

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, MARCH 1, 2022; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

**COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS**

**PUBLIC HEARING AGENDA**

I. New Business

- A. Case REZ22-01: Request of Patrick Fennelly to rezone property located south of Telegraph Road and east of South Utah Avenue (The southwest 9.15 acres of Parcel #S3117-04) from S-AG Agricultural District to R-1 Single-Family Residential District. [Ward 1]
- B. Case ROW22-02: Request of The Overland Group on behalf of Dollar General for a partial right-of-way vacation (abandonment) of the alley at 2340 Rockingham RD. [Ward 1]

**REGULAR MEETING AGENDA**

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

- A. Consideration of the January 18, 2022 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F22-02: Request of Prairie Heights Development, LLC for a Final Plat of Prairie Heights 5<sup>th</sup> Addition for a 50 lot subdivision on 11.38 acres located south of Olde Brandy Lane and west of Mississippi Avenue. [Ward 8]

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  
3/1/2022

Subject:

Case REZ22-01: Request of Patrick Fennelly to rezone property located south of Telegraph Road and east of South Utah Avenue (The southwest 9.15 acres of Parcel #S3117-04) from S-AG Agricultural District to R-1 Single-Family Residential District. [Ward 1]

Recommendation:

Hold the Public Hearing.

Background:

**Background:**

The petitioner is requesting a rezoning from S-AG Agricultural District to R-1 Single-Family Residential District. The purpose of the rezoning request is to create two new single-family lots.

The site is currently being used for farming and open space. The land also contains wooded areas and steep topography changes along the creek, making the eastern portion of the property difficult to navigate. The most developable area is the ground adjacent to South Utah Avenue.

The property consists of two parcels encompassing approximately 59.15 acres. However, the owner intends to subdivide the land to create two new single-family lots along South Utah Avenue. The remainder of the property will remain undeveloped and zoned S-AG Agricultural District. A survey of the property has been provided by the applicant delineating the land to be rezoned.

**Why is a Zoning Map Amendment Required?**

The Zoning Ordinance does not permit single-family dwellings in an agricultural district, which are under 38 acres in area. A rezoning to R-1 Single-Family Residential District is the least intensive zoning classification and is consistent with similar land uses on South Utah Avenue.

**Comprehensive Plan:**

Within Existing Urban Service Area: No

Within Urban Service Area 2035: Yes

**Future Land Use Designations:**

The property is designated Agricultural Reserve (AR) and Open Space/Public Land (OS) in the Davenport +2035 Land Use Plan.

1. **Agricultural Reserve (AR)** - Areas located outside the Urban Service Area and unlikely to develop in the foreseeable future. Uses should be limited to agriculture and open space, with only limited residential development needing minimal urban services.
2. **Open Space/Public Land (OS)** - Includes undeveloped open space, natural areas, floodplains and wetlands that may be or may not be planned for future park and recreation development.

**Zoning:**

The property is currently zoned S-AG Agricultural District. This district is intended to address

existing agricultural land uses. The standards of the S-AG District promote the continuation of farming, and protect agricultural land uses from encroachment of incompatible developments.

The applicant is requesting a rezoning of the property to R-1 Single-Family Residential District. This district is 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.

**Technical Review:**

City Departments are reviewing the proposed Zoning Map Amendment Application. Further comments will be provided at the March 15, 2022 Plan and Zoning Commission meeting.

**Public Input:**

Letters were sent to property owners within 200 feet of the proposed request notifying them of the March 1, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the March 15, 2022 Plan and Zoning Commission meeting.

