

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, FEBRUARY 6, 2024; 5:00 PM
DAVENPORT POLICE DEPARTMENT | 416 N HARRISON STREET | COMMUNITY ROOM

REGULAR MEETING AGENDA

I. Roll Call

Present: Inghram, Hepner, Maness, Garrington, Schneider, Schilling, Johnson, Dunlop, Stelk, Schneider, Eikleberry, Tallman

Staff: Berkley, Werderitch

II. Report of the City Council Activity

Staff provided an update of the City Council activity.

III. Secretary's Report

A. Consideration of the January 16, 2024 meeting minutes.

Motion by Tallman, second by Hepner, to approve the January 16, 2024 meeting minutes. Motion to approve was unanimous by voice vote (10-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ24-01: Request of the City of Davenport to rezone approximately 31.9 acres of land at 2800 Eastern Avenue from S-IC Institutional Campus District to C-T Commercial Transitional District and Planned Unit Development. [Ward 5]

Staff presented an overview of the C-T Commercial Transitional District and Planned Unit Development. The purpose is to identify an adaptive reuse and preserve the historic structures at the Annie Wittenmyer Campus. Since the City is positioning the Annie Wittenmyer Campus for private redevelopment, the S-IC Institutional Campus District is no longer appropriate. The C-T Commercial Transitional District was identified as the most appropriate zoning classification to enable residential development while ensuring the

existing social services tenants can continue to operate. The C-T District is the least intense commercial district, which allows for mixed-uses that are sympathetic to existing neighborhoods.

The developer, Chris Ales, was in attendance to answer questions about the preliminary plan, which include converting structures into housing. The developer is applying for state and federal tax credits and grants to help finance the project. The intent is to consolidate existing social services into the buildings abutting Eastern Avenue, create senior and workforce housing, and establish additional parking.

Several members of the public were in attendance to provide comment.

Commissioners inquired about traffic impacts and staff's determination that the development would not require a traffic study. Commissioners also asked about ownership of the greenspace at the northwest corner of the site.

Staff recommended Case REZ24-01 be forwarded to the City Council with a recommendation for approval, subject to the following findings.

Zoning Map Amendment Findings:

1. The zoning map amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with existing on-site uses and the zoning of nearby developed property.
3. The rezoning request is compatible with the established neighborhood character.
4. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. The zoning map amendment facilitates the adaptive redevelopment of a national and local historic landmark.
6. The nonconformities created by the zoning map amendment will be mitigated through the planned unit development process.

Planned Unit Development Findings:

1. The preliminary development plan provides a public benefit to the City.
2. The proposed preliminary plan meets the purpose of a planned unit development.
3. The proposed planned unit development will not impede the normal and orderly development and improvement of surrounding property.

4. There is provision for adequate utilities and infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities. A traffic study is not required.
5. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.
6. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, are compatible with the surrounding neighborhood and adjacent land uses.

Motion by Hepner, second by Maness, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

- ii. Case ORD24-01: Request of Chris Kretz to amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Bed and Breakfast" and "Reception Facility" as permitted uses in the C-T Commercial Transitional Zoning District. [All wards]

City staff outlined a private citizen's request to amend the Zoning Ordinance to allow "Bed and Breakfast" and "Reception Facility" as permitted uses in the C-T Commercial Transitional Zoning District. The proposed zoning text amendment will impact all properties throughout Davenport zoned C-T Commercial Transitional District.

Chris Kretz, petitioner, was in attendance to answer questions about the request and his impacted property.

There were no comments from the public.

Staff recommended the Plan & Zoning Commission accept the listed findings and forward Case ORD24-01 to the City Council with a recommendation for approval, subject to the following condition:

1. Amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Bed and Breakfast" and "Reception Facility" as a Special Use in the C-T Commercial Transitional Zoning District.

Findings:

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
4. The amendment reflects a change in policy and development trends.

5. The proposed amendment eliminates any existing nonconformities.

Motion by Hepner, second by Johnson, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

- iii. Case ROW24-01: Request of the City of Davenport to vacate a portion of unimproved Marquette Street right-of-way located south of West 76th Street. [Ward 8]

Staff presented an overview of the request. The City, on behalf of the Waste Commission of Scott County, is petitioning that a portion of unimproved Marquette Street south of West 76th Street be vacated. The subject land is part of the landfill that was decommissioned in the 1970s. Due to the restrictions on how this area is treated, the construction of a road and installation of underground utilities is infeasible. The area to be vacated is approximately 32,193 square feet or .739 acres, more or less. The intention is to return this area to the Waste Commission of Scott County, since there is landfill within the current right-of-way.

Brian Seals and Bryce Stalcup, Waste Commission of Scott County, were in attendance to answer questions and explain the history of the landfill.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way on Emerald Drive in Case ROW24-01 to the City Council with a recommendation for approval, subject to the following findings and conditions:

Findings:

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

Conditions:

1. 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.
2. That a 20-foot multi-use trail easement shall be established on the western boundary of the land to be vacated.

Motion by Hepner, second by Eikleberry, to approve staff recommendation. Motion was approved by a roll call vote (9-0). Commissioner Tallman abstained.

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F24-01: Request of Klinger & Associates, P.C., on behalf of LNL LLC, for a Final Plat of Golf Course Heights Addition. The 1-lot subdivision is located at 2718 Wisconsin Avenue on 3.15 acres. [Ward 1]

Staff outlined the proposed subdivision. The purpose of the final plat is to separate the existing residential dwelling along Wisconsin Avenue from the farm field to the west. The barn and agricultural buildings were removed from the property in 2019.

Luke Miller, Klingner & Associates PC, was in attendance to answer questions.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F24-01 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat (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 Eikleberry, second by Hepner, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

- ii. Case F24-02: Request of Klinger & Associates, P.C., on behalf of LNL LLC, for a Final Plat of Locust View Addition. The 1-lot subdivision is located at 5328 West Locust Street on 2.6 acres. [Ward 1]

Werderitch stated the purpose of the final plat is to separate the existing residential dwelling along West Locust Street from the surrounding farm field. The barn and agricultural buildings were removed from the property in 2020.

Luke Miller, Klingner & Associates PC, was in attendance to answer questions.

Commissioner Johnson inquired about the shape of the parcel and its inclusion of row crops.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F24-02 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat (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 Eikleberry, second by Maness, to approve staff recommendation. Motion was approved by a roll call vote (10-0).

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Tallman, second by Johnson, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (10-0).

The meeting adjourned at 5:40 pm.