

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, JANUARY 2, 2024; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the December 19, 2023 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ23-06: Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
1/2/2024

Subject:
Consideration of the December 19, 2023 meeting minutes.

Recommendation:
Staff recommends the City Plan and Zoning Commission approve the December 19, 2023 meeting minutes.

Background:
The December 19, 2023 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 12-5-23

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	12/21/2023 - 3:55 PM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, DECEMBER 19, 2023; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

- A. Case REZ23-06: Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Staff presented an overview of the rezoning request. The subject property was recently annexed into the City of Davenport and is currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development.

Dennis Kai, representative of Larry Edward Stoltenberg Trust, was in attendance to answer questions.

With no additional comments from the Commission or public, the hearing closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Inghram, Hepner, Maness, Garrington, Tallman, Schneider, Schilling, Johnson

Excused: Eikleberry

Absent: Stelk

Staff: 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 December 5, 2023 meeting minutes.

Motion by Hepner, second by Garrington, to approve the December 5, 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

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

Staff provided an update on a petition to amend Scott County's Future Land Use Map. RiverStone Group Inc. is requesting an amendment to remove the designation "To Be Annexed (Prior to Development)" for the approximately 75.26 acres of land located at the southeast corner of Harrison Street and West 90th Street. The Scott County Plan & Zoning Commission unanimously denied the request at its December 5, 2023 meeting. The Board of Supervisors will vote on the item at its December 19, 2023 meeting.

Commissioners inquired about the County process and the potential to have the property annexed into the City. The Commission requested legal representation to discuss options regarding future annexations.

IX. Other Business

X. Adjourn

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

The meeting adjourned at 5:19 pm.

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
1/2/2024

Subject:

Case REZ23-06: Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Recommendation:

Staff recommends Case REZ23-06 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

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

Background:

The subject property was recently annexed into the City of Davenport and is currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The area of the rezoning request is approximately 25.84 acres.

Why is a Zoning Map Amendment Required?

The land is currently being used for agriculture, but is being marketed as a shovel-ready site suitable for industrial development. This is part of an overall strategy to promote industrial development north of Interstate-80. The owner intends to continue farming the land until the property can be sold.

Comprehensive Plan:

City Council adopted a Future Land Use Map amendment at its June 28, 2023 meeting to better prepare this substantial growth area for future development. The approximately 475 acres of land roughly bounded by Slopertown Road, Hillandale Road, Northwest Boulevard, and 130th Avenue was amended from Urban Fringe to Industry. In addition, the Urban Service Boundary was extended north to Slopertown Road.

Future Land Use Designation:

1. **Industry (I)** - Designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation

networks and separation or buffering from residential uses.

Zoning:

The subject property is currently zoned **S-AG Agricultural District**. This district is intended to address existing agricultural land uses. The standards of the S-AG District promote the continuation of farming, and protect agricultural land uses from encroachment of incompatible developments.

The applicant is requesting a rezoning to **I-1 Light Industrial Zoning District**. This district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

Staff Response: As a result of voluntary annexations, the City of Davenport has expanded its corporate limits to Slopertown Road. To better prepare for future growth, the City initiated an amendment to the Future Land Use Map.

At its June 6, 2023 meeting, the Plan and Zoning Commission forwarded a recommendation to City Council amending the subject properties from Urban Fringe to Industry. In addition, the Urban Service Boundary was recommended to extend north to Slopertown Road. City Council approved this map amendment at its June 28, 2023 meeting.

It is staff's opinion the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The surrounding land north of Interstate-80 is zoned I-1 Light Industrial District. City Council adopted Ordinance 2023-380 amending the zoning classification of the approximately 231.26 acres of land located to both the east and west of the subject property from S-AG Agricultural District to I-1 Light Industrial District. Despite being largely undeveloped, the adjacent properties are being marketed as shovel-ready sites suitable for industrial development. Rezoning the subject property to an industrial classification will create consistency with the surrounding area.

It is staff's opinion the proposed zoning amendment to I-1 Light Industrial District is compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character south of Slopertown Road, within City limits, consists of developed industrial properties as well as land planted in row crops. Large manufacturing facilities include Fair Oaks Foods, Kraft Heinz, and Sterilite Corporation.

