

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, APRIL 16, 2019; 5:00 PM

CITY COUNCIL CHAMBERS CITY HALL 226 W 4TH STREET

I. New Business

- A. Public Hearing for Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge Road. [Ward 6]
- B. Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Authority

- A. Resolution for Case P19-01: Request of Grunwald Land Development for a preliminary plat of West Lake Settlement on 79 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 47 lots. [Adjacent to Ward 1] - **FAILED**

Resolution for case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8]
- **ADOPTED 2019-118**

III. Secretary's Report

- A. Consideration of the April 2, 2019 Meeting Minutes

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

- i. Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge Road. [Ward 6]

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

A. Preview for Case ROW19-01 request of Maveric Hendrick for the vacation public right-of-way west of 914 S. Elsie Avenue, containing 881 square feet, more or less. [Ward 1]

B. Case REZ19-06: Request of Jasveer Saini to rezone .56 acres, more or less, of property located at 4607 North Pine Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial District. [Ward 7]

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn 563.888.2286,
matt.flynn@ci.davenport.ia.us

Date
4/2/2019

Subject:

Public Hearing for Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge Road. [Ward 6]

Recommendation:

Hold the Public Hearing

Background:

Reason for Request:

According to the petitioner, "expand development opportunities by removing the 5000 square foot limitation in current C-T classification."

UPDATE: The petitioner, since the Plan and Zoning Commission public hearing, has amended its application by requesting C-OP (Commercial Office Park) zoning rather than C-1 (Commercial Neighborhood) zoning. The Legal Department has determined that they are entitled to do so because the C-OP classification is not inherently more intense than C-1, and further, the official public hearing (the one held by the Committee of the Whole following P&Z action) has not been held yet.

At the April 2, 2019 meeting, the Plan and Zoning Commission voted to table this case and hold another public hearing with the new proposed C-OP designation.

Comprehensive Plan:

The property is within the Urban Service Area.

It is designated as RG, Residential General, on the Future Land Use Map. RG is defined as, "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.

Technical Review:

No specific concerns have been noted by the Technical Review Team. Neighboring property owners have expressed concern about the existing drainage way that transects the lot. Any development occurring on the lot, as anywhere else in the City, will have to meet the City's current standards for storm water management.

Public Input:

A neighborhood meeting was held on March 7. Property owners within 200 feet were notified. Approximately 7 people attended.

A sign was posted on the property on February 25.

At the Plan and Zoning Commission Public Hearing on March 19, 2019, one person spoke in opposition.

Discussion:

The new zoning ordinance includes approval standards for rezonings. Staff will be using these standards as part of the evaluation of rezoning requests.

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

Staff Comments:

Staff's opinion is that the proposed zoning, with conditions, meets the intent of the future land use designation of RG, as it promotes transitional uses along its edges.

b. The compatibility with the zoning of nearby property.

Staff Comments:

C-OP already exists to the south and east. C-T, Commercial Transitional zoning exists to the west. R-MF, Multi-family Residential exists to the north. It is staff's opinion that the proposed C-OP zoning, with conditions, is compatible with the adjacent C-T and R-MF Zoning.

c. The compatibility with established neighborhood character.

Staff Comments:

The residential development to the north is completely built out and stable. The existing office park to the east and south has been developing over the past 20 years and is nearing completion. The proposed rezoning would allow for limited office park expansion while protecting the stability of the neighborhood.

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

Staff Comments:

The proposed C-OP zoning, coupled with the conditions limiting uses and building height, work to promote the health, safety and welfare of the neighborhood.

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 Comments:

The property is suited for either development meeting the current classification (C-T) or the proposed classification of C-OP. The petitioner has indicated current interest from potential developers for office buildings exceeding 5000 square feet on the property. Less interest has

been shown to develop uses consistent with C-T zoning.

f. The extent to which the proposed amendment creates non-conformities.

Staff Comments:

The property is vacant and has no non-conformities.

C-1 and C-OP Comparison Summary:

Through discussions with the petitioner, it was determined that C-OP appeared to be a better fit than C-1, including the following reasons:

- C-1 is designed to primarily provide for neighborhood-oriented goods and services. C-OP is designed to provide for office-park like development.
- C-1 has a 70% build-to requirement, intended to orient development towards the street. C-OP allows for a more campus-like development pattern.
- C-1 allows a 15 foot rear yard setback at most. C-OP requires 25 feet.
- Uses in C-1 may generate more traffic, parking and activity spread out over the entire week, whereas C-OP may have more limited activity concentrated primarily during the Monday-Friday work day.

A more complete side by side comparison of some of the purpose statements, dimensional standards and permitted uses is attached to this report.

Conclusion:

Staff's opinion is that zoning this property C-OP, with the use and building height restrictions provide adequate protections to the neighborhood while allowing the petitioner more flexibility in who they can market the land to.

The existing zoning of C-T can accomplish that as well, but it appears that current demand for new development in the vicinity is more aligned with the uses that need C-OP zoning to move forward.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ19-02 to the City Council with a recommendation or approval subject to the conditions:

Findings:

1. The property is designated RG, Residential General, on the Comprehensive Plan future land use map.
2. RG allows for transitional uses along its edges.
3. The proposed C-OP zoning with conditions meets the intent of transitional uses under the RG Plan designation.
4. The proposed C-OP zoning with conditions adequately protects the adjoining residential property from adverse impacts.
5. There is existing C-OP zoning adjacent to the east and south; the proposed zoning is an expansion of an existing zoning district.
6. The petitioner claims that demand for office buildings of moderate scale but exceeding the current 5000 square feet maximum exists in the area.

Conditions:

1. Building height is limited to 35 feet.

2. The following uses are prohibited:
 - a. Free-standing restaurant
 - b. Vehicle dealership (indoor)
 - c. Hotel
 - d. Light industrial
 - e. Vehicle Rental - Enclosed

ATTACHMENTS:

Type	Description
▢ Backup Material	Application
▢ Backup Material	Notice Map
▢ Backup Material	Zoning Map
▢ Backup Material	Future Land Use Map
▢ Backup Material	Public Hearing and Neighborhood Meeting Notices and Notified Property Owners
▢ Backup Material	Objections
▢ Backup Material	C-1, C-OP Comparison
▢ Backup Material	Protest: Harris

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Melton, Brandon	Approved	4/11/2019 - 12:33 PM



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

Property Address* Lot 1 - CROW VALLEY PLAZA 12th ADDITION

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

Applicant (Primary Contact)**

Name: JENNIFER SMITH
 Company: SJ56, LLC / RUSSELL
 Address: 4600 E 53rd ST
 City/State/Zip: DAVENPORT, IA 52807
 Phone: 563-459-4652
 Email: JENSMITH@RUSSELLCO.COM

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

Name:
 Company: RUSSELL
 Address: SAME AS ABOVE
 City/State/Zip:
 Phone:
 Email:

Zoning Board of Adjustment

- Zoning Appeal ☐
 Special Use ☐
 Hardship Variance ☐

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
 Landmark Nomination ☐
 Demolition Request ☐

Administrative

- Administrative Exception ☐
 Health Services and Congregate ☐
 Living Permit ☐

Attorney (if applicable)

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

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

Request:Existing Zoning: C-TProposed Zoning Map Amendment: C-1

Purpose of the Request:

Expand potential development opportunities by removing the 5,000 sf limitation included in current C-T classification.

Total Land Area: 9.58 ACRES Please SelectDoes 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.

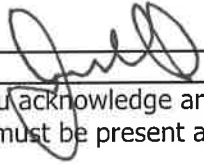
(3) Plan and Zoning Commission's consideration of the request:

- 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:  _____

Date: 2/21/19

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: _____

Date: _____

Planning staff

Date of the Public Hearing: _____

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

Request for a Zoning Map Amendment (Rezoning) Plan and Zoning Commission

Adjacent Property Owner Notice Area



Legend

-  Subject_Property
-  200' Adjacent Owner Notice Boundary

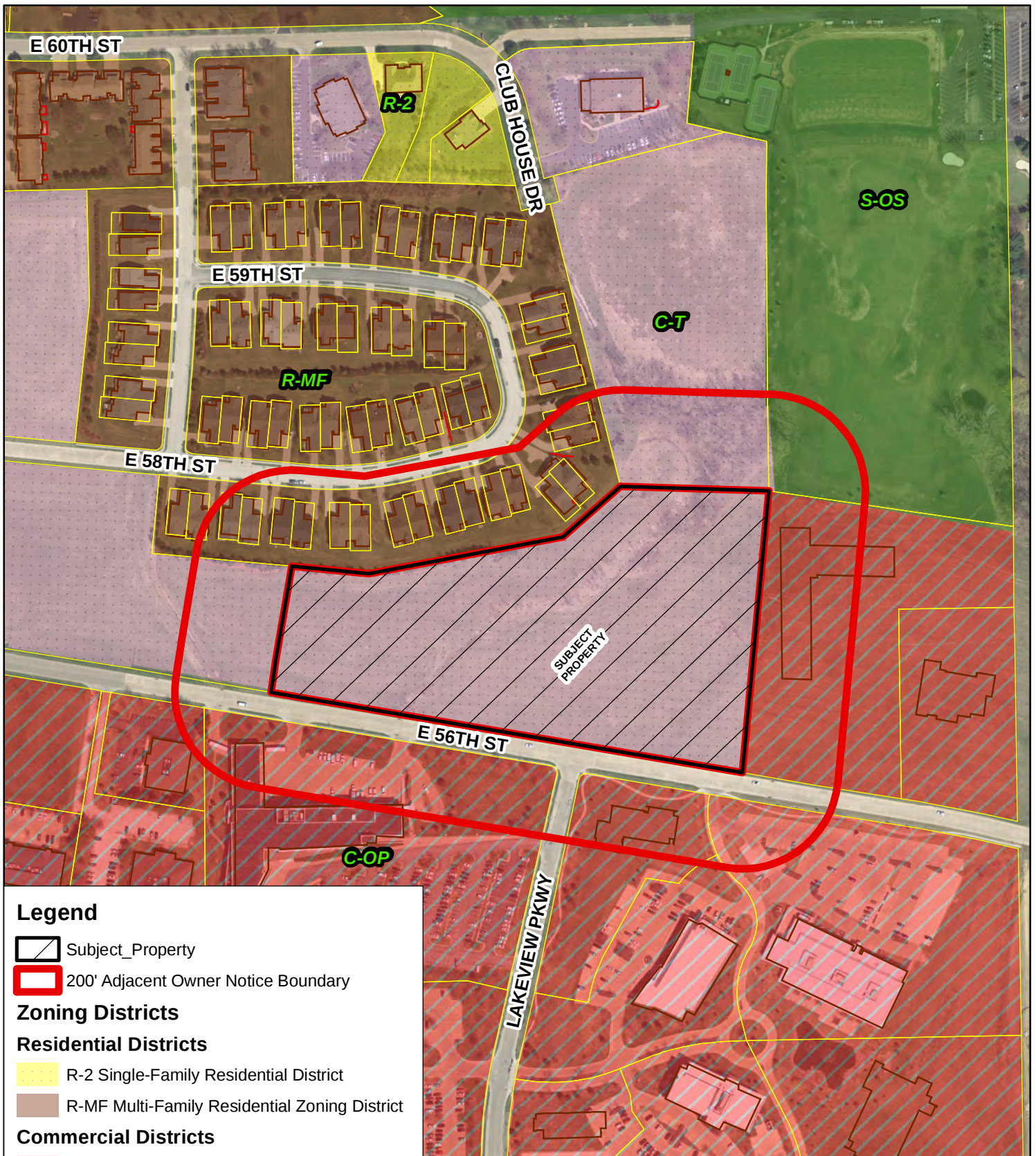


1 inch = 200 feet



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Zoning Map



Legend

Subject_Property

200' Adjacent Owner Notice Boundary

Zoning Districts

Residential Districts

R-2 Single-Family Residential District

R-MF Multi-Family Residential Zoning District

Commercial Districts

C-T Commercial Transitional Zoning District

C-1 Neighborhood Commercial Zoning District

C-OP Commercial Office Park

Special Purpose Districts

S-OS Open Space Zoning District

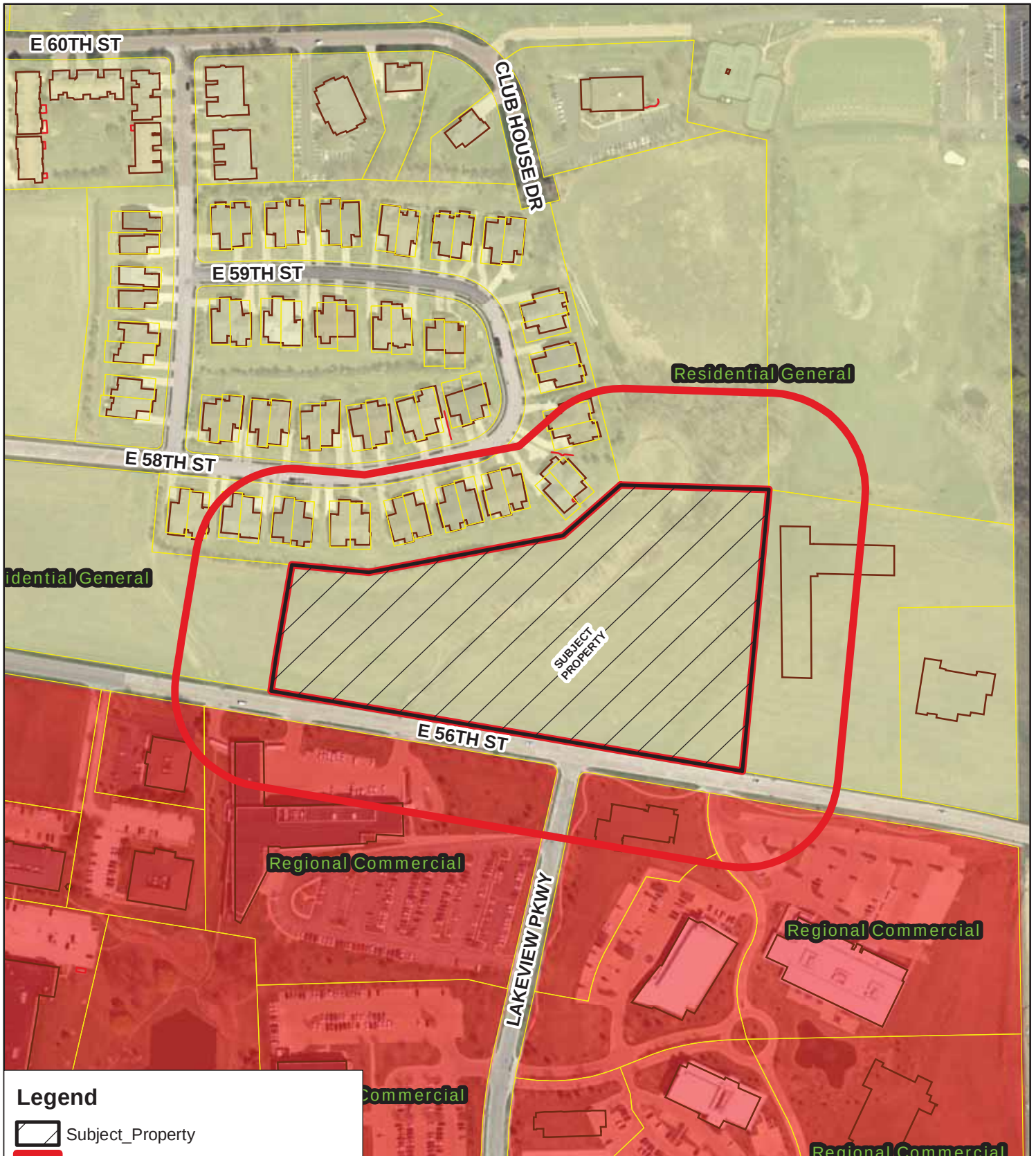
0 100 200 400 Feet

1 inch = 276 feet

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The City of Davenport will not be responsible for any costs or
liabilities incurred due to any differences between information
provided and actual physical conditions.



Future Land Use Map (Davenport +2035)



Legend

- Subject_Property
- 200' Adjacent Owner Notice Boundary

Land_Use+2035

Type

- Regional Commercial
- Residential General

0 100 200 400 Feet

1 inch = 276 feet

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provided and actual physical conditions.





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

**NOTICE
PUBLIC HEARING
DAVENPORT PLAN AND ZONING COMMISSION
CITY HALL COUNCIL CHAMBERS
226 WEST FOURTH STREET, DAVENPORT, IOWA 52801**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-1 Neighborhood Commercial District; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge [Ward 6].

The proposed rezoning, if approved, would allow for commercial development of a larger scale to occur on the property.

A public hearing will be held at the time and place listed above. As a property owner within 200 feet of the subject property, you have the opportunity to formally protest this request. To do so, please contact the Community Planning Office at the email or mailing address below.

Any written protest must be received no later than the close of the public hearing before the Committee of the Whole, tentatively scheduled for March 6, 2019.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-02

EMAIL: planning@ci.davenport.ia.us

PHONE: (563) 326-7765

**MAILING ADDRESS: CPED
City Hall, 226 West Fourth Street
Davenport, IA 52801**

Request for a Zoning Map Amendment (Rezoning) Plan and Zoning Commission

Adjacent Property Owner Notice Area



Legend

 Subject_Property

 200' Adjacent Owner Notice Boundary



1 inch = 200 feet



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**NOTICE
PUBLIC MEETING
THURSDAY, MARCH 7, 2019, 5:00 PM
BIRCHWOOD LEARNING CENTER
4620 E. 53RD ST. DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ19-02: Request by Jennifer Smith, Russell Construction, to rezone 9.58 acres, more or less, of property located on the north side of East 56th Street and east of Utica Ridge Road [Ward 6] (See map of the affected property on reverse side of this notice).

This rezoning is requested in order to expand potential development opportunities by removing the existing 5000 sq. ft. building size limitation within the current CT classification.

A public meeting, hosted by the applicant, will be held to discuss the proposal at the time and place listed above. A formal public hearing will be held on the matter by the Plan and Zoning Commission on Tuesday, March 12, 2019, 5:00 pm at Davenport City Hall. You will receive an additional notice prior to this meeting.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-02

EMAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

Request for a Zoning Map Amendment (Rezoning) Plan and Zoning Commission

Adjacent Property Owner Notice Area



Legend

 Subject_Property

 200' Adjacent Owner Notice Boundary



1 inch = 200 feet



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Parcel#	Property Address	Owner Name	Owner Mailing Address	Owner CityStateZip	Area
Y0451-24E	6300 UTICA RIDGE RD	CROW VALLEY GOLF CLUB	4315 E 60TH ST	DAVENPORT IA 52807	34570.76
Y0901-15	4221 E 58TH ST	LLOYD & DOROTHY FOX REVOC TRUS	4221 E 58TH ST	DAVENPORT IA 52807	4032.011
Y0901-16	4219 E 58TH ST	PATRICIA M HARRIS TRUST	4219 E 58TH ST	DAVENPORT IA 52807	4031.996
Y0901-17	4215 E 58TH ST	SMAZAL JOE	4215 E 58TH ST	DAVENPORT IA 52807	4034.629
Y0901-18A	4213 E 58TH ST	SUSAN R QUAIL REVOCABLE TRUST	4213 E 58TH ST	DAVENPORT IA 52807	4029.532
Y0901-19A	4209 E 58TH ST	STEVEN H JACOBS REVOC TRUST	4209 E 58TH ST	DAVENPORT IA 52807	4031.997
Y0901-20A	4207 E 58TH ST	JOAN W MCGEE TRUST	4207 E 58TH ST	DAVENPORT IA 52807	3926.422
Y0901-21A	4203 E 58TH ST	STEVEN E FRELS REV TR	4203 E 58TH ST	DAVENPORT IA 52807	329.1993
Y0901A04	E 60TH ST	MCCARTHY IMPROVEMENT CO	5401 VICTORIA AV	DAVENPORT IA 52807	66247.54
Y0901C02	4640 E 56TH ST	RIVERSTONE GROUP INC	1701 FIFTH AVE	MOLINE IL 61265	118098.3
Y0901D02	4400 E 56TH ST	MCCARTHY IMPROVEMENT CO	5401 VICTORIA AV	DAVENPORT IA 52807	51526.47
Y0903-05	4249 E 58TH ST	MARK J VRABLEC REVOC TRUST	4249 E 58TH ST	DAVENPORT IA 52807	3486.405
Y0903-06	4247 E 58TH ST	WALSH LIVING TRUST	4247 E 58TH ST	DAVENPORT IA 52807	4031.989
Y0903-07	4245 E 58TH ST	HEAPS ROBERT B	4245 E 58TH ST	DAVENPORT IA 52807	4031.985
Y0903-08	4243 E 58TH ST	HAMMES MARY J	4243 E 58TH ST	DAVENPORT IA 52807	4032.012
Y0903-09	4239 E 58TH ST	ANDREA HEITMAN KEEFE TR	4239 E 58TH ST	DAVENPORT IA 52807	4031.997
Y0903-10	4237 E 58TH ST	CONNIE R JONES TRUST	4237 E 58TH ST	DAVENPORT IA 52807	4031.997
Y0903-11A	4233 E 58TH ST	KRAMER DENNIS L	4233 E 58TH ST	DAVENPORT IA 52807	4030.655
Y0903-12	4231 E 58TH ST	STEPHEN L DARLING TRUST	4231 E 58TH ST	DAVENPORT IA 52807	4028.449
Y0903-13	4227 E 58TH ST	JOHN T MOUW REVOCABLE TRUST	4227 E 58TH ST	DAVENPORT IA 52807	4031.996
Y0903-14A	4225 E 58TH ST	ZIMMERMAN KURT M	4225 E 58TH ST	DAVENPORT IA 52807	4032.01
Y0917-01	5500 LAKEVIEW PKWY	MISSISSIPPI VALLEY REGIONAL BLOOD CENTER	5500 LAKEVIEW PKWY	DAVENPORT IA 52807	105266.7
Y0917-12M	4427 E 56TH ST	JBNN HOLDINGS LLC	3632 E 60TH CT	DAVENPORT IA 52807	4421.028
Y0919-01C	4650 E 53RD ST	BIRCHWOOD III LLC	4600 E 53RD ST	DAVENPORT IA 52807	26583.09
Y0919A01	4620 E 53RD ST	S J RUSSELL LC	4600 E 53RD ST	DAVENPORT IA 52807	41391.64
Y0919A02	4600 E 53RD ST	S J RUSSELL LC	4600 E 53RD ST	DAVENPORT IA 52807	583.3602
		VILLAS AT CROW VALLEY 2ND ADD	4555 UTICA RIDGE RD	BETTENDORF IA 52722	92533.22

Rusnak, Ryan

From: Connie R. Jones <connierjones@aol.com>
Sent: Friday, March 08, 2019 10:27 AM
To: Planning Division – CPED
Cc: ConnieRJones@aol.com; Clewell, Rich
Subject: REZ19-02

March 8, 2019

City Staff, Plan and Zoning Commission, and City Council,

I recently received notice of a public hearing for Case REZ19-02. At this time, I am formally objecting to the request to change the zoning from C-T Commercial Transitional to C-1 Neighborhood Commercial. My reasons follow:

1. I spent time last summer at City Hall with City Staff trying to understand the draft overhaul of the City's zoning. I applaud the much needed update, the use of an expert consultant and the clarity it now provides. As I hope you can appreciate, it is disappointing to be asked to consider a zoning change within weeks of the City Council approving the new zoning.
2. Several homeowners, including myself, remain concerned about water runoff at the south and east ends of the Villas at Crow Valley. The land slopes down from Utica Ridge, which especially impacts the south and east ends of the Villas. The parcel in question contains a very large swale running right through the middle of it. Increasing development, both in density and scale, has the potential of exacerbating the water runoff. Villas homeowners want to ensure that property damage is not going to result. I would hope that the City would agree that assurances need to be in place before changing any zoning to ensure that property damage and legal exposure is not being created.
3. Further, the 5,000 square foot limitation for C-T, essentially limits the building height to one story. This is an appealing transition for those of us who would have to live within 25' of its rear setback.

I do want to express my appreciation for the professionalism exhibited by the Russell representative at the neighborhood meeting held last evening.

Respectfully submitted,
Connie R. Jones
Villas at Crow Valley
6th Ward

Rusnak, Ryan

From: Dennis Kramer <denniskramer99@msn.com>
Sent: Monday, March 11, 2019 11:03 PM
To: Planning Division – CPED
Cc: Clewell, Rich
Subject: REZ19-02

My wife and I at 4233 E. 58th St. are included in the map that would be impacted by this rezone request. We are currently in Florida with our mail being forwarded to us. Yesterday (10 March) we received an envelop postmarked "MAR 05 2019", and a letter saying "Any written protest must be received no later than the close of the public hearing before the Committee of the Whole, tentatively scheduled for March 6, 2019." We would like to formally protest the request for this rezone. We do not want it for multiple reasons. Most of all, we don't want tall lighted retail businesses outside our back screened in porch.

And if I heard correctly, the City just approved a zoning map that has this area in question a "C-T" transitional. If true, are we *really* going to consider changing it to C-1 before the ink is even dry?

Thank you,
Dennis and Carol Kramer
4233 E. 58th St.

Comparison of Some of the Standards in C-1 and C-OP		
	C-1	C-OP
Purpose Statements	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.	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.
Minimum Lot Area	None	20,000 sq. ft.
Minimum Lot Width	None	70'
Maximum Height	45'	45'
Minimum Front Setback	Build to line of between 0 to 15'	20'
Front setback build to line percentage	70'	None
Minimum Rear Setback	Min 15'	25'
(Selected) Permitted Uses	Art Gallery Fitness Studio Bar (Special Use) Body Modification Establishment Community Center Community Garden Cultural Facility Day Care Center Drive through facility (Special Use) Domestic Violence Shelter Residential (most types) Financial Institution Government Office Industrial Design Lodge/Meeting Hall Medical Dental Office Office Outdoor dining Personal service Restaurant Retail Goods Establishment Vehicle Repair (Special Use) Wireless Communications (Stealth, Permitted; New Pole Special Use)	Broadcasting Facility Community Garden Day Care Center University or College Vocational School Financial Institution Government Office/Facility Hotel Light Industrial Industrial Design Lodge/Meeting Hall Medical Dental Office Office Outdoor Dining Parking Structure Personal Service Establishment Public Park Restaurant Indoor Self Storage Facility Solar Farm Wireless Communications (Stealth, Permitted, New Pole Special Use)

From: [Patricia Harris](#)
To: [Flynn, Matt](#); [Clewell, Rich](#)
Subject: REZ19-02: Public Input opposing proposed rezoning
Date: Friday, March 22, 2019 12:13:59 AM

Dear City Staff and Alderman Clewell,

I will be filing a formal protest and plan to attend the upcoming Plan & Zoning meeting relating to REZ19-02, and the purpose of this email is to recap at a high level the reasons for my objection to Petitioner's request to rezoning a parcel along East 56th Street from C-T to C-1:

1. The area surrounding the subject parcel, *as developed*, is residential and primarily one-story professional office buildings, all consistent with the former Zoning Ordinance C-0 use and the current C-T use. I incorporate by reference all objections that I filed relating to REZ18-09 (both the initial petition covering the Lot 1 parcel along Utica Ridge Road between East 56th and East 58th Streets and the parcel between the Villas of Crow Valley subdivision and East 56th Street) and the petition as amended (relating solely to Lot 1) on this point.
2. The City Staff's final report recommended approval of the amended REZ18-09 petition, and the City Council did approve it (overriding the Plan & Zoning Commission's vote against it) with restrictions on the basis there had been a compromise, and the subject property was along what is, *as developed*, the busy corridor of Utica Ridge Road. I referenced that in more detail in my Public Input opposing a second rezoning petition, REZ19-02, relating to the northeast corner of Utica Ridge and East 58th Street, which I also incorporate by reference.
3. The City Staff's final report relating to REZ18-09 recommended approval also on the basis the property was along the Utica Ridge corridor (even though it is surrounded on three sides by residential property), and also referred to the Future Land Use Map. (I will look again at that Land Use Map, however, I found it too general to pinpoint the color coding for the subject property. In any case, I question how a general directional map can take precedence over specific Zoning Ordinance provisions and corresponding detailed zoning map, and the area as currently developed.)
4. The stated rationale for adopting REZ18-09 and REZ18-16 does not apply to REZ19-02.
 - a. I note Utica Ridge is a 45 mph corridor, and East 56th is a 25 mph corridor.
 - b. More importantly, the fact there is a critical distinction between the REZ18-09 and REZ18-16 subject properties on one hand, and the REZ19-02 subject property on the other, is, I believe, repeatedly reflected in the City Staff final reports and City Council statements.
 - c. It would be unfair to base approval on surrounding area *as developed* for

recommending *approval* of a petition, but not consider it in recommending *denial* of a petition.

d. Homeowners believe they received some assurance that this distinction, and the "compromise" repeatedly referenced, remain in effect, and I believe the City may reasonably chalk up what appears up to now lower participation to that.

6. I do not object to Petitioner's request for a variance allowing 5,000 square feet of space, assuming the study of water runoff supports that, but I question why not write that exception into the current C-T use rather than rezone to C-1 with an exception. I continue to be troubled by the approach of zoning "up" subject to numerous "exceptions." I very strongly object to a two-story building in close proximity to one-story residential.

I appreciate your consideration.

Respectfully submitted,

Patricia Harris
6th Ward Resident

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Brandon Melton 563.888.2221,
brandon.melton@ci.davenport.ia.us

Date
4/16/2019

Subject:

Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

Recommendation:

Hold the Public Hearing

Background:

Reason for Request:

To allow for the operation of business office for John Wolf's Septic which is expected to include a business sign and indoor storage for equipment on site.

Background:

Comprehensive Plan:

The property is outside the Urban Service Area.

The property does not currently have a land use plan designation.

Technical Review:

Request for comments has been submitted. Any concerns will be factored into staff's recommendation.

Public Input:

A neighborhood meeting was held on April 9. Property owners within 200 feet were notified. Seven people attended the meeting.

A sign was posted on the property on March 28.

