

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, MAY 18, 2021; 5:00 PM

CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

A PARTIALLY ELECTRONIC MEETING IS BEING HELD BECAUSE A FULLY "IN PERSON" MEETING IS IMPRACTICAL DUE TO CONCERNS FOR THE HEALTH AND SAFETY OF COUNCIL MEMBERS, STAFF, AND THE PUBLIC PRESENTED BY COVID-19, AND TO FOLLOW THE GOVERNOR'S PROCLAMATION AND THE MAYOR'S EXECUTIVE ORDER DIRECTING SOCIAL DISTANCING AND PLACING RESTRICTIONS ON GATHERINGS. IN PERSON ATTENDANCE BY THE GENERAL PUBLIC AT ANY CITY OF DAVENPORT PUBLIC MEETING WITHIN ITS FACILITIES SHALL BE LIMITED TO 20 PERSONS.

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the May 4, 2021 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ21-03: Request of Build to Suit on behalf of Elmore Storage LLC to rezone 6403 Elmore Avenue (PIN Y0551A04) from C-E Elmore Corners to C-3 General Commercial District to allow for the expansion of the existing outdoor storage units. [Ward 6]

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F20-11: Request of DA Montana LLC for a Final Plat of Shirley's Shire for a 3 lot subdivision on 12.043 acres located north of Telegraph Road, west of Wisconsin Avenue. [Ward 1]
- ii. Case P21-01: Request of Dan Dolan Homes on behalf of Sophie Foster Revocable Trust for a Preliminary Plat of Birchwood Grove for a 73 lot subdivision on 20 acres located at 4607 East 53rd Street. [Ward 6]

- iii. Case P21-02: Request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust for a Preliminary Plat of Birchwood South 1st Addition for an 11 lot subdivision on 17.92 acres located at 4607 East 53rd Street. [Ward 6]

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
5/18/2021

Subject:
Consideration of the May 4, 2021 meeting minutes.

Recommendation:
Approve the minutes.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 5-4-21

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/12/2021 - 9:15 AM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, MAY 4, 2021; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

A PARTIALLY ELECTRONIC MEETING IS BEING HELD BECAUSE A FULLY “IN PERSON” MEETING IS IMPRACTICAL DUE TO CONCERNS FOR THE HEALTH AND SAFETY OF COUNCIL MEMBERS, STAFF, AND THE PUBLIC PRESENTED BY COVID-19, AND TO FOLLOW THE GOVERNOR’S PROCLAMATION AND THE MAYOR’S EXECUTIVE ORDER DIRECTING SOCIAL DISTANCING AND PLACING RESTRICTIONS ON GATHERINGS. IN PERSON ATTENDANCE BY THE GENERAL PUBLIC AT ANY CITY OF DAVENPORT PUBLIC MEETING WITHIN ITS FACILITIES SHALL BE LIMITED TO 20 PERSONS.

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

- I. Old Business
- II. New Business

- A. A. Case REZ21-03: Request of Build to Suit on behalf of Elmore Storage LLC to rezone 6403 Elmore Avenue (PIN Y0551A04) from C-E Elmore Corners to C-3 General Commercial District to allow for the expansion of the existing outdoor storage units. [Ward 6]

Koops provided an overview of the case. The site was developed in accordance with the previous Zoning Ordinance. However, due to the adoption of a new Zoning Ordinance in 2019, the property was rezoned to C-E Elmore Corners District. This made the existing outdoor self-storage facility a nonconforming use. A rezoning to C-3 General Commercial District will bring the site into conformance with the current ordinance and enable construction of the second phase of units as a special use.

Kevin Koellner, petitioner, stated the purpose of the request. During the first phase of construction, the entire site was graded and prepared for full build-out. A rezoning will allow for the construction of additional outdoor storage units as originally planned.

Dr. Bradley Burt, owner of Aqua Tech Car Wash, expressed the second phase of self-storage units should be held to the design standards outlined in the Elmore Corners Plan. He communicated a desire for the project to be reviewed by the Design Review Board.

After all in person and virtual attendees spoke, the public hearing closed.

III. Next Public Hearing: May 18, 2021

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Tallman, Inghram, Hepner, Brandsgard, Maness, Garrington

Excused: Lammers, Johnson, Reinartz

Staff: Berkley, Koops, Werderitch

II. Report of the City Council Activity

Berkley updated the commission that Case REZ21-01 being the request of Dan Lorentzen on behalf of Rock Church Ministries Inc. to rezone Parcel P1304-02C from S-OS Open Space District to R-1 Single-Family Residential District to allow for the construction of a church has moved onto second consideration at City Council.

III. Secretary's Report

A. Consideration of the April 20, 2021 meeting minutes.

Motion by Tallman, second by Hepner to approve the April 20, 2021 meeting minutes. Motion to approve was unanimous by voice vote (6-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ21-02: Request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less. [Ward 7]

Koops provided an overview of the case and a history of the property. Tom Pastrnak, applicant, gave an introduction to the proposed heavy retail commercial tenant and addressed concerns raised at the public hearing. Ralph Armstrong, Electrical Engineering and Equipment, was in attendance to

answer questions from the Commission. No members of the public spoke in favor or opposition to the petition.

Garrington requested the metal storage container be removed from the property. Koops stated staff is in contact with the property owner to have the container removed.

Maness inquired about future C-3 General Commercial land uses that may cause a nuisance to the neighborhood should the property be rezoned.

Staff recommended Case REZ21-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport 2035+ Land Use Plan, which identifies the property as Residential General (RG) which allows for commercial uses along corridors and edges. The vicinity was developed in the early to mid-70's and is compatible with RG as is the proposed retail use with outdoor storage at the subject property which was built in 1987.
2. The proposed C-3 General Commercial District is compatible with the zoning of nearby property along Marquette Street and Kimberly Road, as well as other C-3 zoning located in the Village Shopping Center, at the car dealerships, the mall, and the Lujack's properties along Welcome way. Industrial uses are located at Gaines and West Kimberly Road.
3. Rezoning the property to C-3 General Commercial District does not create any nonconformities.
4. Required Special Use approval for some of the additional uses allowed in the C-3 District offers further levels of review for the protection of adjacent properties.

Conditions:

1. The proposed outdoor storage enclosure shall be limited to 50 feet by 50 feet or less and shall not be allowed to be expanded unless approved by a modification to the Special Use for heavy retail.
2. Within 90 days of approval of this request the site shall come into compliance with required buffer yard landscaping/fencing per 17.11.080 along the west property line where fencing is not provided by the property owner. The existing privacy fencing abutting residential properties shall be repaired and maintained by the owner for as long as there are abutting residential uses and/or districts, so that all portions of these abutting properties are screened with privacy fencing.

Motion by Tallman, second by Hepner to approve Case REZ21-02 subject to the listed findings and conditions. Motion to approve was unanimous by a roll call vote (6-0).

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

Berkley notified the Commission of several upcoming subdivision plats.

Staff informed the Commission that there is still a vacancy. Berkley encouraged the Commissioners to reach out to any qualified individuals within the City.

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Tallman, second by Maness to adjourn the meeting. Motion to adjourn was unanimous by voice vote.

The meeting adjourned at 5:35 pm.

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Scott Koops, Planner II, AICP
Scott.Koops@davenportiowa.com

Date
5/18/2021

Subject:

Case REZ21-03: Request of Build to Suit on behalf of Elmore Storage LLC to rezone 6403 Elmore Avenue (PIN Y0551A04) from C-E Elmore Corners to C-3 General Commercial District to allow for the expansion of the existing outdoor storage units. [Ward 6]

Recommendation:

Planning staff recommends the Plan and Zoning Commission forward Case REZ21-03 to the City Council with a recommendation for approval without conditions.

Background:

See the attached Vicinity Map, Zoning Map, and Davenport 2035+ Land Use Map.

In addition there are three Exhibits from the Elmore Corners Plan which are also attached. The Elmore Corners Plan/Design Guidelines were adopted 1-9-19.

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Regional Commercial (RC) - The most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street.

Zoning:

Existing: C-E Elmore Corners Zoning District

Proposed: C-3 General Commercial District

17.05.010.H. C-E Elmore Corners Purpose Statement

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.

17.05.010.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 largescale 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.

Technical Review:

Existing infrastructure is in place, accordingly technical review comments have been received stating that there are no concerns for the buildout of the remaining half of this site.

Public Input:

Property owners within 200 feet of the property have been notified and a sign has been placed on the property. A neighborhood meeting was not held for this case. The Notice of a Public Hearing was published in the Quad City Times and a Public hearing was held on May 4, 2021.

Discussion:

In 2015 the south half of this site was developed with outdoor storage units, at which time the property was zoned Planned Development District, which allowed for the use. In January of 2019 the zoning code was completely re-written and the property was zoned C-E Elmore Corridors which rendered the property nonconforming with respect to the use of the property.

The C-E District does not allow for outdoor self-storage units. A zoning map amendment is required to allow for the proposed use, (outdoor self-storage units) which is a continuation of the existing use on the lot.

In addition to the rezoning, the site will also require a Special Use approval from the Zoning Board of Adjustment which is required for the proposed use in the C-3 District.

Staff has reviewed the C-E Elmore Corners Plan. The Concept Plan on page 3 of the document states *"the Concept Plan establishes the planning and development vision for Elmore Corners in the context of adjacent neighborhoods and existing land uses. The map highlights proposed future land uses and public infrastructure."*

With regards to the Plan's stance on the subject property, the attached "Concept Plan" clearly states that the plan establishes the vision for Elmore Corners' existing land uses. The plan shows the entire site as "Existing Warehouse Storage" but does not call out any future modifications or changes to the site, nor illustrate that the site shall meet the design standards of the Elmore Corners Plan. This nonconforming property per the concept plan has no future development planned through the Elmore Corners vision document.

Likewise, the "Site Layout Plan" also does not show any plans or visions for the subject property. The same holds true for the "Circulation Plan", which also shows the lot/site but contains no plans for the site.

Finally, the "Landscape Concept" map shows the subject property separated from planned areas of Elmore Corners with a wide buffer to separate the warehouse storage site from the areas of actively being planned (see attached exhibit).

Approval Standards for Map Amendments (Chapter 17.14.040)

Zoning text or map amendment are a matter of legislative discretion which 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 balancing of the following:

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

Regional Commercial (RC) areas are located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes. The proposed use is compatible with the Davenport 2035+ Land Use Plan.

b. The compatibility with the zoning of nearby property.

One lot to the south beyond the adjacent apartments is a large commercial retail center zoned C-3, which allows for the same uses as the proposed outdoor storage units. Given the close proximity of the C-3 District to the south, the proposed map amendment is compatible with adjacent zoning districts.

c. The compatibility with established neighborhood character.

The subject property was developed as a commercial development along a commercial corridor in 2015 and was compatible with adjacent use and district requirement at that time. Today the site is in a mixed use area and is compatible with the mixed uses in the vicinity.

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

Staff does not foresee any situation where the public health or welfare will be negatively impacted by the proposed rezoning and the proposed use. The site is currently not in conflict with public health and safety, nor should the site be once the remaining half is developed with the same use that is on the south half of the lot.

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

This site can be developed a wide range of uses, including the proposed outdoor storage units. The district uses of the C-3 District are sustainable given the adjacent uses and zoning districts. It is unlikely that the site will be demolished any time soon and a different use constructed on the site.

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

All existing structures on this site meet the C-3 setback requirements. There shall not be any nonconformities created due to the proposed rezoning, on the contrary, a nonconforming use will cease with the rezoning to a compatible zoning district.

Findings & Recommendation:

Findings:

1. The zoning map amendment is consistent with the Davenport 2035+ Land Use Plan, (Regional Commercial – RC) which allows for the proposed use and other such similar uses.
2. The proposed C-3 District and storage use is compatible with the adjacent zoning, area characteristics, and public health and welfare as there are other regional commercial uses nearby and the use is allowed in the RC classification.

- 3 . Rezoning the property to C-3 General Commercial District does not create any nonconformities and will in fact change a nonconforming use into a conforming use.
- 4 . Required Special Use approval for outdoor storage units in the C-3 District offers a further level of review for the protection of adjacent properties.

Recommendation:

Planning staff recommends the Plan and Zoning Commission forward Case REZ21-03 to the City Council with a recommendation for approval without conditions.

ATTACHMENTS:

Type	Description
▣ Exhibit	Elmore Corners - Concept Plan
▣ Exhibit	Elmore Corners - Site Layout
▣ Exhibit	Elmore Corners - Landscape Plan
▣ Exhibit	Vicinity Map
▣ Exhibit	Zoning Map
▣ Exhibit	Davenport 2035+ Land Use Map
▣ Exhibit	Notice Letter & Map
▣ Exhibit	Application

Staff Workflow Reviewers

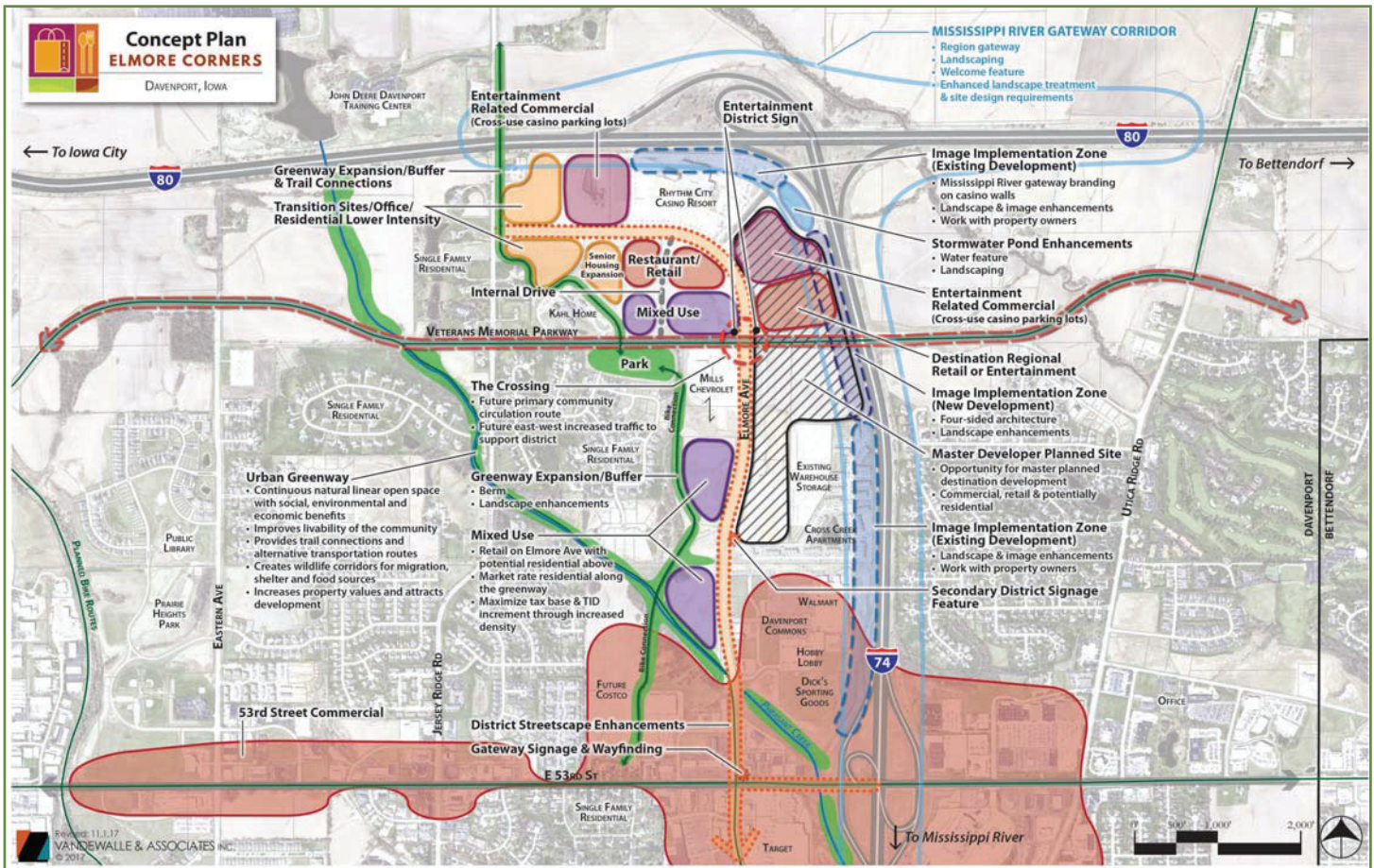
REVIEWERS:

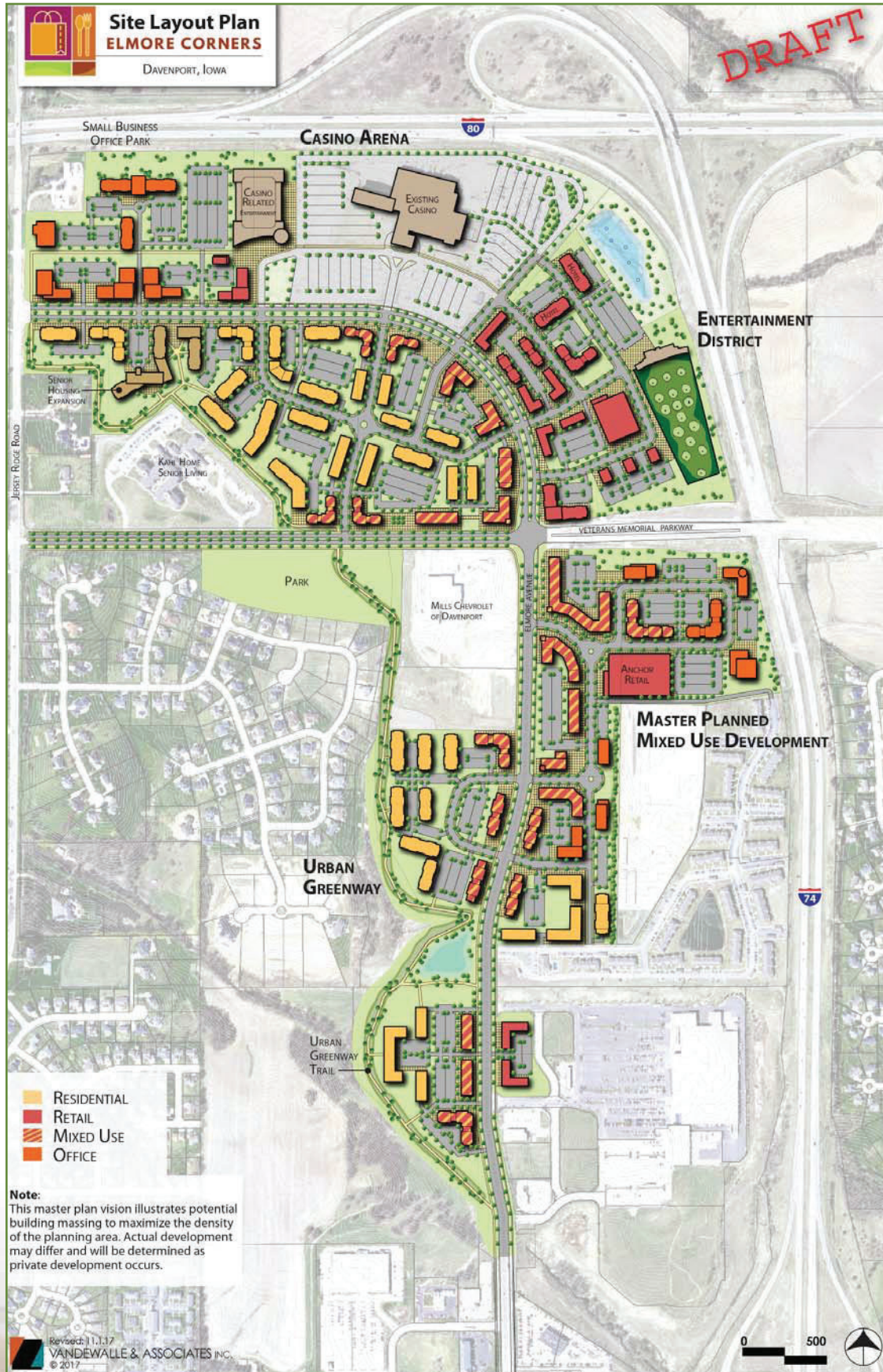
Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	5/13/2021 - 8:24 AM

II. Concept Plan

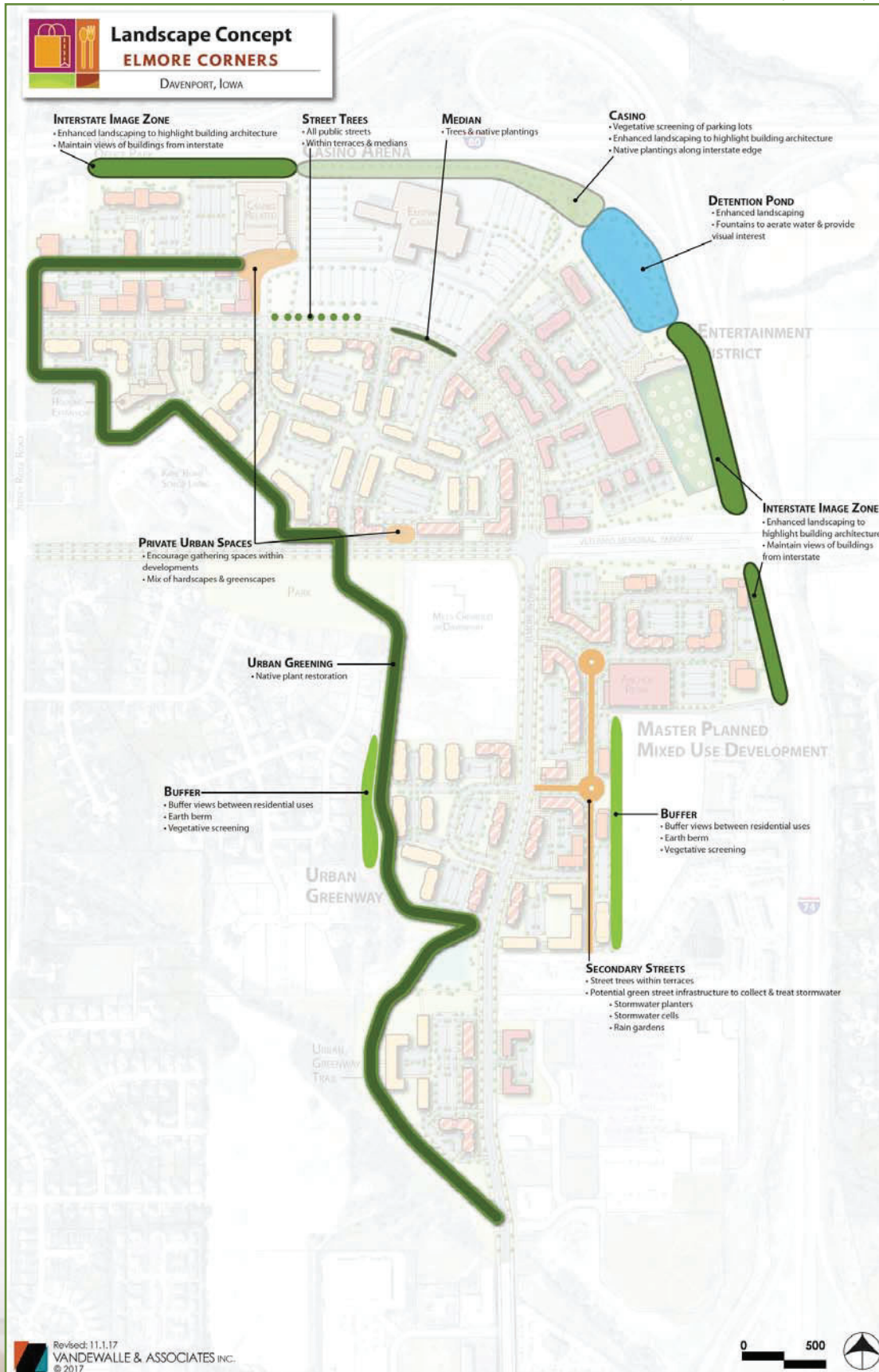
As seen in Map 2, the Concept Plan establishes the planning and development vision for Elmore Corners in the context of adjacent neighborhoods and existing land uses. The map highlights proposed future land uses and public infrastructure. The illustration also identifies important design issues to be considered for a successful development. These are explained further below and in the Design Development Standards section.

Map 2. Concept Plan





Map 7. Landscape Concept



Vicinity Map
Case REZ21-03
6403 Elmore Avenue



Rezone from C-E Elmore Corners District to C-3 General Commercial District

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

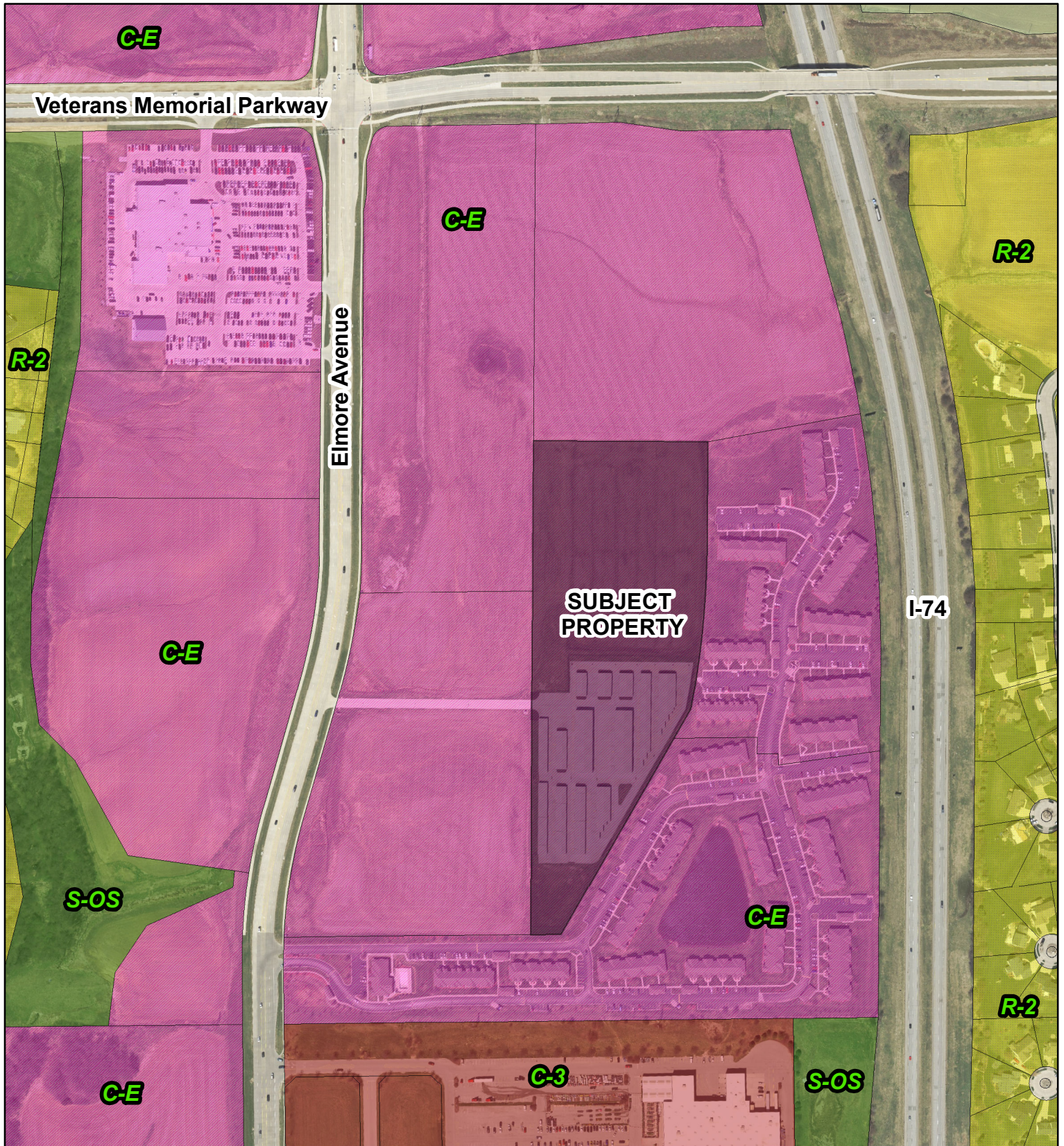
0 250 500 1,000 Feet



Zoning Map Amendment (Rezoning) Request

Case REZ21-03

6403 Elmore Avenue



Rezone from C-E Elmore Corners District to C-3 General Commercial District

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

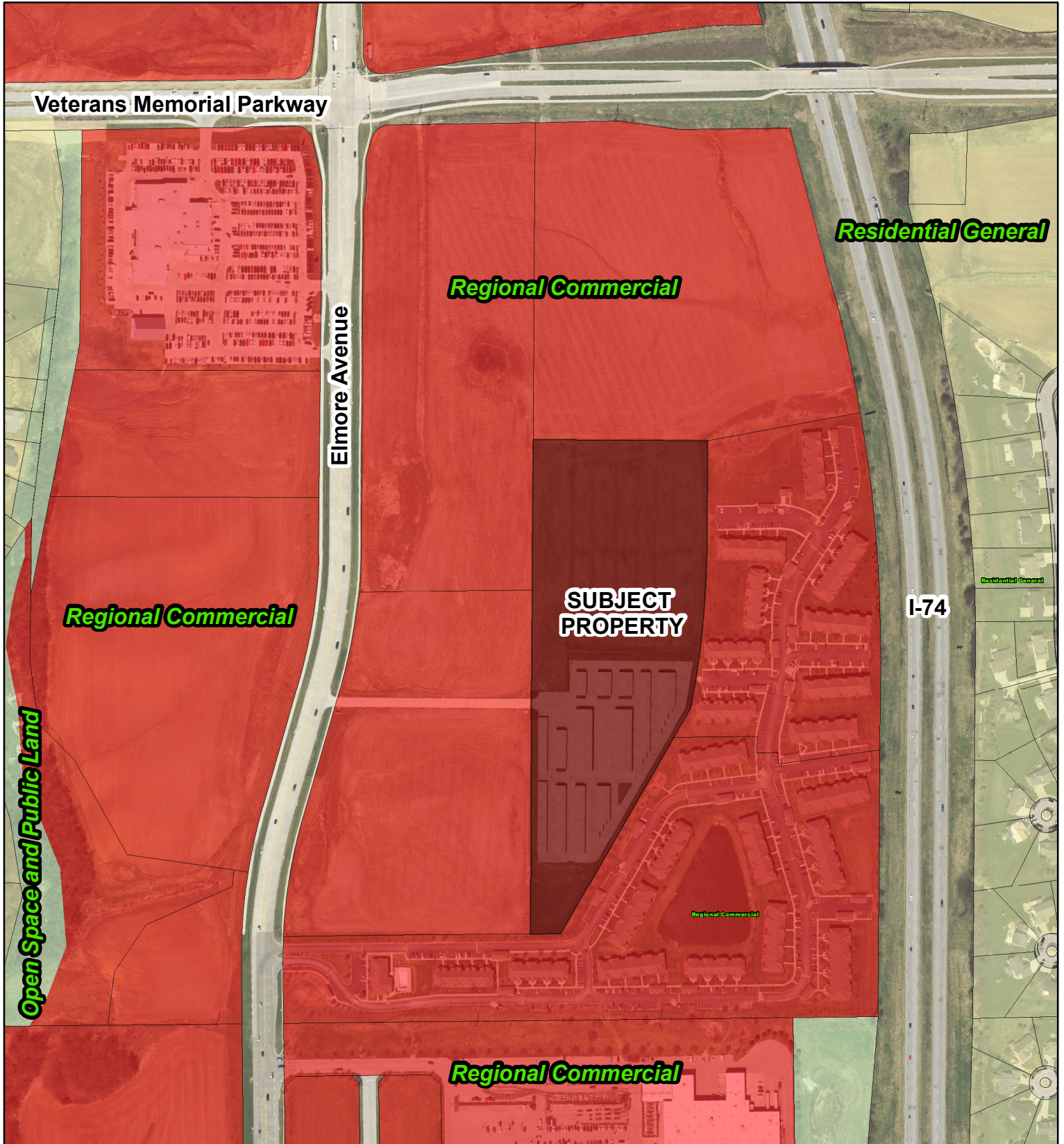
0 250 500 1,000 Feet



Future Land Use Map-Davenport +2035

Case REZ21-03

6403 Elmore Avenue



**Rezone from C-E Elmore Corners District to C-3 General Commercial District
Property to remain Regional Commercial**

Private parties utilizing City GIS data do so at their own risk.
The City of Davenport will not be responsible for any costs or
liabilities incurred due to any differences between information
provided and actual physical conditions.

