

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, MARCH 14, 2023; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Inghram, Hepner, Brandsgard, Reinartz, Eikleberry, Stelk, Garrington

Excused: Johnson, Tallman, Maness

Staff: Berkley, Koops, Statz, Heyer

II. Report of the City Council Activity

Koops provided an update of the City Council activity.

III. Secretary's Report

A. Consideration of the February 28, 2023 meeting minutes.

Motion by Garrington, second by Schneider, to approve the February 28, 2023 meeting minutes. Motion to approve was unanimous by voice vote (7-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ23-01: Request of Midwest Fidelity Partners LLC to rezone 1930 and 1934 Division Street and 1711 Pleasant Street from R-4C Single-Family and Two-Family Central Residential District to C-2 Corridor Commercial District. [Ward 4]

Koops presented an overview of the rezoning request, located adjacent to the intersection of Pleasant Street and Division Street. The three subject properties currently have residential dwellings. The purpose is to redevelop the existing properties, along with the three commercially zoned parcels to the south, for a car wash.

Staff recommended Case REZ23-01 be forwarded to the City Council with a recommendation for approval subject to the following findings and conditions:

Findings:

1. The zoning map amendment (rezoning) is consistent with Davenport 2035+ Land Use Plan and Map, which identifies the property as Urban Corridor (UC) and Commercial Node (CN). Both classifications allow for commercial uses along corridors and edges. The area has been commercially developed since at least the mid-1930's and is compatible with UC and CN land use classifications.
2. The proposed C-2 General Commercial District is compatible with the zoning of nearby property in the Five-Points commercial node, as well as other C-2 and C-1 zoning located along the W. Locust corridor.
3. Rezoning the property to C-2 General Commercial District will not create zoning nonconformities and will, in fact, reduce nonconformities.
4. Staff concurs with the City Traffic Engineer's review of this site for traffic impacts from the proposed zoning change and more specifically the use of the site as a car wash and staff also concurs with the required right-in/right-out access point on Hickory Grove Road.
5. There shall be minimal noise impacts to the adjacent area; any potential impacts to the properties to the north shall be mitigated by installation of a six (6) foot tall privacy fence and landscaping.

Conditions:

1. The ingress/egress to Hickory Grove RD shall be right-in/right-out as directed by the City Traffic Engineer;
2. A fence and landscaping shall be installed along the W. Pleasant Street right-of-way line between the north south alley and N. Division Street.

Josh Johnson, Houston Engineering Inc., and Graham Westra, Midwest Fidelity Partners LLC, were in attendance to answer questions relating to the operation of the car wash facility. The applicant addressed concerns pertaining to development, traffic, access points, and water treatment.

Commissioners expressed concerns over water treatment, traffic movements, vehicular counts, access points, safety, and crash data.

The City Traffic Engineer, Gary Statz, answered questions relating to the level of service at the existing intersection and anticipated traffic following

development. Berkley provided traffic counts at the intersection of Division Street, Locust Street, and Hickory Grove Road. The Commission discussed similarities with traffic patterns at Division Street and Kimberly Road.

Motion by Reinartz, second by Stelk, to table Case REZ23-01 to the April 4, 2023 Plan and Zoning Commission meeting to allow staff additional time to provide information on traffic counts, accident reports, access points, vehicle stacking associated with the development, and a report comparing the intersection of Division Street and Kimberly Road to the intersection of Division Street, Locust Street, and Hickory Grove Road. Motion to table failed by a roll call vote (2-5).

Motion by Garrington, second by Eikleberry, to approve staff recommendation and conditions. Motion was approved by a roll call vote (5-2).

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case ROW23-01: Request of Midwest Fidelity Partners LLC to vacate the alley right-of-way located west of Division Street between Pleasant Street and Hickory Grove Road. [Ward 4]

Koops presented an overview of the proposed right-of-way vacation and its connection to the rezoning of adjacent property. The petitioner intends to redevelop the east half of the block for a car wash. Vacating the twenty-foot-wide alley creates a larger developable site and allows for the necessary setbacks and landscaping.

Josh Johnson, Houston Engineering Inc., was in attendance to answer questions. Commissioners inquired about the division of the alley between abutting property owners.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the alley right-of-way located west of Division Street between Pleasant Street and Hickory Grove Road in Case ROW23-01 to the City Council with a recommendation for approval, subject to the listed findings and following conditions:

Findings:

1. The existing public alley 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.
3. Economic vitality will be strengthened in a stressed commercial neighborhood.

Conditions:

1. Vacating the alley right-of-way is contingent upon the approval of Case REZ23-01.
2. 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 Hepner, second by Brandsgard, to approve staff recommendation and conditions. Motion was approved by a roll call vote (7-0).

- ii. Case F23-02: Request of Payne Properties LLC for a final plat of Payne Properties Addition. The 2-lot subdivision is located at 1814 E. Locust St on 1.7 acres. [Ward 5]

Koops summarized the intent of the final plat. The purpose is to establish two separate lots, each with its own building. The property is zoned C-1 Neighborhood Commercial District. The property presently has two commercial buildings. Easements have been established to provide access.

Morgan Payne, applicant, was in attendance to answer questions.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F23-02 to the City Council with a recommendation for approval subject to the listed findings and following 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 Hepner, second by Brandsgard, to approve staff recommendation and conditions. Motion was approved by a roll call vote (7-0).

- iii. Case F23-03: Request of Dan Dolan Homes, LLC for a final plat of Birchwood Grove 2nd Addition. The 42-lot subdivision being a replat of Lot 14 of Birchwood Grove, near the terminus of Lakeview PKWY and Ravenwood LN on 7.4 acres. [Ward 6]

Koops presented the staff report. The purpose of the plat is to complete the build-out of this 7.4-acre area. The intent is to develop the lots as single-family semi-detached dwellings and townhomes. The property is zoned R-MF Multi-Family Residential District.

The petitioner was not in attendance.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F23-03 to the City Council with a recommendation for approval subject to the listed findings and following 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. Surveyor shall sign the plat;
2. Utility providers shall sign the plat when their easement needs have been met;
3. The title/description shall read "Birchwood Grove 2nd Addition; being a replat of Lot 14 of Birchwood Grove Addition, to the City of Davenport, Scott County, Iowa";
4. Curve #9 shall be revised to meet SUDAS back-of-curb radius of 50';
5. Applicable General Notes from Birchwood Grove Addition shall be added to the plat;
6. Add the label "Stormwater Detention and Access Easement" to Outlot A.

Motion by Hepner, second by Schneider, to approve staff recommendation and conditions. Motion was approved by a roll call vote (7-0).

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Garrington, second by Hepner, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (7-0).

The meeting adjourned at 5:57 pm.