Discussion:

To be included with the Final Report

ATTACHMENTS:

Type	Description
▢ Backup Material	Application
▢ Backup Material	Location Map
▢ Backup Material	Land Use Map
▢ Backup Material	Zoning Map

Staff Workflow Reviewers

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Melton, Brandon

Approved

4/10/2019 - 2:40 PM



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

Property Address* 6401 W Kimberly Rd

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

Applicant (Primary Contact)**

Name: John Wulf
Company: John Wulf Septic
Address: 6401 W. Kimberly Rd
City/State/Zip: Davenport IA 52804
Phone: 563-329-3030
Email: WULFSEPTIC@Netins.net

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

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 ☐

Engineer (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

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

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

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

Request:Existing Zoning: R 1Proposed Zoning Map Amendment: CT I-1

Purpose of the Request:

Ann
~~Don~~ Want to ~~put~~ John Wolf Septic office out of this location.
and put a business sign in the front yard.

Total Land Area: 0.42 Please SelectDoes the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☐ No**Submittal Requirements:**

- ASK
- 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:

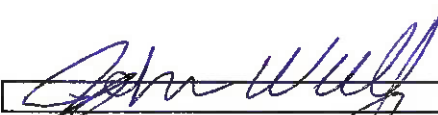
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request 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:



Date:

3-7-2019

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

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

Request for a Zoning Map Amendment (Rezoning)

Location Map

6401 W Kimberly (R-1 to I-1)



0 200 400 800 1,200 Feet
1 inch = 500 feet



Legend



Subject Property

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Request for a Zoning Map Amendment (Rezoning)

Future Land Use Map (Davenport +2035)

6401 W Kimberly (R-1 to I-1)



Legend

-  Subject Property
-  200' Adjacent Owner Notice Boundary

Land Use+2035

Type

-  Residential General
-  Agricultural Reserve

0 37.5 75 150 225 Feet
1 inch = 100 feet

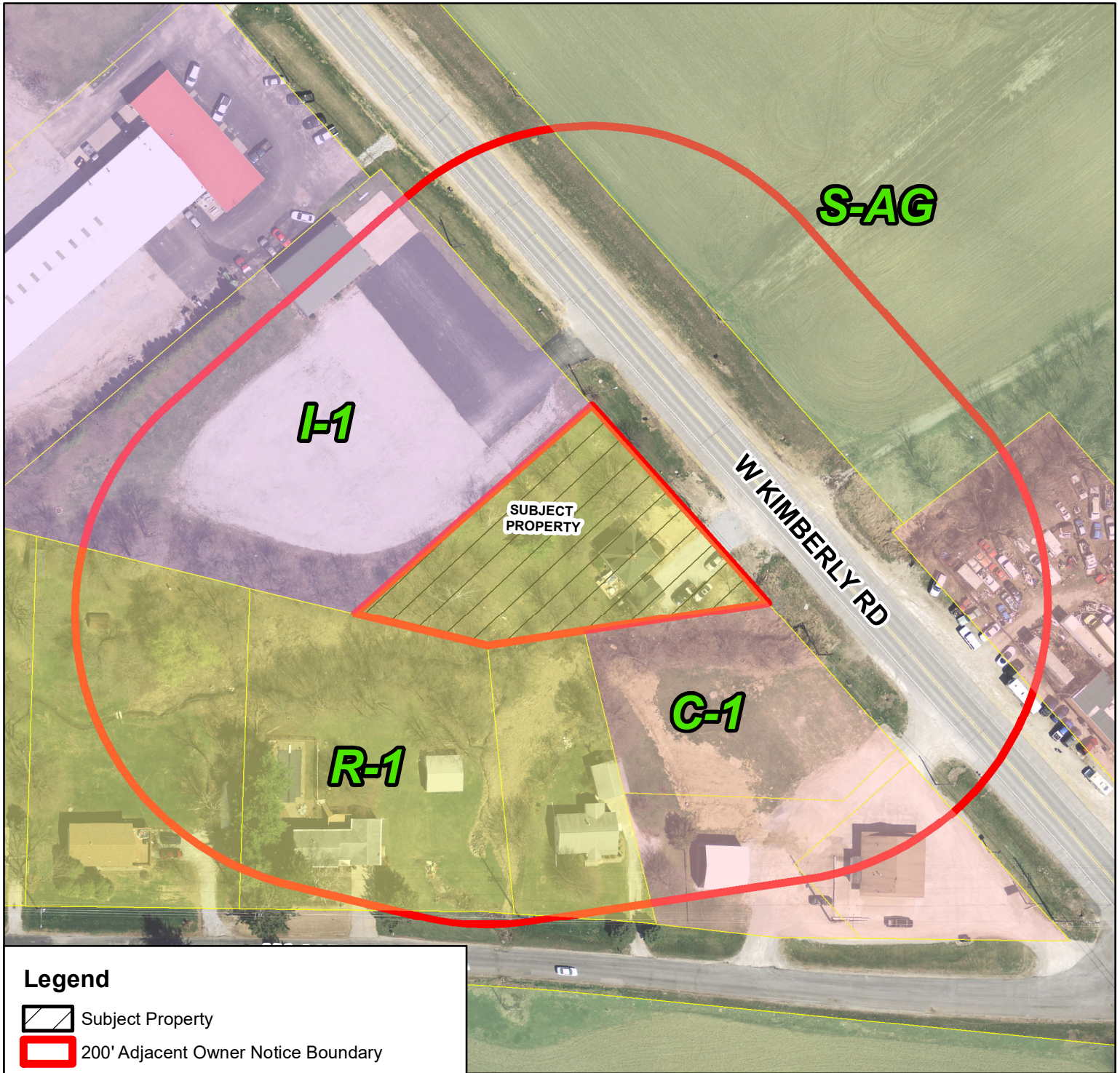


Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Request for a Zoning Map Amendment (Rezoning)

Current Zoning Map

6401 W Kimberly (R-1 to I-1)



Legend

-  Subject Property
-  200' Adjacent Owner Notice Boundary

Zoning Districts

Residential Districts

-  R-1 Single-Family Residential District

Commercial Districts

-  C-1 Neighborhood Commercial Zoning District

Industrial Districts

-  I-1 Light Industrial Zoning District

Special Purpose Districts

-  S-AG Agricultural Zoning District

0 37.5 75 150 225 Feet

1 inch = 100 feet



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

City of Davenport
Plan and Zoning Commission

Department:
Contact Info:

Date

Subject:

Resolution for Case P19-01: Request of Grunwald Land Development for a preliminary plat of West Lake Settlement on 79 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 47 lots. [Adjacent to Ward 1] - **FAILED**

Resolution for case F19-01: Request of Ronald Dirksen for a final plat of Abbey's Estate on 0.36 acres located at 2305 W 67th Street containing 1 lot. [Ward 8] - **ADOPTED 2019-118**

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Melton, Brandon	Approved	4/11/2019 - 1:17 PM

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn 563-888-2286

Date
4/16/2019

Subject:
Consideration of the April 2, 2019 Meeting Minutes

Recommendation:
Approve the Minutes

ATTACHMENTS:

Type	Description
▣ Backup Material	4-2-19 Minutes

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	4/11/2019 - 3:18 PM

MINUTES

PLAN AND ZONING COMMISSION

APRIL 2, 2019, 5:00 PM

CITY HALL COUNCIL CHAMBERS, 226 WEST 4TH STREET

Public Hearing New Business

- A. Public Hearing for Case REZ19-03: Request of the City of Davenport for Zoning Map Amendment from R-MF Multi-Family Residential District to CT Commercial Transitional Zoning District on 1 acre, more or less, for the property located at 709 East 46th Street. [Ward 7].

No comments were received. The public hearing was closed following a motion by Tallman and a second by Hepner.

- B. Public Hearing for Case REZ19-04: Request of the City of Davenport for Zoning Map Amendment from C-2 Corridor Commercial Zoning District to R-MF Multi-Family Residential District on .25 acres, more or less, for the property located at 641 and 643 East 46th Street (west 60 feet only). [Ward 7]

No comments were received. The public hearing was closed.

- C. Public Hearing for Case ORD19-01: Request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning, by correcting scrivener errors and amending certain dimensional standards [Ward All]

No comments were received. The public hearing was closed.

Regular Meeting Agenda

- I. Roll Call. Present: Hepner, Inghram, Johnson, Lammers, Medd, Brandsgard, Reinartz, Tallman, Schneider Excused: Connell, Maness. Staff: Flynn, Koops, Melton, Heyer, Longlett

- II. Report of the City Council Authority

- A. Ordinance for Case REZ19-01, request by Bradley Matthews to rezone approximately 1.1 acres located at 5000 Grand Ave from I-1 Light Industrial District to R-MF, Residential Multifamily District. [Ward 7] ADOPTED 2019-102

- III. Secretary's Report

The minutes of the March 19, 2019 meeting were approved following a motion by Tallman and a second by Hepner.

- IV. Report of the Comprehensive Plan Committee.

Flynn gave the report.

V. Zoning Activity

Old Business: None

New Business:

- i. Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge Road. [Ward 6]

Flynn gave the staff report. Jennifer Smith, the petitioner, was present to answer questions. Two neighboring property owners expressed concerns.

Since the proposed zoning classification has changed, the Commission determined a new public hearing should be held. MOTION by Tallman, seconded by Hepner, to table the case so that a new public hearing is held at the April 16, 2019 Plan and Zoning Commission Meeting. Motion to table was approved unanimously.

- ii. Case REZ19-03: Request of the City of Davenport for Zoning Map Amendment from R-MF Multi-Family Residential District to CT Commercial Transitional Zoning District on 1 acre, more or less, for the property located at 709 East 46th Street. [Ward 7]

MOTION by Tallman, seconded by Johnson, to forward case REZ19-03 to the City Council with a recommendation for approval with the following finding: The proposed action corrects an error made in the preparation of the new zoning map. Motion to approve was passed unanimously.

- iii. Case REZ19-04: Request of the City of Davenport for Zoning Map Amendment from C-2 Corridor Commercial Zoning District to R-MF Multi-Family Residential District on .25 acres, more or less, for the property located at 641 and 643 East 46th Street (west 60 feet only). [Ward 7]

MOTION by Tallman, seconded by Lammers, to forward case REZ19-04 to the City Council with a recommendation for approval with the following finding: The proposed action corrects an error made in the preparation of the new zoning map. Motion to approve was passed unanimously.