0 250 500 1,000 Feet





DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 5/4/2021
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Rezoning Request Before the Plan and Zoning Commission

[Address Block]

To: All property owners within 200 feet of the subject property located at **6403 Elmore Avenue**

What is this About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to permit the expansion of the existing outdoor storage facility.

Request/Case Description

Case REZ21-03: Request of Build to Suit on behalf of Elmore Storage LLC to rezone 6403 Elmore Avenue (PIN Y0551A04) from C-E Elmore Corners to C-3 General Commercial District to allow for the expansion of the existing outdoor storage units. [Ward 6]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 4, 2021. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 18, 2021. 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.

On-line/Telephone Participation:

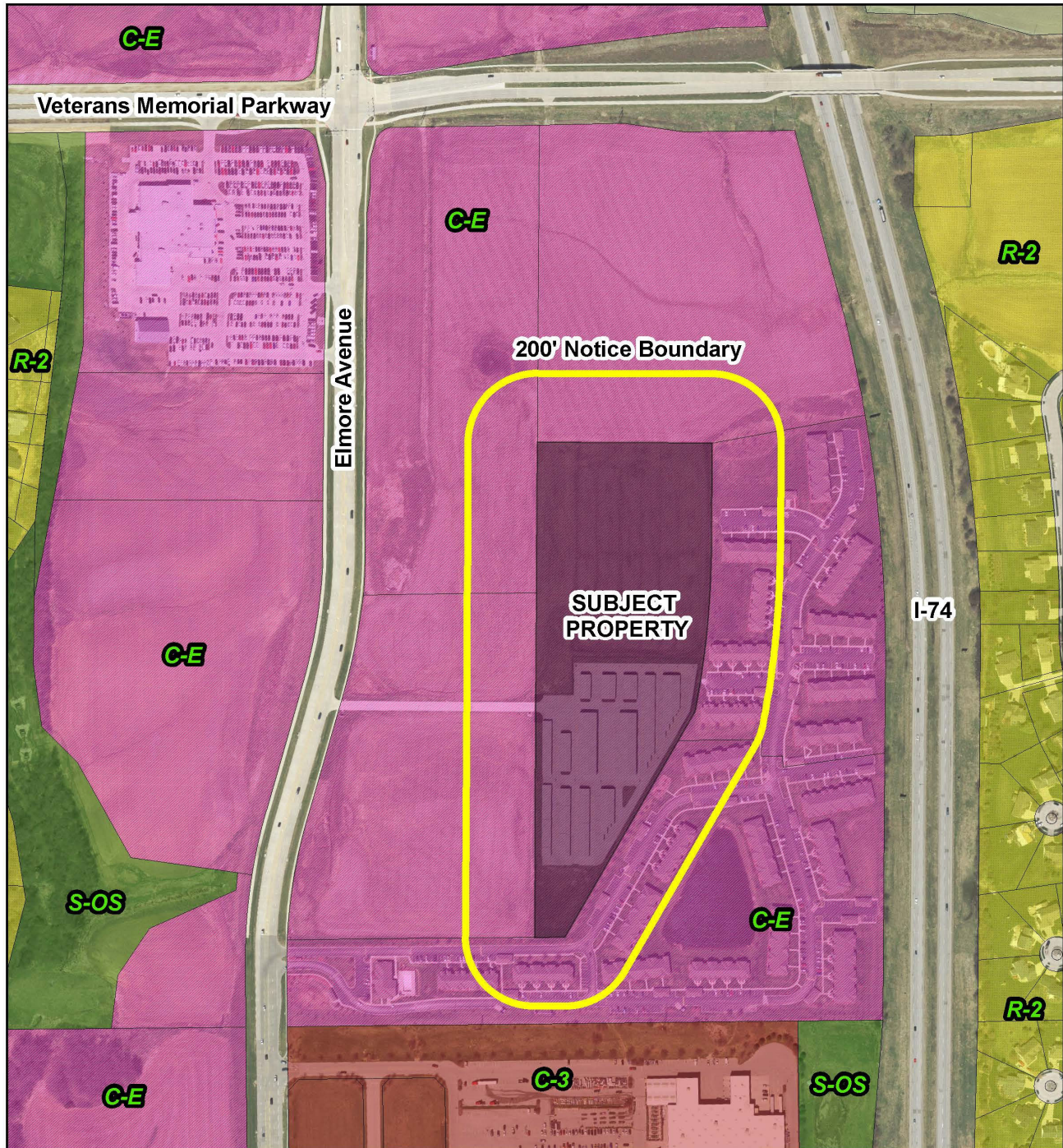
Persons may join the meeting virtually: https://www.gotomeet.me/Davenport_Planning/planzoning & at 1-866-899-4679 with access code: 492-653-453. All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": <http://www.cityofdavenportiowa.com/boards> Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops) at scott.koops@davenportiowa.com or 563-328-6701. 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 verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Adjacent Property Owner Notice Area
Zoning Map Amendment (Rezoning) Request
Case REZ21-03: 6403 Elmore Avenue

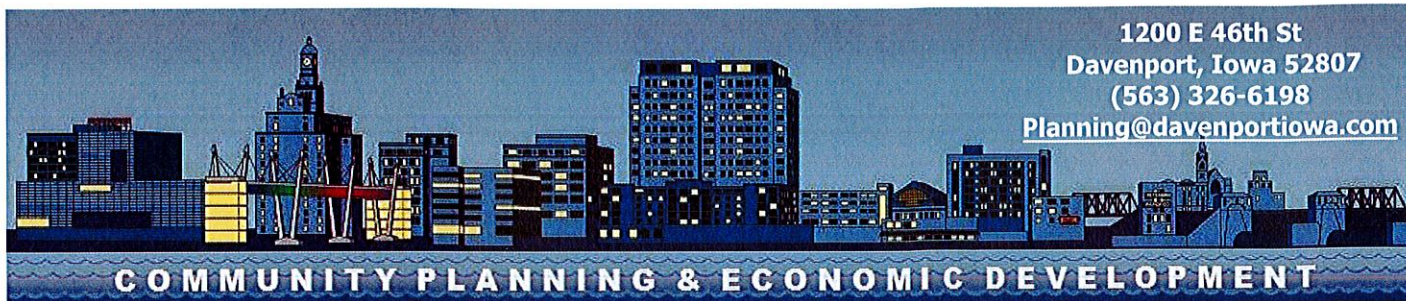


Rezone from C-E Elmore Corners District to C-3 General Commercial District

Private parties utilizing City GIS data do so at their own risk.
The City of Davenport will not be responsible for any costs or
liabilities incurred due to any differences between information
provided and actual physical conditions.

0 250 500 1,000 Feet





1200 E 46th St
Davenport, Iowa 52807
(563) 326-6198
Planning@davenportiowa.com

Complete application can be emailed to: planning@davenportiowa.com

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)**

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☒
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:Existing Zoning: Proposed Zoning Map Amendment:

Purpose of the Request:

Total Land Area: AcresDoes the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No**Submittal Requirements:**

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
 - Zoning Map Amendment is less than 1 acre - \$400.
 - Zoning Map Amendment is one acre but less than 10 acres - \$750 plus \$25/acre.
 - Zoning Map Amendment is 10 acres or more - \$1,000 plus \$25/acre.
 - \$10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:

- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission public hearing:

- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant:

Date:

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by:

Planning staff

Date:

Date of the Public Hearing:

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, Thad Denhartog
authorize Kevin Koellner
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

[Signature]
Signature(s)

State of Iowa,
County of Scott.

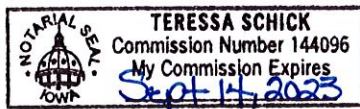
Sworn and subscribed to before me

This 6th day of April 2021

IA Drivers License
Form of Identification

[Signature]
Notary Public

My Commission Expires:



City of Davenport Plan and Zoning Commission
2021 Public Hearing Calendar
 Rezoning, Right-of-Way (ROW) Vacations, Ordinance Changes

Rezoning & ROW Vacation Submittal Deadline	Plan & Zoning Public Hearing	Plan & Zoning Commission Hearing	Committee of the Whole (Public Hearing)	City Council Meeting
12:00 PM - Thursday	5:00 PM - Tuesday	5:00 PM - Tuesday	5:30 PM - Wednesday	5:30 PM - Wednesday
11/16/20	12/08/20	12/22/20	01/06/21	01/13/21
11/30/20	12/22/20	01/05/21	01/20/21	01/27/21
12/14/20	01/05/21	01/19/21	02/03/21	02/10/21
12/28/20	01/19/21	02/02/21	02/17/21	02/24/21
01/07/21	02/02/21	02/16/21	03/03/21	03/10/21
01/21/21	02/16/21	03/02/21	03/17/21	03/24/21
02/04/21	03/02/21	03/16/21	04/07/21	04/14/21
02/18/21	03/16/21	04/06/21	04/21/21	04/28/21
03/11/21	04/06/21	04/20/21	05/05/21	05/12/21
03/25/21	04/20/21	05/04/21	05/19/21	05/26/21
04/08/21	05/04/21	05/18/21	06/02/21	06/09/21
04/22/21	05/18/21	06/01/21	06/16/21	06/23/21
05/06/21	06/01/21	06/15/21	07/07/21	07/14/21
05/20/21	06/15/21	07/06/21	07/21/21	07/28/21
06/10/21	07/06/21	07/20/21	08/04/21	08/11/21
06/24/21	07/20/21	08/03/21	08/18/21	08/25/21
07/08/21	08/03/21	08/17/21	09/01/21	09/08/21
07/22/21	08/17/21	08/31/21	09/15/21	09/22/21
08/05/21	08/31/21	09/14/21	10/06/21	10/13/21
08/19/21	09/14/21	10/05/21	10/20/21	10/27/21
09/09/21	10/05/21	10/19/21	11/03/21	11/10/21
09/23/21	10/19/21	11/02/21	11/17/21	11/23/21
10/07/21	11/02/21	11/16/21	12/01/21	12/08/21
10/21/21	11/16/21	11/30/21	12/15/21	12/22/21
11/04/21	11/30/21	12/14/21	01/05/22	01/12/22
11/18/21	12/14/21	01/04/22	01/19/22	01/26/22
12/09/21	01/04/22	01/18/22	02/02/22	02/09/22
12/23/21	01/18/22	02/01/22	02/16/22	02/23/22
01/06/22	02/01/22	02/15/22	03/03/22	03/10/22
01/20/22	02/15/22	03/02/22	03/17/22	03/24/22

1. The calendar represents the general submission and hearing schedule beginning with submission for rezonings, right-of-way vacations, and ordinance changes*. NOTE: Ordinances require three considerations before the City Council.

2. Submission and meeting dates may be changed due to holiday.

3. Delays may occur upon petition reaching the City Council's Agenda.

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
5/18/2021

Subject:

Case F20-11: Request of DA Montana LLC for a Final Plat of Shirley's Shire for a 3 lot subdivision on 12.043 acres located north of Telegraph Road, west of Wisconsin Avenue. [Ward 1]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F20-11 to the City Council with a recommendation for approval subject to the listed conditions.

Background:

Comprehensive Plan:

Within Existing Urban Service Area: No

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

**The proposed Final Plat complies with the Davenport +2035 proposed land use section.
Zoning:**

1. **R-1 Single-Family Residential District:** Intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards.
2. **S-AG Agricultural District:** Intended to address existing agricultural land uses. The standards of the S-AG District promote the continuation of farming, and protect agricultural land uses from encroachment of incompatible developments.

This subdivision contains split zoning with legal non-conforming agriculture currently present in the R-1 Zoning District. An affidavit of existing land uses has been provided with the acknowledgement that no single-family uses may encroach in the S-AG Zoning District and the legal non-conforming agricultural use cannot be expanded in the R-1 Zoning District.

Technical Review:

Streets: No additional streets are proposed with this subdivision.

Storm Water: No stormwater detention requirements are proposed with this plat; however individual lot owners will be responsible for meeting any stormwater detention and water quality requirements applicable the the time of development.

Sanitary Sewer: The proposed lots are over 200 feet from existing sewer. Septic systems would be permitted.

Other Utilities: Utility services are available.

Parks/Open Space: The proposed plat does not impact any existing or planned parks or public open space.

Public Input: No public hearing is required for a Final Plat.

Discussion: The purpose of the Final Plat is to create three new lots for residential development.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F20-11 to the City Council with a recommendation for approval subject to the four listed conditions:

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would 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. That the affidavit of existing land uses shall be recorded on the property;
4. Revise the zoning district classification from 'A-1' to 'S-AG'.

ATTACHMENTS:

Type	Description
▢ Backup Material	Application
▢ Backup Material	Final Plat
▢ Backup Material	Affidavit
▢ Backup Material	Iowa American Water Company Review
▢ Backup Material	Zoning and Future Land Use Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/14/2021 - 8:42 AM



Complete application can be emailed to planning@ci.davenport.ia.us

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation
Voluntary Annexation

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal
Special Use
Hardship Variance

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Design Review Board

Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of
East Davenport

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

Total Land Area:

Total Number of Lots:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

- The completed application form.
- Required fee:
Ten or fewer lots - \$400 plus \$25 per lot.
Eleven to twenty-five lots - \$700 plus \$25 per lot.
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner: Jeff Reed

Date: 09/14/2020

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I,
authorize
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Signature(s)

State of _____ ,
County of _____ .
Sworn and subscribed to before me

This day of 20

Form of Identification

Notary Public

My Commission Expires:

2019 PLAN & ZONING COMMISSION CALENDAR

PLAN & ZONING COMMISSION SCHEDULE				CITY COUNCIL SCHEDULE		
<u>REZONING & ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION PLAT & DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING COMMISSION PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISSION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE PUBLIC HEARING	CITY COUNCIL MEETING
(12:00 PM - Monday)	(12:00 PM - Monday)	(5:00 PM - Tuesday)	(5:00 PM - Tuesday)	(12:00PM - Friday)	(5:30 PM - Wednesday)	(5:30 PM - Wednesday)
11/13/18	11/26/18	12/04/18	12/18/18	12/21/18	01/02/19	01/09/19
11/26/18	12/10/18	12/18/18	12/31/18	01/04/19	01/16/19	01/23/19
12/10/18	12/21/18	12/31/18	01/15/19	01/25/19	02/06/19	02/13/19
12/21/18	01/07/19	01/15/19	02/05/19	02/08/19	02/20/19	02/27/19
01/14/19	01/28/19	02/05/19	02/19/19	02/22/19	03/06/19	03/13/19
01/28/19	02/11/19	02/19/19	03/05/19	03/08/19	03/20/19	03/27/19
02/11/19	02/25/19	03/05/19	03/19/19	03/22/19	04/03/19	04/10/19
02/25/19	03/11/19	03/19/19	04/02/19	04/05/19	04/17/19	04/24/19
03/11/19	03/25/19	04/02/19	04/16/19	04/19/19	05/01/19	05/08/19
03/25/19	04/08/19	04/16/19	04/30/19	05/03/19	05/15/19	05/22/19
04/08/19	04/22/19	04/30/19	05/14/19	05/24/19	06/05/19	06/12/19
04/22/19	05/06/19	05/14/19	06/04/19	06/07/19	06/19/19	06/26/19
05/13/19	05/24/19	06/04/19	06/18/19	06/21/19	07/03/19	07/10/19
05/24/19	06/10/19	06/18/19	07/02/19	07/05/19	07/17/19	07/24/19
06/10/19	06/24/19	07/02/19	07/16/19	07/26/19	08/07/19	08/14/19
06/24/19	07/08/19	07/16/19	08/06/19	08/09/19	08/21/19	08/28/19
07/15/19	07/29/19	08/06/19	08/20/19	08/23/19	09/04/19	09/11/19
07/29/19	08/12/19	08/20/19	09/03/19	09/06/19	09/18/19	09/25/19
08/12/19	08/26/19	09/03/19	09/17/19	09/20/19	10/02/19	10/09/19
08/26/19	09/09/19	09/17/19	10/01/19	10/04/19	10/16/19	10/23/19
09/09/19	09/23/19	10/01/19	10/15/19	10/25/19	11/06/19	11/13/19
09/23/19	10/07/19	10/15/19	11/05/19	11/08/19	11/20/19	11/27/19
10/14/19	10/28/19	11/05/19	11/19/19	11/22/19	12/04/19	12/11/19
10/28/19	11/08/19	11/19/19	12/03/19	cancelled due to holiday		
11/11/19	11/25/19	12/03/19	12/17/19	12/13/19	01/02/20	01/08/20
11/25/19	12/09/19	12/17/19	12/31/19	12/27/19	01/15/20	01/22/20
12/09/19	12/23/19	12/31/19	01/14/20	01/17/20	02/05/20	02/12/20
12/23/19	01/06/20	01/14/20	02/04/20	01/31/20	02/19/20	02/26/20

- SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY - **MARKED IN RED**
- ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL
- DATES SUBJECT TO CGHHANE DUE TO HOLIDAYS - **MARKED IN RED**
- DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA

SHIRLEY'S SHIRE

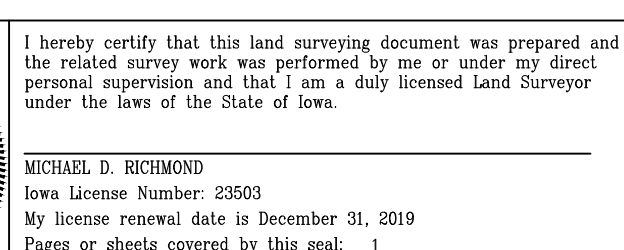
1. Area of Subdivision-
Total: 13.450 Acres +/-


3. Attorney:
Thomas Shirman
202 N. 2nd Street #A
Eldridge, Iowa 52748
(563) 285-9600

GRAPHIC SCALE

(IN FEET)

1" = 50' (24x36)



 <p>TOWNSEND ENGINEERING</p> <p>CIVIL • STRUCTURAL • LAND DEVELOPMENT</p>	DATE: 1-11-18	DRAWN BY: KLC		REVISIONS:		PROJECT FINAL PLAT SHIRLEY'S SHIRE DAVENPORT, IOWA	OWNER JEFF REED DA MONTANA, LLC 9114 113TH STREET, BLUE GRASS, IOWA	SHEET NO. 1 OF 1
	563 386.4236 office 386.4231 fax 2224 East 12th Street, Davenport, IA 52803	CHECKED BY: MDR	NO.	DESCRIPTION	DATE			
		LOCATION BY: S:\REED-JEFF\SUBDIVISION.DWG						

Prepared by and Return to Brooks Law Firm, PC, 202 N. Second St., Ste. A, Eldridge, IA 52748

AFFIDAVIT

COMES NOW, the undersigned, the lawful agent of DA Montana, LLC, owner of that real estate described and referenced on the drawing attached hereto as Exhibit A (i.e., Shirley's Shire Addition to the City of Davenport, Iowa), and on behalf of the said DA Montana, LLC, states as follows:

1. Shown on the attached drawing (prepared by Townsend Engineering, Davenport, Iowa) are areas marked for row crop and timber uses (unmarked areas are grass areas). Said designated areas depict a physical location of these uses on the respective lots shown on said drawing.
2. The areas marked and described on said drawing reference crop and timber uses on portions of each lot designated "R-1 Single Family Residential Zoning" and/or "S-AG Agricultural Zoning District."
3. The undersigned, for DA Montana, LLC, acknowledges and agrees that no agricultural use (i.e., crop row cultivation) on any portion of a specified lot currently zoned and designated by the City of Davenport, Iowa, as "R-1 Single Family Residential Zoning" may extend or expand from its present location or area without first obtaining the approval of the City of Davenport, Iowa, which approval may be withheld. The undersigned, for DA Montana, LLC, further acknowledges that the current agricultural use of any portion or areas of the specified lots zoned for residential purposes is a non-conforming use which may expire upon non-use of the same for agricultural purposes for a specified period of time or which otherwise may be disqualified for continued agricultural use in accordance with applicable City of Davenport regulations.
4. By the execution and recording of this document with the Scott County, Iowa, Recorder of Deed, all successors in interest of DA Montana, LLC as an owner of any of the referenced lots are hereby notified of the restriction referenced in this document.

Further the affiant sayeth not.

DA Montana, LLC

By Jeffery L. Reed, Manager

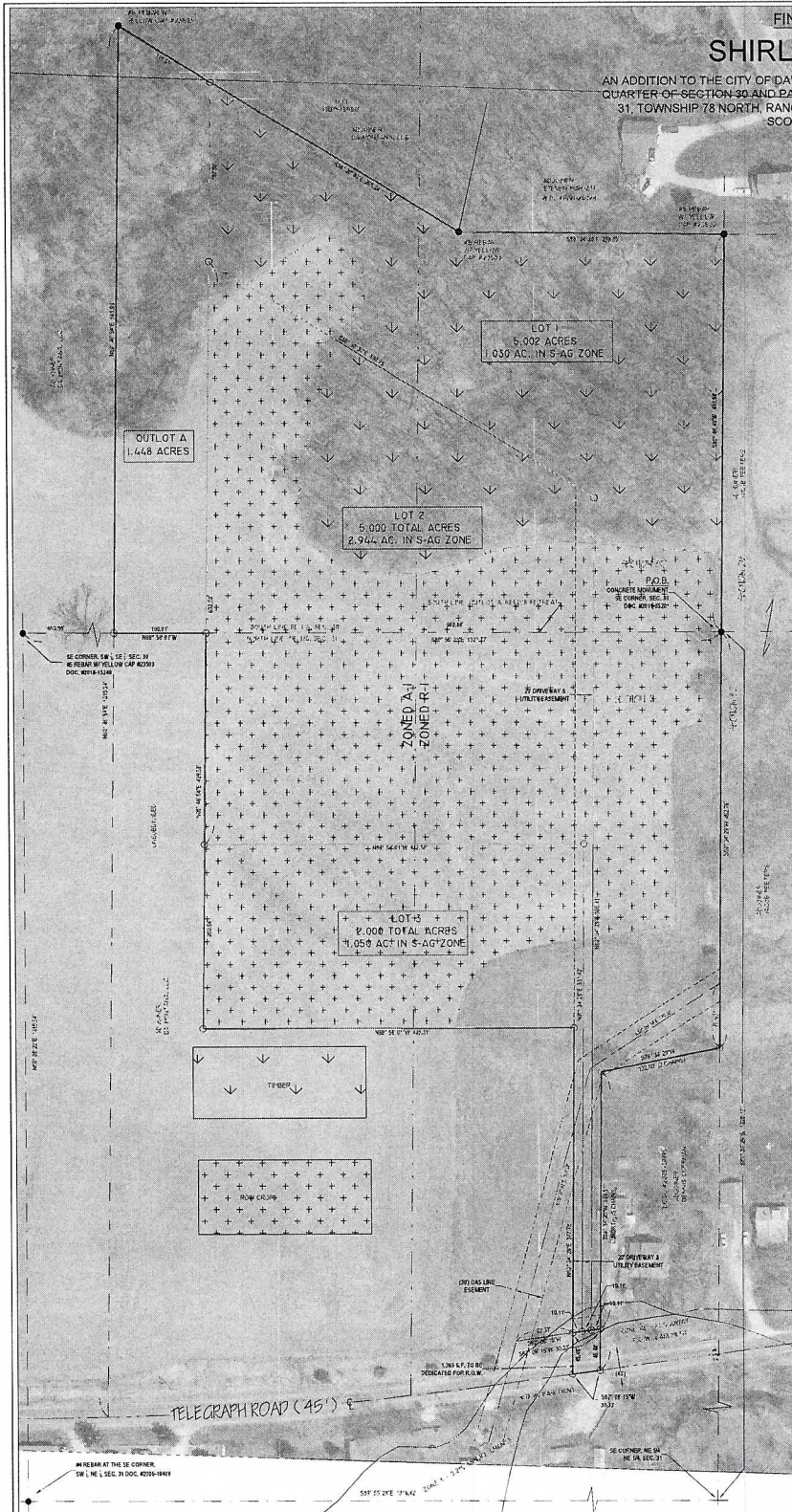
STATE OF _____, COUNTY OF _____, ss:

Signed and sworn to (or affirmed) before me this ____ day of _____, 2021, by
Jeffery L. Reed as Manager of DA Montana, LLC.

Signature of Notary Public

FINAL PLAT OF: SHIRLEY'S SHIRE

AN ADDITION TO THE CITY OF DAVENPORT, IOWA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 30 AND PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA.



1. Area of Subdivision-
Total: 13.450 Acres +/-

2. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 5280
Ph: (563) 286-4236

3. Attorney:
Thomas Shirman
202 N. 2nd Street #A
Eldridge, Iowa 52748
(563) 285-9600

NOTES:
SIDEWALKS SHALL BE CONSTRUCTED ALONG STREET RIGHT OF WAYS WHEN SO ORDERED BY THE CITY.

NO WATER DETENTION REQUIREMENTS ARE PROPOSED WITH THIS PLAT. HOWEVER, INDIVIDUAL LOT OWNERS WILL BE RESPONSIBLE FOR MEETING ANY STORMWATER DETENTION AND WATER QUALITY REQUIREMENTS APPLICABLE.

DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND SEAL.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.

THE MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE IOWA REGIONAL COORDINATE SYSTEM, ZONE 18 NAD 83 (EPOCH 2011.00).

OWNERSHIP OF OUTLOT "A" SHALL REMAIN IN COMMON OWNERSHIP OF DA MONTANA, LLC.

APPROVED BY: [Signature] DATE: [Blank]

DATE: [Blank] ATTEST: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

BY: [Blank] DATE: [Blank]

TOWNSEND
ENGINEERING

DATE:

1-11-18

DRAWN BY:

RLC

CHECKED BY:

MDR

LOCATION BY:

S. WOOD - JEFF SUBDIVISION INC

NO.

1

REVISIONS:

DESCRIPTION

DATE

1

2

3

4

5

6

7

8

PROJECT

FINAL PLAT

SHIRLEY'S SHIRE

DAVENPORT, IOWA

OWNER

JEFF REED

DA MONTANA, LLC

9114 113TH STREET,

BLUE GRASS, IOWA

SHEET NO.

1

OF

1

Berkley, Laura

From: Julie S Allender <Julie.Allender@amwater.com>
Sent: Friday, October 2, 2020 6:46 AM
To: Berkley, Laura
Subject: [EXT] RE: Final Plat Review - Shirley's Shire Addition due 10/15

Good morning Laura,

The way this is platted each of these lots will have quite long water services, they will need to take that into consideration when their plumber sizes their service line. IAWC has a 12" water main on the north side of Telegraph and the 3 lots each must have their own service and they only have their own 10' frontage to run that service into their lot.

If there any other questions please let me know!

Julie S. Allender
Senior Engineer Tech
Iowa American Water Company
5201 Grand Avenue
Davenport, IA 52807

563-468-92222 office
563-343-6118 cell
julie.allender@amwater.com

From: Berkley, Laura <Laura.Berkley@davenportiowa.com>
Sent: Thursday, October 1, 2020 3:53 PM
To: Ackerland, Brittany <Brittany.Ackerland@davenportiowa.com>; Amy Driskill <adriskill@davenportlibrary.com>; Antonio Glessner <antonio.glessner@centurylink.com>; Berger, Bruce <Bruce.Berger@davenportiowa.com>; Cox, David <David.Cox@davenportiowa.com>; David Kull <david.kull@amwater.com>; Dawn Carlson <DMCarlson@midamerican.com>; Derek Wahlheim <drwahlheim@midamerican.com>; Dyson, Chad <Chad.Dyson@davenportiowa.com>; Erik Page <pageer@mail.davenport.k12.ia.us>; Flynn, Matt <Matt.Flynn@davenportiowa.com>; Heyer, Brian <Brian.Heyer@davenportiowa.com>; Jacobsen, Hank <Hank.Jacobsen@davenportiowa.com>; Johnson, Benjamin <Benjamin.Johnson@davenportiowa.com>; Joy Johnson <johnsonj@davenportschools.org>; Julie S Allender <Julie.Allender@amwater.com>; Julie S Allender <Julie.Allender@amwater.com>; Kathy Morris <kmorris@wastecom.com>; Kay, Amy <Amy.Kay@davenportiowa.com>; Koops, Scott E. <Scott.Koops@davenportiowa.com>; Leabhart, Tom <Tom.Leabhart@davenportiowa.com>; Longlett, Eric <Eric.Longlett@davenportiowa.com>; Matt Kovacic <MSKovacic@midamerican.com>; Melton, Brandon <Brandon.Melton@davenportiowa.com>; Metel Hancock <mhancock@mediacomcc.com>; Miers, Dan <Dan.Miers@davenportiowa.com>; Mike Maloney <maloneym@davenportschools.org>; Morris, Jim <Jim.Morris@davenportiowa.com>; Pradhan, Trishna <Trishna.Pradhan@davenportiowa.com>; Ralfs, Jake <Jake.Ralfs@davenportiowa.com>; Schadt, Brian <Brian.Schadt@davenportiowa.com>; Schmuecker, Nick <Nick.Schmuecker@davenportiowa.com>; Sim, Nick <Nick.Sim@davenportiowa.com>
Cc: Planning Division – CPED <Planning@davenportiowa.com>
Subject: Final Plat Review - Shirley's Shire Addition due 10/15

EXTERNAL EMAIL: The Actual Sender of this email is Laura.Berkley@davenportiowa.com "Think before you click!".

PLAT REVIEW: PRJ-1895 Final Plat of Shirley's Shire Addition.

Please review the attached final plat and respond by October 15, 2020. Those with access to eplan, please add your comments via eplan.

Location: Parcels S3055AOLA and S3107-02 see below for approximate subdivision boundaries



Laura Berkley, CFM
Development & Planning Administrator | Public Works
City of Davenport

T 563-888-3553
1200 E 46th St, Davenport, IA 52807

davenportiowa.com

This email and any files transmitted are covered by the Electronic Communications Privacy Act. The information it contains is confidential and may be legally privileged; it is intended solely for the individual to whom it was addressed. If you are not the intended recipient you are notified that retention, dissemination, distribution or copying this email is prohibited and you should reply to the sender that you have received this email in error and then immediately delete it. Unless otherwise exempted by public record laws, senders and receivers of government emails should presume that the emails are subject to release upon request. Nothing in this email should be interpreted to authorize or conclude a binding agreement of contract between the city and the sender or recipient.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of American Water Works Company Inc. or its affiliates. The recipient should check this email and any attachments for the presence of viruses. American Water accepts no liability for any damages caused by any virus transmitted by this email. American Water Works Company Inc., 1 Water Street, Camden, NJ 08102
www.amwater.com

Maps



Zoning Map



Future Land Use Map

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
5/18/2021

Subject:

Case P21-01: Request of Dan Dolan Homes on behalf of Sophie Foster Revocable Trust for a Preliminary Plat of Birchwood Grove for a 73 lot subdivision on 20 acres located at 4607 East 53rd Street. [Ward 6]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case P21-01 to the City Council with a recommendation for approval subject to the 14 listed conditions.

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning:

The City Council adopted Ordinance No. 2021-105 rezoning the northern 17.92 acres abutting 53rd Street to C-2 Corridor Commercial District and the southern 20 acres to R-MF Multi-Family Residential District. The following conditions have been placed on the property:

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport + 2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A traffic signal shall to be required at the intersection of Lakeview Parkway and East 53rd Street.
4. A second ingress/ egress point to East 53rd Street shall be required.
5. Street connections to East 51st Street, Eastbury Estates Drive, and Hawk Drive shall be prohibited.
6. The multi- purpose trail shall be extended to the west property line.