**ATTACHMENTS:**

Type	Description
▢ Backup Material	Zoning & Future Land Use Map
▢ Backup Material	Plat of Subdivision-Fennelly's South Utah Addition
▢ Backup Material	Application
▢ Backup Material	Public Notice

**Staff Workflow Reviewers**

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	2/24/2022 - 4:03 PM

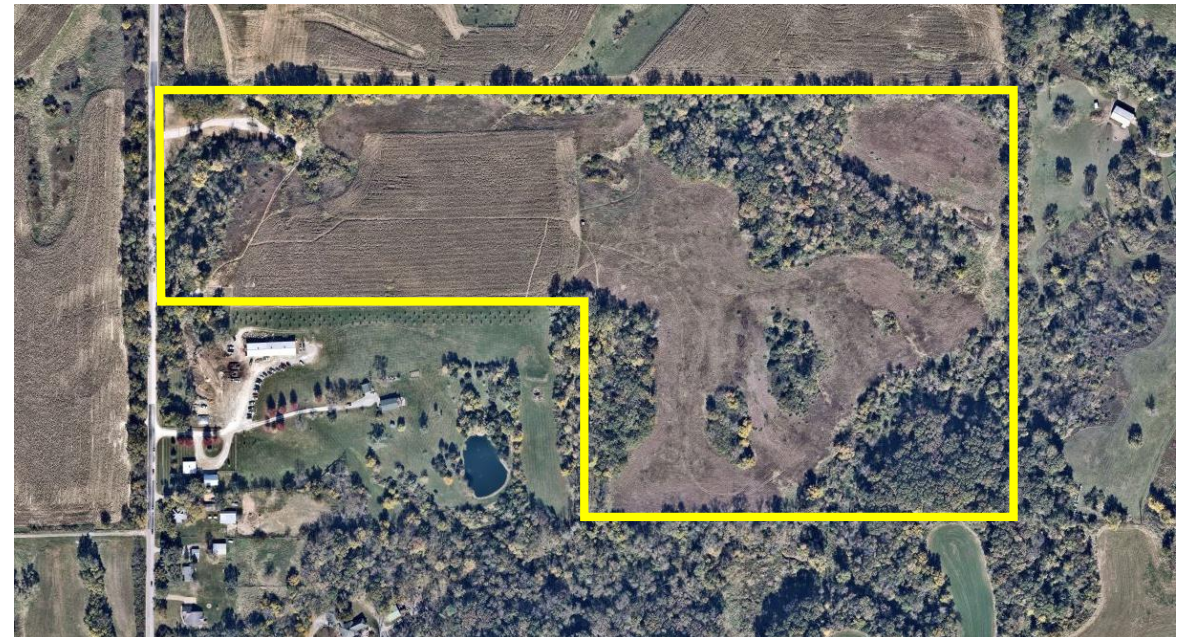


# Vicinity Map

DAVENPORT  
IOWA | USA

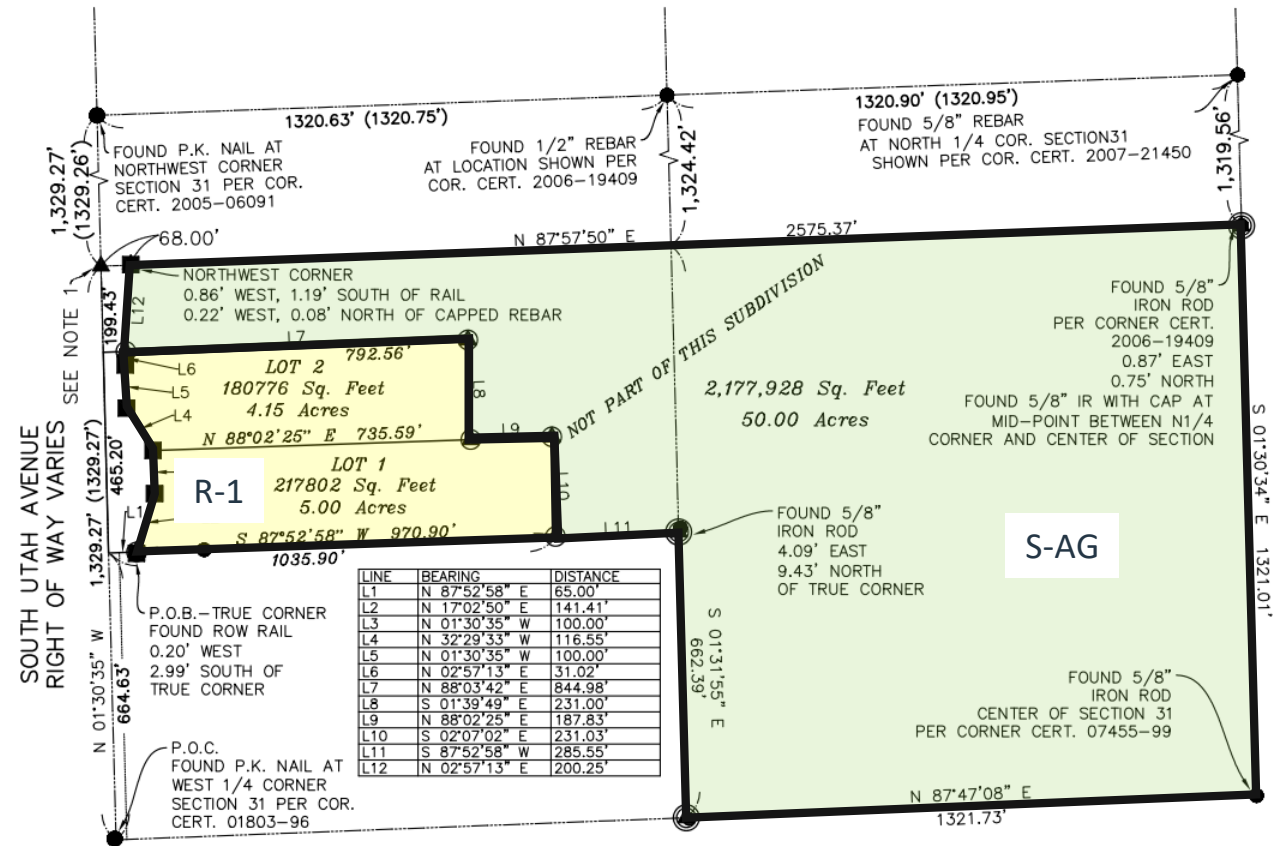


Current Use of the Site: Farming & Open Space