- iv. Case ORD19-01: Request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning, by correcting scrivener errors and amending certain dimensional standards. [Ward All]

The Commission amended to proposed changes to reflect 1.1 parking spaces per room for hotels, not 1.2 spaces per room proposed by staff.

MOTION by Tallman, seconded by Hepner, to amend Case ORD19-01 to reflect the change noted above. Motion to amend passed unanimously.

MOTION by Tallman, seconded by Lammers, to forward Case ORD19-01 to the City Council with a recommendation for approval.

VI. Subdivision Activity

A. Old Business – None

B. New Business

- i. Request F19-05 of Russell Construction for final plat Russell - Crow Valley Office Park 7th Addition on 11.07 acres, more or less, being a replat of Lot 1& 2 of Russell - Crow Valley Office Park 3rd Addition located at 4700 E. 53rd St. containing four lots. [Ward 6]

MOTION by Hepner, seconded by Lammers, to forward Case F19-05 to the City Council with a recommendation for approval subject to the following condition(s):

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 plat is tied to two quarter corners both labeled with description or two previously established lot corners both labeled with descriptions of each corner.
4. That the plat depict the stormwater passage required to convey the 100 year storm event overland within a drainage easement.
5. That an agreement be provided to hold the City of Davenport harmless from any damages, claims, or suites resulting from any private drive as shown on the final plat.

Motion to approve passed unanimously.

- ii. Case F19-06: Request of Dolans 53rd Street LC for a Final Plat for a 1 lot subdivision on 2.83 acres located north of West 53rd Street and east of Villa Drive. [Ward 8]

MOTION by Hepner, seconded by Lammers, to forward Case F19-06 to the City Council with a recommendation for approval.

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.

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 plat is tied to two quarter corners both labeled with description or two previously established lot corners both labeled with description of each corner;
4. That a note be added to the plat stating that sidewalks shall be installed along street frontages when so ordered by the City; and
5. That the building setback lines depicted on the plat be amended to reflect the dimensional standards of the C-2 Corridor Commercial Zoning District.

Motion to approve was passed unanimously.

VII. Future Business

- A. Case REZ19-05: Request of John Wolf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

VIII. Communications

IX. Other Business

X. Adjourn The meeting adjourned at 6:00 PM

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn 563.888.2286,
matt.flynn@ci.davenport.ia.us

Date
4/2/2019

Subject:

Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge Road. [Ward 6]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ19-02 to the City Council with a recommendation or approval subject to the two listed conditions.

Findings:

1. The property is designated RG, Residential General, on the Comprehensive Plan future land use map.
2. RG allows for transitional uses along its edges.
3. The proposed C-OP zoning with conditions meets the intent of transitional uses under the RG Plan designation.
4. The proposed C-OP zoning with conditions adequately protects the adjoining residential property from adverse impacts.
5. There is existing C-OP zoning adjacent to the east and south; the proposed zoning is an expansion of an existing zoning district.
6. The petitioner claims that demand for office buildings of moderate scale but exceeding the current 5000 square feet maximum exists in the area.

Conditions:

1. Building height is limited to 35 feet.
2. The following uses are prohibited:
 - a. Free-standing restaurant
 - b. Vehicle dealership (indoor)
 - c. Hotel
 - d. Light industrial
 - e. Vehicle Rental - Enclosed

Background:

Reason for Request:

According to the petitioner, "expand development opportunities by removing the 5000 square foot limitation in current C-T classification."

UPDATE: The petitioner, since the Plan and Zoning Commission public hearing, has amended its application by requesting C-OP (Commercial Office Park) zoning rather than C-1 (Commercial Neighborhood) zoning. The Legal Department has determined that they are entitled to do so because the C-OP classification is not inherently more intense than C-1, and further, the official public hearing (the one held by the Committee of the Whole following P&Z action) has not been held yet.

At the April 2, 2019 meeting, the Plan and Zoning Commission voted to table this case and hold another public hearing with the new proposed C-OP designation.

Comprehensive Plan:

The property is within the Urban Service Area.

It is designated as RG, Residential General, on the Future Land Use Map. RG is defined as, "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.

Technical Review:

No specific concerns have been noted by the Technical Review Team. Neighboring property owners have expressed concern about the existing drainage way that transects the lot. Any development occurring on the lot, as anywhere else in the City, will have to meet the City's current standards for storm water management.

Public Input:

A neighborhood meeting was held on March 7. Property owners within 200 feet were notified. Approximately 7 people attended.

A sign was posted on the property on February 25.

At the Plan and Zoning Commission Public Hearing on March 19, 2019, one person spoke in opposition.

Discussion:

The new zoning ordinance includes approval standards for rezonings. Staff will be using these standards as part of the evaluation of rezoning requests.

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

Staff Comments:

Staff's opinion is that the proposed zoning, with conditions, meets the intent of the future land use designation of RG, as it promotes transitional uses along its edges.

b. The compatibility with the zoning of nearby property.

Staff Comments:

C-OP already exists to the south and east. C-T, Commercial Transitional zoning exists to the west. R-MF, Multi-family Residential exists to the north. It is staff's opinion that the proposed C-OP zoning, with conditions, is compatible with the adjacent C-T and R-MF Zoning.

c. The compatibility with established neighborhood character.

Staff Comments:

The residential development to the north is completely built out and stable. The existing office park to the east and south has been developing over the past 20 years and is nearing completion. The proposed rezoning would allow for limited office park expansion while protecting the stability of the neighborhood.

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

Staff Comments:

The proposed C-OP zoning, coupled with the conditions limiting uses and building height, work to promote the health, safety and welfare of the neighborhood.

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 Comments:

The property is suited for either development meeting the current classification (C-T) or the proposed classification of C-OP. The petitioner has indicated current interest from potential developers for office buildings exceeding 5000 square feet on the property. Less interest has been shown to develop uses consistent with C-T zoning.

f. The extent to which the proposed amendment creates non-conformities.

Staff Comments:

The property is vacant and has no non-conformities.

C-1 and C-OP Comparison Summary:

Through discussions with the petitioner, it was determined that C-OP appeared to be a better fit than C-1, including the following reasons:

- C-1 is designed to primarily provide for neighborhood-oriented goods and services. C-OP is designed to provide for office-park like development.
- C-1 has a 70% build-to requirement, intended to orient development towards the street. C-OP allows for a more campus-like development pattern.
- C-1 allows a 15 foot rear yard setback at most. C-OP requires 25 feet.
- Uses in C-1 may generate more traffic, parking and activity spread out over the entire week, whereas C-OP may have more limited activity concentrated primarily during the Monday-Friday work day.

A more complete side by side comparison of some of the purpose statements, dimensional standards and permitted uses is attached to this report.

Conclusion:

Staff's opinion is that zoning this property C-OP, with the use and building height restrictions provide adequate protections to the neighborhood while allowing the petitioner more flexibility in who they can market the land to.

The existing zoning of C-T can accomplish that as well, but it appears that current demand for new development in the vicinity is more aligned with the uses that need C-OP zoning to move forward.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ19-02 to the City Council with a recommendation or approval subject to the conditions:

Findings:

1. The property is designated RG, Residential General, on the Comprehensive Plan future land use map.
2. RG allows for transitional uses along its edges.
3. The proposed C-OP zoning with conditions meets the intent of transitional uses under the RG Plan designation.
4. The proposed C-OP zoning with conditions adequately protects the adjoining residential property from adverse impacts.
5. There is existing C-OP zoning adjacent to the east and south; the proposed zoning is an expansion of an existing zoning district.
6. The petitioner claims that demand for office buildings of moderate scale but exceeding the current 5000 square feet maximum exists in the area.

Conditions:

1. Building height is limited to 35 feet.
2. The following uses are prohibited:
 - a. Free-standing restaurant
 - b. Vehicle dealership (indoor)
 - c. Hotel
 - d. Light industrial

ATTACHMENTS:

Type	Description
▣ Backup Material	Application
▣ Backup Material	Notice Map
▣ Backup Material	Zoning Map
▣ Backup Material	Future Land Use Map
▣ Backup Material	Public Hearing and Neighborhood Meeting Notices and Notified Property Owners
▣ Backup Material	Objections
▣ Backup Material	C-1, C-OP Comparison
▣ Backup Material	Protest: Harris

Staff Workflow Reviewers

REVIEWERS:

Department

City Clerk

Reviewer

Melton, Brandon

Action

Approved

Date

4/11/2019 - 12:33 PM



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

Property Address* Lot 1 - CROW VALLEY PLAZA 12th ADDITION

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

Applicant (Primary Contact)**

Name: JENNIFER SMITH
 Company: SJ56, LLC / RUSSELL
 Address: 4600 E 53rd ST
 City/State/Zip: DAVENPORT, IA 52807
 Phone: 563-459-4652
 Email: JENSMITH@RUSSELLCO.COM

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

Name:
 Company: RUSSELL
 Address: SAME AS ABOVE
 City/State/Zip:
 Phone:
 Email:

Zoning Board of Adjustment

- Zoning Appeal ☐
 Special Use ☐
 Hardship Variance ☐

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
 Landmark Nomination ☐
 Demolition Request ☐

Administrative

- Administrative Exception ☐
 Health Services and Congregate ☐
 Living Permit ☐

Attorney (if applicable)

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

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

Request:Existing Zoning: C-TProposed Zoning Map Amendment: C-1

Purpose of the Request:

Expand potential development opportunities by removing the 5,000 sf limitation included in current C-T classification.

Total Land Area: 9.58 ACRES Please SelectDoes 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.

