

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, January 21, 2025; 5:00 PM

City Hall | 226 West 4th Street | Council Chambers
COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

1. Case ROW25-01: Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. [Ward 5]
2. Case REZ25-02: Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]

REGULAR MEETING AGENDA

II. Roll Call

III. Report of the City Council Activity

IV. Secretary's Report

1. Consideration of the January 7, 2025 meeting minutes.

V. Report of the Comprehensive Plan Committee

VI. Zoning Activity

A. Old Business

B. New Business

1. Case REZ25-01: Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

VII. Subdivision Activity

A. Old Business

B. New Business

VIII. Future Business

IX. Communications

X. Other Business

XI. Adjourn

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
1/21/2025

Subject:

Case ROW25-01: Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. [Ward 5]

Recommendation:

Hold the Public Hearing.

A formal staff recommendation will be provided at the February 4, 2025 Plan and Zoning Commission meeting.

Background:

The City of Davenport is requesting a partial vacation of the east-west alley connecting Belle Avenue to Duggleby Street. The existing 20 foot wide alley is unimproved.

A legal description has been submitted for review. The area for proposed vacation is approximately 8,840 square feet (.2 acres).

The vacation of public right-of-way is a two step process:

1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners. (No Plan and Zoning Commission action is required.)

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Abutting Future Land Use Designation:

The abutting properties are designated Residential General in the Davenport +2035 Future Land Use Map. The properties along Locust Street are also located within the Urban Corridor Overlay.

1. **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.

2. **Urban Corridor (UC)** - Generally established corridors along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be developed to help guide future development decisions.

Abutting Zoning:

The abutting properties are zoned R-4C Single-Family and Two-Family Central Residential District and R-MF Multi-Family Residential District.

1. The **R-4C Single-Family and Two-Family Central Residential Zoning District** is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.
2. The **R-MF Multi-Family Residential Zoning District** is intended to accommodate a high density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:

City Departments and utility companies are reviewing the proposed Right-of-Way Vacation Application. Further comments will be provided when brought back for consideration.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the January 21, 2025 Plan and Zoning Commission Public Hearing.

To date, staff received a phone call from an abutting property owner at 2317 East Pleasant Street. The resident stated opposition to the vacation due to a lack of off-street parking and access to the rear yard.

Staff will apprise the Commission of any additional correspondence at the February 4, 2025 Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Maps
3. Public Notice
4. Protest Petition



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
RIGHT-OF-WAY VACATION
(EASEMENT ABANDONMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
	12/26/2024	01/21/2025

PROJECT TITLE
Alley Vacation Between Belle and Duggleby North of

GENERAL LOCATION DESCRIPTION
Alley located north of Locust St., between Belle Ave. and Duggleby St.

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

AREA OF VACATION	EXISTING USE	PROPOSED USE	SQUARE AREA
	Unimproved ROW	N/A	8,840

COMPLETE SUBMITTALS SHALL INCLUDE:	SUBMITTED
Concept/Development Plan, if applicable	☐
Authorization to Act as Applicant	☐
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☒
Legal Description Dimensioned Sketch	☒
Application Fee: (REQUIRED) \$400* * check payable to 'City of Davenport'	☐

PROJECT NARRATIVE: (submit separate sheet if needed)

To Vacate alley between the east property line of
2312 East Locust Street and Duggleby Street north of
Locust Street.

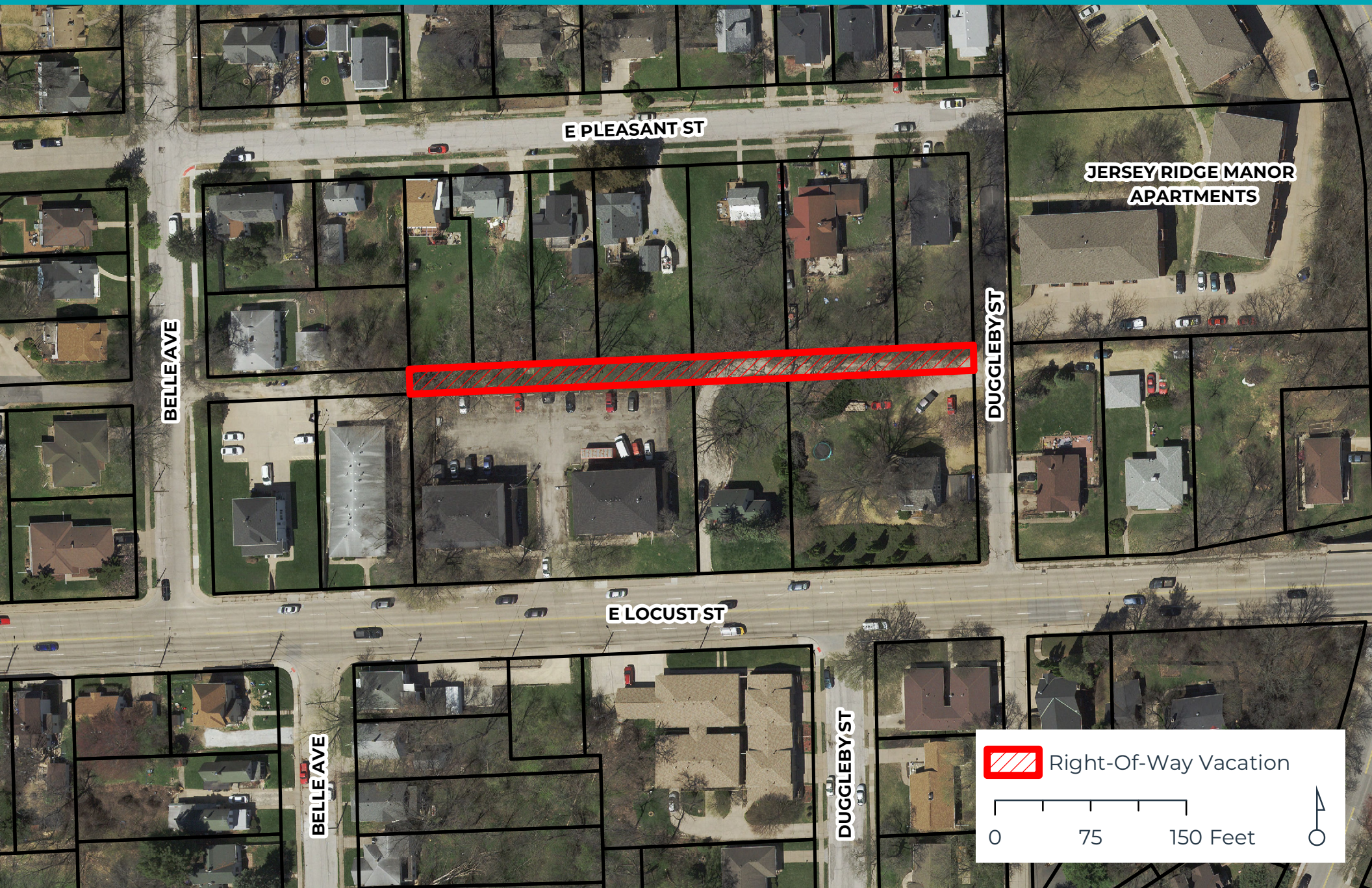
APPLICANT INFORMATION	
APPLICANT NAME Brian Schadt	
ADDRESS 226 W 4th Street	
CITY, STATE, ZIP Davenport, IA, 52801	
PHONE (563) 326-7923	
SECONDARY PHONE	
E-MAIL ADDRESS	
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge, is true 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.	
Brian Schadt Type Applicant's Name	
 Applicant's Signature	12/26/2024 Date
DEVELOPMENT TEAM	
Surveyor Klingner & Associates, P.C.	
Address 4111 East 60th Street	
Phone (563) 359-1348	Secondary Phone
E-Mail Address lmiller@klingner.com	
Attorney/Other N/A	
Address	
Phone	Secondary Phone
E-Mail Address	

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



Vicinity Map | Case ROW25-01

Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. [Ward 5]