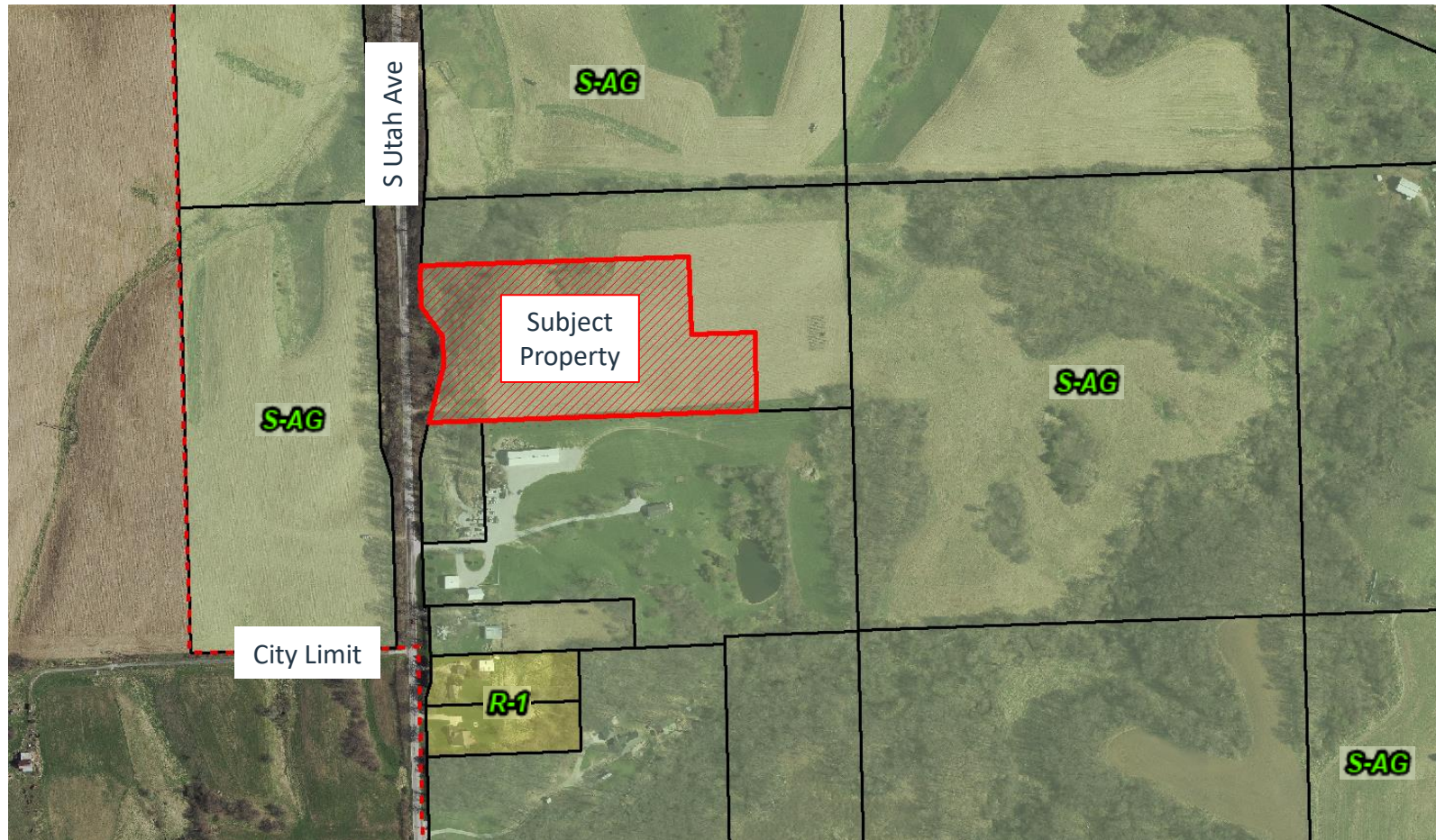
# Purpose for the Request

- Purpose: Create two new single-family lots
- Draft subdivision plat has been provided.
- Only Lot 1 & 2 will be rezoned to R-1.
- Remainder of the property will remain S-AG