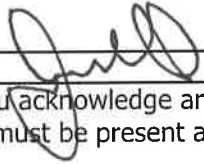
(3) Plan and Zoning Commission's consideration of the request:

- 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: 

Date:

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:

Date:

Planning staff

Date of the Public Hearing:

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

Request for a Zoning Map Amendment (Rezoning) Plan and Zoning Commission

Adjacent Property Owner Notice Area



Legend

 Subject_Property

 200' Adjacent Owner Notice Boundary

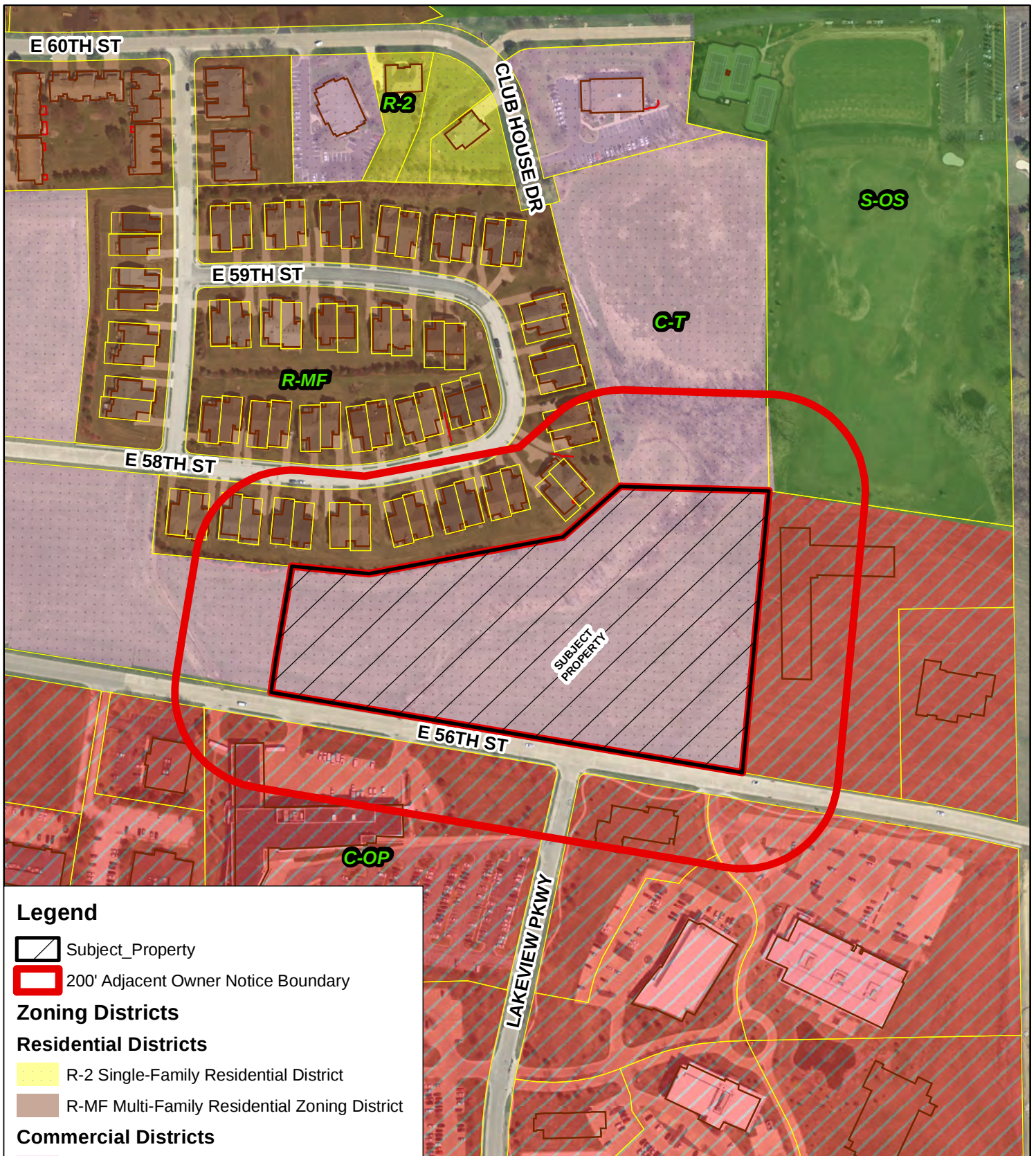


1 inch = 200 feet



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Zoning Map



Legend

 Subject_Property

 200' Adjacent Owner Notice Boundary

Zoning Districts

Residential Districts

 R-2 Single-Family Residential District

 R-MF Multi-Family Residential Zoning District

Commercial Districts

 C-T Commercial Transitional Zoning District

 C-1 Neighborhood Commercial Zoning District

 C-OP Commercial Office Park

Special Purpose Districts

 S-OS Open Space Zoning District

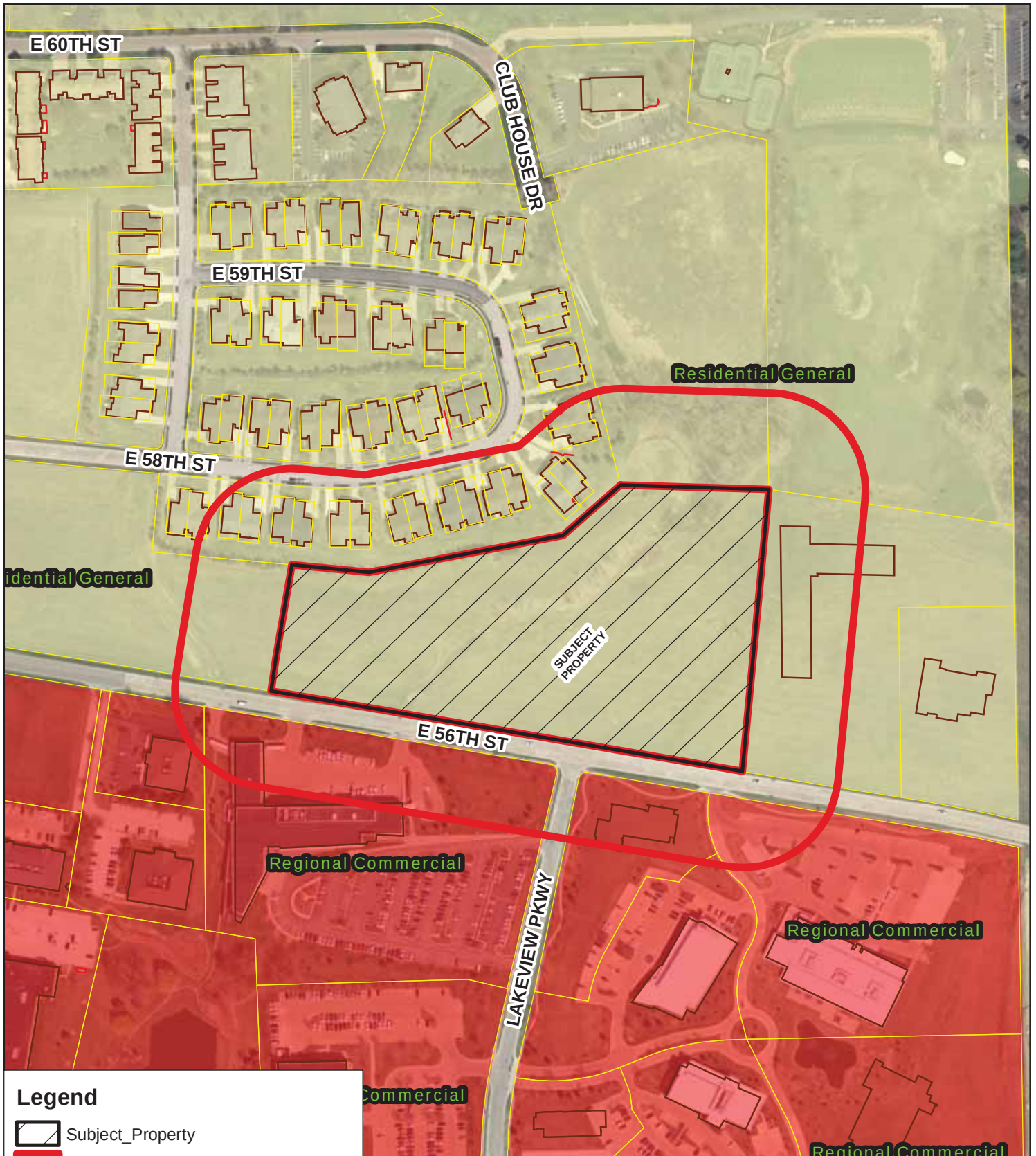
0 100 200 400 Feet

1 inch = 276 feet

Private parties utilizing City GIS data do so at their own risk.
The City of Davenport will not be responsible for any costs or
liabilities incurred due to any differences between information
provided and actual physical conditions.



Future Land Use Map (Davenport +2035)



Legend

- Subject_Property
- 200' Adjacent Owner Notice Boundary

Land_Use+2035

Type

- Regional Commercial
- Residential General

0 100 200 400 Feet

1 inch = 276 feet

Private parties utilizing City GIS data do so at their own risk.
The City of Davenport will not be responsible for any costs or
liabilities incurred due to any differences between information
provided and actual physical conditions.





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

**NOTICE
PUBLIC HEARING
DAVENPORT PLAN AND ZONING COMMISSION
CITY HALL COUNCIL CHAMBERS
226 WEST FOURTH STREET, DAVENPORT, IOWA 52801**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-1 Neighborhood Commercial District; property contains 9.58 acres and is located on East 56th Street east of Utica Ridge [Ward 6].

The proposed rezoning, if approved, would allow for commercial development of a larger scale to occur on the property.

A public hearing will be held at the time and place listed above. As a property owner within 200 feet of the subject property, you have the opportunity to formally protest this request. To do so, please contact the Community Planning Office at the email or mailing address below.

Any written protest must be received no later than the close of the public hearing before the Committee of the Whole, tentatively scheduled for March 6, 2019.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-02

EMAIL: planning@ci.davenport.ia.us

PHONE: (563) 326-7765

**MAILING ADDRESS: CPED
City Hall, 226 West Fourth Street
Davenport, IA 52801**

Request for a Zoning Map Amendment (Rezoning) Plan and Zoning Commission

Adjacent Property Owner Notice Area



Legend

 Subject_Property

 200' Adjacent Owner Notice Boundary



1 inch = 200 feet



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

**NOTICE
PUBLIC MEETING
THURSDAY, MARCH 7, 2019, 5:00 PM
BIRCHWOOD LEARNING CENTER
4620 E. 53RD ST. DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ19-02: Request by Jennifer Smith, Russell Construction, to rezone 9.58 acres, more or less, of property located on the north side of East 56th Street and east of Utica Ridge Road [Ward 6] (See map of the affected property on reverse side of this notice).

