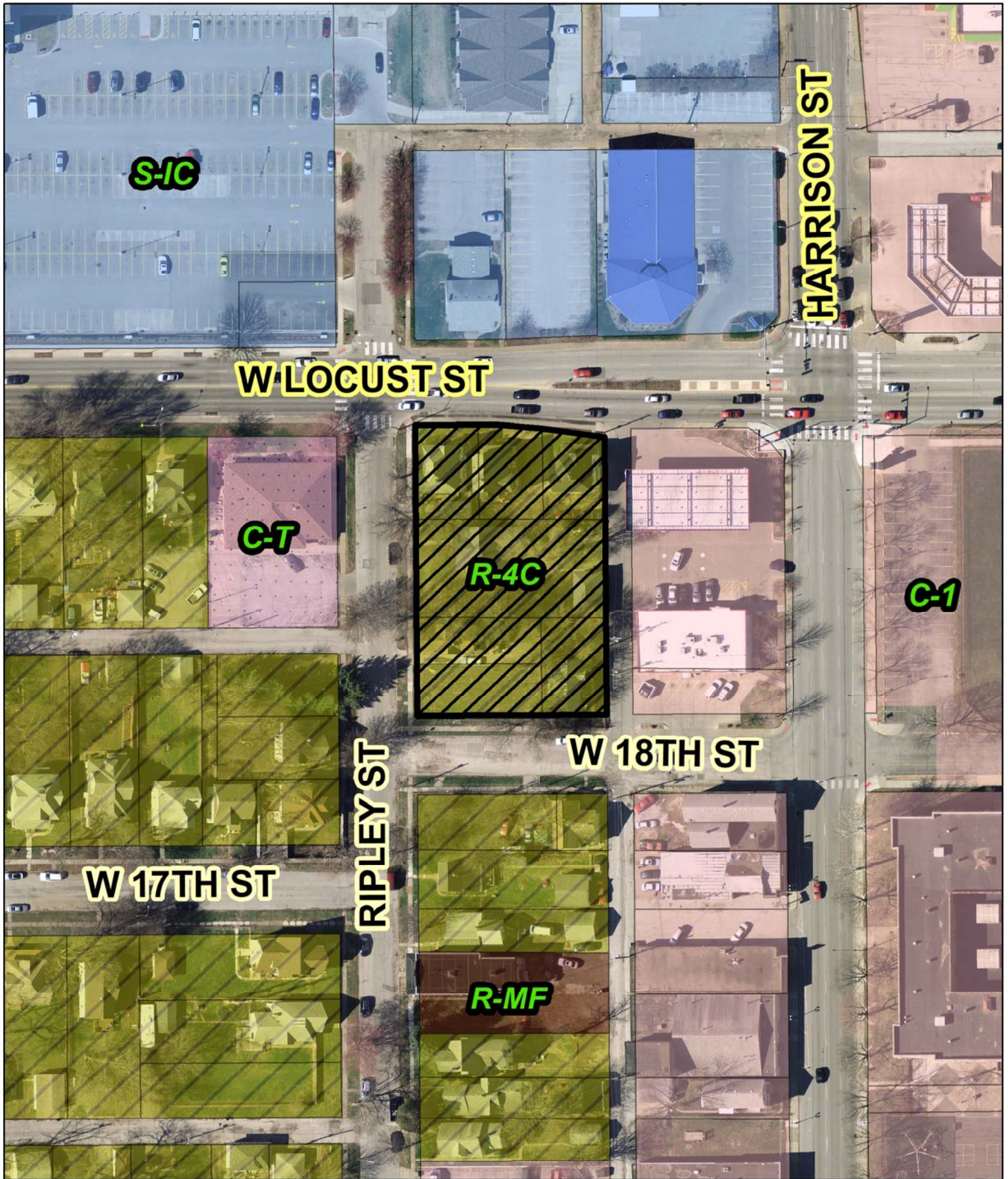
See Chapter 17.10 for off-street parking and loading standards and requirements.

C. Landscape

See Chapter 17.11 for landscape, buffering, and screening standards and requirements.

D. Signs

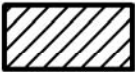
See Chapter 17.12 for standards governing signs.



Subject Property

N





Subject Property





*Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com*

**NOTICE
NEIGHBORHOOD MEETING
THURSDAY AUGUST 29, 2019 – 5:30 P.M.
AT CITY HALL – 226 WEST 4TH STREET – COUNCIL CHAMBERS**

You are invited to a neighborhood meeting regarding the following request:

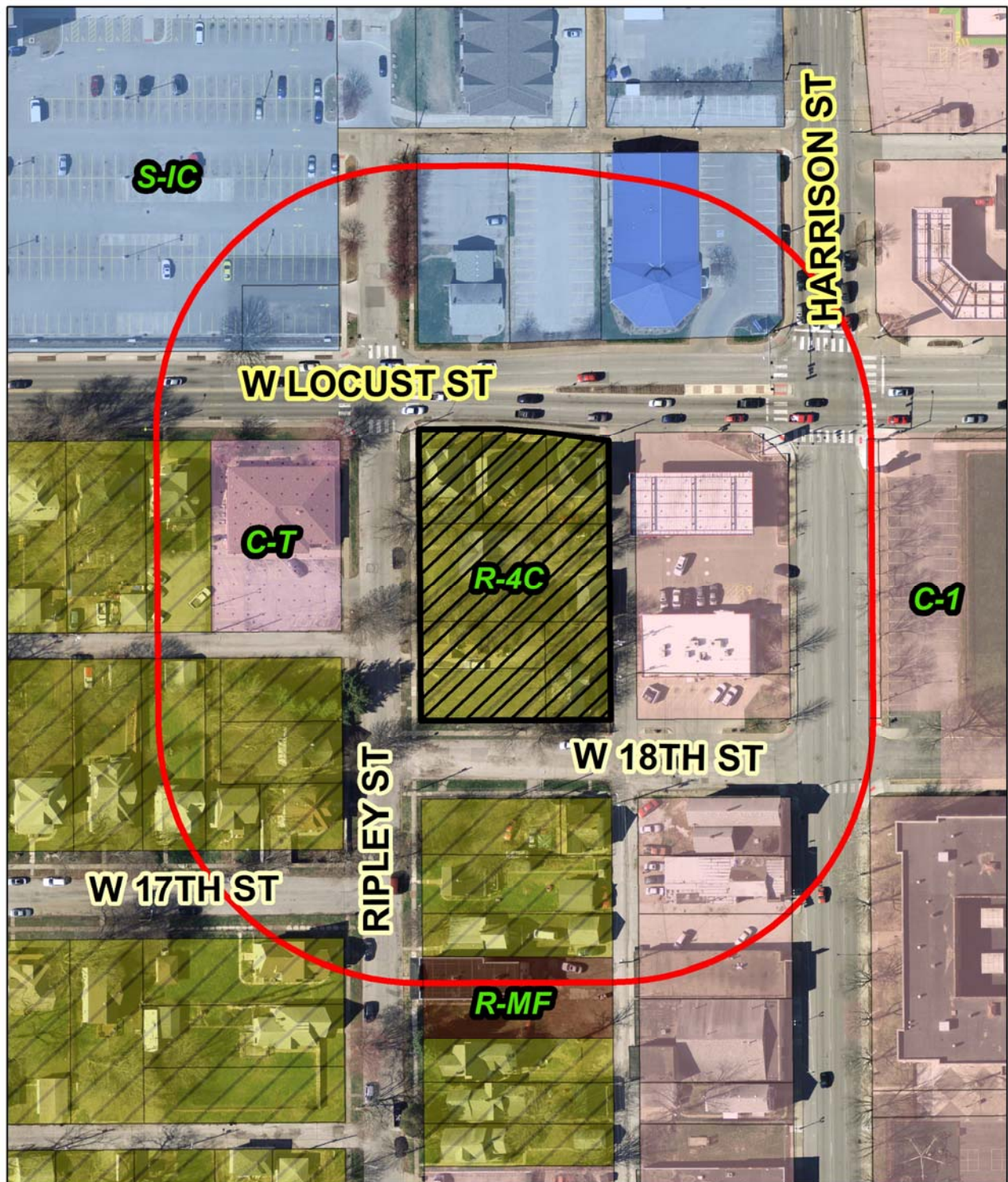
Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

