

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, JULY 18, 2023; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Inghram, Tallman, Maness, Johnson, Hepner, Reinartz, Eikleberry, Garrington

Excused: Brandsgard, Stelk

Staff: Berkley, Heyer, Schadt, Werderitch

II. Report of the City Council Activity

Staff provided an update of the City Council activity.

III. Secretary's Report

A. Consideration of the June 20, 2023 meeting minutes.

Motion by Tallman, second by Garrington, to approve the June 20, 2023 meeting minutes. Motion to approve was unanimous by voice vote (8-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Staff introduced the rezoning petition. The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The combined area of the rezoning request is 231.26 acres.

Staff received one protest petition from an abutting property owner at 13860 Slopertown Road. The owner cited the following concerns: preservation of productive agricultural land, traffic impacts, and noise pollution caused by potential industrial development.

Commissioners inquired about city codes that may mitigate the concerns raised by the neighboring property owner.

The applicant's real estate agent was in attendance to answer questions.

Staff recommended Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the city.
5. The proposed amendment will not create any nonconformities following development.

Motion by Inghram, second by Maness, to approve staff recommendation. Motion was approved by a roll call vote (8-0).

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case ROW23-03: Request of William Taylor to vacate unimproved right-of-way on Emerald Drive [Ward 1]

Staff provided an overview of the unimproved Emerald Drive right-of-way. No properties utilize the subject right-of-way for access. Vacating the right-of-way is connected to a proposed Final Plat of Crystal Creek Ninth Addition. This plat will not move forward until City Council has acted upon the vacation. The owner intends to subdivide the properties to the north into four residential lots. Vacating the unimproved Emerald Drive right-of-way will better facilitate development of the site.

The applicant, William Taylor, was in attendance to answer questions.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way on Emerald Drive in Case ROW23-03 to the City Council with a recommendation for approval, subject to the following conditions:

Findings:

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

Conditions:

1. Vacating the public right-of-way is contingent upon the approval of a final plat.
2. No more than four lots shall be platted north of Emerald Drive.
3. All existing utilities located in the Right-of-Way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.

Motion by Johnson, second by Tallman, to approve staff recommendation and conditions. Motion was approved by a roll call vote (8-0).

- ii. Case P23-02: Request of Splendor Homes LLC for a preliminary plat of Splendor Estates. The 118-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres [Ward 8]

Commissioner Tallman abstained.

Staff summarized the history of the property and the proposed request. Last year, City Council approved a 47-lot final plat for this site. The owner never proceeded forward with the single-family subdivision. Instead, the site has been redesigned to increase the density of the development. The preliminary plat shows a series of single-family semi-detached dwellings, which are also permitted in the R-3 Single-Family and Two-Family Residential District. The subdivision will have a roadway connection to Eastern Avenue Farms Fifth Addition through the extension of East 61st Street. The subdivision will also connect to Jersey Pointe Fifth Addition by via East 59th Street. Due to the density of development, speed mitigation measures will be implemented in adjacent residential neighborhoods. Access onto Jersey Ridge Road is at the southern boundary of the subdivision. Traffic safety is enhanced at this location due to greater visibility and lines of sight.

Staff recommended the Plan and Zoning Commission forward P23-02 to City Council with a recommendation for approval subject to the following findings and conditions:

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport +2035.
2. The preliminary plat prepares the area for future development.
3. The preliminary plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Conditions:

1. Revise the lot numbers to indicate a total of 118 lots.
2. Indicate the location of building footprints on Lots 48, 116, and 117.
3. Ensure positive drainage away from building foundations.
4. Show all sidewalks within the subdivision.
5. Label pavement widths on Splendor Lane, north of East 60th Street.
6. Speed mitigation measures shall be implemented in adjacent residential neighborhoods as directed by the City Engineer.
7. Add a note stating, "All on-street parking shall be limited to one side of the street."
8. Include Base Flood Elevation to Note 7 or depicted on the preliminary plat.

Representatives from Townsend Engineering and the owner's attorney were in attendance to answer questions.

Commissioners inquired about the density of the development, compatibility with the character of the surrounding neighborhoods, dimensional standards of the lots, access to the development, property values, proposed housing types, and stormwater management.