Right-Of-Way Vacation

0 75 150 Feet





Zoning Map | Case ROW25-01

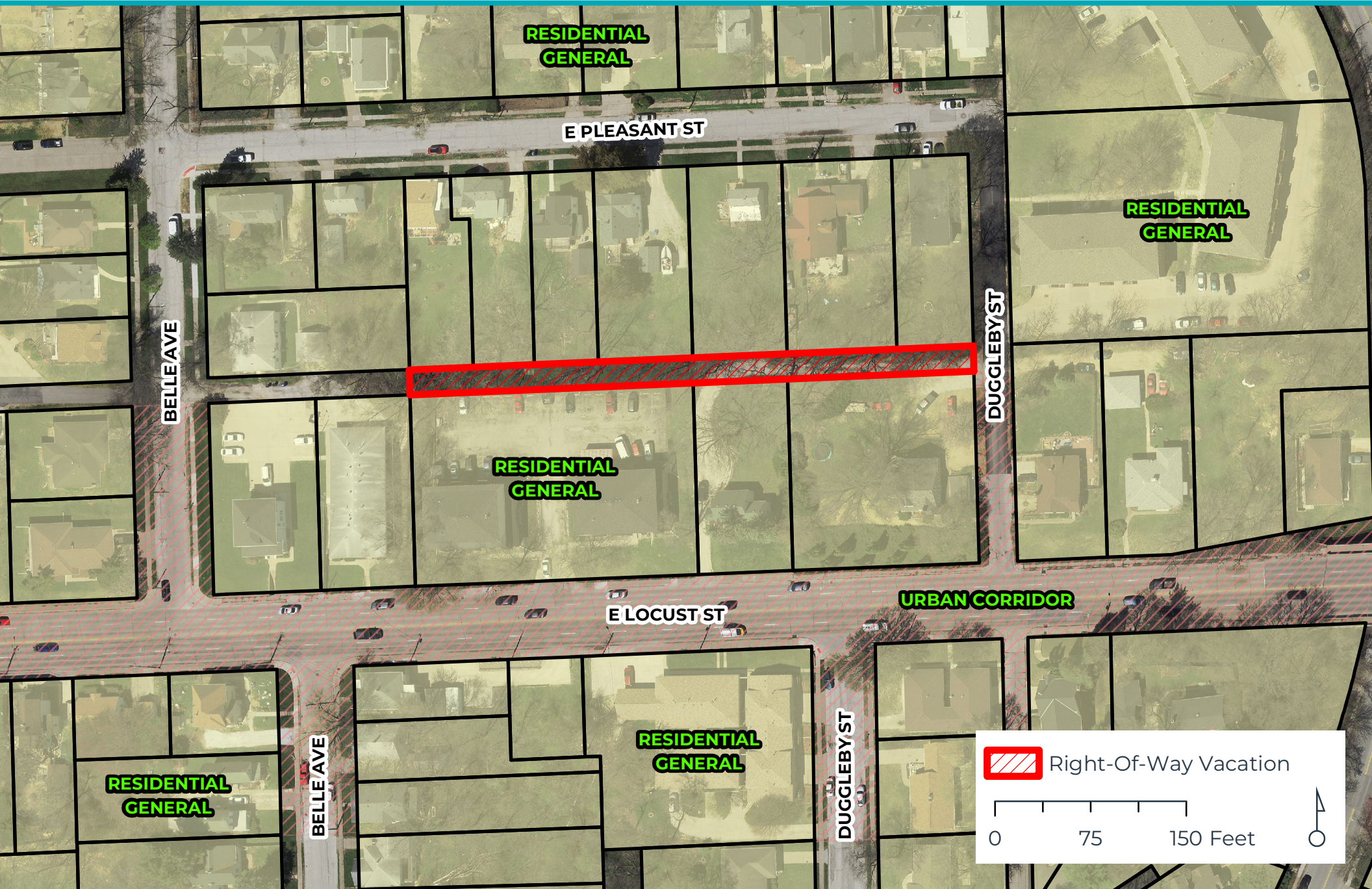
Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. [Ward 5]





Future Land Use Map | Case ROW25-01

Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. [Ward 5]





PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject public right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street.

Plan & Zoning Commission Public Hearing Meeting

Date: 1/21/2025

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 request to vacate a portion of alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. The existing 20-foot-wide alley is unimproved.

Request/Case Description:

Case ROW25-01: Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street. [Ward 5]

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 January 21, 2025. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on February 4, 2025. 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.

The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. 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 "Meeting Minutes & Agendas":

https://www.davenportiowa.com/government/meeting_minutes_agendas

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.



THE CITY OF
DAVENPORT
IOWA | USA

Public Notice Map | Case ROW25-01

Request of The City of Davenport to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Dugleby Street. [Ward 5]



Shawn Agan
828 Waverly Road
Davenport, IA 52804

City of Davenport
Planning
1200 E 46th St
Davenport, IA 52807

To whom it may concern:

I do hereby want to object the City's proposal to vacate the alley right-of-way located north of Locust St, between Belle Ave and Duggleby St. CASE ROW23-02

Vacating this alley way will leave 2342 E Locust St with only E Locust St as access to the property. The property of 2342 E Locust was impaired visual when trying to turn onto E Locust St. This is an overall safety concern to not only other drivers but pedestrians that might be walking down the sidewalk if the alley right-of-way were to be vacated.

Please take into concertation the access this will leave if the alley is no longer able to be of use. I would encourage everyone responsible in deciding on this matter to drive down this alley way and try to turn out onto E Locust St from 2342 E Locust and feel for yourself if you would like to have to be in this position daily when trying to commute.

Thank you for your consideration,

Shawn Agan





1/20/2025

RE: Shawn Agan
2342 E. Locust Street
Davenport, IA 52803

TO WHOM IT MAY CONCERN:

My Client, Mr. Shawn Agan has asked me to state the impact of a proposed alleyway vacating to the rear of the home he owns at 2342 E. Locust Street, Davenport.

I am a forty-nine year Real Estate Agent with MEL FOSTER CO. I SOLD him this property in 2017 and have experienced first-hand the difficulty and danger of making ingress or egress from his home onto E. Locust Street.

If the City of Davenport were to vacate this alley, it is my professional opinion that it would have a detrimental impact on the saleability of this home. Having secondary access via the alley is a critical feature affecting the value and use.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Kelling'.

Scott Kelling
Mel FOSTER CO.

3211 E. 35th St. Ct. at I-74 & Kimberly Rd., Davenport, Iowa 52807-2585
PHONE (563) 359-4663
www.melfosterco.com



ARTHUR R. EDWARDS and
MELBA G. E. EDWARDS,

To

CITY OF DAVENPORT.

SEWER EASEMENT.

Dated: Oct. 19, 1965.
Ack'd: Oct. 19, 1965.
Filed: Oct. 20, 1965.
Rec'd: 178 Misc., 112.
Cons.: \$1.00 & O.V.C.

Recites that grantors, as owner of a tract of land described as Lot 14 and the West 24 feet of Lot 13, all in Block 2 of Joseph S. Thomas Subdivision in the City of Davenport, Iowa, do hereby grant, bargain and convey unto grantee a perpetual easement and right-of-way for construction and repair of a storm sewer across, through and under a tract of land described as:

following is a correct description of the centerline of a storm sewer easement 20 feet in width in Lot 14 and in the West 24 feet of Lot 13, all in Block 2 of Joseph S. Thomas Subdivision in the City of Davenport, Iowa, to-wit: Beginning in the South line of said Lot 13 at a point which is 24 feet East of the S.W. corner of said Lot 13; thence N. 61° 55' W. 88.90 feet to a point in said Lot 14; thence N. 18° 23' W. 52.18 feet in said Lot 14 to an existing 15 inch diameter concrete storm sewer,

and also grants, bargains and conveys the right to maintain, renew, enlarge, extend or reconstruct said sewer.

Also grants an encroachment for the purpose of cutting and filling that shall extend 10 feet from the center of the above described easement.

Grantors agree not to erect, construct or maintain any permanent structure on said easement without the written permission of grantee.

Grantee agrees to allow the encroachment of a minimum of 4 feet onto the above described easement for the purpose of erecting a garage.

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1/17/25

City of Davenport
Council Members

Re: Property at 2342 E Locust St, Davenport, IA 52803

Dear Council Members

I'm writing to you in hope that Davenport will consider the Safety to General Public and Owners/Renters at the property listed as 2342 E. Locust St, Davenport, IA 52803. I personally do not have any bias or gain to my request other than safety concerns and protection of lives and property. I am here tonight to purely speak on my firsthand knowledge of the property on East Locust and my concerns.

My daughter recently started renting this property. The viability of the back entrance to this particular property is invaluable due to the safety concerns at the front entrance along Locust. There is no way to exit this property without endangering yourself and/or the public. This includes both pedestrian and vehicle traffic along East Locust. The speed limit is 35 mph and as you can imagine is frequently faster than that. It is a narrow two-way stretch. If you had to exit the property at the drive it is next to impossible to view oncoming traffic from the east without partially creeping into Locust due to the large retaining wall and proximity of the street. You certainly cannot view cyclists or people on the sidewalk either. If you creep out and a vehicle is traveling, there is nowhere to even swerve to avoid an impact if there is another vehicle in the second lane next to you, which is all the time with the traffic on Locust. This is why we never exit this way. We always drive through the back drive and exit either north or south off Duggleby St. for safety concerns. In my opinion it is imperative for the property to continue to secure this option. Without it you would endanger not only yourself but the public every time you try to exit.

Thank you for considering this request and safety of the Community,

Jacki Foley

1/19/25

City of Davenport

Council Members

Re: Property at 2342 E Locust St, Davenport, IA 52803

City Council Members,

I am the current resident at 2342 E. Locust St. Davenport, IA 52803. This letter has been written to you in hopes of expressing my concerns on the potential loss of access to the back alley attached to Duggleby St. Having lived on this property since the fall of 2024, I have first-hand experience with the dangers of leaving the property directly onto Locust St. Thank you all for being here today and considering the dangers of this proposed alteration.

Since living at this property, I have been utilizing the back entrance to my property daily in order to safely leave my home. As we all know, Locust Street is a heavily trafficked street at all hours of the day. The property is also less than 1 mile away from Genesis East Campus hospital, which means this part of Locust Street is populated by people going to receive care, police officers, and ambulances. As you can imagine, majority of the drivers on the street are not obeying the 35mph speed limit. At the front of the property lies a retention wall that almost completely blocks the view of oncoming traffic and pedestrians. I drive a small sedan, and in order to achieve a proper view of the street I have to creep out so far that the front end of my car is in oncoming traffic. Visualizing anything on the left side is impossible unless done so. This poses an exceedingly dangerous threat to anyone in the car, pedestrians that could be walking/biking on the sidewalk, and any oncoming vehicles. In the small amount of time that it takes to creep out and see what is coming from the left, there is always the possibility of hitting another car or a pedestrian. Due to how narrow the driveway is set there is nowhere to swerve out of the way if that situation were to arise. This is why it is absolutely imperative that myself, and anyone who visits the property exit through the back alley of the home.

Your consideration for this matter of safety in the community is greatly appreciated.

Sydney Foley

To whom it may concern,
I'm the tenant, Brian Long, at, 2342 E. Locust st, Davenport, Ia. I'm writing to voice my concern of shutting down the alley way. As we are all aware, Locust st is a very busy road. Pulling out, onto Locust, from my drive is very difficult. Do to the facts, vehicles are coming up hill, most exceeding the speed limit, and have a concrete wall impeding your view, until your vehicle's front end is in traffic.

I use the alley way to exit safely from my drive. I would greatly appreciate, the alley remain open. I have 3 boys of driving age, and know how difficult it is to exit onto Locust. I, as a parent, feel safer with them exiting through the alley way.

Thank,
Brian Long

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
1/21/2025

Subject:

Case REZ25-02: Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]

Recommendation:

Hold the Public Hearing.