The purpose of the request is to facilitate commercial development.

Please see map on the back for the property location.

The purpose of the meeting is to allow the applicant to describe the proposed development, answer any questions you have and hear any concerns about the proposed development.

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022.



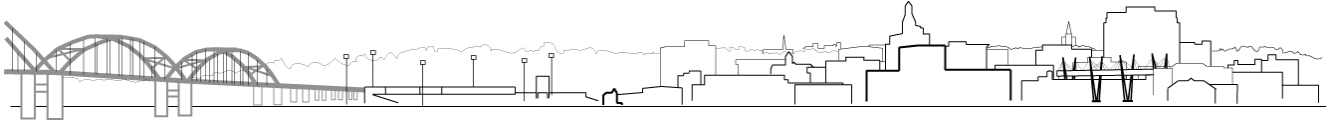
Subject Property



200 Foot Notification Radius



**PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT**



Public Hearing Details:

Date:	9/3/2019	Ward: 4th
Time:	5:00 PM	
Location of Public Hearing:	226 West 4 th Street in City Hall Council Chambers.	
Subject:	Public hearing for a zoning map amendment.	
Location of Property:	Bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley	
Case #:	REZ19-06	

To: All property owners within 200 feet of the subject property.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a request for a zoning map amendment. The purpose of the request is to allow the property developed for an unspecified commercial use.

Request Description:

Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

What are the Next Steps after the Public Hearing?

The 9/3/2019 public hearing is the first step in the review/approval process. The Plan and Zoning Commission will meet on 9/17/2019 to vote (provide its recommendation) on the request. 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 specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment or Protest?

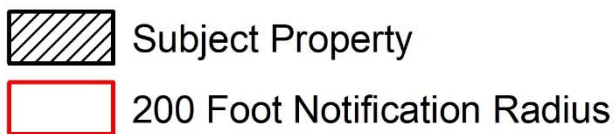
As a property owner within 200 feet of the subject property, you have the opportunity to officially comment or formally protest this request. These must be provided in writing.

If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the City Council public hearing, which is anticipated to be held on 10/2/2019. Please note that for a protest to be official, it needs to be in writing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.



FID	Parcel	Address	Sq_Ft_Land	Acreage	Deed1_Name	Deed1_Addr	Deed1_CSZ
	0 B0059-20	402 W LOCUST ST	0	0.085	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	1 G0006-05	1716 HARRISON ST	0	0.117	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	2 G0006-06A	1720 HARRISON ST	0	0.117	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
					BOBBIE COLEY		
	3 G0006-08A	315 W 18TH ST	1892	0.043	TONY COLEY	315 W 18TH ST	DAVENPORT IA 52803
					BOBBIE COLEY		
	4 G0006-08B		0	0.105	TONY COLEY	315 W 18TH ST	DAVENPORT IA 52803
					JAMES DALTON SMITH III		
	5 G0006-10	1633 RIPLEY ST	6438.6	0.148	BRITTANY LAUREN SMITH	971 OAKMOOR DR	FENTON MO 63026
	6 G0006-11	1629 RIPLEY ST	4672	0.107	MARKEESE MCCORMICK	1803 15TH ST	MOLINE IL 61265
	7 G0006-12	1625 RIPLEY ST	0	0.215	OCEANSIDE50FIVE LLC	2238 SAINT JOHN DR	DUBUQUE IA 52001
	8 G0006-21	1710 RIPLEY ST	4800	0.11	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	9 G0006-22		0	0.11	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	10 G0006-24A	401 W LOCUST ST	0	0.335	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	11 G0006-34	414 W 17TH ST	7300	0.168	NATHANIEL VAUGHN	414 W 17TH ST	DAVENPORT IA 52803
	12 G0006-35	410 W 17TH ST	1460	0.077	ARGENTUM PROPERTIES LLC	C/O MILLTOWN REALTY	DAVENPORT IA 52803-2379
	14 G0006-36	316 W 18TH ST	3723	0.086	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	15 G0006-38		0	0.096	KWIK SHOP INC	734 EAST 4TH AV	HUTCHINSON KS 67504
	16 G0006-41A	303 W LOCUST ST	0	0.485	KWIK SHOP INC	734 EAST 4TH AV	HUTCHINSON KS 67504
	17 G0006-43	315 W LOCUST ST	0	0.079	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	18 G0006-44	321 W LOCUST ST	0	0.084	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	19 G0006-45	325 W LOCUST ST	0	0.085	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	20 G0006-46	1809 RIPLEY ST	0	0.248	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	21 G0006-47	1807 RIPLEY ST	0	0.073	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	22 G0006-48	1801 RIPLEY ST	0	0.08	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	23 G0007-01C		0	0.043	CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801
	24 B0059-40A	328 W LOCUST ST	0	0.231	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52804
	25 B0059-43B		0	0.227	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	26 B0059-44A	310 W LOCUST ST	0	0.444	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52804

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn, 563-888-2286,
matt.flynn@ci.davenport.ia.us

Date
10/1/2019

Subject:

Case ORD19-03: Request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

Recommendation:

Staff recommends Table 17.05-5: C-E District Dimensional Standards, be amended to Read in the row "Maximum Building Height": "120 feet; 55 feet west and south of Elmore Avenue."

Background:

Upon the request of the Jersey Farms neighborhood, the City Council has directed staff to prepare an ordinance amendment reducing the maximum height in a portion of the Elmore Corners zoning district, namely the area to the west and south of Elmore Avenue.

