

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, FEBRUARY 4, 2025; 5:30 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

Present: Inghram, Hepner, Schilling, Thomas, Garrington, Tallman, Schneider, Eikleberry

Absent: Maness, Dunlop, Johnson

Staff: Berkley, Werderitch, Huff

II. Report of the City Council Activity

Staff provided an update of the City Council activity.

III. Secretary's Report

A. Consideration of the January 21, 2025 meeting minutes.

Motion by Tallman, second by Hepner, to approve the January 21, 2025 meeting minutes. Motion to approve was unanimous by voice vote (7-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

Corporation Counsel, Samuel Hoff, read a prepared statement regarding the role of elected officials at Board and Commission meetings.

1. 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]

Staff provided a summary of the petition and history of the development. The purpose of the request is to provide for expansion and better access to The Jade on Tremont 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. 'Dwelling-Multi-Family' is a prohibited use in the I-1 Light Industrial District.

Staff recommended Case REZ25-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition:

Findings:

1. The zoning map amendment is inconsistent with the Comprehensive Plan, which identifies the site as Industry. However, the request is aligned with City Council's adopted land use policies.
2. The zoning map amendment is generally compatible with the zoning and uses of the surrounding area. The request is a continuation of Ordinance No. 2023-483 and alleviates previous concerns.
3. The zoning map amendment enhances the established neighborhood character.
4. The zoning map amendment may have factors impacting the public health, safety, and welfare of the City. However, the map amendment removes previous concerns about access, visibility, and emergency response.
5. The zoning map amendment will enable the area to be developed in a manner consistent with the adjacent residential development to the west.
6. The zoning map amendment will create nonconformities on adjacent properties. A condition for landscaping buffers mitigates the nonconformity.

Condition:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and south property lines. The buffer yard shall contain a six-foot tall fence and landscaping.

Commissioners inquired about the submitted concept plan and proposed access to Tremont Avenue.

Brian Shiu, representative of Anthony Properties, was in attendance to explain the project and answer questions.

Motion by Tallman, second by Hepner, to approve staff recommendation and condition in Case REZ25-02. Motion to approve was unanimous by roll call vote (7-0).

VI. Subdivision Activity

B. Old Business

C. 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]

Planning Staff presented an overview of the request to vacate the unimproved alley. Brian Schadt, City Engineer, answered questions from the Commission and explained the rationale for vacation.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate a portion of the alley right-of-way located north of Locust Street, between Belle Avenue and Duggleby Street in Case ROW25-01 to the City Council with a recommendation for approval, subject to the following condition:

Findings:

1. Alley right-of-way is not needed for a public purpose.
2. The City of Davenport did not improve the alley. The City has no intention to improve the public alley.
3. There are multiple property owners that may have an interest in the vacated right-of-way.
4. Careful consideration is necessary for the conveyance of the vacated right-of-way.
5. Easements are in place to access existing sewer infrastructure.
6. Accident history from 2014 to present for the immediate area does not show a safety issue.

Condition:

1. Upon vacation of the subject right-of-way, the land shall continue to function in its current state until the conveyance process is completed.

Commissioners inquired about the following: potential safety concerns, visibility issues with the retaining wall at 2342 East Locust Street, and pedestrian and vehicular traffic on Locust Street.

Members of the public cited the following in opposition to the request: the alley enables safe access to property, there are existing utilities within the right-of-way, vacating the right-of-way negatively impacts property values, and concerns for public safety.

Members of the public that spoke in favor of the request cited safety, nuisance activity, and the lack of maintenance as rationale for the vacation.

Motion by Eikleberry, second by Inghram, to table Case ROW25-01. The purpose is to provide City Staff with additional time to evaluate visibility issues associated with the retaining wall adjacent to the driveway of 2342 East Locust Street, assess traffic conditions on Locust Street, and examine the safety concerns raised by the public. Motion to table was unanimous by roll call vote (7-0).

2. Case F25-01: Request of Adrian Jones for a Final Plat of Jones Addition. The 2-lot subdivision is located at 2202 West 4th Street on .21 acres. [Ward 3]

Staff provided an overview of the subdivision. The Historic Preservation Commission granted a Request for Demolition of the First Bible Missionary Church at its November 12, 2024 meeting. Following the demolition of the church, the petitioner intends to construct a new two-family dwelling on the site. Since the property is zoned R-4C Single-Family and Two-Family Central Residential District, three dwelling units are not permitted on a single lot. To facilitate the construction of a two-family dwelling unit, the land must be subdivided. Both lots meet the R-4C Single-Family and Two-Family Central Residential District dimensional standards.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F25-01 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

2. The final plat conforms to the comprehensive plan Davenport +2035.
3. The final plat prepares the area for future development.

4. The final plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Remove building setback lines.
4. The structure on Lot 2 shall be demolished prior to the recording of the Final Plat.

Adrian Jones, applicant, was in attendance to explain the project and answer questions.

Motion by Inghram, second by Tallman, to approve staff recommendation and condition in Case F25-01. Motion to approve was unanimous by roll call vote (7-0).

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

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

The meeting adjourned at 6:24 pm.