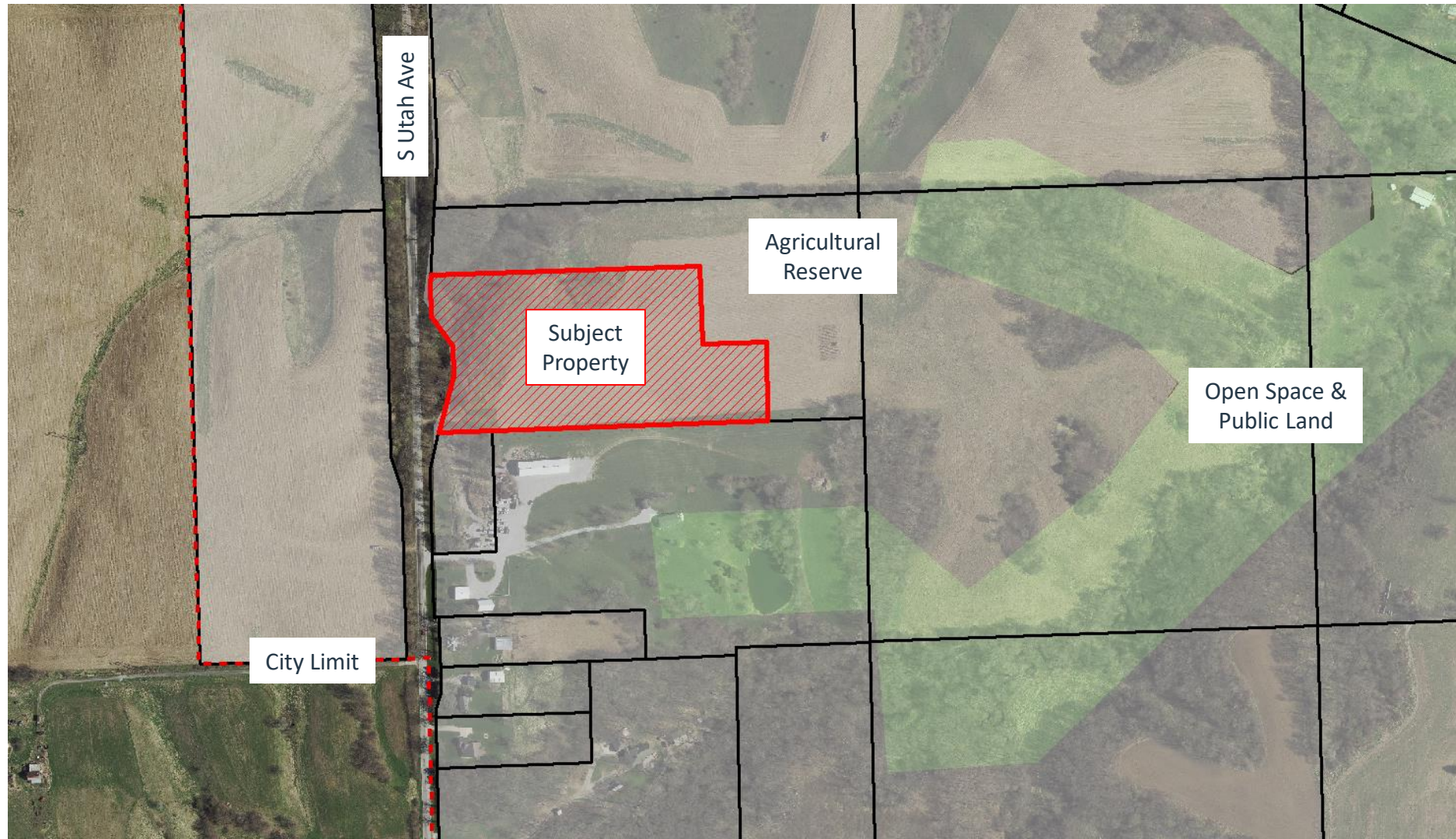
# Zoning Map



Rezone from S-AG Agricultural District to R-1 Single-Family Residential District



# Future Land Use Map



INDEX LEGEND

LOCATION: PART OF THE NW 1/4, SECTION 31-78N-3E

DAVENPORT, IA

REQUESTOR: PAT FENNELLY

PROPRIETOR: PAT FENNELLY

SURVEYOR: JAMES W. ABBITT, JR.

COMPANY: ABBITT SURVEY & DEVELOPMENT, PLLC

4900 38th AVENUE, SUITE 1

MOLINE, IL 61265

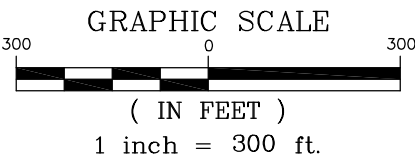
309-524-3124

RETURN TO: JAMES ABBITT, PER ABOVE ADDRESS

PLAT OF SUBDIVISION

FENNELLY'S SOUTH UTAH ADDITION  
TO THE CITY OF DAVENPORT, IOWA

PART OF THE NORTHWEST QUARTER, SECTION 31,  
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M.,  
DAVENPORT, SCOTT COUNTY, IOWA



LEGEND

- REBAR OR PIPE, FOUND
- REBAR WITH RED, PLASTIC CAP #10135, FOUND
- 5/8" REBAR WITH GREEN, PLASTIC CAP #18465, FOUND
- 5/8" REBAR WITH GREEN, PLASTIC CAP #18465, SET
- MEASURED DIMENSION
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- SURVEY BOUNDARY
- EASEMENT LINE
- SECTION LINE
- R.O.W. LINE

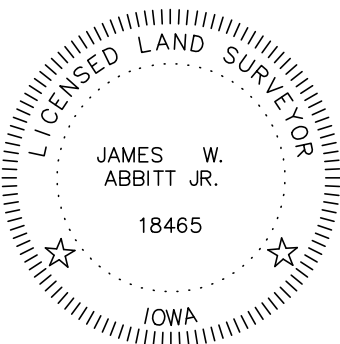
I HEREBY VERIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY BE OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JAMES W. ABBITT, JR.