A formal staff recommendation will be provided at the February 4, 2025 Plan and Zoning Commission meeting.

Background:

Development History:

To facilitate the development of The Jade on Tremont Apartments, City Council adopted Ordinance No. 2023-483 on December 13, 2023. This action rezoned the property at 5504 Tremont Avenue from I-1 Light Industrial District to R-MF Multi-Family Residential District. The rezoning was approved, subject to the following conditions:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and east property lines. The buffer yard shall contain a six-foot fence and landscaping.
2. The developer shall obtain approval from all utilities to install signage within the designated utility easement.
3. The developer shall install signage near the driveway entrance to the development. The signage shall be a minimum of thirty-two square feet and illuminated.

The 132-unit apartment complex is currently under construction. To provide for expansion and better access to The Jade Apartments, the owner of Davenport Public Storage is selling a portion of their undeveloped property on Tremont Avenue to the developer. This enables the site layout to be reconfigured for better visibility and access. The applicant intends to construct a driveway and clubhouse on the 1.15 acre property.

Why is a Zoning Map Amendment Required?

'Dwelling-Multi-Family' is a prohibited use in the I-1 Light Industrial District. The applicant is petitioning a rezoning to amend the conditions in Ordinance 2023-483. The requirement for signage is no longer applicable with the proposed access point. In addition, the condition for buffer yard landscaping should be amended to reflect the new boundaries of the development.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes

2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

The subject property is currently designated as Industry in the Davenport +2035 Future Land Use Map.

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 applicant is petitioning a rezoning from I-1 Light Industrial District to R-MF Multi-Family Residential District.

1. **I-1 Light Industrial District:** This zoning 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.
2. **R-MF Multi-Family Residential District:** This zoning district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:

City Departments are reviewing the proposed Zoning Map Amendment Application. Further comments will be provided at the February 4th Plan and Zoning Commission meeting.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the January 21st Plan and Zoning Commission Public Hearing. To date, one written comment in opposition to the request has been submitted to staff. The property owner directly north of the subject site opposed residential development fronting Tremont Avenue, which should be preserved as an industrial corridor.

Staff will apprise the Commission of any additional correspondence at the February 4, 2025 Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Maps
3. Ordinance 2023-483
4. Public Notice
5. Public Comment-5770 Tremont Ave



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
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PROJECT TITLE
Access/Expansion of the Jade on Tremont

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION
SEE ATTACHED LEGAL DESCRIPTION

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	I1	R-MF	~1 acre

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)

To provide for expansion and better access to The Jade on Tremont multi-family residential development.

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 | Company Name

ANTHONY PROPERTIES

Address

12770 COIT RD, STE 970

City | State | Zip

DALLAS, TX 75251

Phone

(214) 432-9514

Secondary Phone

E-Mail Address

BRIAN@ANTHONYPROPERTIES.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.

BRIAN SHIU

Type Applicant's Name

Applicant's Signature

12.17.24

Date

DEVELOPMENT TEAM

Property Owner

DPS INC

Address

5465 TREMONT AVE DAVENPORT IA 52807

Phone

309-314-6582

Secondary Phone

E-Mail Address

jayme@cciqc.com

Project Manager/Other

THOMAS J. PASTRNAK (ATTORNEY)

Address

313 W 3RD ST DAVENPORT, IA 52801

Phone

(563) 323-7737

Secondary Phone

E-Mail Address

TPASTRNAK@PASTRNAK.COM

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS
revised Jan. 2025

Authorization to Act as Applicant

I/We, DPS, INC

[as property owner(s)]

authorize BRIAN SHIU OF ANTHONY PROPERTIES

[the above person(s)]

to act as applicant, representing me/us before the City Plan & Zoning Commission

for the property located at 5670 TREMONT AVE DAVENPORT, IA 52807.

[Signature]
Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

12/17/24
Date

Notarization:

State of Illinois,

County of Rock Island,

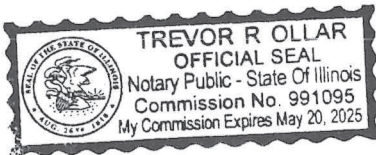
Sworn and subscribed before me

this 17th day of December, 2024.

[Signature]
Notary Public

My Commission Expires: 5/20/25

Driver's License
[identification type]

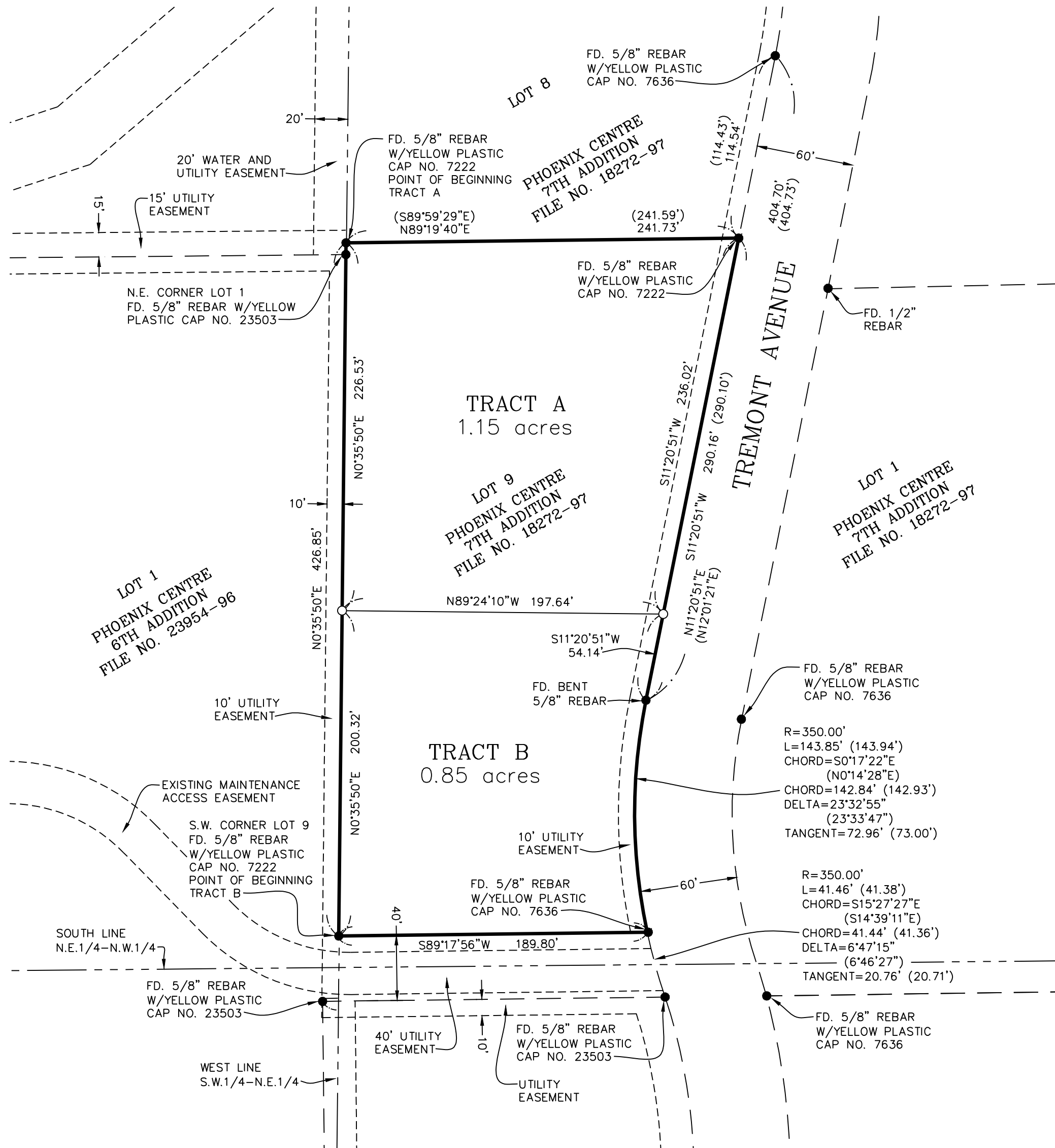


TRACT A AND TRACT B
PLAT OF SURVEY
PORTIONS OF LOT NINE (9) IN PHOENIX CENTRE 7TH ADDITION
DAVENPORT, SCOTT COUNTY, IOWA

INDEX LEGEND

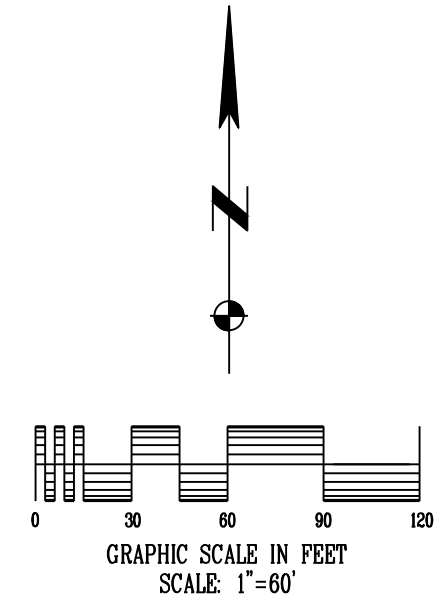
Location: LOT 9 OF PHOENIX CENTRE 7TH ADDITION
Requestor: APR DAVENPORT 2 LLC
Proprietors: DPS, INC.
Surveyor: GREGG E. SAMPSON, P.L.S.
Company/Return to: SUSAN FORINASH
HALL & HALL ENGINEERS, INC.
1860 BOYSON ROAD
HIAWATHA, IOWA 52233
1-319-362-9548

SPACE RESERVED FOR RECORDING PURPOSES



SURVEY LEGEND

○ SET 1/2" REBAR W/YELLOW PLASTIC CAP NO. 14809
● FD. MONUMENT AS NOTED
() RECORDED AS
--- EASEMENT LINE
--- PLAT BOUNDARY
--- EXISTING LOT LINE
--- 1/4-1/4 SECTION LINE



LEGAL DESCRIPTION-TRACT A:

A PORTION OF LOT 9, PHOENIX CENTRE 7TH ADDITION IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 89°19'40" EAST ON THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 241.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 9 AND THE WEST RIGHT OF WAY LINE OF TREMONT AVENUE;

THENCE SOUTH 11°20'51" WEST ON THE EAST LINE OF SAID LOT 9 AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 236.02 FEET;

THENCE NORTH 89°24'10" WEST, 197.64 FEET TO THE WEST LINE OF SAID LOT 9;

THENCE NORTH 0°35'50" EAST ON SAID WEST LINE, 226.53 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 1.15 ACRES.