This 25.84 acre tract of land is currently used for farming. There are no structures on the subject property. However, the owner is positioning the property for future industrial development. Staff anticipate the land will continue to be farmed until the land is sold for development.

It is staff's opinion the proposed zoning district is compatible with the established neighborhood character.

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

Staff Response: Permitted principal uses in the I-1 Light Industrial District consist of light manufacturing, fabricating, processing, distributing, and warehousing. The Zoning Ordinance requires businesses to be enclosed, low-intensity uses that have minimal, if any, outside impacts.

The industrial district dimensional standards regulate building height and setbacks to mitigate any negative impacts onto adjacent properties. There are also façade, roof, and site design standards in City Code that applies to new development.

To date, a potential industrial use has not been identified for the site. However, staff believe the existing zoning requirements will ensure new development complies with City standards.

Given the acreage of the subject property, staff anticipate the land may be further subdivided to facilitate orderly development. The Plan and Zoning Commission will have additional opportunities to address street connectivity and impacts to the regional transportation network.

It is staff's opinion that the proposed zoning map amendment will promote the public health, safety, and welfare of the City.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

Staff Response: The City of Davenport has processed three voluntary annexation petitions from 2022-2023. The subject property is approximately 25.84 acres located south of Slopertown Road, adjacent to Hillandale Road. Upon annexation, land is zoned S-AG Agricultural District, which is intended to address existing agricultural land uses.

The land is currently being used for agriculture, but is adjacent to land being marketed as a site suitable for industrial development. This is part of an overall strategy to promote industrial

development north of Interstate-80. A rezoning to a light industrial district will enable the property to be built-out at a scale more aligned with the surrounding industrial park.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with Davenport's industrial developments.

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

Staff Response: The undeveloped site is currently being used for farming. If rezoned to an industrial district, the agricultural use will be considered nonconforming until the site is developed. In addition, there are no structures on the subject property.

Dimensional standards, such as lot area, lot width, setbacks, building coverage, and impervious surface will be addressed during the subdivision and development process.

It is staff’s opinion that the proposed amendment will not create any nonconformities following development.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the December 5, 2023 Plan and Zoning Commission Public Hearing. To date, no public comments have been received. Staff will apprise the Commission of any correspondence at the January 2, 2024 Plan and Zoning Commission meeting.

ATTACHMENTS:

Type	Description
▢ Backup Material	Vicinity, Zoning, & Future Land Use Map
▢ Backup Material	Application
▢ Backup Material	Public Hearing Notice-Plan & Zoning Commission