7. A 20 -foot setback on the eastern and western -most property lines in the C- 2 zoning district shall be required where abutting commercial zoning districts.
8. A 30 -foot landscaped setback shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
9. The height of structures in the R -MF zoning district shall be no greater than 35 feet.
10. Upon vacation by the City of a portion of Eastbury Estates just to the south of the subject property, Petitioners, jointly and severally, shall be responsible for paying for or executing the work specified by the City of Davenport for reconfiguring/ redesigning/ reconstructing the northern terminus of Eastbury Estates in the area abutting the southern boundary of the subject property. The City is to provide plans, including a site plan and landscaping plan to Petitioners.
11. Townhouses and Multi -Family units shall be prohibited where the property abuts existing single-family residential.
12. The requirement under Section 16. 24. 040C of the City Code stating no cul-de-sac shall exceed 600 feet in length as measured from the center line of the intersecting street to the termination of the right-of-way shall be waived, if the Petitioner provides secondary access via private ingress/ egress easement to 53rd Street.
13. Carwashes and gas stations shall be prohibited west of Lakeview Parkway.
14. The fence associated with the required buffer between residential and commercial shall be installed after final grading has been completed.
15. Buildings within 100 feet of the west property, abutting existing residential line shall be limited to 35 feet in height.

Technical Review:

Streets: The plat proposes adding 2,000 linear feet of streets. Lakeview Parkway will extend south. A new street to the east will also extend south. This is shown as Birchwood Lane on the plat; however there is a Birchwood Avenue in west Davenport which would result in emergency dispatching confusion and is a life-safety concern. Birchleaf Road will connect to Lakeview Parkway by the proposed Lakeview Court. Lakeview Court is already within Davenport city limits west of Utica Ridge Road and south of 61st Street. Staff also recommends renaming Lakeview Court to E. 50th Street or Court to also assist with existing street naming convention.

Sidewalks are required along all city right-of-way. During the rezoning process, it was indicated that the sidewalks within the subdivision would connect to existing sidewalks along E. 51st Street, Eastbury Estates Drive, and Hawk Drive.

Storm Water: Storm water infrastructure associated with this development will connect into the City of Bettendorf storm sewer on the east and drain into Stafford Creek on the west. This subdivision is over 5 acres with over 10,000 square feet of hard surface so it will require detention and water quality. Storm detention is planned in Lots A and B. Access must be provided for maintenance of detention areas and any drainage ways must be maintained to provide for the proper flow of water.

Sanitary Sewer: Sanitary sewer service is located in the southwest corner of the proposed subdivision. Sanitary sewer will be extended along the proposed public streets.

Other Utilities: This is an urban area and normal utility services are available.

Parks/Open Space: The proposed plat does not impact any existing or planned parks or public open space. Lot C of the preliminary plat shows 0.20 acres of private greenspace.

Public Input: No public hearing is required for a Preliminary Plat. The City of Bettendorf has been notified.

Discussion:

The request is for a Preliminary Plat for a 73 lot subdivision on 20 acres of property to facilitate a residential development. The lot number will be reduced as townhouses must be located within one lot with an established condominium regime.

Dan Dolan Homes has provided a concept plan showing owner occupied single-family semi-detached structures on the periphery lots abutting neighboring single-family homes, townhomes north of Lakeview Court, and townhouse style rental units along the northern portion of the R-MF District. All roads will be dedicated as public right-of-way.

A stormwater detention pond is located on the southwest corner, adjacent to Stafford Creek. A second stormwater detention facility is along the eastern property line between the rental townhouse style units and the City of Bettendorf.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case P21-01 to the City Council with a recommendation for approval subject to the 14 listed conditions:

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Conditions:

1. A note shall be added to the plat stating all streets will be dedicated to the city upon recording of the plat.
2. All rezoning conditions shall be listed as a note on the plan
3. Birchwood Lane and Lakeview Court shall be renamed.
4. All sidewalks shall be shown on the preliminary plat and a note shall be added stating that the sidewalks shall be installed as development occurs or as so ordered by the city.
5. All building footprints shall be added to the preliminary plat.
6. Add all setbacks to the plat.
7. Drainage easements shall be separated from landscaped buffers.
8. Pedestrian access to existing sidewalks shall on E. 51st Street, Eastbury Estates and Hawk Drive shall be depicted as pedestrian easement with a note stating that the landowner must maintain 5 ft. wide pedestrian sidewalk for the appropriate lot numbers.
9. Lots containing townhouses shall be combined to contain at least one building to meet interior side setback requirements.
10. Infrastructure is labeled as private or public as appropriate.
11. Adequate access easement shall be provided to Lot B for maintenance of the detention basin.
12. Sewer easements shall be shown for lots 21 and 68.
13. A note shall be added that all drainage easements shall be maintained by landowner as stormwater passageways as a lawn and be free of structures, pools, fences, fill, bushes, trees, shrubs, or other landscaping that impede the flow of water.

14. A 50' drainage easement shall be established along Stafford Creek.

ATTACHMENTS:

Type	Description
▣ Backup Material	Application
▣ Backup Material	Preliminary Plat
▣ Backup Material	Concept Plan
▣ Backup Material	Technical Review Comments
▣ Backup Material	MidAmerican Energy Comments
▣ Backup Material	Ordinance No. 2021-105
▣ Backup Material	Zoning Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/13/2021 - 1:44 PM



1200 E 46th Street
Davenport, Iowa 52807
(563) 326-6198
Planning@davenportiowa.com

Complete application can be emailed to planning@davenportiowa.com

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation
Voluntary Annexation

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal
Special Use
Hardship Variance

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Design Review Board

Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of
East Davenport

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

Total Land Area:

Total Number of Lots:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

- The completed application form.
- Required fee:
Ten or fewer lots - \$400 plus \$25 per lot.
Eleven to twenty-five lots - \$700 plus \$25 per lot.
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: Yes No

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner:



Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Planning staff

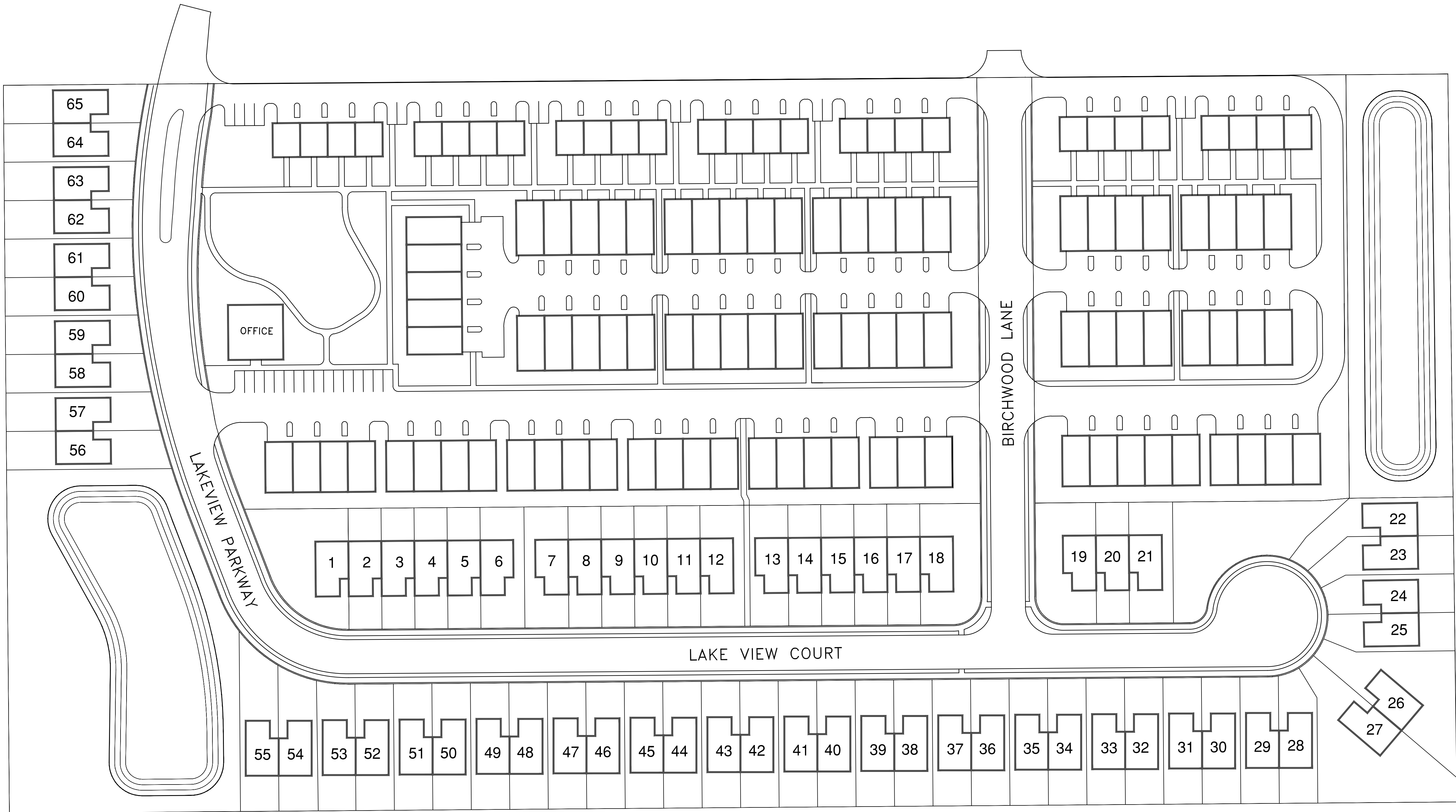
Date:

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa.

\\MWS-FS-MUS0080\USERS\RMAYER\AWS\DESKTOP\DOLAN RENDERINGS\DOLAN RENDERINGS.DWG

PLOTTED: 4/29/2021



#	DATE	DESCRIPTION	BY	DESIGNED BY:
				MWJ
				DRAWN BY:
				RAM
				PROJECT ENGR:
				MWJ



Martin & Whitacre
Surveyors & Engineers, Inc.
1508 BIDWELL ROAD
MUSCATINE, IOWA
PHONE (563) 263-7691
EMAIL info@martin-whitacre.com

BIRCHWOOD GROVE
DAN DOLAN HOMES, LLC
DAVENPORT, IOWA

SITE CONCEPT PLAN

PROJ NO:	8630.21----	DRAWING NO:
CONST PROJ:	000	EX-1
SCALE:	AS NOTED	SHEET NO:
DATE:	4/29/21	1 OF 1



DAVENPORT

E PLAN

Wednesday, May 12, 2021

Re: PRJ-2290

Dear Applicant,

The plans and specifications for the project: **PRJ-2290** have been reviewed by the City of Davenport Building and Land Development Services. At this time the project is not approved. Please address the following comments and resubmit your project:

Engineering Comments

Dedicate multi-use trail along E. 53rd Street as public right-of-way.

Add a note stating that all streets and areas labeled as ROW shall be dedicated to the city upon recording of the plat.

Birchwood Ln must be renamed as name is too close to a Birchwood Ave located on the west side of the city. Ravenwood Court is to the south and close to in line with this development, so that is an option.

Birchleaf should be renamed to E. 52nd Street.

Show sidewalks on along all ROW to be dedicated.

A left turn lane for westbound 53rd will be required at Birchwood (To be renamed).

The widths of all easements will be finalized with the final plat. Submit civil plans as a separate eplan project at the same time as submitting the final plat.

Concerning the 30' Access and Utility easement east of Birchwood lane (Birchleaf extended), the easement description is to contain "sewer easement" since public sewer is located within it.

The proposed width of the 30' Access and Utility easement cannot be accepted as final until the sewer depths are reviewed.

Concerning the 30' Access and Utility easement, as shown access to the detention basin on lot B is not provided and the storm sewer easement ends too soon. Easement should be extended across lots 6 and/or 9.

Birchwood Addition to the south calls out for 31'-0" back to back paving and this one is 27'-0". Ensure appropriate taper in construction plans.

Natural Resources Comments

Access easements for the detention areas need to be congruent with the ROW. For Lot A - include 'access' in the 15' utility easement. For Lot B - extend the utility access easement off of Birchwood to reach Lot B.

Lots A and B need to include a stormwater detention easement.

Add a note that "Owners of lots on which a drainage easement has been established as stormwater passageway shall maintain said easement as a lawn, planted in grass and free of structures, swimming pools, fences, fill, bushes, trees, shrubs, or other landscaping that would impede the flow of water."

A note will need to be added on the Final Plat to indicate who owns and maintains the outlots/stormwater detention and water quality features within them.

Please login to the portal at www.davenportiowa.com/eplan to access *Review Documents*. **Please note that revised files shall have the exact same name.**

Sincerely,

Building and Land Development Services
1200 East 46th Street
EPlanCoordinator@davenportiowa.com

Berkley, Laura

From: Notton, Maggie (MidAmerican) <Maggie.Notton@midamerican.com>
Sent: Monday, May 3, 2021 10:48 AM
To: Berkley, Laura
Subject: [EXT] RE: [INTERNET] Technical Review - Preliminary Plats for Birchwood Grove and Birchwood South First Addition

Good morning Laura,
MidAmerican approves this plat. No further comments were needed.

Thanks,

Maggie Notton
Project Coordinator
MidAmerican Energy Company
2811 5th Avenue
Rock Island, IL. 61201
309-793-3805 Work
515-979-0651 Cell

<https://www.midamericanenergy.com/contractor-safety-training-resources>

<https://www.midamericanenergy.com/ecss/newservice/new>



From: Berkley, Laura <Laura.Berkley@davenportiowa.com>
Sent: Thursday, April 29, 2021 1:56 PM
To: Ackerland, Brittany <Brittany.Ackerland@davenportiowa.com>; 'Amy Driskill' <adriskill@davenportlibrary.com>; 'Antonio Glessner' <antonio.glessner@centurylink.com>; Berger, Bruce <Bruce.Berger@davenportiowa.com>; Berkley, Laura <Laura.Berkley@davenportiowa.com>; Heyer, Brian <Brian.Heyer@davenportiowa.com>; Cox, David <David.Cox@davenportiowa.com>; Carlson, Dawn (MidAmerican) <Dawn.Carlson@midamerican.com>; Wahlheim, Derek (MidAmerican) <Derek.Wahlheim@midamerican.com>; Dyson, Chad <Chad.Dyson@davenportiowa.com>; 'Erik Page' <pageer@mail.davenport.k12.ia.us>; Flynn, Matt <Matt.Flynn@davenportiowa.com>; Hank Jacobsen <Hank.Jacobsen@davenportiowa.com>; Johnson, Benjamin <Benjamin.Johnson@davenportiowa.com>; 'Julie Allender' <julie.allender@amwater.com>; 'Julie DuBois' <Julie.DuBois@amwater.com>; 'Kathy Morris' <kmorris@wastecom.com>; Kay, Amy <Amy.Kay@davenportiowa.com>; Koops, Scott E. <Scott.Koops@davenportiowa.com>; Leabhart, Tom <Tom.Leabhart@davenportiowa.com>; Lemke, Nevada <Nevada.Lemke@davenportiowa.com>; Longlett, Eric <Eric.Longlett@davenportiowa.com>; Kovacic, Matthew (MidAmerican) <Matthew.Kovacic@midamerican.com>; 'Metel Hancock' <mhancock@mediacomcc.com>; Miers, Dan <Dan.Miers@davenportiowa.com>; 'Mike Maloney' <maloneym@davenportschools.org>; Monica DeLaPaz <Monica.Delapaz@amwater.com>; Morris, Jim <Jim.Morris@davenportiowa.com>; Sim, Nick <Nick.Sim@davenportiowa.com>; Pradhan, Trishna <Trishna.Pradhan@davenportiowa.com>; Ralfs, Jake <Jake.Ralfs@davenportiowa.com>; Randle, Kevin <Kevin.Randle@davenportiowa.com>; Reist, Bryan <Bryan.Reist@davenportiowa.com>; Schadt, Brian <Brian.Schadt@davenportiowa.com>; Schmuecker, Nick

<Nick.Schmuecker@davenportiowa.com>; Werderitch, Matt <Matt.Werderitch@davenportiowa.com>

Cc: 'Hunt, Mark' <mhunt@bettendorf.org>; Morlok, Brent <bmorlok@bettendorf.org>

Subject: [INTERNET] Technical Review - Preliminary Plats for Birchwood Grove and Birchwood South First Addition