LEGAL DESCRIPTION-TRACT B:

A PORTION OF LOT NINE (9) OF PHOENIX CENTRE 7TH ADDITION IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 0°35'50" EAST ON THE WEST LINE OF SAID LOT 9, A DISTANCE OF 200.32 FEET;

THENCE SOUTH 89°24'10" EAST, 197.64 FEET TO THE EAST LINE OF SAID LOT 9 AND THE WEST RIGHT OF WAY LINE OF TREMONT AVENUE;

THENCE SOUTH 11°20'51" WEST ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE, 54.14 FEET TO THE BEGINNING OF A 350.00 FOOT RADIUS CURVE, CONCAVE EASTERLY AND HAVING A LONG CHORD OF 142.84 FEET BEARING SOUTH 0°17'22" EAST;

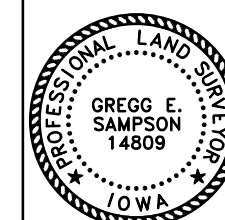
THENCE SOUTHERLY ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 143.85 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9;

THENCE SOUTH 89°17'56" WEST ON THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 189.80 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.85 ACRES.

NOTES:

- DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- BEARINGS ARE BASED ON: NAD83(2011)(EPOCH 2010.000) Iowa State Plane, North Zone, as observed using the Iowa Real Time Network.
- DATE OF SURVEY FIELD WORK: 11/4/2024



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Signed: _____ Date: _____

GREGG E. SAMPSON, P.L.S. Iowa License No. 14809

My license renewal date is December 31, 2024

ENTIRE SUBMISSION IS COVERED BY THIS SEAL UNLESS SPECIFIED BELOW:

Revision Description

Revision Number & Date

HALL & HALL ENGINEERS, INC.
Leaders in Land Development Since 1953

1860 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 362-9548 FAX: (319) 362-7595
CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE
LAND SURVEYING & LAND DEVELOPMENT PLANNING
www.halleng.com

TRACT A AND TRACT B
PLAT OF SURVEY

PORTIONS OF LOT NINE (9) IN PHOENIX CENTRE 7TH
ADDITION, DAVENPORT, SCOTT COUNTY, IOWA

Sheet Title

Designed by:

DLK

Drawn by:

DLK

Checked by:

GES

Date:

11/13/2024

Field Book No:

OT 113, OT 114

Scale:

1"=60'

Sheet:

1 of 1

Project Number:

10563-6

CAD File: I:\Projects\10563-6 Davenport Phase 2 Multi-Family\DWG\Plats\10563-6 Lot 9 POS 302024.dwg Date Plotted: Nov 13, 2024 - 1:28pm Plotted By: DLK



CAD File: I:\projects\10500\10563-5-Davenport Phase 2 Multi-Family\DWG\POI\10563-6-BOI-ADD NE LOT.dwg Date Plotted: Tuesday, November 5, 2024 11:48:35 AM Plotted By: David A. Sellman

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REVISION 1	07/12/2024
REVISION 2	07/30/2024
REVISION 3	08/20/2024
REVISION 4	10/16/2024

The Jade on Tremont Apartments North-West of E. 53rd St & Tremont Ave Davenport, Iowa 52807

SITE LAYOUT PLAN

trb

ARCHITECTURE

440 regency pkwy, suite 138
omaha, nebraska 68114
phone: 402.973.1012
www.trbARCHITECTURE.com

PROJECT: 24005
DATE: 8/20/24

Vicinity Map | Case REZ25-02

Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District.
[Ward 8]



Subject Property

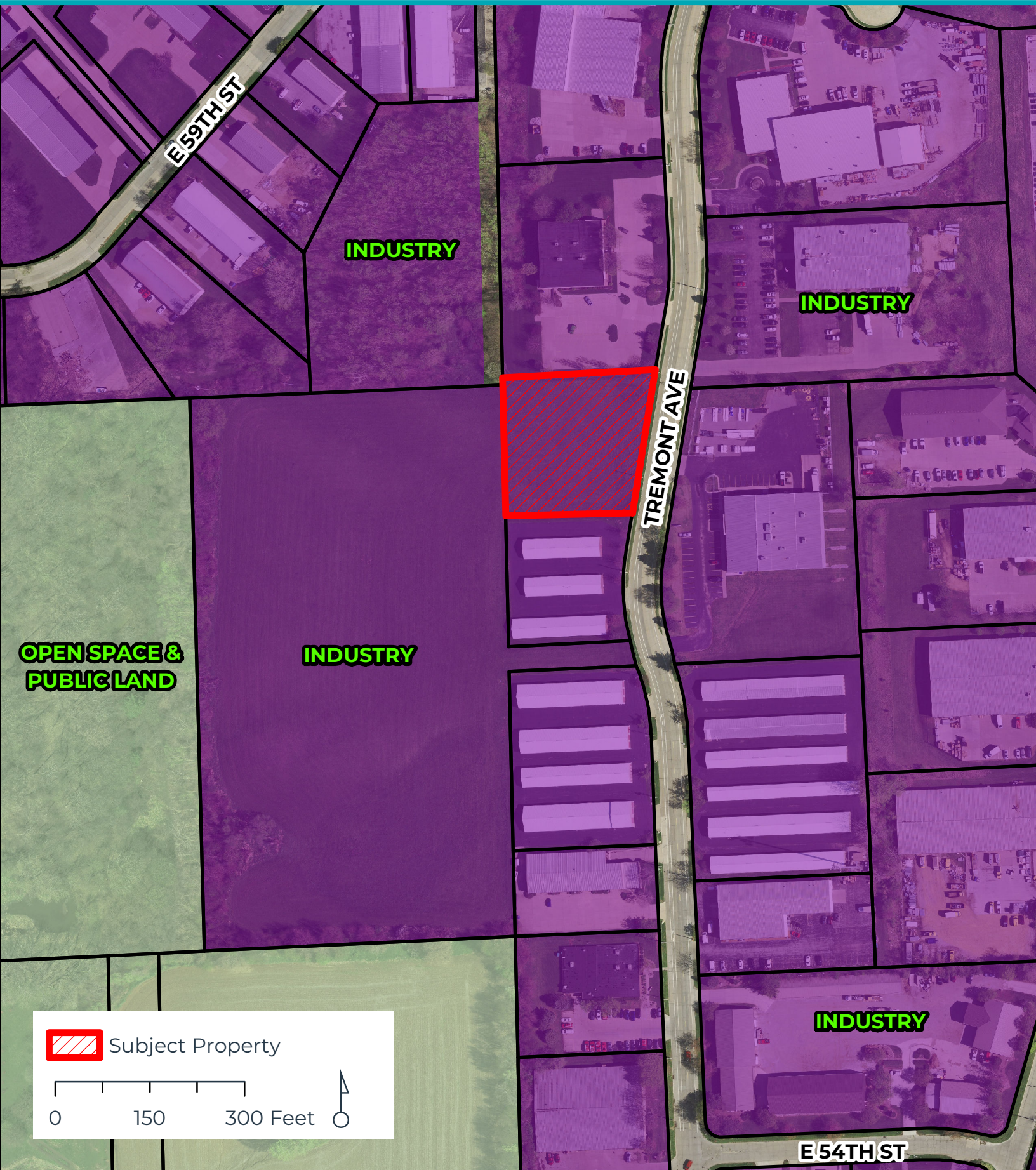
0 150 300 Feet



Zoning Map | Case REZ25-02

Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District.
[Ward 8]





ORDINANCE NO. **2023-483**

AN ORDINANCE FOR CASE REZ23-05 BEING THE REQUEST OF ANTHONY PROPERTIES TO REZONE THE 10.17 ACRES OF LOT 1 OF PHOENIX CENTRE 6TH ADDITION IN THE 5600 BLOCK OF TREMONT AVENUE (PARCEL X1203-01) FROM I-1 LIGHT INDUSTRIAL ZONING DISTRICT TO R-MF MULTIFAMILY RESIDENTIAL DISTRICT.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "RMF Multi-Family Residential" District:

LOT 1 OF PHOENIX CENTRE 6TH ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

Section 2. That the following findings are hereby imposed upon said rezoning:

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.
2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.
3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.
4. Rezoning the property to R-MF does create nonconformities.

Section 3. At its October 3, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-05 to the City Council with a recommendation for denial subject to the listed findings.

Section 4. At its November 21, 2023 meeting, the City Council voted to add conditions upon said rezoning, and at its December 6, 2023 Committee of the Whole Meeting, the Ordinance was reconsidered and the conditions were amended as follows:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and east property lines. The buffer yard shall contain a six-foot fence and landscaping.
2. The developer shall obtain approval from all utilities to install signage within the designated utility easement.

3. The developer shall install signage near the driveway entrance to the development. The signage shall be a minimum of thirty-two square feet and illuminated.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration October 25, 2023

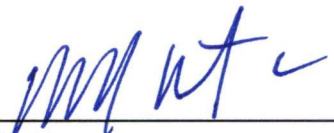
Second Consideration November 8, 2023

Approved November 21, 2023

Amended Ordinance approved December 13, 2023

Published in the *Quad-City Times* on December 21, 2023

Attest:


Mike Matson
Mayor




Brian Krup
Deputy City Clerk



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at 5670 Tremont Avenue

Plan & Zoning Commission Public Hearing Meeting

Date: 1/21/2025

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 neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned I-1 Light Industrial District. The request is to rezone the property to R-MF Multi-Family Residential District. The purpose is to facilitate better access to The Jade on Tremont Apartments. The subject property will also include a new clubhouse serving the residential development. Attached is a site layout plan.