The current height limit for the district is 120 feet, which ensures the Rhythm City Casino remains conforming in that regard.

Reducing the height to 55 feet in the suggested area would ensure buildings not higher than approximately 4 stories through the Zoning Ordinance rather than through the Elmore Corners Area Plan and Design Guidelines.

Affected property owners have been contacted by phone and mailed notice of the hearing. The Jersey Farms neighborhood has been contacted as well.

There are five property owners directly affected by the proposed change.

At the Public Hearing at the Plan and Zoning Commission on September 17, 2019, a representative of VTS Farm Parcel A, LLC, spoke in opposition to the request. Its letter stating the objection is attached.

At the public hearing, the Commission requested topographical information on the area. It is attached. Staff is unsure of what conclusions can be made from this information.

Attached is a brief presentation outlining the issue.

ATTACHMENTS:

Type	Description
▣ Backup Material	Council Presentation
▣ Backup Material	Notice to property owners
▣ Exhibit	Pastrnak Letter
▣ Backup Material	2009 Topographical Information

Staff Workflow Reviewers

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

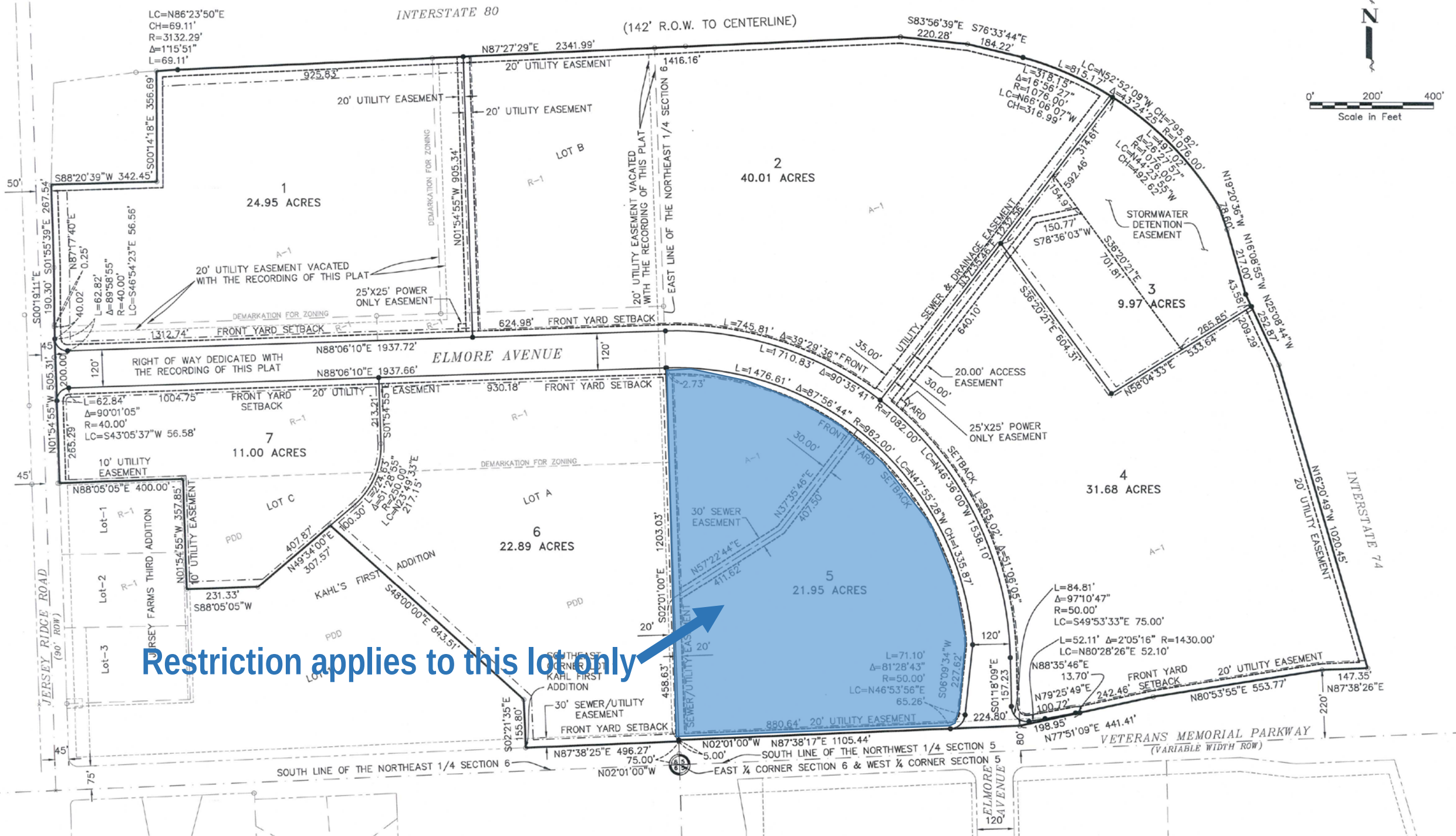
Flynn, Matt

Approved

9/25/2019 - 11:19 AM

City Council Added this Condition to the River 80 First Addition Final Plat in 2014:

“Building height on Lot 5 within River 80 First Addition shall not exceed fifty (50) feet. Further, a 50 foot landscape buffer along Veteran’s Memorial Parkway consisting of a 5 – 6 foot undulating berm containing a minimum Class “E” Screen as outlined in Title 17.56 of the Davenport shall be installed prior to the issuance of any Certificate of Occupancy for said Lot 5.



Under the old Zoning Ordinance, the property was zoned PDD and there was no height limit.

Rhythm City Casino is 106 feet tall.

The Elmore Corners Area Plan was adopted in 2017. Among its concepts, it specifically mentions protections to be taken to ensure compatibility between the neighborhood and Elmore Corners

NEIGHBORHOOD CONTEXT

Established single-family neighborhoods border the Elmore Corners planning area to the west. As development occurs, design attention must be paid to building placement, massing, design, setbacks, and lighting to ensure future development does not negatively impact these neighborhoods. The proposed Urban Greenway along the western project boundary will provide a natural buffer between established and proposed neighborhoods.



Neighborhood Context

Within the Site Layout section of the Plan, it references buildings should be 3 to 4 stories in height adjacent to the neighborhood.

The vast majority of illustrative examples within the Plan document show buildings 2-4 stories in height.

One hotel concept, 6 stories in height was included, but was targeted to the Entertainment District adjacent to Rhythm City Casino.

The new zoning ordinance established a new zoning classification, C-E Elmore Corners Zoning District.

The maximum height in this district is 120 feet. This ensures Rhythm City Casino would remain legally conforming from a height perspective.

The Design Review Board has authority to review and approve new development in Elmore Corners by applying the design standards found in the Plan.

Staff believes the intent of the scale of development on property adjacent to Jersey Farms is clear. Any development exceeding four stories would have to be of exceptional design and oriented away from the subdivision.