*** * Remember SAIL when reading email * ***

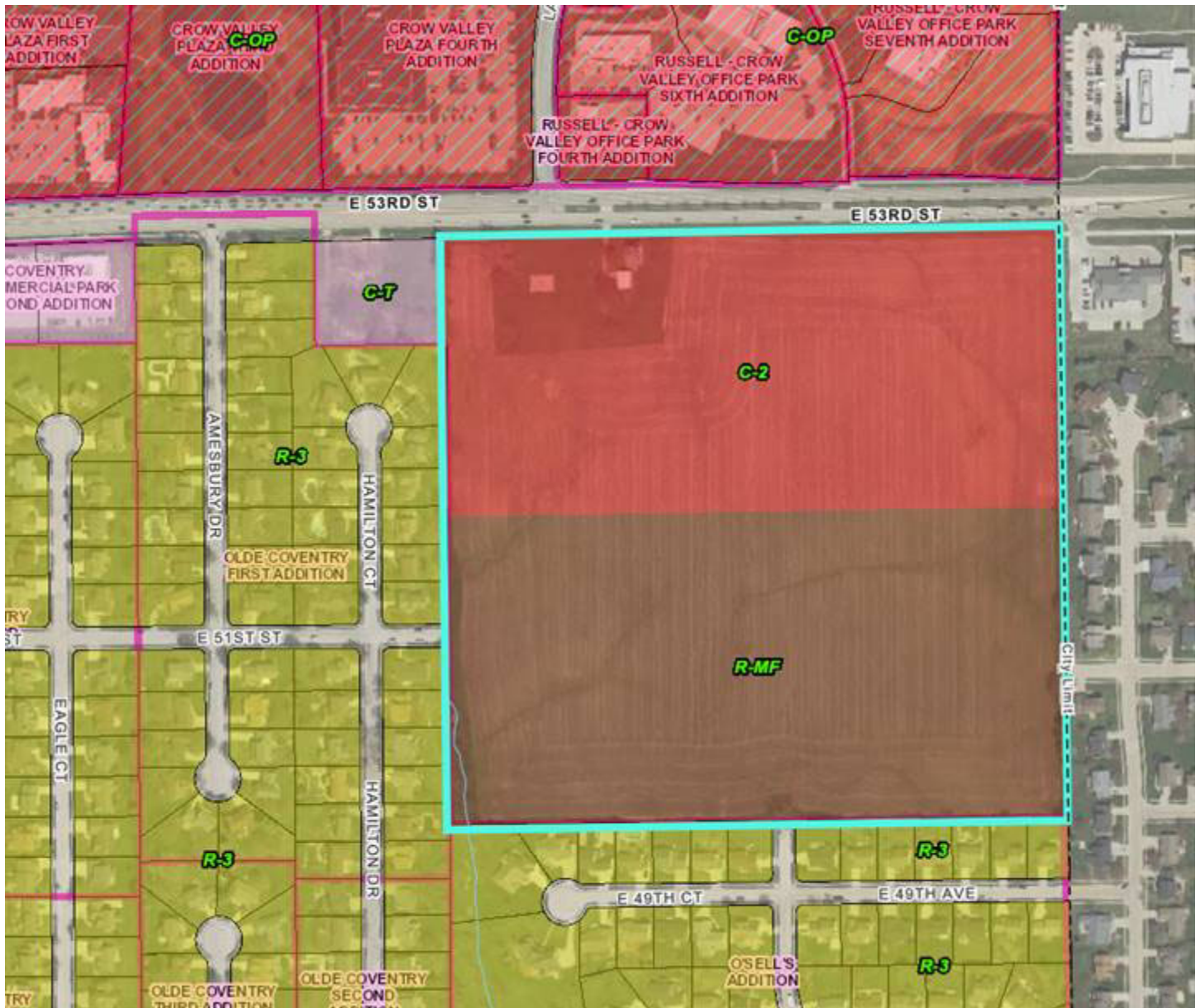
Are you expecting the message from this **SENDER** ? Are you expecting an **ATTACHMENT** ? Does the message subject include **INTERNET** ? Verify **LINKS** before clicking.

All, attached are two adjacent preliminary plats both are part of Parcel N0910-01 at 4607 E 53rd Street:

Technical Review **comments are due back Friday May 7**. For those of you interested in attending, I have scheduled a meeting to go over comments and formalize staff findings, recommendation and conditions for Monday, May 10 at 9:00 at the Davenport Public Works Building, 1200 E 46th Street in the Training Center. I can provide a virtual participation option. If you are interested, please let me know, and I will set that up.

PRJ-2288 - Birchwood Grove

PRJ-2290 - Birchwood South First Addition



Thanks,

Laura Berkley, CFM

Development & Planning Administrator | Development & Neighborhood Services
City of Davenport

T 563-888-3553
1200 E 46th St, Davenport, IA 52807

davenportiowa.com

This email and any files transmitted are covered by the Electronic Communications Privacy Act. The information it contains is confidential and may be legally privileged; it is intended solely for the individual to whom it was addressed. If you are not the intended recipient you are notified that retention, dissemination, distribution or copying this email is prohibited and you should reply to the sender that you have received this email in error and then immediately delete it. Unless otherwise exempted by public record laws, senders and receivers of government emails should presume that the emails are subject to release upon request. Nothing in this email should be interpreted to authorize or conclude a binding agreement of contract between the city and the sender or recipient.

ORDINANCE NO. 2021-105

ORDINANCE for Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family 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 "C-2 Corridor Commercial District" and "R-MF Multi-Family Residential District."

Legal Description of the C-2 Corridor Commercial District Portion of Property:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9;

THENCE NORTH 90°00'00" WEST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION;

THENCE NORTH 00°23'41" EAST 590.30 FEET ALONG THE SAID WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00'00" EAST 1311.59 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 17.928 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

Legal Description of the R-MF Multi-Family Residential Portion of Property:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET; THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 662.27 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 3RD AND 4TH ADDITIONS TO THE NORTHERLY LINE OF O'SELL'S ADDITION;

THENCE NORTH 89°36'03" WEST 1316.85 FEET ALONG THE SAID NORTHERLY LINE OF O'SELL'S ADDITION TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION;

THENCE NORTH 00°23'41" EAST 662.26 FEET ALONG THE SAID WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00'00" EAST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 20.000 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Regional Commercial (RC) along the 53rd Street corridor and Residential General (RG) on the southern portion of the site.
2. The proposed C-2 Corridor Commercial District is compatible with the zoning of nearby property on 53rd Street. However, the proposed R-MF Multi-Family Residential District creates a higher density than the surrounding neighborhoods, which are zoned R-3 Single-Family and Two-Family Residential District. Therefore, conditions requiring enhanced landscaping buffers and a reduction in the maximum building height are needed to mitigate potential impacts between land uses.
3. Special consideration must be given to the increased density the proposed rezoning petition. A traffic study is required to address increased traffic demand on the major arterial roadway and local streets. Requiring a traffic signal on 53rd Street and a public north-south road through the development site will aid in mitigating traffic and emergency response concerns.
4. Rezoning the property to C-2 Corridor Commercial District and R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport +2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A traffic signal shall to be required at the intersection of Lakeview Parkway and East 53rd Street.
4. A second ingress/egress point to East 53rd Street shall be required.
5. Street connections to East 51st Street, Eastbury Estates Drive, and Hawk Drive shall be prohibited.
6. The multi-purpose trail shall be extended to the west property line.
7. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.
8. A 30-foot landscaped setback shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
9. The height of structures in the R-MF zoning district shall be no greater than 35 feet.
10. Upon vacation by the City of a portion of Eastbury Estates just to the south of the subject property, Petitioners, jointly and severally, shall be responsible for paying for or executing the work specified by the City of Davenport for reconfiguring/redesigning/reconstructing the northern terminus of Eastbury Estates in the area abutting the southern boundary of the subject property. The City is to provide plans, including a site plan and landscaping plan to Petitioners.
11. Townhouses and Multi-Family units shall be prohibited where the property abuts existing single-family residential.

12. The requirement under Section 16.24.040C of the City Code stating no cul-de-sac shall exceed 600 feet in length as measured from the center line of the intersecting street to the termination of the right-of-way shall be waived, if the Petitioner provides secondary access via private ingress/egress easement to 53rd Street.
13. Carwashes and gas stations shall be prohibited west of Lakeview Parkway.
14. The fence associated with the required buffer between residential and commercial shall be installed after final grading has been completed.
15. Buildings within 100 feet of the west property, abutting existing residential line shall be limited to 35 feet in height.

Section 3. At its February 2, 2021 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval subject to the listed findings and conditions.

Section 4. The approval of this ordinance amends and replaces the prior conditions on the real estate as set forth in Sections 17.17.010G and 17.17.010H from the City Code; per the repealer clause.

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.

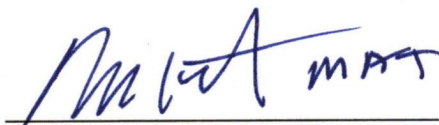
First Consideration February 24, 2021

Second Consideration March 10, 2021

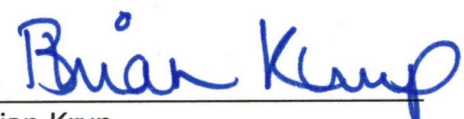
Approved March 24, 2021

Published in the *Quad City Times* on April 1, 2021

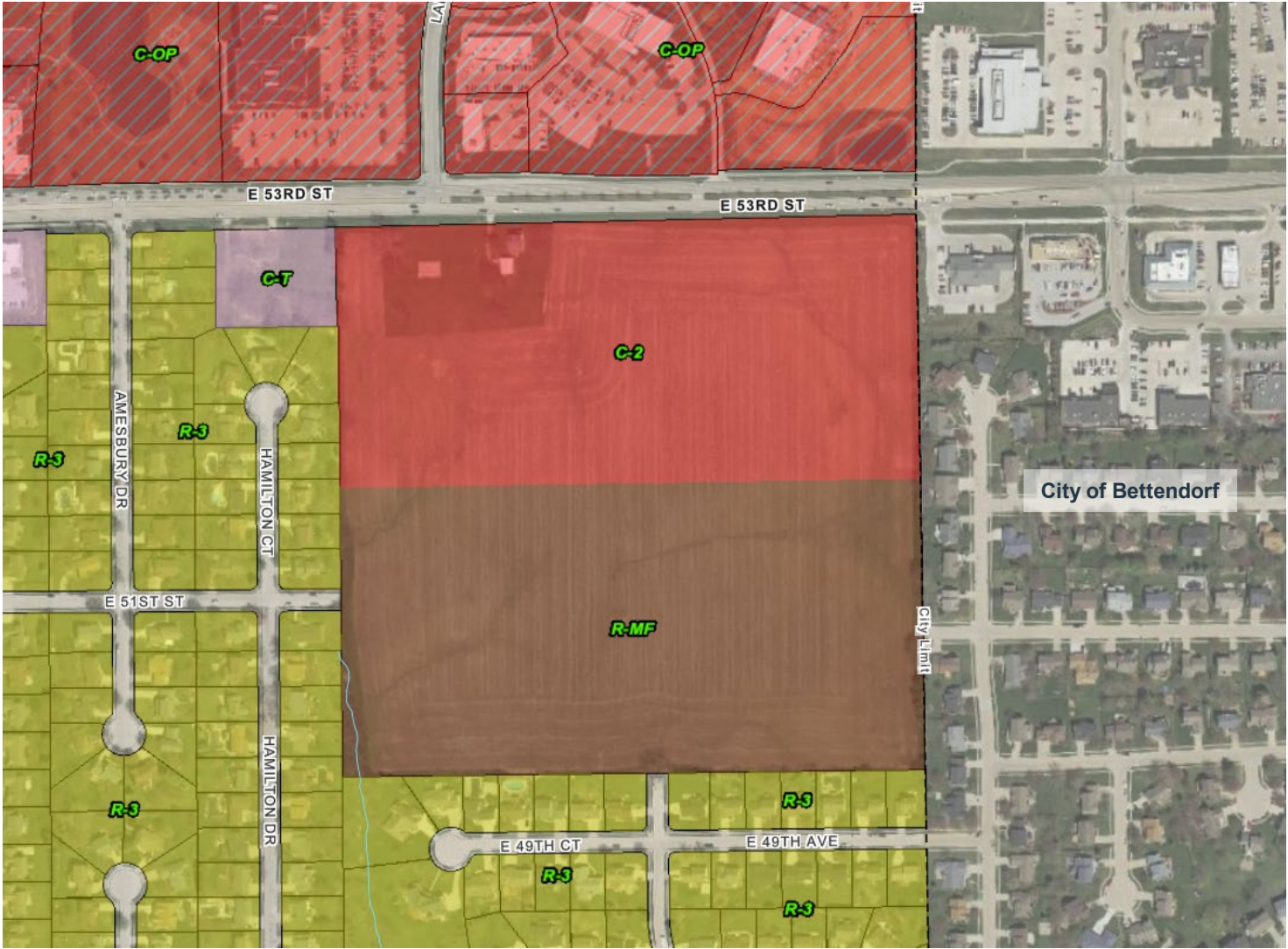
Attest:


Mike Matson
Mayor




Brian Krup
Deputy City Clerk

Zoning Map



City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
5/18/2021

Subject:

Case P21-02: Request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust for a Preliminary Plat of Birchwood South 1st Addition for an 11 lot subdivision on 17.92 acres located at 4607 East 53rd Street. [Ward 6]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case P21-02 to the City Council with a recommendation for approval subject to the 9 listed conditions.

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Regional Commercial (RC) – Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning:

The City Council adopted Ordinance No. 2021-105 rezoning the northern 17.92 acres abutting 53rd Street to C-2 Corridor Commercial District and the southern 20 acres to R-MF Multi-Family Residential District. The following conditions have been placed on the property:

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport + 2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A traffic signal shall be required at the intersection of Lakeview Parkway and East 53rd Street.
4. A second ingress/ egress point to East 53rd Street shall be required.

5. Street connections to East 51st Street, Eastbury Estates Drive, and Hawk Drive shall be prohibited.
6. The multi-purpose trail shall be extended to the west property line.
7. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.
8. A 30-foot landscaped setback shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
9. The height of structures in the R-MF zoning district shall be no greater than 35 feet.
10. Upon vacation by the City of a portion of Eastbury Estates just to the south of the subject property, Petitioners, jointly and severally, shall be responsible for paying for or executing the work specified by the City of Davenport for reconfiguring/ redesigning/ reconstructing the northern terminus of Eastbury Estates in the area abutting the southern boundary of the subject property. The City is to provide plans, including a site plan and landscaping plan to Petitioners.
11. Townhouses and Multi-Family units shall be prohibited where the property abuts existing single-family residential.
12. The requirement under Section 16.24.040C of the City Code stating no cul-de-sac shall exceed 600 feet in length as measured from the center line of the intersecting street to the termination of the right-of-way shall be waived, if the Petitioner provides secondary access via private ingress/ egress easement to 53rd Street.
13. Carwashes and gas stations shall be prohibited west of Lakeview Parkway.
14. The fence associated with the required buffer between residential and commercial shall be installed after final grading has been completed.
15. Buildings within 100 feet of the west property, abutting existing residential line shall be limited to 35 feet in height.

Technical Review:

Streets: The plat proposes adding 1,241 linear feet of streets. Lakeview Parkway will extend south. A new street to the east will also extend south. This is shown as Birchwood Lane on the plat; however there is a Birchwood Avenue in west Davenport which would result in emergency dispatching confusion and is a life-safety concern. Birchleaf Road will connect Lakeview Parkway to the proposed Birchwood Lane. Staff also recommends renaming Birchleaf Road to E. 52nd Street to also assist with existing street naming convention. Sidewalks are required along all city right-of-way.

There is a multi-use trail that will extend to the west along E. 53rd Street. The be consistent with the additional sections of the trail, staff recommends a condition that the multi-use trail be dedicated as public right-of-way.

An intersection will be created at with the proposed Birchwood Lane at 53rd Street with a private drive to the north. No signal is recommended at this time; however a left turn lane for westbound 53rd Street will be required at the proposed Birchwood Lane.

Storm Water: Storm water infrastructure associated with this development will connect into the City of Bettendorf storm sewer on the east and drain into Stafford Creek on the west. This subdivision is over 5 acres with over 10,000 square feet of hard surface so it will require detention and water quality. Storm detention is planned in Lots A and B. Access must be provided for maintenance of detention areas and any drainage ways must be maintained to provide for the proper flow of water.

Sanitary Sewer: Sanitary sewer service is located to the south in the proposed Birchwood Grove subdivision. Sanitary sewer will be extended along the proposed public streets.

Other Utilities: This is an urban area and normal utility services are available.

Parks/Open Space: The proposed plat does not impact any existing or planned parks or public open space.

Public Input: No public hearing is required for a Preliminary Plat. The City of Bettendorf has been notified and included in the technical review.