Request/Case Description

Case REZ25-02: Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential 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 January 21, 2025. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on February 4, 2025. 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 "Meeting Minutes & Agendas": https://www.davenportiowa.com/government/meeting_minutes_agendas

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.

Werderitch, Matt

From: Thad Denhartog <tdenhartog@melfosterco.com>
Sent: Wednesday, January 8, 2025 3:01 PM
To: Planning
Cc: Werderitch, Matt
Subject: [EXT] Case REZ25-02

ATTENTION: This is an external email.

Good afternoon,

I am the owner of the property located at 5770 Tremont Ave which is directly north of the subject site proposed to be rezoned to R-MF.

I would like to protest the rezoning of this site to R-MF.

This is an industrial park with covenants in place. The frontage along Tremont should remain I-1.

The initial project was approved with the access point as previously designated.

Thank you,

TRD

THAD DENHARTOG, SIOR | Mel Foster Commercial Real Estate Services L.L.C. | 5167 Utica Ridge Road | Davenport, Iowa 52807 | P: 563-823-5276 | F: 866-332-3007 | Mobile: 563-650-8676
Email: <mailto:tdenhartog@melfosterco.com> Visit: <http://www.melfostercommercial.com>
Designated Managing Broker & Principal
Licensed Broker in Iowa and Illinois



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City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
1/21/2025

Subject:
Consideration of the January 7, 2025 meeting minutes.

Recommendation:
Approve the minutes.

Background:
The January 7, 2025 meeting minutes are attached.

Attachments:
1. Meeting Minutes 1-7-25

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, JANUARY 7, 2025; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. Roll Call

Present: Inghram, Hepner, Schilling, Johnson, Dunlop, Thomas, Garrington, Tallman, Schneider

Absent: Eikleberry, Maness

Staff: Berkley, Werderitch

II. New Business

- A. Case REZ25-01: Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

Staff presented an overview of the request. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. 'Dwelling-Multi-Family' is a permitted use in both the C-1 Neighborhood Commercial District and the C-T Commercial Transitional District. However, there are different district dimensional standards for lot area, building height, gross floor area of nonresidential, and setbacks. The two districts also have separate design standards for fenestration. Since the applicant intends to construct the footprint of the senior living facility across zoning designations, a map amendment is required to facilitate the development.

Barry Accountius and Karen Bernick, Woda Cooper Companies, Inc., were in attendance to present an overview of the proposed development and answer questions.

Commissioners had questions regarding the purchase agreement and public notification process.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Inghram, Hepner, Schilling, Johnson, Dunlop, Thomas, Garrington, Tallman, Schneider

Absent: Eikleberry, Maness

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 November 5, 2024 meeting minutes.

Motion by Tallman, second by Hepner, to approve the November 5, 2024 meeting minutes. Motion to approve was unanimous by voice vote (8-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

1. Case P25-01: Request of D&D Property Holding, LLC for a 28.3-acre Preliminary Plat of Northside Industrial Park. The 5-lot subdivision is located on Lot 1 of Iowa Research Commerce & Technology Park Third Addition. [Ward 8]

Staff provided a summary of the request. The undeveloped site is part of the Iowa Research Commerce & Technology Park. The 28.3-acre lot has historically been used for farming. The purpose of the subdivision is to divide the site into five lots suitable for industrial development. A concept plan has been submitted showing warehouse/distribution buildings with associated

parking and loading docks on each lot. A new public road, Pheasant Circle, will be dedicated to offer access to each lot.

Staff recommended the Plan and Zoning Commission forward P25-01 to City Council with a recommendation for approval subject to the following findings and conditions:

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport +2035.
2. The preliminary plat prepares the area for future development.
3. The preliminary plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements. A variance to Section 16.24.040.C for a cul-de-sac exceeding maximum length is granted for Pheasant Circle.

Conditions:

1. A traffic study is required with the submittal of a final plat to ensure appropriate traffic measures are in place upon development of the lots. Provide a pavement thickness analysis based on expected traffic volume.
2. Provide auto-turn/vehicle tracking model to confirm that semi turning onto streets and drives can be accomplished without significant encroachment into adjacent lanes. The findings will determine the radius of the cul-de-sac.
3. Any fill within easements shall require approval from utilities as part of the civil submittal.
4. Add a note stating, "Stormwater detention is provided by the regional detention basin in Outlot A of Iowa Research Commerce & Technology Park Third Addition. Additional detention may be required upon development."

Ryan Andresen, D&D Property Holding LLC, and Chris Townsend, Townsend Engineering, were in attendance to answer questions. The applicant consented to the recommended conditions.

Commissioners inquired about potential industrial users.

Motion by Inghram, second by Hepner, to approve staff recommendation in Case P25-01. Motion to approve was unanimous by roll call vote (8-0).

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

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

The meeting adjourned at 5:25 pm.

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
1/21/2025

Subject:

Case REZ25-01: Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

Recommendation:

Staff recommends Case REZ25-01 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 Residential General.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with the zoning and uses of nearby property.
3. The zoning map amendment will enable the area 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 does not create nonconformities.

Background:

The subject property is zoned C-1 Neighborhood Commercial District. The site is currently vacant and will be combined with the abutting lots, zoned C-T Commercial Transitional District, to the west to form a larger developable property. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. All units will be located within one 3-story fully accessible building spanning across 5 properties. Community amenities will include a gathering place and dog park.

Why is a Zoning Map Amendment Required?

'Dwelling-Multi-Family' is a permitted use in both the C-1 Neighborhood Commercial District and the C-T Commercial Transitional District. However, there are different district dimensional standards for lot area, building height, gross floor area of nonresidential, and setbacks. The two districts also have separate design standards for fenestration. Since the applicant intends to construct the footprint of the senior living facility across zoning designations, a map amendment is required to facilitate the development.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

The subject property is currently designated as Residential General in the Davenport +2035 Future Land Use Map.

1. **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.

Zoning:

The applicant is petitioning a rezoning from C-1 Neighborhood Commercial District to C-T Commercial Transitional District.

1. **C-1 Neighborhood Commercial District:** This 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.
2. **C-T Commercial Transitional District:** This zoning district is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems. Additional review will occur upon development of the property.

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.

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

Staff Response: The property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. Since the Comprehensive Plan designated areas as a whole, the neighborhood surrounding Truman Elementary School is classified as Residential General. Established neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, except for edges and transition areas, where higher intensity

may be considered.

Rezoning the property to C-T Commercial Transitional District does not require an amendment to the Future Land Use Map. With the exception of Green Acres Park, the intersection of Pine Street and West 53rd Street is designated as a Commercial Node. It is generally encouraged to have higher density near commercial corridors, such as West 53rd Street. The subject property serves as the transition between these two land use designations.

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

- **The compatibility with the zoning of nearby property.**

Staff Response: The subject property is located on a block that serves as a transition between a commercial corridor and residential neighborhood. Given the higher traffic volumes, properties along West 53rd Street and Pine Street are zoned C-1 Neighborhood Commercial District. This facilitates commercial development that is compatible with nearby residential neighborhoods.

The lots on this block fronting West 54th Street and Linwood Avenue are zoned C-T Commercial Transitional District. This is the lowest intensity commercial district in Davenport, which is designed to promote moderate density residential development with limited commercial uses. The request to downzone the property to a lower intensity district will further protect the adjacent residential areas from incompatible commercial development. A rezoning creates consistency with the immediately adjacent vacant lots to the west, which are intended to be combined for the development of a senior living facility. Furthermore, the maximum building height in the C-T Commercial Transitional District is 35 feet, which is consistent with the surrounding residentially zoned properties.

The properties north of 54th Street are zoned R-4 Single-Family and Two-Family Residential District. This moderately dense urban development pattern is suitable adjacent to commercial corridors. Preserving a limited commercial zoning designation on the southside of the street may create a beneficial mix of land uses in the area.

It is staff's opinion the proposed zoning amendment to C-T Commercial Transitional District is compatible with the zoning of nearby property.

- **The compatibility with established neighborhood character.**

Staff Response: The established neighborhood character consists of a diversity of residential, commercial, and civic uses. The neighborhood contains a mixture of housing types, including single-family homes along Linwood Avenue, duplexes on the northside of 54th Street, townhomes, and a 12-unit multi-family building at 2413 54th Street. Truman Elementary School is also within close proximity and has an entrance directly across the street from the subject property. Commercial businesses within the vicinity include Choice Automotive, Big 10 Mart, Lawnscape, and a shopping center at the southeast corner of Pine Street and 53rd Street.

The subject property is a vacant lot, which will be combined with the adjacent parcels to the west to form a larger developable site. Compatibility with the established neighborhood character depends on the development of the property. The Zoning Ordinance implements design standards to ensure new construction is cohesive with the surrounding neighborhood. These standards regulate building materials, façade design, fenestration, and roof design.

Both the C-1 Neighborhood District and C-T Commercial Transitional District have the same design standards for residential development. These standards will be applicable to the proposed senior living facility. However, there are minor differences for new commercial construction. A rezoning to C-T Commercial Transitional District would eliminate a ground floor transparency requirement of 50% for public facing facades. Otherwise, standards for façade design and roof design remain unchanged between zoning districts.

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

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

Staff Response: The applicant is requesting a map amendment to a more restrictive zoning designation. The proposed zoning map amendment will allow for similar uses as those already existing in the neighborhood. However, the C-T Commercial Transitional District limits the maximum gross floor area of nonresidential uses to 5,000 square feet. This is a unique requirement that does not apply to Davenport's other commercial zoning districts. The purpose is to ensure existing residential neighborhoods are protected from more intense commercial uses.