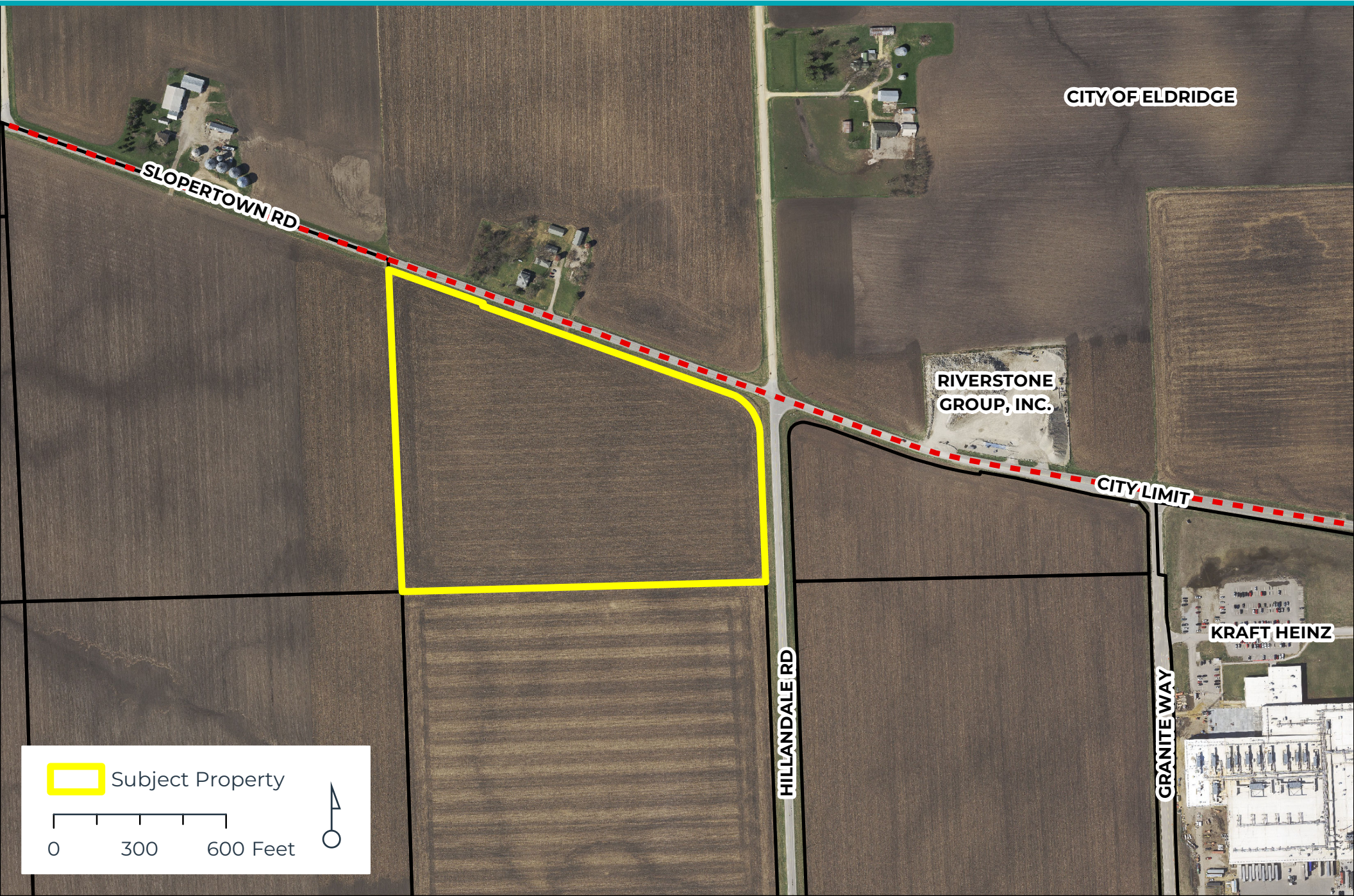
Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	12/29/2023 - 10:47 AM

Vicinity Map | Case REZ23-06

Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]