A text amendment to address the height concerns can be as simple as amending Table 17.05-5 as follows:

Table 17.05-5: C-E District Dimensional Standards	
	C-E
Bulk	
Minimum Lot Area	20,000sf
Minimum Lot Width	80'
Maximum Building Height	120' East and North of Elmore Ave.; 55' West and South of Elmore Ave.
Minimum Setbacks	
Front Setback	25'
Interior Side Setback	10', unless abutting a residential district then 20'
Corner Side Setback	20'
Rear Setback	10', unless abutting a residential district then 25'

The owners of the property should be notified because of the potential to limit development based on what is allowed currently.

Elmore Corners Zoned "C-E"

Jersey Farms Zoned "R-2"



Lot 5 River 80 First Addn.

Elmore Corners South and
West of Elmore Ave.



Other Options:

Do nothing and rely on design standards (applicant can already appeal denial to the City Council).

Provide notification to property owners within 200 feet of application.

Provide Council authority to increase height in C-E instead of ZBA.

Eliminate height limits altogether, or adopt different standards more restrictive than that is proposed.



Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

September 6, 2019

Subject: Proposed Zoning Standard Change
C-E, Elmore Corners Zoning District

Dear Property Owner:

The Jersey Farms Neighborhood Association has requested the City consider a zoning ordinance text amendment that would reduce the maximum height of structures in a portion of the area zoned C-E, Elmore Corners District from 120 feet to 55 feet. Specifically, this would be in the area south and west of Elmore Avenue (see attached map). You own property that would be affected by the change.

The City Council has directed staff to prepare an ordinance for consideration that would enact the proposed height reduction. The Case Number is ORD19-03.

Like any change in zoning, either with the map or text, it must follow a process that includes public hearings before the Plan and Zoning Commission and Committee of the Whole.

The public hearing before the Plan and Zoning Commission will be held:

Tuesday, September 17, 2019
City Council Chambers, City Hall
226 West Fourth Street
Davenport, Iowa 52801

You may submit written comments on the above item or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing.

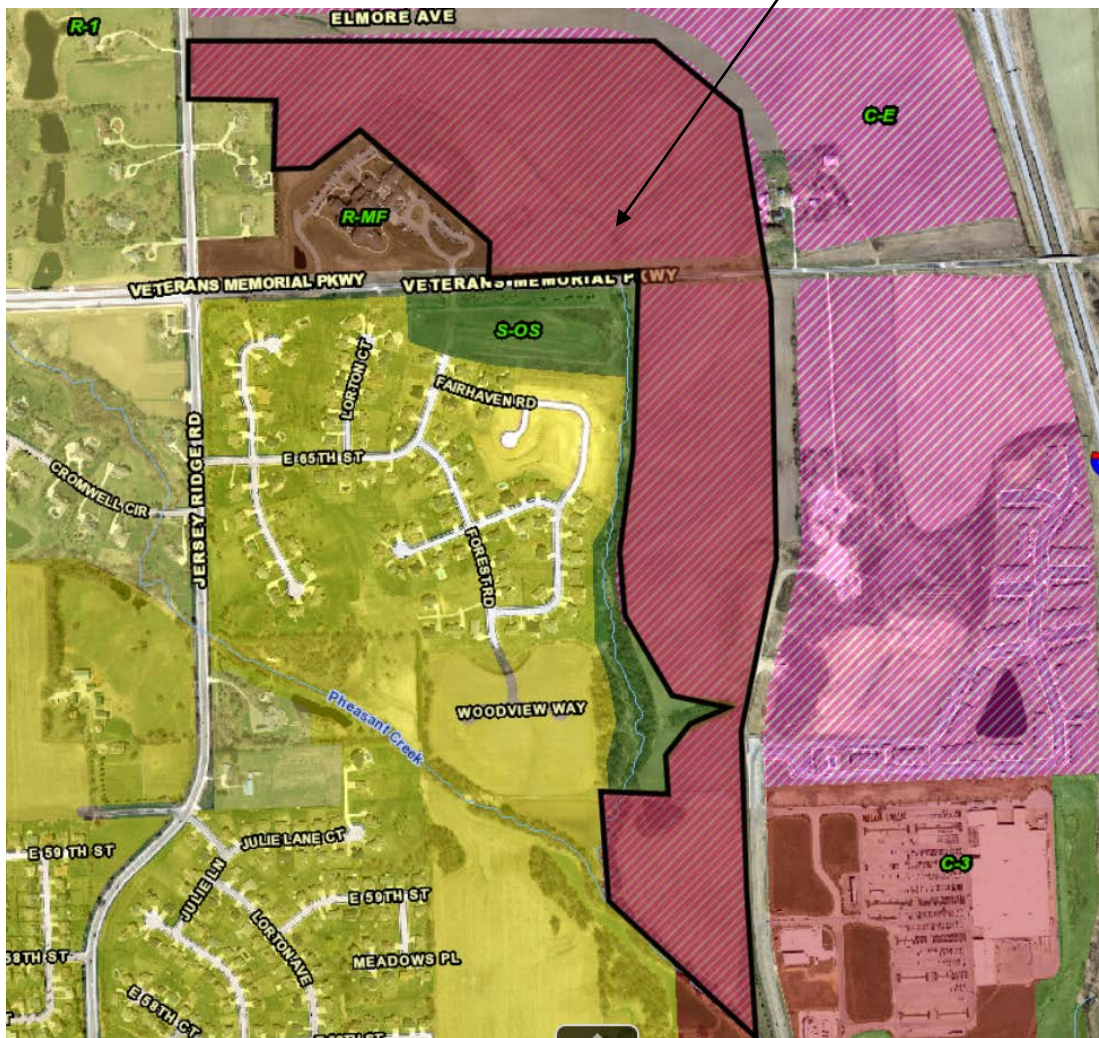
Please let me know if you have further questions.

Sincerely,



Matthew G. Flynn, AICP
Senior Planning Manager/Zoning Administrator
563-888-2286, matt.flynn@ci.davenport.ia.us

Area Proposed for Reduced Height Limit



PASTRNAK LAW FIRM, P.C.
Attorneys at Law
313 W. 3rd Street
Davenport IA 52801
Phone: (563) 323-7737, Ext. 220
Fax: (563) 323-7739
E-mail: ckpastrnak@pastrnak.com

Thomas J. Pastrnak*
Candy K. Pastrnak*

ILLINOIS OFFICE:
6300 75th Ave., Suite A
Milan, IL 61264

Thomas R. Schulz – Of Counsel *
Gregory S. Jager – Of Counsel**
Dee Runnells – Of Counsel*

* Admitted in Iowa and Illinois
** Admitted in Iowa Only

Via email to matt.flynn@ci.davenport.ia.us

Planning and Zoning Commission
c/o Matt Flynn
City of Davenport
226 W. 4th St
Davenport, Iowa 52801

September 16, 2019

Re: Case ORD 19-03
Elmore Corridor Overlay District
Reduction in Height

Dear members of the Commission:

We represent VTS Farm Parcel A, LLC, the owner of approximately 15.24 acres of property located within the Elmore Corridor Overlay District, specifically located west of Elmore Avenue and south of 60th Street. (A copy of a Beacon map showing the location of the property is enclosed for ease of reference.) On behalf of the owner, VTS Farm Parcel A, LLC we object to any modification of the already significant limiting building restrictions imposed by the terms of the Elmore Corridor Overlay District.