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

- **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 existing and proposed zoning designations accommodate low intensity office and retail uses that serve the needs of nearby residential areas. Dwellings are also considered a permitted use in both the C-1 Neighborhood Commercial District and the C-T Commercial Transitional District. The purpose of the rezoning is specific to the proposed development. The applicant intends to combine the subject lot, zoned C-1 District, with the adjacent properties to the west, zoned C-T District. Since the proposed apartment building will span across zoning boundaries, a map amendment is required to facilitate the development. Otherwise, a standalone multi-family building could be built on the site without a rezoning.

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

- **The extent to which the proposed amendment creates nonconformities.**

Staff Response: There are no structures on the subject property, which has been used as a community garden in recent years. If rezoned to C-T Commercial Transitional District, the property will comply with district dimensional standards for minimum lot area (10,000 square feet) and width (60 feet) requirements. Any development of the site shall be in accordance with applicable city codes and meet the standards of the C-T Commercial Transitional District.

It is staff's opinion that the proposed amendment will not create any nonconformities.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the December 18th neighborhood meeting and the January 7th Plan and Zoning Commission Public Hearing.

The neighborhood meeting was held at the Red Hawk Golf Course Clubhouse. Those in attendance included the applicant, planning staff, several elected officials, and two members of the public. To date, no written comments or formal protest petitions have been submitted. Staff will apprise the Commission of any additional correspondence at the January 21st Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Maps
3. Public Notice
4. Zoning Ordinance



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 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

Timber Ridge Apartments

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION

Vacant lot across from 2350 W 54th Street.

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	C1	CT	16,830

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)

Timber Ridge Apartments is a planned 52-unit rental community for independent living seniors 62 years of age or older. The project will feature 32 one-bedrooms and 20 two-bedroom apartments. Units will feature energy efficient appliances including in-unit washers and dryers. All units will be located in one 3-story fully accessible building. Community amenities will include a community gathering place and a dog park.

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 | Company Name

Woda Cooper Development, Inc.

Address

500 S Front Street, 10th fl.

City | State | Zip

Columbus, Ohio 43215

Phone

(614) 935-5466

Secondary Phone

E-Mail Address

Baccountius@wodagroup.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.

Barry Accountius

Type Applicant's Name

Applicant's Signature

Date

1-8-25

DEVELOPMENT TEAM

Property Owner

Steven Josvanger

Address

6732 Cresthill Drive, Davenport, IA 52806

Phone

(563) 579-0266

Secondary Phone

E-Mail Address

sjosvanger5@hotmail.com

Project Manager/Other

Barry Accountius

Address

500 S Front Street, 10th fl., Columbus, OH 43215

Phone

(614) 935-5466

Secondary Phone

E-Mail Address

Baccountius@wodagroup.com

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS
revised Jan. 2024

Authorization to Act as Applicant

I/We, Steven Josvanger

[as property owner(s)]

authorize Barry Accountius and/or Nick Pack and/or Karen Bernick

[the above person(s)]

to act as applicant, representing me/us before the City Plan & Zoning Commission

for the property located at across from 2350 W 54th Street

Steven J. Josvanger
Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization:

11-19-24
Date

State of Iowa

County of Scott

Sworn and subscribed before me

this 19th day of Nov, 2024

Latasha M. Brotherton

Notary Public

My Commission Expires:

July 7, 2026



[identification type]

LOT 3

LOT 2

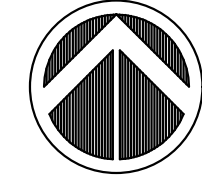
LOT 1

LOT 6

LOT 5

LOT 4

LOT 3



SCALE: 1" = 20'

25' BSL

LOT 16
SHEFFIELD
SQUARE
1ST
ADDITION

PARCEL ID W0923-13A
SHEFFIELD SQUARE LLC
(NO ADDRESS)

~~LOI 17~~

LOT 18

LOT 19

10T-20

LOT 21

LOT 22

PARCEL ID W0923C11
MICHAEL J PUENTE REVOC TRUST
MARY A PUENTE REVOC TRUST
(2323 W 54TH ST)

SHEFFIELD SQUARE
1ST ADDITION.

LOT 11

PARCEL ID W0923D08
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 10

PARCEL ID W0923C21
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 9

PARCEL ID W0923C20
HAKANSON LLC
(2352 W 53RD ST)

LOT 8

PARCEL ID W0923C19
HAKANSON LLC
(NO ADDRESS LISTED)

LOT 7

PARCEL ID W0923C18
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 6

PARCEL ID W0923C17
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 1
53 PINE 1ST ADDITION

PARCEL ID W0923C29
MOLO OIL COMPANY
(2308 W 53RD ST)



1717 STATE STREET
SUITE 201
PH: 563.344.0260
www.inegcorp.com

TIMBER RIDGE
DAVENPORT, IOWA

SITE LAYOUT PLAN

IMEG Project No:
24005110.00

File Name:
24005110.00-Grading.dwg

© COPYRIGHT 2024
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Field Book No:####

Drawn By: WRC

Checked By: ZSE

Date: 11/12/2024

C-1

Sheet 1 of 1



BUILDING AREA CALCULATIONS				
	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL
NEW RESIDENTIAL AREA	11,816 SF	12,234 SF	12,234 SF	36,284 SF
NET COMMON AREA	3,429 SF	3,011 SF	3,011 SF	9,451 SF
NEW BUILDING AREA	15,245 SF	15,245 SF	15,245 SF	45,735 SF
GROSS BUILDING AREA	16,237 SF	16,237 SF	16,237 SF	48,713 SF

UNIT QUANTITIES AND AREAS					
UNIT TYPE	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTALS	UNIT TYPE NET SF
1BR-1 - ACCESSIBLE	3	0	0	3	627
1BR-2 - TYPE B	7	11	11	29	627
2BR-1 - ACCESSIBLE	3	0	0	3	811
2BR-2 - TYPE B	3	6	6	15	811
2BR-3 - TYPE B	0	1	1	2	844
TOTALS	16	18	18	52	

DEVELOPMENT UNIT MIX:
(32) 1 BEDROOM APARTMENTS
(20) 2 BEDROOM APARTMENTS
(52) TOTAL UNITS

DEVELOPMENT ACCESSIBILITY MIX:
TOTAL TYPE A UNITS: 6 (10%)
TOTAL AUDIO / VISUAL UNITS: 2 (2%)

PARKING SPACES
(52) PARKING SPACES - REQUIRED
(52) PARKING SPACES - PROVIDED
(3 ACCESSIBLE / 49 STANDARD)



Neighborhood Meeting Attendance List

Date: 12/18/2024

Time: 6:00 am

Location: Red Hawk Golf Course Clubhouse

Case:

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Dwain Kilburg	tdkilburg@yahoo.com	563-370-5775	2316-18
2				2322-24
3	Cole Kilburg			2340-42
4				2356-58
5				
6				
7				
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23				
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25				



Vicinity Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]