 Subject Property

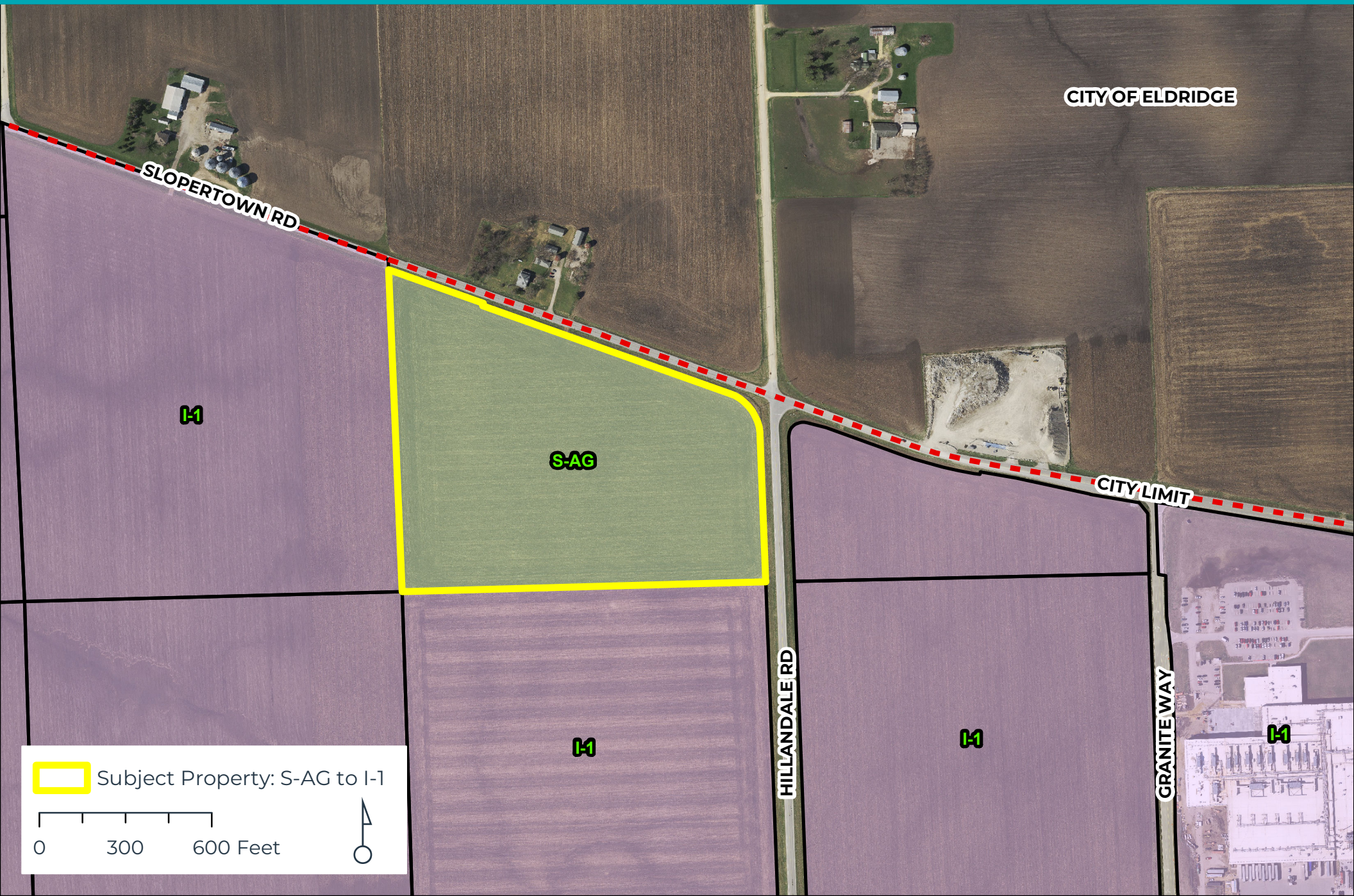
0 300 600 Feet





Zoning Map | Case REZ23-06

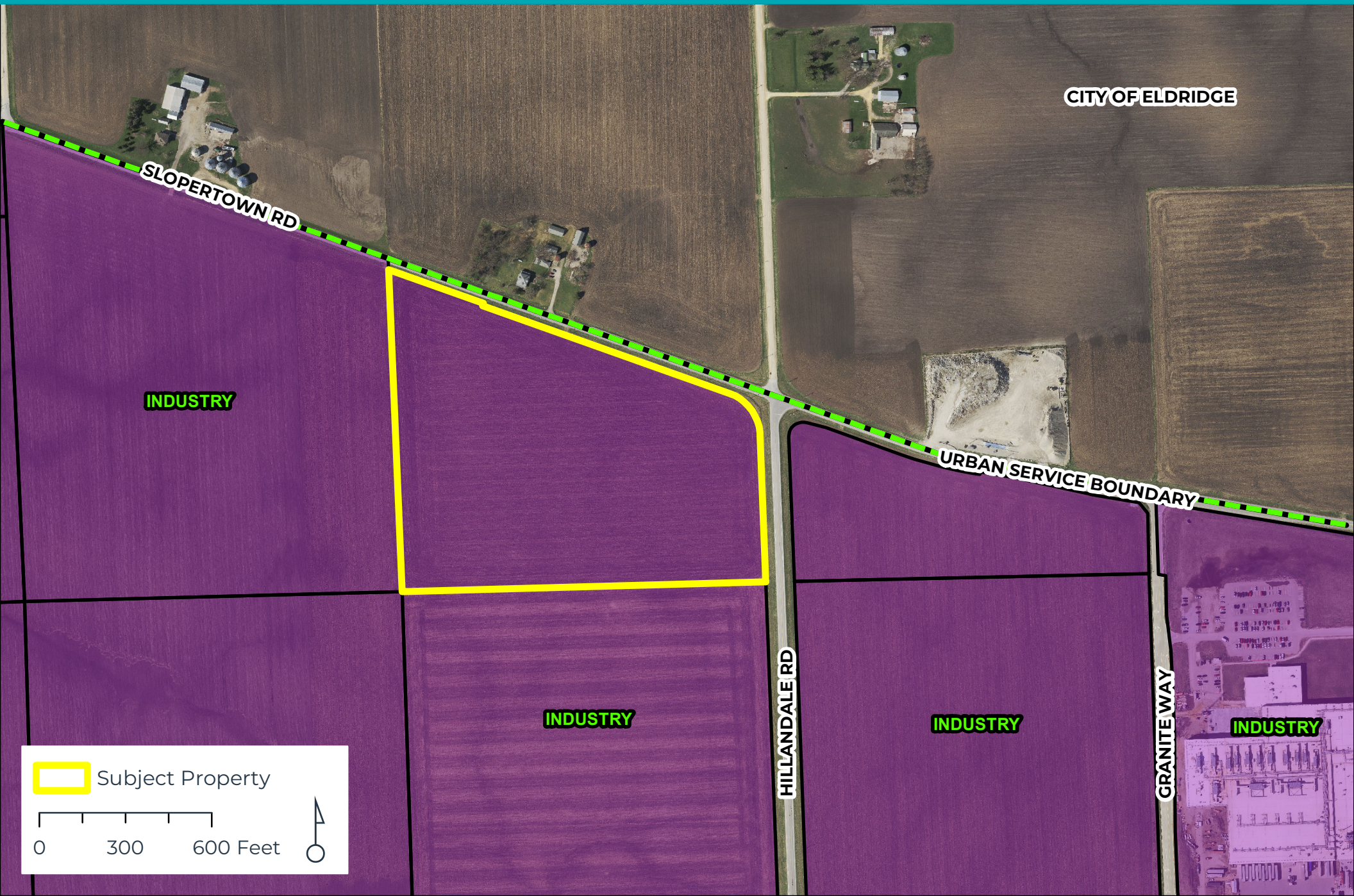
Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]