We have thoroughly reviewed the existing design standards and building restrictions proposed for the Elmore Corners Overlay District and have already experienced the difficulty said standards and restrictions have created in our client's ability to market and find purchasers and/or developers of this 15.24 acres in the heart of the Elmore Corridor Overlay District.

The proposed height limitation will even more severely restrict and limit the potential buyers/developers of this property. A height limitation, as proposed, would most certainly deter and perhaps even eliminate hotel, senior living center and other multi-story development, which

PASTRNAK LAW FIRM, P.C.

Matt Flynn

September 16, 2019

Page 2

would obviously be a benefit to the City of Davenport and its tax base. To impose additional regulations on property which is already subject to the restrictions and limitations imposed in the overlay district would, in our opinion, not only overburden the property but essentially constitute an unlawful taking.

Further, the imposition of the additional restriction ignores the built in controls and mechanisms that are afforded the City by the terms in the existing Overlay District.

Finally, the imposition of the height restriction on the isolated undeveloped parcels in the area is arbitrary and capricious, particularly since buildings to the east and north of Elmore can exceed the height limit yet buildings to the west and south of Elmore will be prevented from exceeding the height limit.

In conclusion, our client is opposed to modification of the height restrictions, particularly further limitations to height, in the ECOD Elmore Corners Overlay District, and ask our client's objection be placed of record.

Sincerely,

A handwritten signature in cursive script that reads "Candy K. Pastrnak".

Candy K. Pastrnak

Attorney at Law

For: Pastrnak Law Firm

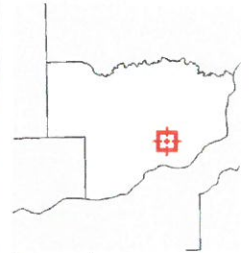
On Behalf of: VTS FARM PARCEL A, LLC, an Iowa limited liability company.



Scott County / City of Davenport, Iowa



Overview



Legend

- Parcels
- Parcel Point
- Political Township
- All Roads
 - Interstate
 - US Highway
 - State Highway
 - County Route
 - Major road
 - Local roads
 - Ramp
 - Alleyway/Access Road
 - Bike/Pedestrian Trail
 - Driveway
- Rights of Way
- Railroad
- County Boundary
- Major Rivers and Streams
 - River Centerline
 - River Boundary
 - Major Stream
- Minor Streams, Other
 - Minor Stream
 - Small Lake/Pond
 - Drainageways, etc
 - Island
- Major Rivers and Lake
 - Lake
 - Major Stream
 - River
 - Minor Lakes and Ponds

Parcel ID Y0801-02A
Sec/Twp/Rng 07-78-04
Property Address

Alternate ID Y17023
Class A
Acreage 15.25

Owner Address VTS FARM PARCEL A LLC
19134 246TH AVE
BETTENDORF IA 52722

[illegible]



City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Department
Contact Info: Ryan Rusnak 563-888-2022
rrusnak@ci.davenport.ia.us

Date
10/1/2019

Subject:

Case F19-03: Request of HOA Development, LLC for a Final Plat for a 3 lot subdivision located east of Elmore Avenue and southeast of the terminus of East 46th Street.[Ward 6]

The Plan and Zoning Commission recommended approval of this request at its March 19, 2019 meeting. However, the Plat was reconfigured so it is being returned to the Plan and Zoning Commission for reconsideration.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the two listed findings and forward Case F19-03 to the City Council with a recommendation for approval subject to the five listed conditions.

Background:

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Regional Corridor (CC) – 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 zoned C-3 General Commercial Zoning District.

Technical Review:

Streets.

The development would be located adjacent to Elmore Avenue.

Storm Water.

Development of the property will need to comply with the City's stormwater requirements.

Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

Public Input:

No public hearing is required for a Final Plat.

Discussion:

The request is for a Final Plat for a 3 lot subdivision located east of Elmore Avenue and south of the terminus of East 46th Street.

Recommendation:

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F19-03 to the City Council with a recommendation for approval subject to the following conditions.

1. That the surveyor signs the plat;
2. That the utility providers sign the plat when their easement needs have been met;
3. That the 100-year flood line be revised as the Estimated Base Flood Elevation. In the general notes provide that BFE and what elevation datum is being used;
4. That the ownership and maintenance of Lot A be shown on the plat; and
5. That the proposed sign easement be removed from the plat.

ATTACHMENTS:

Type	Description
▢ Backup Material	Revised Final Plat
▢ Backup Material	Previous Final Plat
▢ Backup Material	Zoning and Land Use Maps