This rezoning is requested in order to expand potential development opportunities by removing the existing 5000 sq. ft. building size limitation within the current CT classification.

A public meeting, hosted by the applicant, will be held to discuss the proposal at the time and place listed above. A formal public hearing will be held on the matter by the Plan and Zoning Commission on Tuesday, March 12, 2019, 5:00 pm at Davenport City Hall. You will receive an additional notice prior to this meeting.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-02

EMAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

Request for a Zoning Map Amendment (Rezoning) Plan and Zoning Commission

Adjacent Property Owner Notice Area



Legend

 Subject_Property

 200' Adjacent Owner Notice Boundary



1 inch = 200 feet



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Parcel#	Property Address	Owner Name	Owner Mailing Address	Owner CityStateZip	Area
Y0451-24E	6300 UTICA RIDGE RD	CROW VALLEY GOLF CLUB	4315 E 60TH ST	DAVENPORT IA 52807	34570.76
Y0901-15	4221 E 58TH ST	LLOYD & DOROTHY FOX REVOC TRUS	4221 E 58TH ST	DAVENPORT IA 52807	4032.011
Y0901-16	4219 E 58TH ST	PATRICIA M HARRIS TRUST	4219 E 58TH ST	DAVENPORT IA 52807	4031.996
Y0901-17	4215 E 58TH ST	SMAZAL JOE	4215 E 58TH ST	DAVENPORT IA 52807	4034.629
Y0901-18A	4213 E 58TH ST	SUSAN R QUAIL REVOCABLE TRUST	4213 E 58TH ST	DAVENPORT IA 52807	4029.532
Y0901-19A	4209 E 58TH ST	STEVEN H JACOBS REVOC TRUST	4209 E 58TH ST	DAVENPORT IA 52807	4031.997
Y0901-20A	4207 E 58TH ST	JOAN W MCGEE TRUST	4207 E 58TH ST	DAVENPORT IA 52807	3926.422
Y0901-21A	4203 E 58TH ST	STEVEN E FRELS REV TR	4203 E 58TH ST	DAVENPORT IA 52807	329.1993
Y0901A04	E 60TH ST	MCCARTHY IMPROVEMENT CO	5401 VICTORIA AV	DAVENPORT IA 52807	66247.54
Y0901C02	4640 E 56TH ST	RIVERSTONE GROUP INC	1701 FIFTH AVE	MOLINE IL 61265	118098.3
Y0901D02	4400 E 56TH ST	MCCARTHY IMPROVEMENT CO	5401 VICTORIA AV	DAVENPORT IA 52807	51526.47
Y0903-05	4249 E 58TH ST	MARK J VRABLEC REVOC TRUST	4249 E 58TH ST	DAVENPORT IA 52807	3486.405
Y0903-06	4247 E 58TH ST	WALSH LIVING TRUST	4247 E 58TH ST	DAVENPORT IA 52807	4031.989
Y0903-07	4245 E 58TH ST	HEAPS ROBERT B	4245 E 58TH ST	DAVENPORT IA 52807	4031.985
Y0903-08	4243 E 58TH ST	HAMMES MARY J	4243 E 58TH ST	DAVENPORT IA 52807	4032.012
Y0903-09	4239 E 58TH ST	ANDREA HEITMAN KEEFE TR	4239 E 58TH ST	DAVENPORT IA 52807	4031.997
Y0903-10	4237 E 58TH ST	CONNIE R JONES TRUST	4237 E 58TH ST	DAVENPORT IA 52807	4031.997
Y0903-11A	4233 E 58TH ST	KRAMER DENNIS L	4233 E 58TH ST	DAVENPORT IA 52807	4030.655
Y0903-12	4231 E 58TH ST	STEPHEN L DARLING TRUST	4231 E 58TH ST	DAVENPORT IA 52807	4028.449
Y0903-13	4227 E 58TH ST	JOHN T MOUW REVOCABLE TRUST	4227 E 58TH ST	DAVENPORT IA 52807	4031.996
Y0903-14A	4225 E 58TH ST	ZIMMERMAN KURT M	4225 E 58TH ST	DAVENPORT IA 52807	4032.01
Y0917-01	5500 LAKEVIEW PKWY	MISSISSIPPI VALLEY REGIONAL BLOOD CENTER	5500 LAKEVIEW PKWY	DAVENPORT IA 52807	105266.7
Y0917-12M	4427 E 56TH ST	JBNN HOLDINGS LLC	3632 E 60TH CT	DAVENPORT IA 52807	4421.028
Y0919-01C	4650 E 53RD ST	BIRCHWOOD III LLC	4600 E 53RD ST	DAVENPORT IA 52807	26583.09
Y0919A01	4620 E 53RD ST	S J RUSSELL LC	4600 E 53RD ST	DAVENPORT IA 52807	41391.64
Y0919A02	4600 E 53RD ST	S J RUSSELL LC	4600 E 53RD ST	DAVENPORT IA 52807	583.3602
		VILLAS AT CROW VALLEY 2ND ADD	4555 UTICA RIDGE RD	BETTENDORF IA 52722	92533.22

Rusnak, Ryan

From: Connie R. Jones <connierjones@aol.com>
Sent: Friday, March 08, 2019 10:27 AM
To: Planning Division – CPED
Cc: ConnieRJones@aol.com; Clewell, Rich
Subject: REZ19-02

March 8, 2019

City Staff, Plan and Zoning Commission, and City Council,

I recently received notice of a public hearing for Case REZ19-02. At this time, I am formally objecting to the request to change the zoning from C-T Commercial Transitional to C-1 Neighborhood Commercial. My reasons follow:

1. I spent time last summer at City Hall with City Staff trying to understand the draft overhaul of the City's zoning. I applaud the much needed update, the use of an expert consultant and the clarity it now provides. As I hope you can appreciate, it is disappointing to be asked to consider a zoning change within weeks of the City Council approving the new zoning.
2. Several homeowners, including myself, remain concerned about water runoff at the south and east ends of the Villas at Crow Valley. The land slopes down from Utica Ridge, which especially impacts the south and east ends of the Villas. The parcel in question contains a very large swale running right through the middle of it. Increasing development, both in density and scale, has the potential of exacerbating the water runoff. Villas homeowners want to ensure that property damage is not going to result. I would hope that the City would agree that assurances need to be in place before changing any zoning to ensure that property damage and legal exposure is not being created.
3. Further, the 5,000 square foot limitation for C-T, essentially limits the building height to one story. This is an appealing transition for those of us who would have to live within 25' of its rear setback.

I do want to express my appreciation for the professionalism exhibited by the Russell representative at the neighborhood meeting held last evening.

Respectfully submitted,
Connie R. Jones
Villas at Crow Valley
6th Ward

Rusnak, Ryan

From: Dennis Kramer <denniskramer99@msn.com>
Sent: Monday, March 11, 2019 11:03 PM
To: Planning Division – CPED
Cc: Clewell, Rich
Subject: REZ19-02

My wife and I at 4233 E. 58th St. are included in the map that would be impacted by this rezone request. We are currently in Florida with our mail being forwarded to us. Yesterday (10 March) we received an envelop postmarked "MAR 05 2019", and a letter saying "Any written protest must be received no later than the close of the public hearing before the Committee of the Whole, tentatively scheduled for March 6, 2019." We would like to formally protest the request for this rezone. We do not want it for multiple reasons. Most of all, we don't want tall lighted retail businesses outside our back screened in porch.

And if I heard correctly, the City just approved a zoning map that has this area in question a "C-T" transitional. If true, are we *really* going to consider changing it to C-1 before the ink is even dry?

Thank you,
Dennis and Carol Kramer
4233 E. 58th St.

Comparison of Some of the Standards in C-1 and C-OP		
	C-1	C-OP
Purpose Statements	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.	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.
Minimum Lot Area	None	20,000 sq. ft.
Minimum Lot Width	None	70'
Maximum Height	45'	45'
Minimum Front Setback	Build to line of between 0 to 15'	20'
Front setback build to line percentage	70'	None
Minimum Rear Setback	Min 15'	25'
(Selected) Permitted Uses	Art Gallery Fitness Studio Bar (Special Use) Body Modification Establishment Community Center Community Garden Cultural Facility Day Care Center Drive through facility (Special Use) Domestic Violence Shelter Residential (most types) Financial Institution Government Office Industrial Design Lodge/Meeting Hall Medical Dental Office Office Outdoor dining Personal service Restaurant Retail Goods Establishment Vehicle Repair (Special Use) Wireless Communications (Stealth, Permitted; New Pole Special Use)	Broadcasting Facility Community Garden Day Care Center University or College Vocational School Financial Institution Government Office/Facility Hotel Light Industrial Industrial Design Lodge/Meeting Hall Medical Dental Office Office Outdoor Dining Parking Structure Personal Service Establishment Public Park Restaurant Indoor Self Storage Facility Solar Farm Wireless Communications (Stealth, Permitted, New Pole Special Use)

From: [Patricia Harris](#)
To: [Flynn, Matt](#); [Clewell, Rich](#)
Subject: REZ19-02: Public Input opposing proposed rezoning
Date: Friday, March 22, 2019 12:13:59 AM

Dear City Staff and Alderman Clewell,

I will be filing a formal protest and plan to attend the upcoming Plan & Zoning meeting relating to REZ19-02, and the purpose of this email is to recap at a high level the reasons for my objection to Petitioner's request to rezoning a parcel along East 56th Street from C-T to C-1:

1. The area surrounding the subject parcel, *as developed*, is residential and primarily one-story professional office buildings, all consistent with the former Zoning Ordinance C-0 use and the current C-T use. I incorporate by reference all objections that I filed relating to REZ18-09 (both the initial petition covering the Lot 1 parcel along Utica Ridge Road between East 56th and East 58th Streets and the parcel between the Villas of Crow Valley subdivision and East 56th Street) and the petition as amended (relating solely to Lot 1) on this point.
2. The City Staff's final report recommended approval of the amended REZ18-09 petition, and the City Council did approve it (overriding the Plan & Zoning Commission's vote against it) with restrictions on the basis there had been a compromise, and the subject property was along what is, *as developed*, the busy corridor of Utica Ridge Road. I referenced that in more detail in my Public Input opposing a second rezoning petition, REZ19-02, relating to the northeast corner of Utica Ridge and East 58th Street, which I also incorporate by reference.
3. The City Staff's final report relating to REZ18-09 recommended approval also on the basis the property was along the Utica Ridge corridor (even though it is surrounded on three sides by residential property), and also referred to the Future Land Use Map. (I will look again at that Land Use Map, however, I found it too general to pinpoint the color coding for the subject property. In any case, I question how a general directional map can take precedence over specific Zoning Ordinance provisions and corresponding detailed zoning map, and the area as currently developed.)
4. The stated rationale for adopting REZ18-09 and REZ18-16 does not apply to REZ19-02.
 - a. I note Utica Ridge is a 45 mph corridor, and East 56th is a 25 mph corridor.
 - b. More importantly, the fact there is a critical distinction between the REZ18-09 and REZ18-16 subject properties on one hand, and the REZ19-02 subject property on the other, is, I believe, repeatedly reflected in the City Staff final reports and City Council statements.
 - c. It would be unfair to base approval on surrounding area *as developed* for

recommending *approval* of a petition, but not consider it in recommending *denial* of a petition.

d. Homeowners believe they received some assurance that this distinction, and the "compromise" repeatedly referenced, remain in effect, and I believe the City may reasonably chalk up what appears up to now lower participation to that.