Discussion:

The request is for a Preliminary Plat for a 11 lot subdivision on 17.92 acres of property to facilitate commercial development.

Russell Construction is proposing nine developable commercial lots. There are two outlots at the southwest and southeast corners of the site for stormwater management. A concept plan for proposed development has not been provided at this time.

All roads will be dedicated as public right-of-way. There will be two forms of ingress/egress to the development, with a traffic signal installed at the intersection of Lakeview Parkway and 53rd Street.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case P21-01 to the City Council with a recommendation for approval subject to the 9 listed conditions:

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Conditions:

1. Dedicate the multi-use trail along E. 53rd Street as public right-of-way.
2. A note shall be added stating all streets and areas labeled as ROW will be dedicated to the city upon the recording of the plat.
3. All rezoning conditions shall be listed as a note on the plat.
4. Birchwood Lane and Birchleaf Road shall be renamed.
5. All sidewalks shall be shown on the preliminary plat and a note shall be added stating that sidewalks shall be installed as development occurs or so ordered by the city.
6. The 30' access and utility easement east of Birchwood Lane (to be renamed) shall also include "sewer" and shall be extended across Lots 6 and/or 9 to Lot B.
7. Access easements for the detention areas shall be congruent with the ROW and include "access" in the 15' utility easement to Lot A.
8. Lots A and B shall include a stormwater detention easement.
9. A note shall be added identifying ownership and maintenance responsibilities for the detention areas.

10. A note shall be added that all drainage easements shall be maintained as stormwater passageways as a lawn and be free of structures, pools, fences, fill, bushes, trees, shrubs, or other landscaping that impede the flow of water.

ATTACHMENTS:

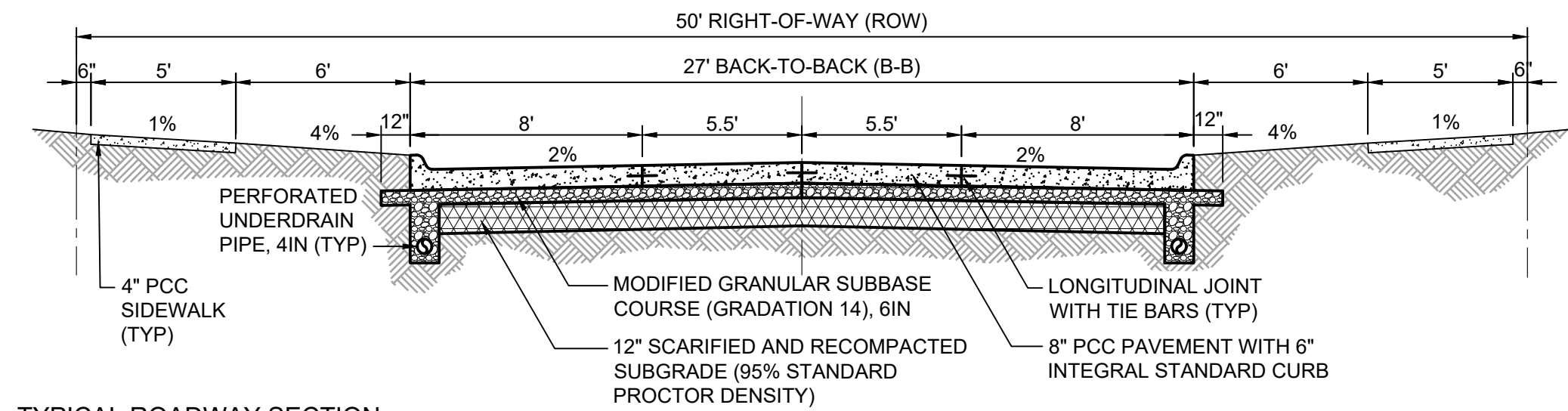
Type	Description
▣ Backup Material	Preliminary Plat
▣ Backup Material	Application
▣ Backup Material	Technical Review Comments
▣ Backup Material	MidAmerican Energy Comments
▣ Backup Material	Ordinance No. 2021-105
▣ Backup Material	Zoning Map

Staff Workflow Reviewers

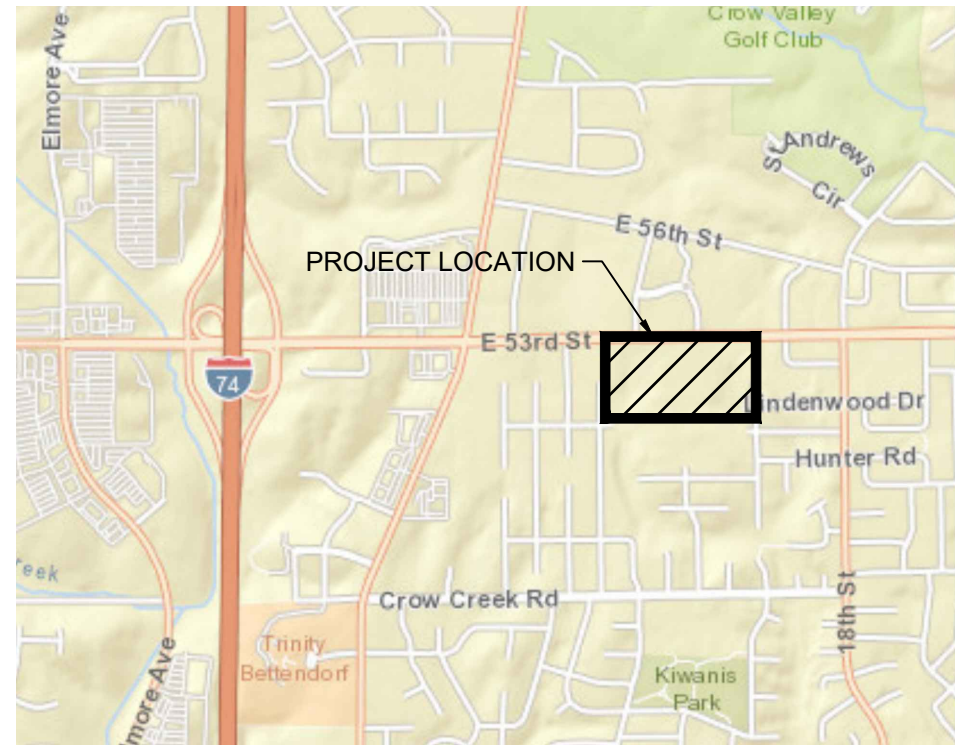
REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/13/2021 - 2:16 PM

- NOTES:
1. LOTS A & B SHALL HAVE BLANKET ACCESS, UTILITY, STORM SEWER, DRAINAGE, SANITARY SEWER, AND WATER EASEMENTS AND BE OWNED AND MAINTAINED BY THE OWNER'S ASSOCIATION.
 2. NO LOTS SHALL HAVE DIRECT ACCESS TO 53RD STREET.
 3. A TRAFFIC SIGNAL WILL BE REQUIRED AT THE INTERSECTION OF LAKEVIEW PARKWAY AND EAST 53RD STREET.



TYPICAL ROADWAY SECTION



PROJECT LOCATION MAP

OWNER
SOPHIE FOSTER REVOCABLE TRUST
6590 GOLF COURSE RD
BETTENDORF, IA 52722

APPLICANT
S.J. RUSSELL, L.C.
4700 E 53RD ST
DAVENPORT, IA 52807

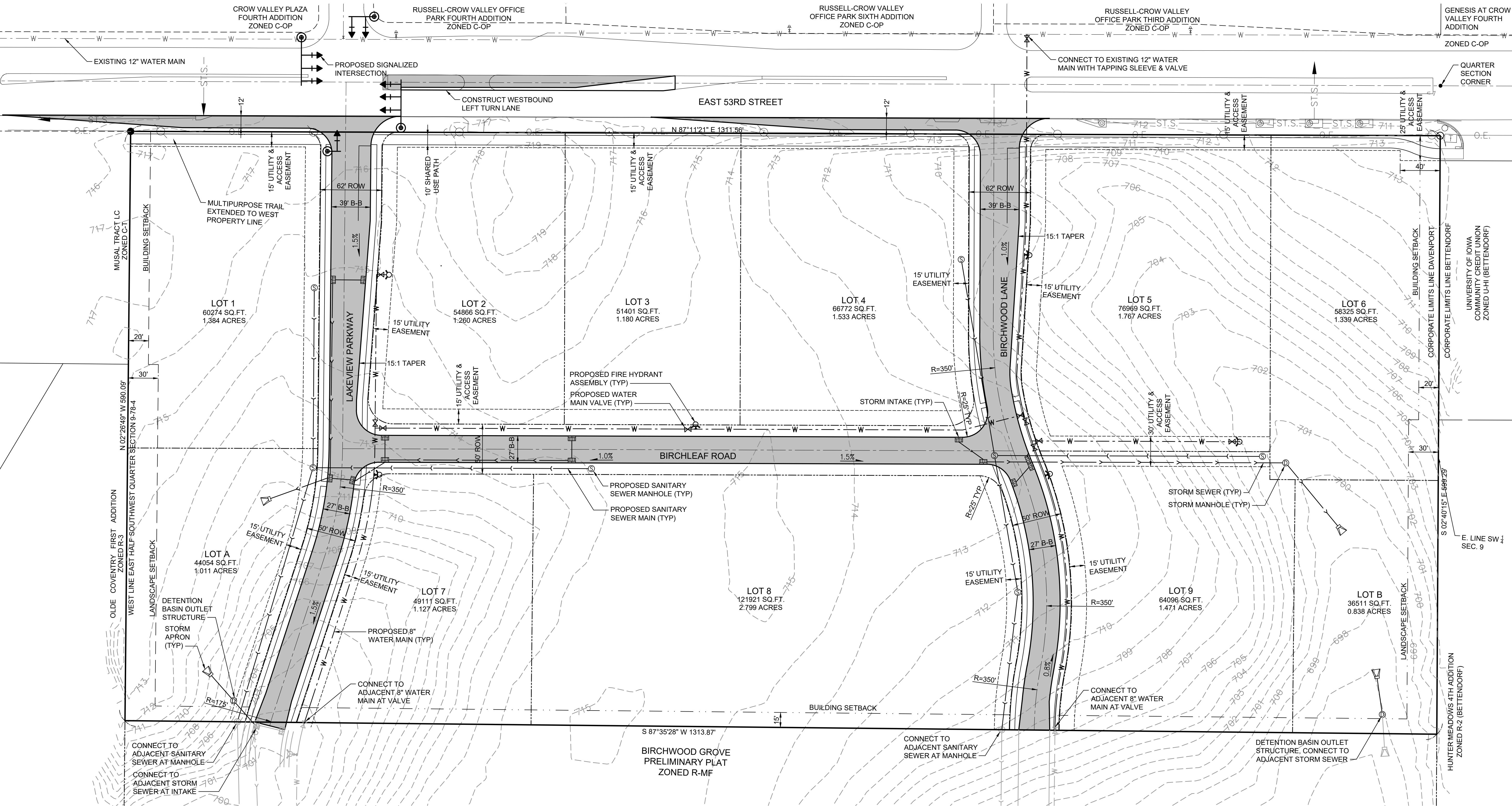
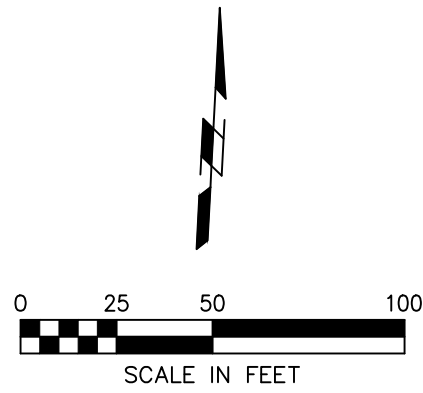
ENGINEER
MARK HARPOLE, PE
SHIVE-HATTERY, INC.
1701 RIVER DR STE 200
MOLINE, IL 61265

ZONING
C-2 CORRIDOR COMMERCIAL DISTRICT

PARCEL SIZE
17.92 ACRES

PRELIMINARY PLAT
FOR
BIRCHWOOD SOUTH FIRST ADDITION
TO THE CITY OF DAVENPORT, IOWA

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M., IN SCOTT COUNTY, IOWA



BIRCHWOOD SOUTH FIRST ADDITION

DAVENPORT, IOWA

PRELIMINARY PLAT

B101

DRAWN: GIS	APPROVED: PMH
ISSUED FOR: REVIEW	DATE: 04/22/2021
PROJECT NO: 3204340	FIELD BOOK: --
CLIENT NO: --	



226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

Complete application can be emailed to planning@ci.davenport.ia.us

Property Address*

***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☐
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Owner (if different from Applicant)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Engineer (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

A parcel of land in the southwest 1/4 of Section 9, Twp. 78 N, Rng. 4 E;
The north 17.92 acres of Parcel N0910-01 as recorded in the Scott County, Iowa Records Office.

Total Land Area: 17.92 Acres

Total Number of Lots: 11

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No

Submittal Requirements:

- The completed application form.
- Required fee:
Ten or fewer lots - \$400 plus \$25 per lot.
Eleven to twenty-five lots - \$700 plus \$25 per lot.
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

A parcel of land in the southwest 1/4 of Section 9, Twp. 78 N, Rng. 4 E;
The north 17.92 acres of Parcel N0910-01 as recorded in the Scott County, Iowa Records Office.

Total Land Area: Acres

Total Number of Lots:

Linear Feet of Streets Added:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner:

Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

Previously Submitted

I, _____
authorize _____
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

A parcel of land in the southwest 1/4 of Section 9, Twp. 78 N., Rng. 4 E. 

Signature(s)

State of _____,
County of _____.
Sworn and subscribed to before me

This _____ day of _____, 20_____

Form of Identification

Notary Public

My Commission Expires:

2020 DEVELOPOMENT CALENDAR

CITY PLAN & ZONING COMMISSION SCHEDULE

CITY COUNCIL SCHEDULE

<u>REZONING & ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION & DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISSION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE (PUBLIC HEARING)	CITY COUNCIL MEETING
12:00 PM - Monday	12:00 PM - Monday	5:00 PM - Tuesday	5:00 PM - Tuesday	12:00PM - Friday	5:30 PM - Wednesday	5:30 PM - Wednesday
11/19/19	12/02/19	12/10/19	12/24/19	12/27/19	01/08/20	01/15/20
12/02/19	12/16/19	12/24/19	01/07/20	01/10/20	01/22/20	01/29/20
12/17/19	12/28/19	01/07/20	01/21/20	01/24/20	02/05/20	02/12/20
12/27/19	01/13/20	01/21/20	02/04/20	02/07/20	02/19/20	02/26/20
01/13/20	01/27/20	02/04/20	02/18/20	02/21/20	03/04/20	03/11/20
01/27/20	02/10/20	02/18/20	03/03/20	03/06/20	03/18/20	03/25/20
02/10/20	02/24/20	03/03/20	03/17/20	03/20/20	04/01/20	04/08/20
02/24/20	03/09/20	03/17/20	03/31/20	04/03/20	04/15/20	04/22/20
03/09/20	03/23/20	03/31/20	04/21/20	04/24/20	05/06/20	05/13/20
03/30/20	04/13/20	04/21/20	05/05/20	05/08/20	05/20/20	05/27/20
04/13/20	04/27/20	05/05/20	05/19/20	05/22/20	06/03/20	06/10/20
04/27/20	05/11/20	05/19/20	06/02/20	06/05/20	06/17/20	06/24/20
05/11/20	05/22/20	06/02/20	06/16/20	06/19/20	07/01/20	07/08/20
05/22/20	06/08/20	06/16/20	06/30/20	07/03/20	07/15/20	07/22/20
06/08/20	06/22/20	06/30/20	07/14/20	07/24/20	08/05/20	08/12/20
06/22/20	07/06/20	07/14/20	08/04/20	08/07/20	08/19/20	08/26/20
07/13/20	07/27/20	08/04/20	08/18/20	08/21/20	09/02/20	09/09/20
07/27/20	08/10/20	08/18/20	09/01/20	09/04/20	09/16/20	09/23/20
08/10/20	08/24/20	09/01/20	09/22/20	09/25/20	10/07/20	10/14/20
08/31/20	09/14/20	09/22/20	10/06/20	10/09/20	10/21/20	10/28/20
09/14/20	09/28/20	10/06/20	10/20/20	10/22/20	11/04/20	11/10/20
09/28/20	10/12/20	10/20/20	11/03/20	11/05/20	11/18/20	11/24/20
10/12/20	10/26/20	11/03/20	11/17/20	11/20/20	12/02/20	12/09/20
10/26/20	11/09/20	11/17/20	12/01/20	cancelled due to holiday		
11/09/20	11/23/20	12/01/20	12/15/20	12/11/20	12/30/20	01/06/21
11/23/20	12/07/20	12/15/20	12/29/20	12/23/20	01/13/21	01/20/21
12/07/20	12/21/20	12/29/20	01/05/21	01/08/21	01/27/21	02/03/21
12/14/20	12/28/20	01/05/21	01/26/21	01/22/21	02/10/21	02/17/21

- SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY **MARKED IN RED**
- ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL
- DATES SUBJECT TO CGHHANE DUE TO HOLIDAYS **MARKED IN RED**
- DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA



DAVENPORT

E PLAN

Wednesday, May 12, 2021

Re: PRJ-2290

Dear Applicant,

The plans and specifications for the project: **PRJ-2290** have been reviewed by the City of Davenport Building and Land Development Services. At this time the project is not approved. Please address the following comments and resubmit your project:

Engineering Comments

Dedicate multi-use trail along E. 53rd Street as public right-of-way.