Subject Property

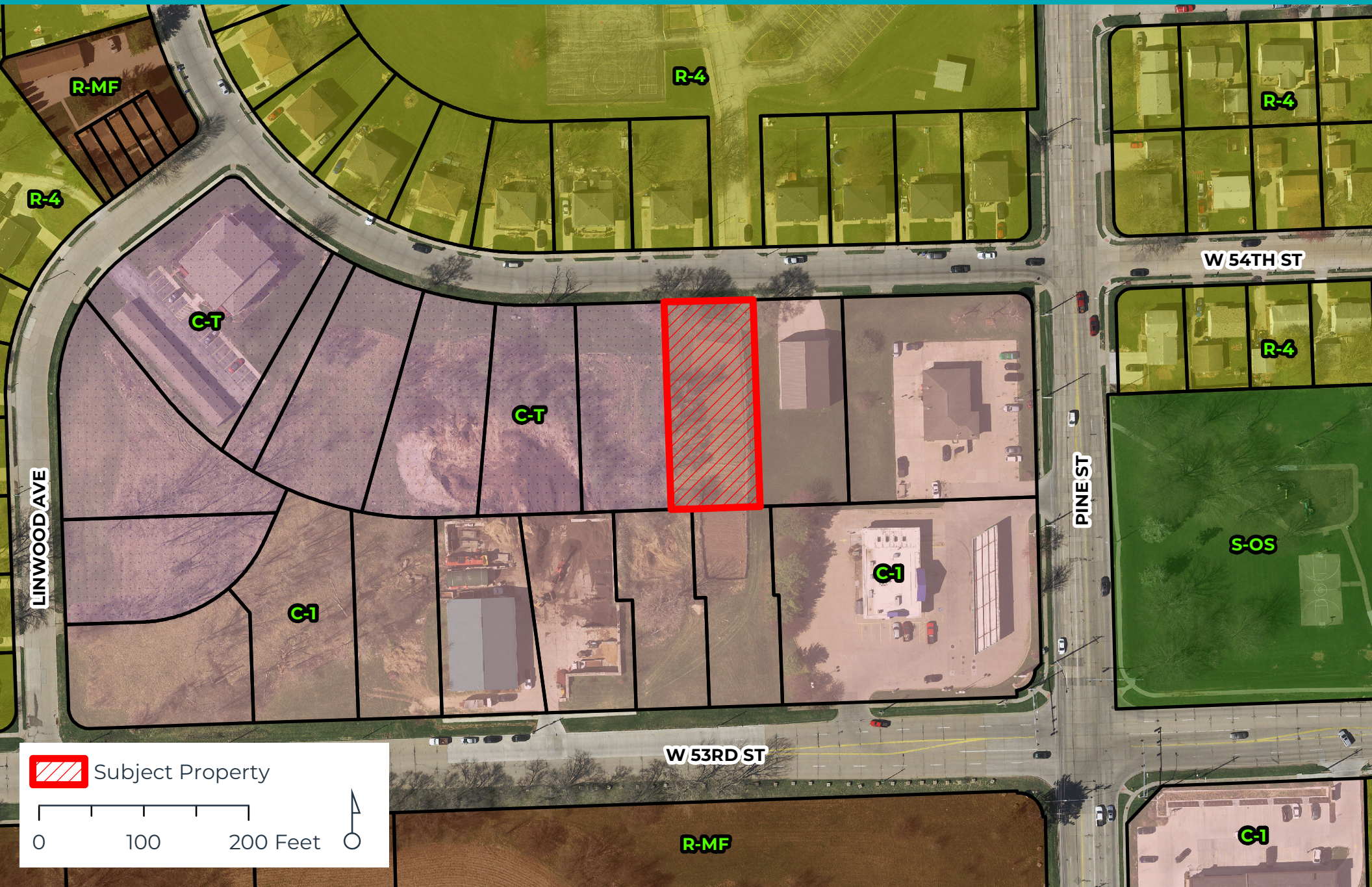
0 100 200 Feet





Zoning Map | Case REZ25-01

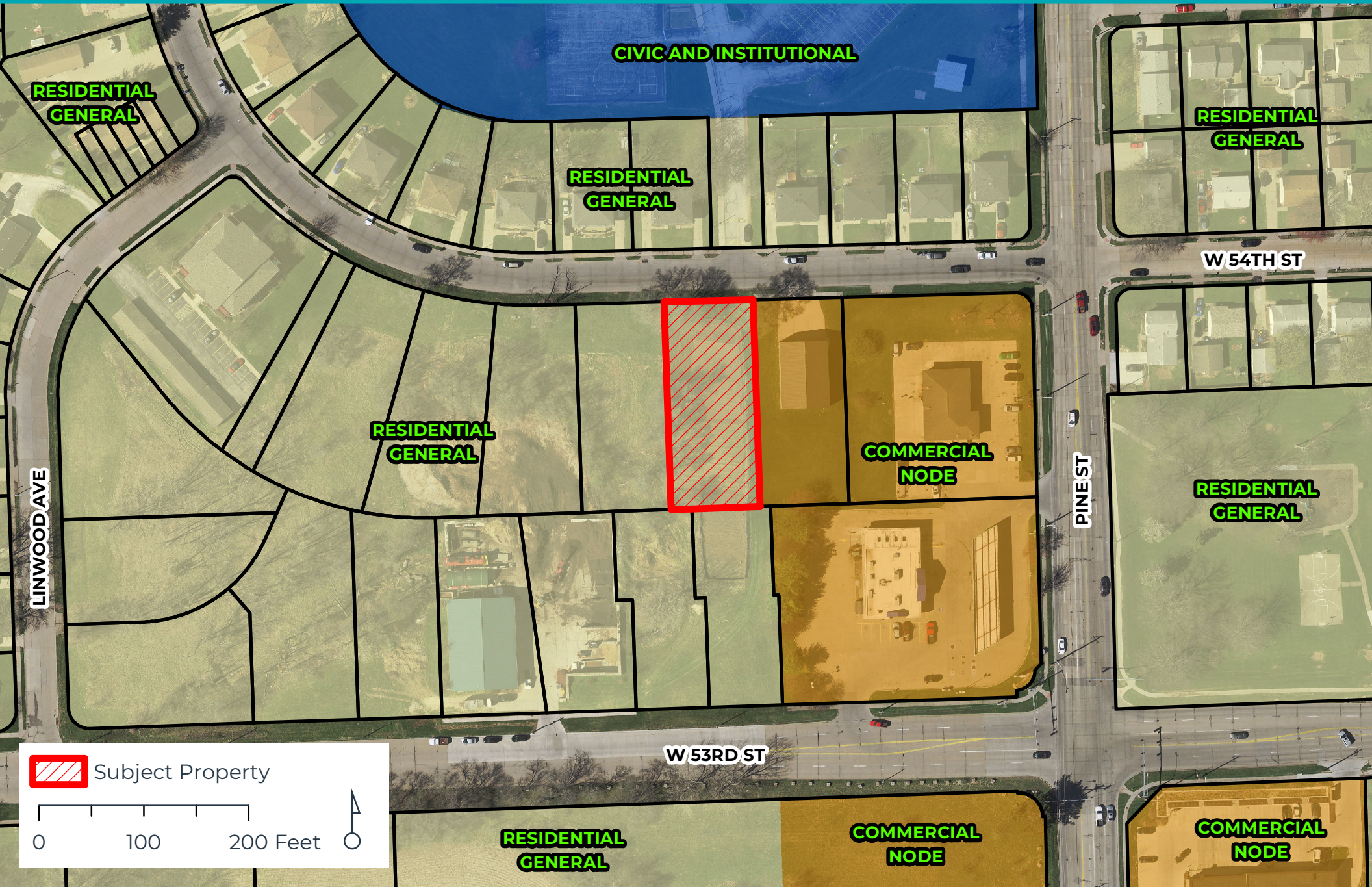
Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]





Future Land Use Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]



Subject Property

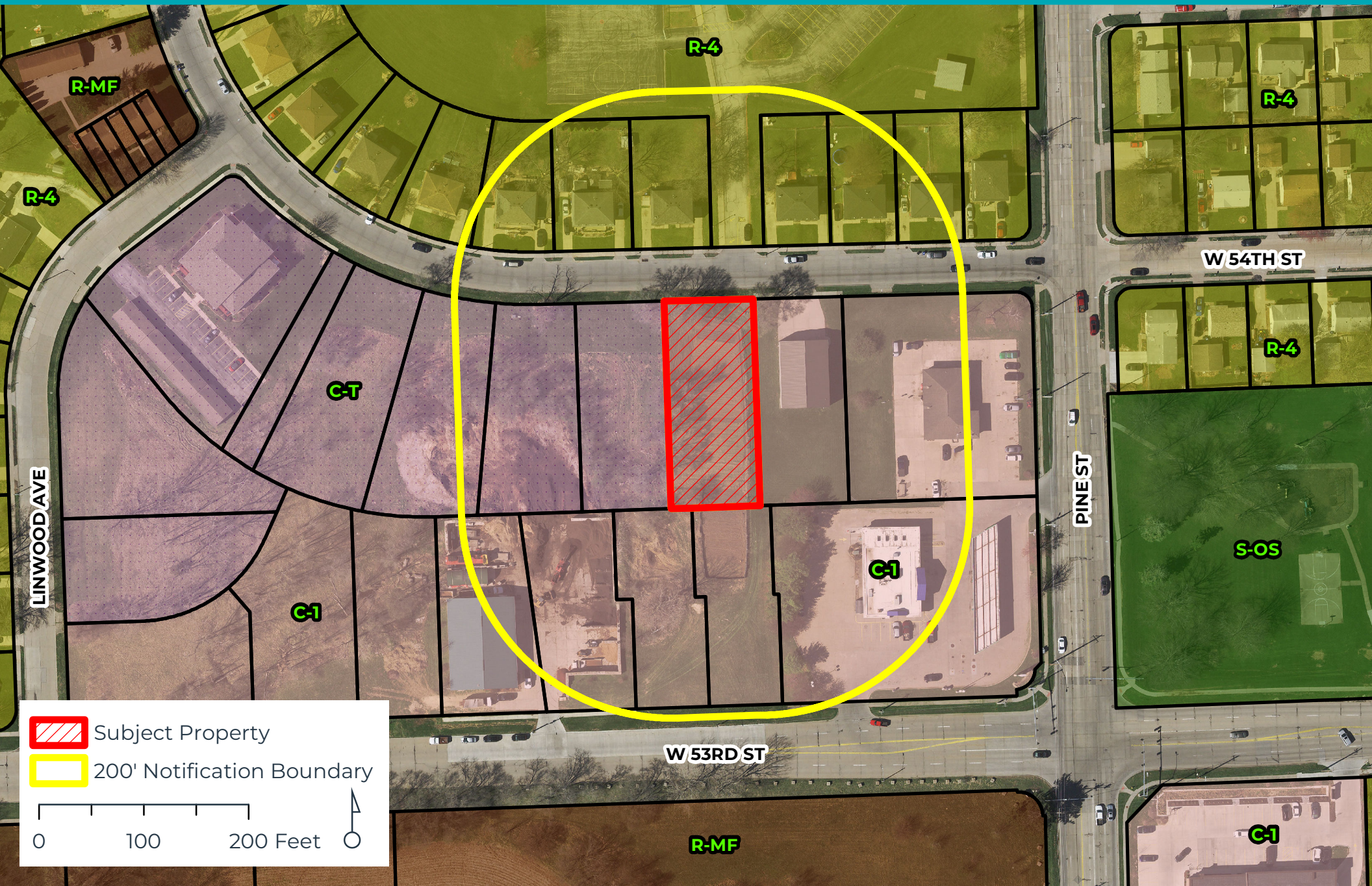
0 100 200 Feet





Public Notice Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]



Subject Property



200' Notification Boundary

0 100 200 Feet



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at Lot 21 of Sheffield Square 1st Addition

Neighborhood Meeting

Date: 12/18/2024

Time: 6:00 PM

Location: Red Hawk Clubhouse | 6364 Northwest Boulevard

Plan & Zoning Commission Public Hearing Meeting

Date: 1/7/2025

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 neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned C-1 Neighborhood Commercial District. The request is to rezone the property to C-T Commercial Transitional District. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. All units will be located within one 3-story fully accessible building spanning across 5 properties. (See attached map.)

Request/Case Description

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

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 January 7, 2025. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on January 21, 2025. 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 "Meeting Minutes & Agendas": https://www.davenportiowa.com/government/meeting_minutes_agendas

Do You Have Any Questions?