6. I do not object to Petitioner's request for a variance allowing 5,000 square feet of space, assuming the study of water runoff supports that, but I question why not write that exception into the current C-T use rather than rezone to C-1 with an exception. I continue to be troubled by the approach of zoning "up" subject to numerous "exceptions." I very strongly object to a two-story building in close proximity to one-story residential.

I appreciate your consideration.

Respectfully submitted,

Patricia Harris
6th Ward Resident

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Brandon Melton; brandon.melton@ci.davenport.ia;
563.888.2221

Date
4/16/2019

Subject:

Preview for Case ROW19-01 request of Maveric Hendrick for the vacation public right-of-way west of 914 S. Elsie Avenue, containing 881 square feet, more or less. [Ward 1]

Recommendation:

This is a preview so there is no recommendation at this time.

Background:

The petitioner is requesting to vacate the right of way immediately west of his property at 914 S. Elsie Avenue from approximately the centerline of the ally to the edge of said property. The petitioner intends to purchase the vacated right of way to expand his lot in order to bring the existing garage structure into conformance with setback requirements.

ATTACHMENTS:

Type	Description
▣ Backup Material	Location Map
▣ Backup Material	Application

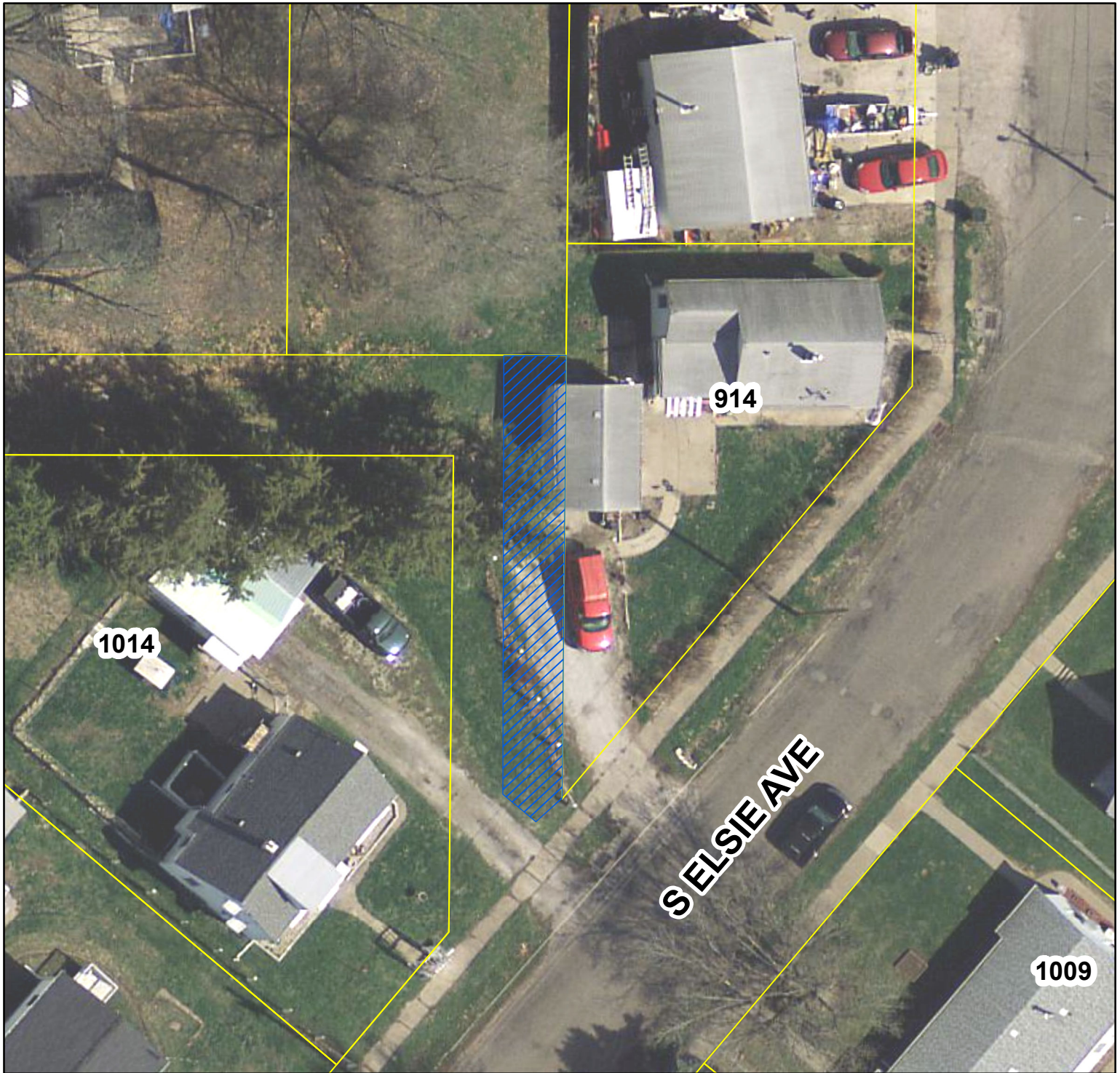
Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Melton, Brandon	Approved	4/11/2019 - 11:31 AM

Request for a Right-Of-Way Vacation

Location Map



Legend

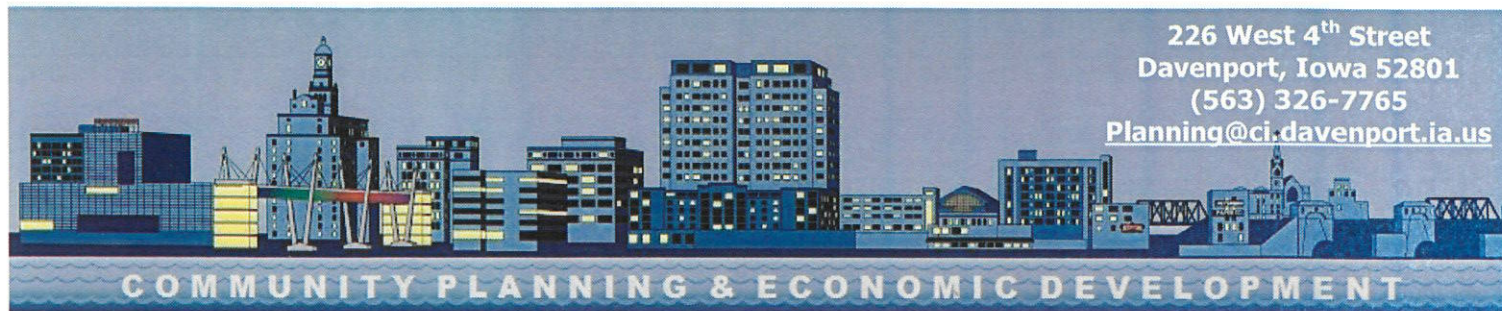
 ROW19-01 Vacation Request

 Feet
0 5 10 20 30

1 inch = 25 feet



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



Property Address* 914 S. Elsie Ave. Davenport, IA 52802

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

Applicant (Primary Contact)

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

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:

Application Form Type:

Plan and Zoning Commission

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

Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐
- Special Use Permit - New Cell Tower ☐
- Home Occupation Permit ☐
- Special Exception ☐
- Special Use Permit ☐
- Hardship Variance ☐

Design Review Board

- Certificate of Design Approval ☐
- Demolition Request in the Downtown ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative

- Floodplain Development ☐
- Cell Tower Co-Location ☐
- Identification Signs ☐
- Site Plan ☐

Leemav17@gmail.com

Request:

Request to have the city vacate the alley way that is currently encroaching on the property.

Total Land Area: Acres

Submittal Requirements:

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

The Applicant hereby acknowledges and agrees to the following procedure and requirements:**(1) Application:**

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

(2) Public Notice for the Plan and Zoning Commission public hearing:

- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(4) City Council's consideration of the right-of-way or easement vacation:

- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant:

Date:

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:

Date:

Planning staff

Date of the Public Hearing:

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

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
4/11/2019

Subject:

Case REZ19-06: Request of Jasveer Saini to rezone .56 acres, more or less, of property located at 4607 North Pine Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial District. [Ward 7]

Recommendation:

No recommendation at this time.

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 C-1 Neighborhood Commercial Zoning District.

Technical Review:

Streets.

The property located east of North Pine Street and north of West 46th Street. No impacts to streets are proposed.

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 will be sent to property owners within 200 feet of the proposed request notifying them of the upcoming neighborhood meeting and the April 30, 2019 Plan and Zoning Commission Public Hearing.

Discussion:

The petitioner is requesting a rezoning to C-2 Corridor Commercial District to facilitate redevelopment of the property for the same use (convenience store with gasoline sales).

Recommendation:

There is no recommendation at this time.

ATTACHMENTS:

Type	Description
▣ Backup Material	Aerial Map
▣ Backup Material	Zoning Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	4/11/2019 - 1:08 PM



W 46TH ST

W 46TH ST

W 45TH ST

W 45TH ST

N PINE ST

 Subject Property





 Subject Property