Staff Workflow Reviewers

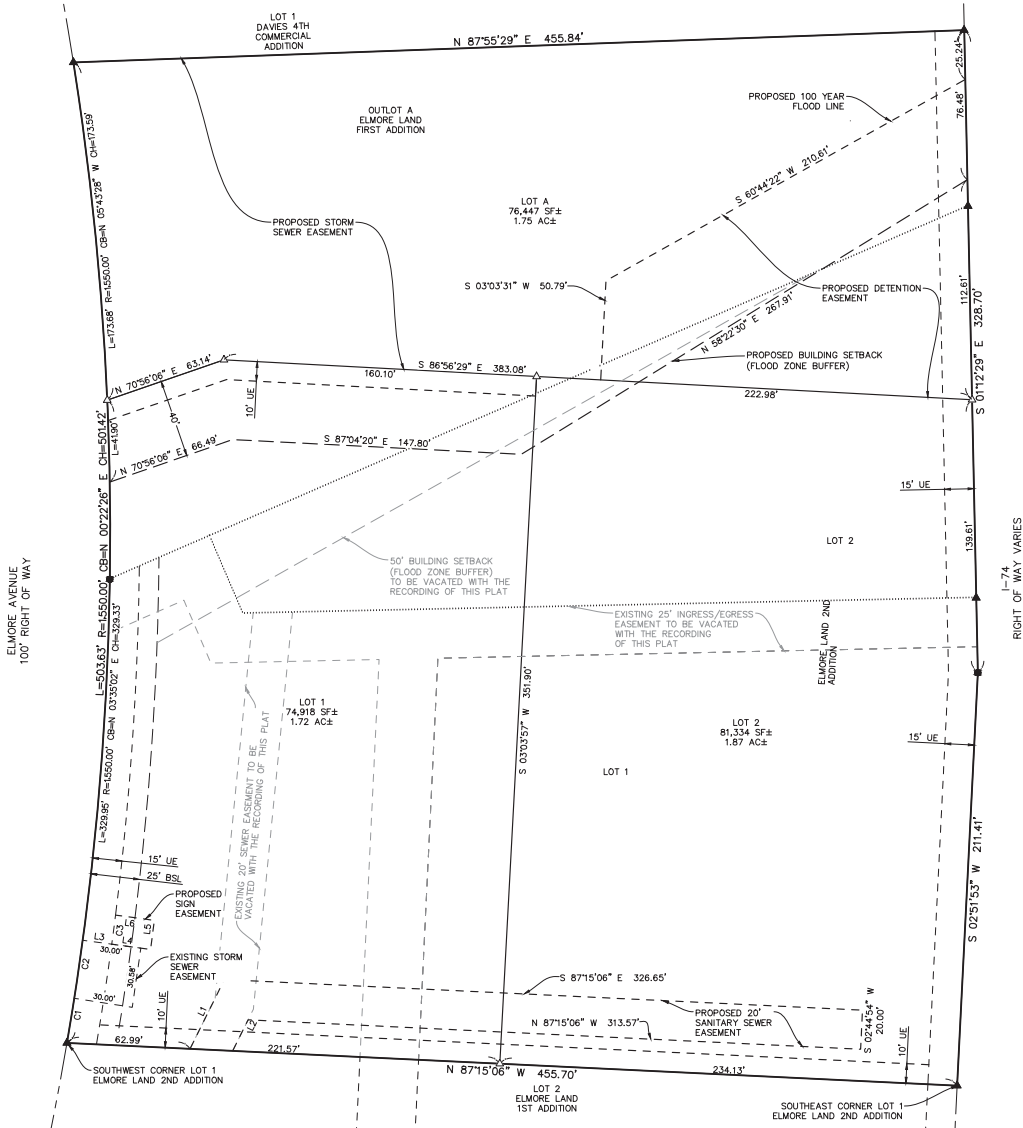
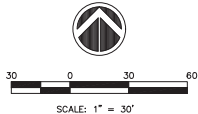
REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/27/2019 - 8:15 AM

Revised Final Plat

REVIEW COPY
DO NOT RECORD

SUBDIVISION PLAT
OF
ELMORE LAND 3RD ADDITION
A RE-PLAT OF OUTLOT "A" OF ELMORE LAND 1ST ADDITION FILED
05/25/2006 AS DOCUMENT#2006-16020,
AND LOTS 1 & 2 OF ELMORE LAND 2ND ADDITION,
FILED 06/13/2007, AS DOCUMENT#2007-17429,
IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA
5.35 ACRES±



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 28°23'44\"	39.54'
L2	S 28°23'44\"	17.71'
L3	S 82°16'50\"	15.00'
L4	S 82°16'50\"	20.02'
L5	N 07°27'38\"	15.00'
L6	N 82°16'50\"	20.02'

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	23.10'	1,550.00'	N 08°15'19\"	23.10'
C2	30.00'	1,550.00'	N 08°16'26\"	30.00'
C3	15.00'	1,565.00'	S 07°26'41\"	15.00'

SURVEYOR
LUKE D. MILLER
IMEG CORP.
4501 BLACKHAWK COMMONS DRIVE
ROCK ISLAND, IL 61201
309-430-6570
LUKE.D.MILLER@IMEG-CORP.COM

ATTORNEY
MICHAEL L. GORSLINE
5118 UTLICA RIDGE ROAD
DAVENPORT, IA 52807

OWNER/DEVELOPER
HOA DEVELOPMENT LLC
1501 RIVER DRIVE
MOLINE, IL 61265

- LEGEND**
- ▲ REBAR WITH CAP#14414, FOUND
 - △ 5/8\"
 - 3/4\"
 - SURVEY BOUNDARY
 - - - EXISTING LOT LINE
 - - - PROPOSED LOT LINE
 - - - HISTORICAL LINE - AS NOTED
 - - - EXISTING EASEMENT LINE
 - - - PROPOSED EASEMENT LINE
 - - - EXISTING R.O.W. LINE
 - - - EXISTING SETBACK LINE
 - - - PROPOSED 100 YEAR FLOOD LINE

ABBREVIATIONS

AC ACRES
L LENGTH
R RADIUS
SF SQUARE FEET
BSL BUILDING SETBACK LINE
UE UTILITY EASEMENT
DE DRAINAGE EASEMENT

MIDAMERICAN ENERGY COMPANY
BY: _____
DATE: _____
Approved subject to encumbrances of record by Mid-American Energy Co.

MEDIACOM
BY: _____
DATE: _____

CENTURY LINK/ QWEST
BY: _____
DATE: _____

IOWA-AMERICAN WATER COMPANY
BY: _____
DATE: _____

PLANNING AND ZONING COMMISSION
BY: _____
DATE: _____

DAVENPORT CITY COUNCIL
BY: _____
DATE: _____
ATTEST: _____

GENERAL NOTES

THIS FINAL PLAT WAS PREPARED AT THE REQUEST OF, AND FOR THE EXCLUSIVE USE OF HOA DEVELOPMENT LLC.

IT SHOULD BE NOTED THAT IN THE PERFORMANCE OF THIS RE-SURVEY, THE COURSES AND DISTANCES OF THE RE-SURVEY MAY VARY FROM RECORDED CALLS, BASED ON THE EXISTENCE OF FOUND MONUMENTATION, OCCUPATION, OR OTHER CONTROLLING CALLS OR CONDITIONS THAT HAVE OCCURRED IN THE RE-SURVEY OF THIS PROPERTY.

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND ROADWAYS OF RECORD.

NO INVESTIGATION CONCERNING ENVIRONMENTAL AND SUBSURFACE CONDITIONS, OR FOR THE EXISTENCE OF UNDERGROUND CONTAINERS, STRUCTURES OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.

NO INVESTIGATION WAS MADE AS PART OF THIS SURVEY TO DETERMINE OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITIES OR MUNICIPAL FACILITIES, EXCEPT AS NOTED. CALL IOWA ONE-CALL AT 1-800-292-6989 FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES.

PART OF THIS SUBDIVISION IS SUBJECT TO A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY FEMA ON COMMUNITY FIRM MAP NO. 1916C0360P WITH AN EFFECTIVE DATE FEBRUARY 18, 2011.

DISTANCES ARE LISTED IN FEET AND DECIMAL PART OF A FOOT.

ALL MONUMENTS HAVE BEEN FOUND OR WILL BE SET AS SHOWN ON THIS PLAT BY OCTOBER 2020.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE AND CABLE T.V. TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.

EASEMENTS DESIGNATED AS "UTILITY EASEMENTS" INCLUDE ALL UTILITIES THAT ARE PROVIDED BY EITHER THE CITY OF DAVENPORT OR THOSE COMPANIES AUTHORIZED TO PROVIDE PUBLIC UTILITIES WITHIN THE CITY OF DAVENPORT.