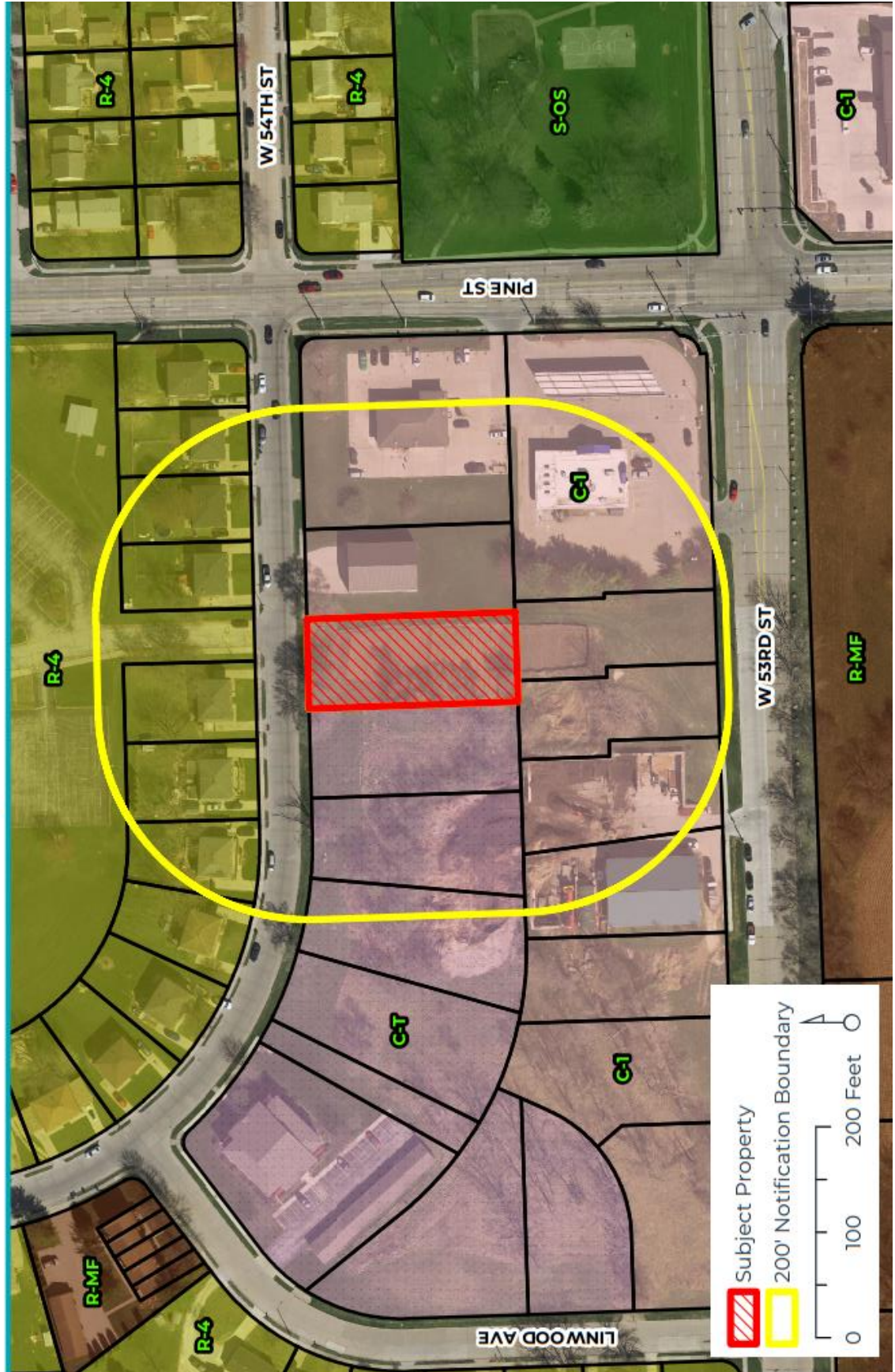
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: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



Public Notice Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]





CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010	Purpose Statements
Section 17.05.020	Uses
Section 17.05.030	Dimensional Standards
Section 17.05.040	Design Standards
Section 17.05.050	C-D District Standards
Section 17.05.060	C-V District Standards
Section 17.05.070	C-E District Standards
Section 17.05.080	General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

B. C-1 Neighborhood Commercial Zoning District

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.

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport’s commercial corridors.

D. C-3 General Commercial Zoning District

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

E. C-C City Centre Zoning District

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

F. C-OP Commercial Office Park Zoning District

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.

G. C-D Downtown Zoning District

The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

H. C-V Village of East Davenport Zoning District

The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

I. C-E Elmore Corners Zoning District

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the commercial districts.

B. In the C-V District, only 35% of a blockface can be in the use "bar." This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.
2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

C. In the C-1 District where 70% of a block face has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.

D. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Bulk						
Lot Area (minimum)	10,000sf	None	None	20,000sf	None	20,000sf
Lot Width (minimum)	60'	None	None	80'	None	70'
Gross Floor Area of Nonresidential (maximum)	5,000sf unless Sec.17.05.030.B	None	None	None	None	None
Building Height (maximum)	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a 'R' District, then 35'	45'
Setbacks						
Front (minimum)	BTZ of 0' to 20'	BTZ of 0' to 15'	None	25'	None	20'
Front Build-To %	70%	70%	None	None	None	None
Interior Side (minimum)	None, unless abutting a 'R' District then 20'	None, unless abutting a 'R' District then 10'	None, unless abutting a 'R' District then 10'	10', unless abutting a 'R' District then 20'	None, unless abutting a 'R' District then 20'	15'
Corner Side (minimum)	BTZ of 0' to 15'	BTZ of 0' to 10'	10'	20'	None	BTZ of 0' to 20'
Corner Side Build-To %	60%	60%	None	None	None	60%
Rear (minimum)	15';unless abutting a 'R' District then 25' or 20% of lot depth, whichever is less	None, unless abutting a 'R' District then 15' or 20% of lot depth, whichever is less	None, unless abutting a 'R' District then 15'	10', unless abutting a 'R' District then 25'	None, unless abutting a 'R' District, then 25'	25'

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design	C-T	C-1	C-2	C-3	C-C	C-OP
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entrances to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas						•

Table 17.05-2: Commercial Districts Design Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

B. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARD



- | | |
|--|--|
| <p>A. Blank wall area 40 linear feet or less, measured parallel to the street</p> <p>B. Repeating pattern of two elements at an interval of no more than 40 linear feet</p> <p>C. A visually distinct public entrance from the sidewalk along the primary building frontage</p> <p>D. First floor transparency of 50% measured between two and ten feet in height from grade</p> | <p>E. Upper floor transparency of 15% of the wall area of the story</p> <p>F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet</p> <p>G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details</p> |
|--|--|

CHAPTER 17.08.	USES
Section 17.08.010	General Use Regulations
Section 17.08.020	Use Matrix
Section 17.08.030	Principal Use Standards
Section 17.08.040	Temporary Use Standards
Section 17.08.050	Use Definitions

Section 17.08.010 General Use Regulations

- A.** No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B.** All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances.
- C.** Any use that is not included in the use matrix and cannot be interpreted as part of a use within the matrix is prohibited in all districts.
- D.** A site may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support and/or are functionally integrated into the principal use.
- E.** All uses must comply with the use standards of Section 17.08.030, as applicable, as well as all other regulations of this Ordinance and the City.

Section 17.08.020 Use Matrix

- A.** Table 17.08-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. Cells are color-coded for ease of review only; the letter indicated in the cell controls over any errors in color-coding.
- B.** Uses allowed in the R-3 and R-3C Districts are those listed in Table 17.08-1 for the R-3 District. Uses allowed in the R-4 and R-4C Districts are those listed in Table 17.08-1 for the R-4 District.
- C.** P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district.
- D.** In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 17.08.040.
- E.** For accessory uses, see Chapter 17.09.
- F.** See Section 17.04.020 for additional use restrictions in the R-3, R-3C, R-4, and R-4C Districts.
- G.** See Section 17.05.020 for additional use restrictions in the C-V District.

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility - Large Animal																			P			
Animal Care Facility - Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	S	S	S	S	S		S												P			Sec. 17.08.030.D
Billboard									P	P							P	P				Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children’s Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.J
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling - Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M
Dwelling - Manufactured Home						P													S			Sec. 17.08.030.N

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TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P	P		P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine Keeping/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																P	P	P					
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Greenhouse/Nursery - Retail										P					P			P	S				
Group Home	P	P	P	P	P																	Sec. 17.08.030.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
Healthcare Institution																					P		
Heavy Rental and Service																P		P					
Heavy Retail										S					S	P		P					
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L	
Hotel									P	P	P	P	P	S	P			P					
Industrial - General																	P						
Industrial - Light												P				P	P	P					
Industrial Design								P	P	P		P	P		P	P	P	P					
Live Performance Venue										P	P		P	P	P	P		P					

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TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P		
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public Works Facility												P					P	P	P	P		P	
Reception Facility	S	S	S	S			S	S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P					P	P	P		P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Retail Alcohol Sales									P	P	S		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						
Vehicle Dealership - Enclosed										P		S	P		P	S		P					
Vehicle Dealership - With Outdoor Storage/Display										S					S	S		P					

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TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Vehicle Operation Facility																P	P				P		
Vehicle Rental - Enclosed										P		S	P		P	S		P					
Vehicle Rental - With Outdoor Storage/Display										S					S	S		P					
Vehicle Repair/Service - Major										S						P	P	S				Sec. 17.08.030.DD	
Vehicle Repair/Service - Minor									P	P					P	P	P	S				Sec. 17.08.030.DD	
Warehouse																P	P						
Wholesale Establishment																P	P	S					
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE	
Wine Bar								S	P	P	P		P	P	P			P					
Winery																			S				
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
Wireless Telecommunications - Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications - DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications - DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A	
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B	
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C	
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D	
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E	
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F	
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G	
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H	

Section 17.08.030 Principal Use Standards

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms or elements.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 12% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade below the roofline.
4. For residential structures with more than twelve (12) dwelling units, the following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
 - a. The following building materials are prohibited on any part of any façade:
 - i. Plain concrete block
 - ii. Plastic
 - iii. Exterior insulating finish systems (EIFS)
 - b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
 - i. Corrugated metal
 - ii. Exposed aggregate (rough finish) concrete wall panels
 - iii. T-111 composite plywood siding
3. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.