The City Engineer outlined potential options for speed mitigation where connecting to existing neighborhoods and the timing of sidewalk installation on Jersey Ridge Road.

The Chairperson opened the floor for public comments. Neighboring property owners stated the following concerns regarding the preliminary plat: density of housing, preference for single-family homes, design of the proposed dwelling units, traffic, speed mitigation, impact on property values, and stormwater management.

Motion by Schneider, second by Johnson, to add a condition stating, "A northbound left turn lane on Jersey Ridge Road shall be installed at the

developer's expense." Motion to add the condition passed by a roll call vote (8-0).

Motion by Hepner, second by Johnson, to add a condition stating, "The sidewalk on Jersey Ridge Road shall be constructed by the developer at the time of street construction." Motion to add the condition passed by a roll call vote (8-0).

Assistant Corporate Counsel provided a legal opinion regarding the approval or denial of the subdivision. If a subdivision meets provisions of both state and city code, the main consideration is on if the subdivision will cause undue burden upon the city with investment in the infrastructure.

Motion by Johnson, second by Maness, to approve staff recommendation and two additional conditions. Motion was approved by a roll call vote (4-3). Commissioner Tallman abstained.

- iii. Case F23-08: Request of Johnson School Properties LLC for a final plat of Johnson School Homes. The 3-lot subdivision is located at 1730 Wilkes Avenue on 2.5 acres. [Ward 4]

Staff presented the staff report and background information for the proposed subdivision. The owners submitted a final plat to subdivide Johnson School from the larger undeveloped land on the southern half of the block. This will establish two new buildable lots, each comprising approximately .45 acres. The school and parking lot will be on a separate 1.56-acre parcel abutting Locust Street.

The applicant, Lucky Lang, was in attendance to answer questions. Commissioners inquired about the plans to develop the two newly created parcels on the southern half of the block. Mr. Lang stated the intent is to construct housing that is compatible with the character of the surrounding neighborhood.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F23-08 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.

Motion by Johnson, second by Tallman, to approve staff recommendation and conditions. Motion was approved by a roll call vote (8-0).

- iv. Case F23-09: Request of Shamrock Properties LC for a final plat of Tralee Farms. The 2-lot subdivision comprises 104.57 acres and is bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road. [Ward 8]

Werderitch stated the purpose of the final plat, which is to facilitate the sale of commercially zoned property south of Veterans Memorial Parkway from the residentially zoned land to the north. Before and further subdivision or development can occur on Lot 2, a preliminary plat and traffic study will be required. Public right-of-way will be dedicated to the city at the intersection of Eastern Avenue and Veterans Memorial Parkway for the future construction of a roundabout. Additional right-of-way will be dedicated along Eastern Avenue for street improvements. A second roundabout is required with this development, and will be addressed in a preliminary plat and future subdivisions. The timing of the roundabout installation will be indicated as part of the required traffic study. Pheasant Creek spans from Interstate-80 south through Veterans Memorial Parkway. The floodway associated with the creek has been delineated.

A representative of Axiom Consultants was in attendance to answer questions.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F23-09 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. The following note shall be added to the plat: "No further subdivision or development shall occur on Lot 2 until a preliminary plat has been submitted and approved."
4. The following note shall be added to the plat: "This Subdivision is subject to rezoning conditions in Ordinance 2023-28."
5. The following note shall be added to the plat: "Additional right-of-way shall be granted and dedicated to the City of Davenport, as required, for a proposed roundabout at Veterans Memorial Parkway and Eastern Avenue."
6. The Base Flood Elevation information shall be included along Pheasant Creek.

Motion by Johnson, second by Maness, to approve staff recommendation and conditions. Motion was approved by a roll call vote (8-0).

VII. Future Business

VIII. Communications

IX. Other Business

A. Election of Officers

Motion by Reinartz, second by Johnson, for the existing officers to retain their current positions (Chair: Inghram, Vice-Chair: Maness, Secretary: Tallman). Motion passed by a roll call vote (8-0).

X. Adjourn

Motion by Reinartz, second by Tallman, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (8-0).

The meeting adjourned at 6:37 pm.