SIDEWALKS SHALL BE INSTALLED ALONG STREET FRONTAGES WHEN SO ORDERED BY THE CITY.

A BLANKET DRAINAGE EASEMENT FOR THE PURPOSE OF: 100 YEAR STORM FLOOD CONVEYANCE OVERLAND FLOW ACROSS LOTS 1 & 2; NOT FOR ANY OTHER STORM WATER DRAINAGE.

STORM WATER QUALITY FEATURES DEVELOPED IN THE PROPOSED DETENTION EASEMENT, INCLUDE STORM WATER QUALITY VOLUME FROM LOT 4 OF ELMORE MARKETPLACE ADDITION PER THE STORM WATER QUALITY IMPROVEMENTS DEFERRAL AGREEMENT SIGNED AND SUBMITTED TO THE CITY OF DAVENPORT ON SEPTEMBER 12, 2018.

A STORM WATER MAINTENANCE ACCESS EASEMENT OVER AND ACROSS LOTS 1 & 2, NOT SHOWN FOR CLARITY, TO BE ALLOWED WHERE DRIVE LANES AND PAVEMENT PERMIT.

LOT 4 RESERVED FOR STORM WATER MANAGEMENT



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 Iowa.

Signature: _____
Date: _____
My license renewal date is December 31, 2019.
Pages or sheets covered by this seal: _____
THIS SHEET ONLY.