Add a note stating that all streets and areas labeled as ROW shall be dedicated to the city upon recording of the plat.

Birchwood Ln must be renamed as name is too close to a Birchwood Ave located on the west side of the city. Ravenwood Court is to the south and close to in line with this development, so that is an option.

Birchleaf should be renamed to E. 52nd Street.

Show sidewalks on along all ROW to be dedicated.

A left turn lane for westbound 53rd will be required at Birchwood (To be renamed).

<p>The widths of all easements will be finalized with the final plat. Submit civil plans as a separate eplan project at the same time as submitting the final plat.</p>
<p>Concerning the 30' Access and Utility easement east of Birchwood lane (Birchleaf extended), the easement description is to contain "sewer easement" since public sewer is located within it.</p>
<p>The proposed width of the 30' Access and Utility easement cannot be accepted as final until the sewer depths are reviewed.</p>
<p>Concerning the 30' Access and Utility easement, as shown access to the detention basin on lot B is not provided and the storm sewer easement ends too soon. Easement should be extended across lots 6 and/or 9.</p>
<p>Birchwood Addition to the south calls out for 31'-0" back to back paving and this one is 27'-0". Ensure appropriate taper in construction plans.</p>

Natural Resources Comments	
<p>Access easements for the detention areas need to be congruent with the ROW. For Lot A - include 'access' in the 15' utility easement. For Lot B - extend the utility access easement off of Birchwood to reach Lot B.</p>	
<p>Lots A and B need to include a stormwater detention easement.</p>	
<p>Add a note that "Owners of lots on which a drainage easement has been established as stormwater passageway shall maintain said easement as a lawn, planted in grass and free of structures, swimming pools, fences, fill, bushes, trees, shrubs, or other landscaping that would impede the flow of water."</p>	

A note will need to be added on the Final Plat to indicate who owns and maintains the outlots/stormwater detention and water quality features within them.

Please login to the portal at www.davenportiowa.com/eplan to access *Review Documents*. **Please note that revised files shall have the exact same name.**

Sincerely,

Building and Land Development Services
1200 East 46th Street
EPlanCoordinator@davenportiowa.com

Berkley, Laura

From: Notton, Maggie (MidAmerican) <Maggie.Notton@midamerican.com>
Sent: Monday, May 3, 2021 10:48 AM
To: Berkley, Laura
Subject: [EXT] RE: [INTERNET] Technical Review - Preliminary Plats for Birchwood Grove and Birchwood South First Addition

Good morning Laura,
MidAmerican approves this plat. No further comments were needed.

Thanks,

Maggie Notton
Project Coordinator
MidAmerican Energy Company
2811 5th Avenue
Rock Island, IL. 61201
309-793-3805 Work
515-979-0651 Cell

<https://www.midamericanenergy.com/contractor-safety-training-resources>

<https://www.midamericanenergy.com/ecss/newservice/new>



From: Berkley, Laura <Laura.Berkley@davenportiowa.com>
Sent: Thursday, April 29, 2021 1:56 PM
To: Ackerland, Brittany <Brittany.Ackerland@davenportiowa.com>; 'Amy Driskill' <adriskill@davenportlibrary.com>; 'Antonio Glessner' <antonio.glessner@centurylink.com>; Berger, Bruce <Bruce.Berger@davenportiowa.com>; Berkley, Laura <Laura.Berkley@davenportiowa.com>; Heyer, Brian <Brian.Heyer@davenportiowa.com>; Cox, David <David.Cox@davenportiowa.com>; Carlson, Dawn (MidAmerican) <Dawn.Carlson@midamerican.com>; Wahlheim, Derek (MidAmerican) <Derek.Wahlheim@midamerican.com>; Dyson, Chad <Chad.Dyson@davenportiowa.com>; 'Erik Page' <pageer@mail.davenport.k12.ia.us>; Flynn, Matt <Matt.Flynn@davenportiowa.com>; Hank Jacobsen <Hank.Jacobsen@davenportiowa.com>; Johnson, Benjamin <Benjamin.Johnson@davenportiowa.com>; 'Julie Allender' <julie.allender@amwater.com>; 'Julie DuBois' <Julie.DuBois@amwater.com>; 'Kathy Morris' <kmorris@wastecom.com>; Kay, Amy <Amy.Kay@davenportiowa.com>; Koops, Scott E. <Scott.Koops@davenportiowa.com>; Leabhart, Tom <Tom.Leabhart@davenportiowa.com>; Lemke, Nevada <Nevada.Lemke@davenportiowa.com>; Longlett, Eric <Eric.Longlett@davenportiowa.com>; Kovacic, Matthew (MidAmerican) <Matthew.Kovacic@midamerican.com>; 'Metel Hancock' <mhancock@mediacomcc.com>; Miers, Dan <Dan.Miers@davenportiowa.com>; 'Mike Maloney' <maloneym@davenportschools.org>; Monica DeLaPaz <Monica.Delapaz@amwater.com>; Morris, Jim <Jim.Morris@davenportiowa.com>; Sim, Nick <Nick.Sim@davenportiowa.com>; Pradhan, Trishna <Trishna.Pradhan@davenportiowa.com>; Ralfs, Jake <Jake.Ralfs@davenportiowa.com>; Randle, Kevin <Kevin.Randle@davenportiowa.com>; Reist, Bryan <Bryan.Reist@davenportiowa.com>; Schadt, Brian <Brian.Schadt@davenportiowa.com>; Schmuecker, Nick

<Nick.Schmuecker@davenportiowa.com>; Werderitch, Matt <Matt.Werderitch@davenportiowa.com>

Cc: 'Hunt, Mark' <mhunt@bettendorf.org>; Morlok, Brent <bmorlok@bettendorf.org>

Subject: [INTERNET] Technical Review - Preliminary Plats for Birchwood Grove and Birchwood South First Addition

*** * Remember SAIL when reading email * ***

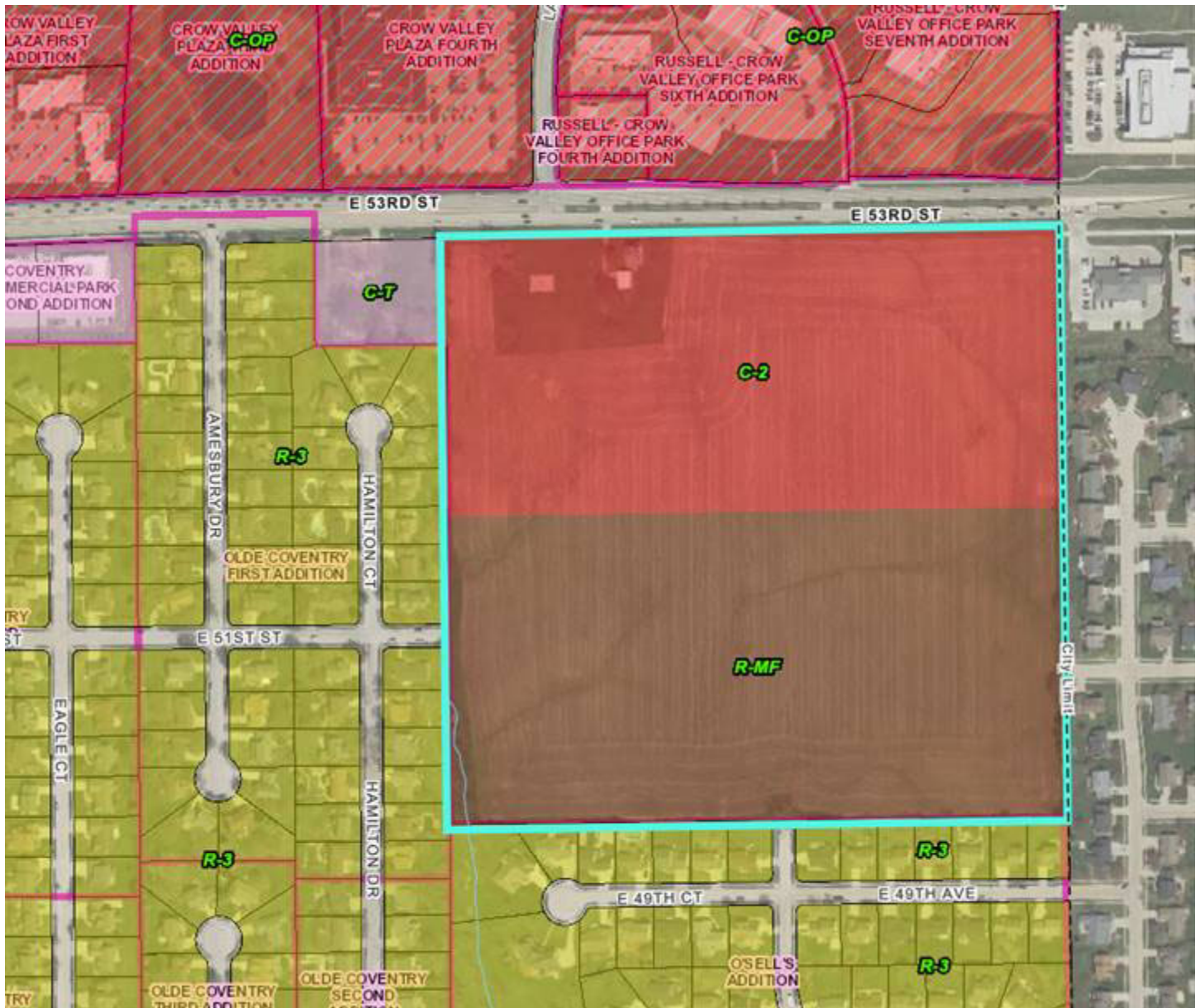
Are you expecting the message from this **SENDER** ? Are you expecting an **ATTACHMENT** ? Does the message subject include **INTERNET** ? Verify **LINKS** before clicking.

All, attached are two adjacent preliminary plats both are part of Parcel N0910-01 at 4607 E 53rd Street:

Technical Review **comments are due back Friday May 7**. For those of you interested in attending, I have scheduled a meeting to go over comments and formalize staff findings, recommendation and conditions for Monday, May 10 at 9:00 at the Davenport Public Works Building, 1200 E 46th Street in the Training Center. I can provide a virtual participation option. If you are interested, please let me know, and I will set that up.

PRJ-2288 - Birchwood Grove

PRJ-2290 - Birchwood South First Addition



Thanks,

Laura Berkley, CFM

Development & Planning Administrator | Development & Neighborhood Services
City of Davenport

T 563-888-3553
1200 E 46th St, Davenport, IA 52807

davenportiowa.com

This email and any files transmitted are covered by the Electronic Communications Privacy Act. The information it contains is confidential and may be legally privileged; it is intended solely for the individual to whom it was addressed. If you are not the intended recipient you are notified that retention, dissemination, distribution or copying this email is prohibited and you should reply to the sender that you have received this email in error and then immediately delete it. Unless otherwise exempted by public record laws, senders and receivers of government emails should presume that the emails are subject to release upon request. Nothing in this email should be interpreted to authorize or conclude a binding agreement of contract between the city and the sender or recipient.

ORDINANCE NO. 2021-105

ORDINANCE for Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family 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 "C-2 Corridor Commercial District" and "R-MF Multi-Family Residential District."

Legal Description of the C-2 Corridor Commercial District Portion of Property:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9;

THENCE NORTH 90°00'00" WEST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION;

THENCE NORTH 00°23'41" EAST 590.30 FEET ALONG THE SAID WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00'00" EAST 1311.59 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 17.928 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

Legal Description of the R-MF Multi-Family Residential Portion of Property:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET; THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 662.27 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 3RD AND 4TH ADDITIONS TO THE NORTHERLY LINE OF O'SELL'S ADDITION;

THENCE NORTH 89°36'03" WEST 1316.85 FEET ALONG THE SAID NORTHERLY LINE OF O'SELL'S ADDITION TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION;

THENCE NORTH 00°23'41" EAST 662.26 FEET ALONG THE SAID WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00'00" EAST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 20.000 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Regional Commercial (RC) along the 53rd Street corridor and Residential General (RG) on the southern portion of the site.
2. The proposed C-2 Corridor Commercial District is compatible with the zoning of nearby property on 53rd Street. However, the proposed R-MF Multi-Family Residential District creates a higher density than the surrounding neighborhoods, which are zoned R-3 Single-Family and Two-Family Residential District. Therefore, conditions requiring enhanced landscaping buffers and a reduction in the maximum building height are needed to mitigate potential impacts between land uses.
3. Special consideration must be given to the increased density the proposed rezoning petition. A traffic study is required to address increased traffic demand on the major arterial roadway and local streets. Requiring a traffic signal on 53rd Street and a public north-south road through the development site will aid in mitigating traffic and emergency response concerns.
4. Rezoning the property to C-2 Corridor Commercial District and R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport +2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A traffic signal shall to be required at the intersection of Lakeview Parkway and East 53rd Street.
4. A second ingress/egress point to East 53rd Street shall be required.
5. Street connections to East 51st Street, Eastbury Estates Drive, and Hawk Drive shall be prohibited.
6. The multi-purpose trail shall be extended to the west property line.
7. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.
8. A 30-foot landscaped setback shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
9. The height of structures in the R-MF zoning district shall be no greater than 35 feet.
10. Upon vacation by the City of a portion of Eastbury Estates just to the south of the subject property, Petitioners, jointly and severally, shall be responsible for paying for or executing the work specified by the City of Davenport for reconfiguring/redesigning/reconstructing the northern terminus of Eastbury Estates in the area abutting the southern boundary of the subject property. The City is to provide plans, including a site plan and landscaping plan to Petitioners.
11. Townhouses and Multi-Family units shall be prohibited where the property abuts existing single-family residential.

12. The requirement under Section 16.24.040C of the City Code stating no cul-de-sac shall exceed 600 feet in length as measured from the center line of the intersecting street to the termination of the right-of-way shall be waived, if the Petitioner provides secondary access via private ingress/egress easement to 53rd Street.
13. Carwashes and gas stations shall be prohibited west of Lakeview Parkway.
14. The fence associated with the required buffer between residential and commercial shall be installed after final grading has been completed.
15. Buildings within 100 feet of the west property, abutting existing residential line shall be limited to 35 feet in height.

Section 3. At its February 2, 2021 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval subject to the listed findings and conditions.

Section 4. The approval of this ordinance amends and replaces the prior conditions on the real estate as set forth in Sections 17.17.010G and 17.17.010H from the City Code; per the repealer clause.

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.

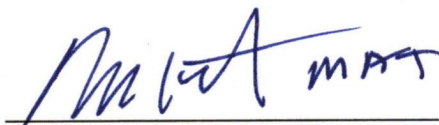
First Consideration February 24, 2021

Second Consideration March 10, 2021

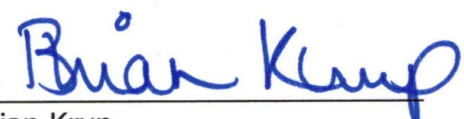
Approved March 24, 2021

Published in the *Quad City Times* on April 1, 2021

Attest:


Mike Matson
Mayor




Brian Krup
Deputy City Clerk

Zoning Map