Future Land Use Map | Case REZ23-06

Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]





CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 W. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

DATES: PRE-APP SUBMITTAL PUBLIC HEARING

PROJECT TITLE

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING EXISTING PROPOSED SQ. AREA
DISTRICTS

COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED

Concept/Development Plan ☐

Authorization to Act as Applicant* ☐

*only needed if the Applicant is different than the owner

Legal Description* (bearing & distance) ☐

* shall include a MS Word or Text file

Legal Description Dimensioned Sketch ☐

Application Fee* (REQUIRED) ☐

*(check payable to 'City of Davenport')

Rezoning Fee Schedule

Land Area	Fee
Less than 1 acre	\$400
1 to less than 10 acres	\$750 plus \$25/acre
10 acres or more	\$1,000 plus \$25/acre

1 to 3 site notice signs are required based on lot size; \$10 each

PROJECT NARRATIVE: (submit separate sheet if needed)

Zone light industrial
Own 25 acres with
use of rental of
farmland on the 25
acres we own on
the corner of
Stoportown Rd and
Hillandale Rd.

Submit the first two pages of this form to Planning Staff at:
planning@davenportiowa.com or contact staff with any
questions or requests for additional information.

APPLICANT INFORMATION

APPLICANT NAME

Mary Stoltenberg

ADDRESS

3924 King Charles Rd

CITY, STATE, ZIP

Durham, NC 27707

PHONE

(919) 491-9393

SECONDARY PHONE

(919) 491-8638

E-MAIL ADDRESS

lestolten@msn.com

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Mary Stoltenberg

Type Applicant's Name

for Larry E Stoltenberg Trust

Mary Stoltenberg, Trustee 10/30/23

Applicant's Signature

Date

DEVELOPMENT TEAM

Property Owner

Larry Stoltenberg Trust

Address

3924 King Charles Rd

Phone

(919) 491-9393

Secondary Phone

(919) 491-8638

E-Mail Address

lestolten@msn.com

Project Manager/Other

Address

Phone

Secondary Phone

E-Mail Address



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at the southwest corner of Slopertown Road and Hillandale Road.

Plan & Zoning Commission Public Hearing Meeting

Date: 12/5/2023

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject property was recently annexed into the City of Davenport and is currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development.

Request/Case Description

Case REZ23-06: Request of Larry Edward Stoltenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on December 5, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on December 19, 2023. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM one day before the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.



Rezoning Request | Public Hearing Notice | Case REZ23-06

Request of Larry Edward Stollenberg Trust to rezone approximately 25.84 acres of land located at the southwest corner of Slopertown Road and Hillendale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