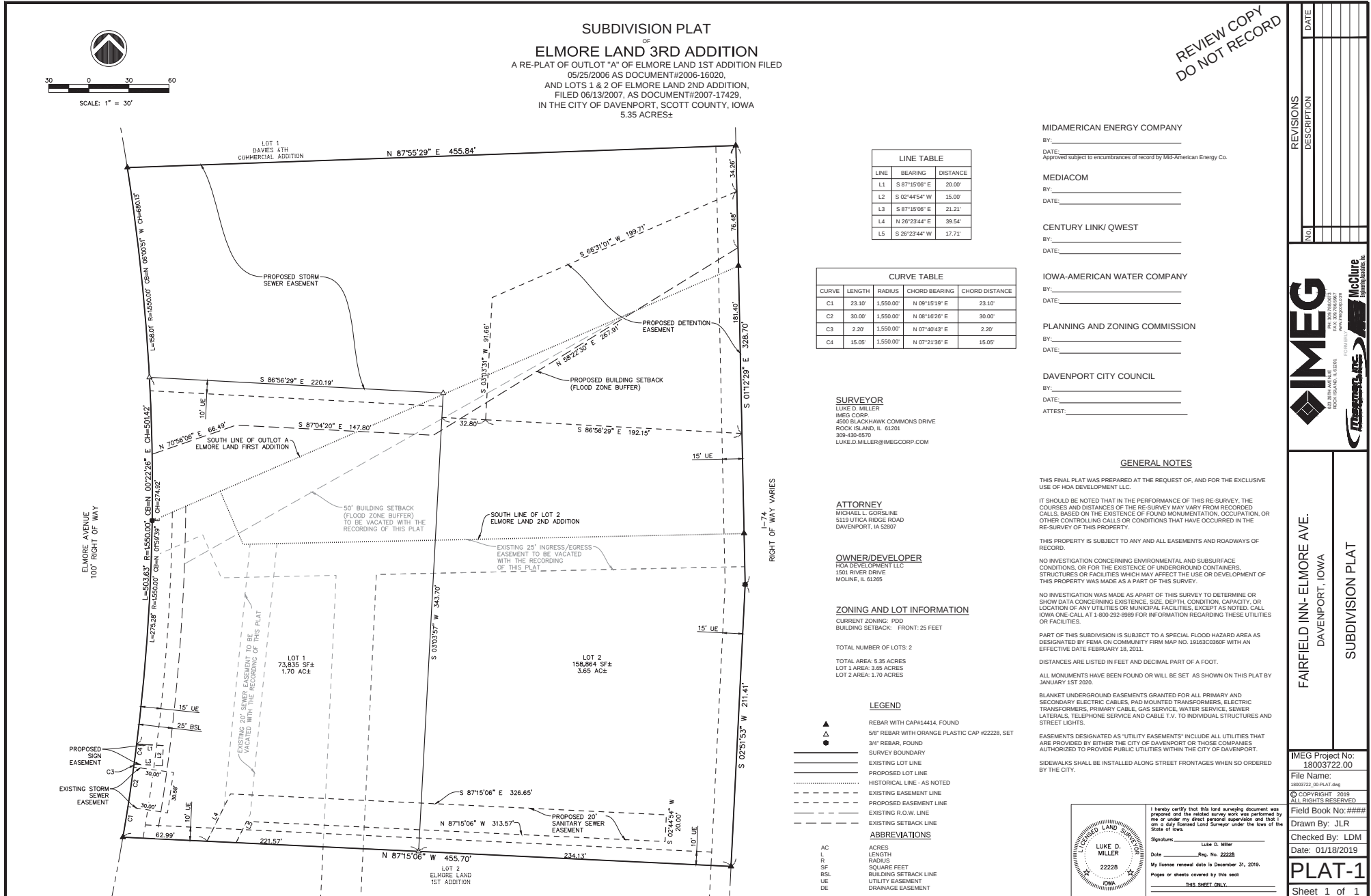
REVISIONS		DATE
No.	DESCRIPTION	

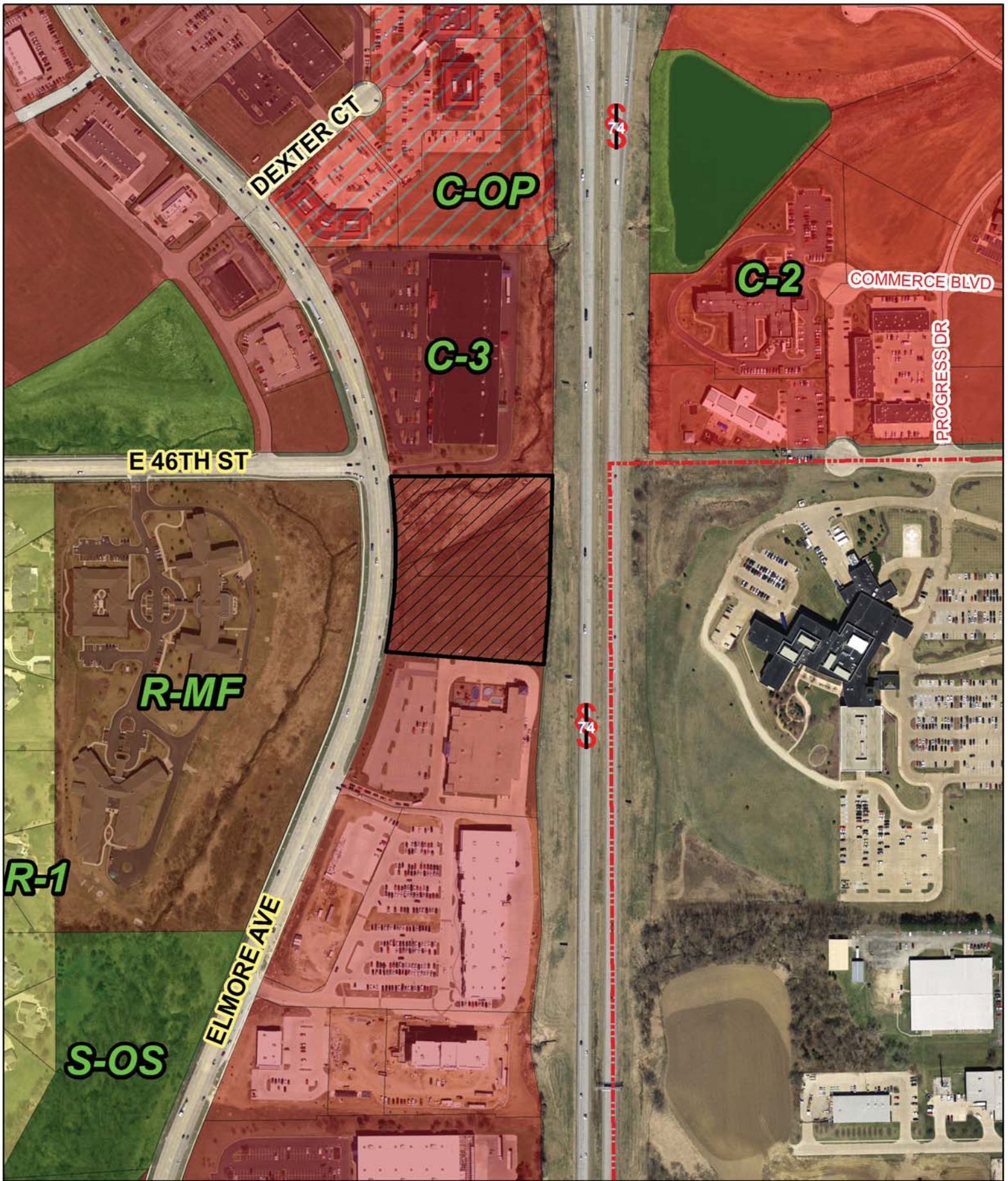


FAIRFIELD INN-ELMORE AVE.
DAVENPORT, IOWA
SUBDIVISION PLAT

IMEG Project No:
180037222.00
File Name:
180037222.dwg
© COPYRIGHT 2019
ALL RIGHTS RESERVED
Field Book No:####
Drawn By: JLR
Checked By: JLD
Date: 08/30/2019
PLAT-1
Sheet 1 of 1

The Plan and Zoning Commission recommended approval of this proposed plat at its 3-19-2019 meeting

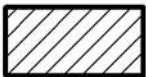
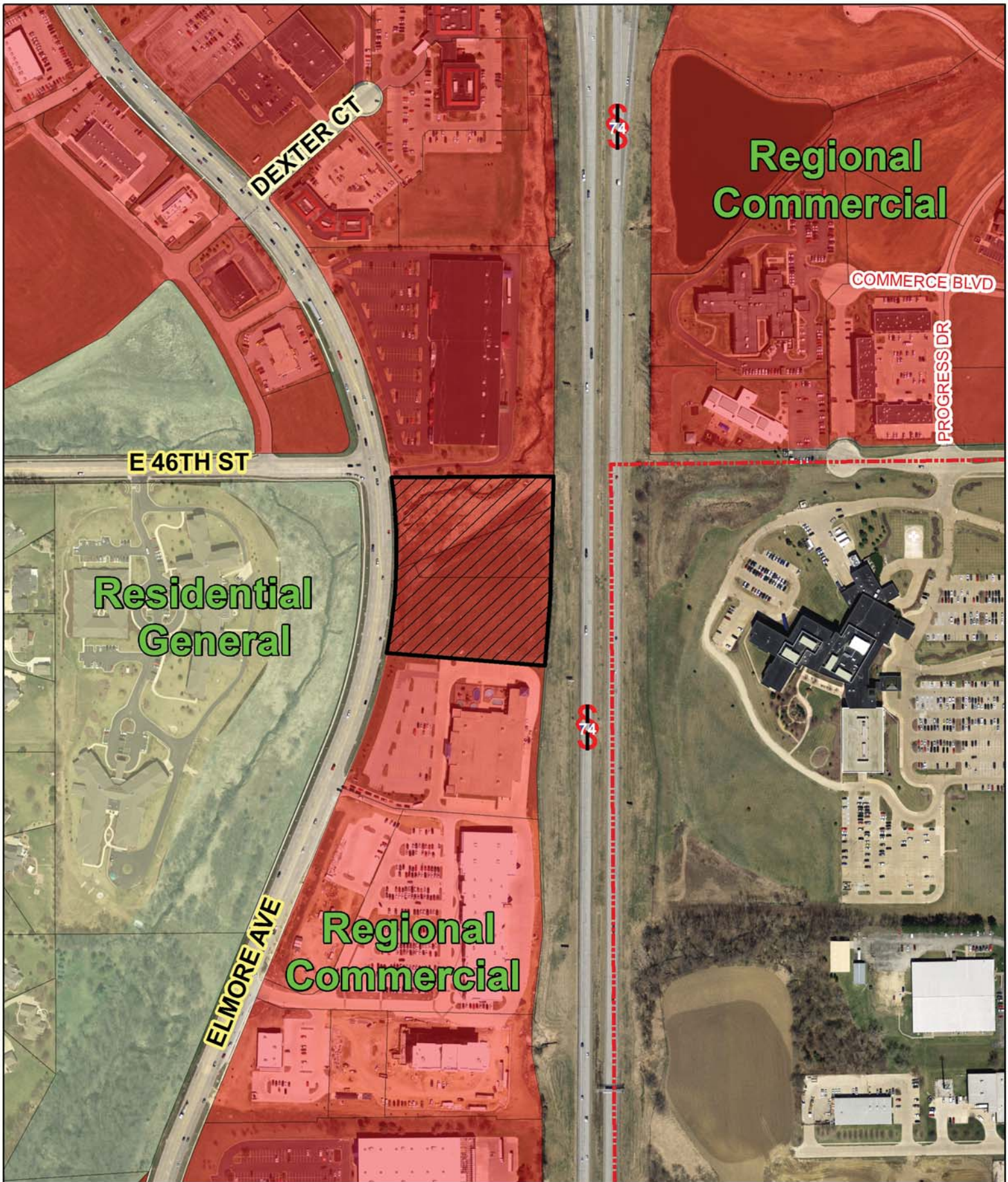




Subject Property

N





Subject Property