DATE

REG. NO. 18465

MY LICENSE EXPIRES DECEMBER 30, 2022  
PAGES OR SHEETS COVERED BY THIS SEAL:  
THIS SHEET ONLY



**Abbitt**  
Survey & Development, PLLC

ABBITT SURVEY & DEVELOPMENT, PLLC.  
4900 38TH AVE. SUITE 1  
MOLINE, ILLINOIS 61265  
PH. 309-524-3124

DATE: 01-10-2022 | SCALE: 1" = 300' | DRAWN BY: SEM | CHECKED BY: JWA

PREPARED FOR: PATRICK FENNELLY  
2313 W. LOMBARD STREET  
DAVENPORT, IA 52804

PAGE: 1 OF 1

DRAWING No.:

21-398-IADA-B-FENNELLY

DRAWING TITLE: PLAT OF SUBDIVISION



PLAT OF SUBDIVISION
FENNELLY'S SOUTH UTAH ADDITION TO THE CITY OF DAVENPORT, IOWA

PART OF THE NORTHWEST QUARTER, SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M.,
CITY OF DAVENPORT, SCOTT COUNTY. IOWA

Legal Description:
Part of the Northwest Quarter of Section 31, Township
78 North, Range 3 East of the 5th Principal Meridian,
City of Davenport, Scott County, Iowa, more particularly
described as follows:
Commencing at the West Quarter corner of said Section
31, per Corner Certificate 01803-96;
Thence North 01°30'35" West, along the west line of
the Northwest Quarter of said Section 31, a distance of
664.63 feet to the Point of Beginning;
Thence North 01°30'35" West, continuing along said
west line of said Northwest Quarter, a distance of
465.20 feet;
Thence North 88°03'42" East, a distance of 844.98 feet;
Thence South 01°39'49" East, a distance of 231.00 feet;
Thence North 88°02'25" East, a distance of 187.83 feet;
Thence South 02°07'02" East, a distance of 231.03 feet;
Thence South 87°52'58" West, a distance of 1035.90
feet to the Point of Beginning.
The above described real estate contains 10.28 acres,
more or less.
For the purpose of this description, the west line of the
Northwest Quarter of Section 31, has an observed
bearing of North 01°30'35" West.

THE FOLLOWING AS LISTED HAVE REVIEWED AND APPROVED
THIS FINAL PLAT AND FOUND THAT SAID PLAT DOES MEET
ALL THE MINIMUM UTILITY REQUIREMENTS.

BY: DATE:
MIDAMERICAN ENERGY COMPANY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD

BY: DATE:
IOWA-AMERICAN WATER COMPANY

BY: DATE:
CENTURYLINK

BY: DATE:
METRONET

BY: DATE:
MEDIACOM

PLANNING AND ZONING COMMISSION
BY: DATE:

DAVENPORT CITY COUNCIL
BY: DATE:

ATTEST: DATE:

ZONING & LOT INFORMATION:

CURRENT ZONING: AR
PROPOSED ZONING: RESIDENTIAL, R-1
TOTAL NUMBER OF LOTS: 2
TOTAL ACREAGE OF LOTS: 9.15
TOTAL R.O.W. ACREAGE: 1.13
TOTAL SITE ACREAGE: 10.28
FRONT YARD BUILDING SETBACK: 30'

LAND SURVEYOR

ABBITT SURVEY & DEVELOPMENT, PLLC
CONTACT: JIM ABBITT
4900 38TH AVENUE, SUITE 1
MOLINE, ILLINOIS 61265
309-524-3124

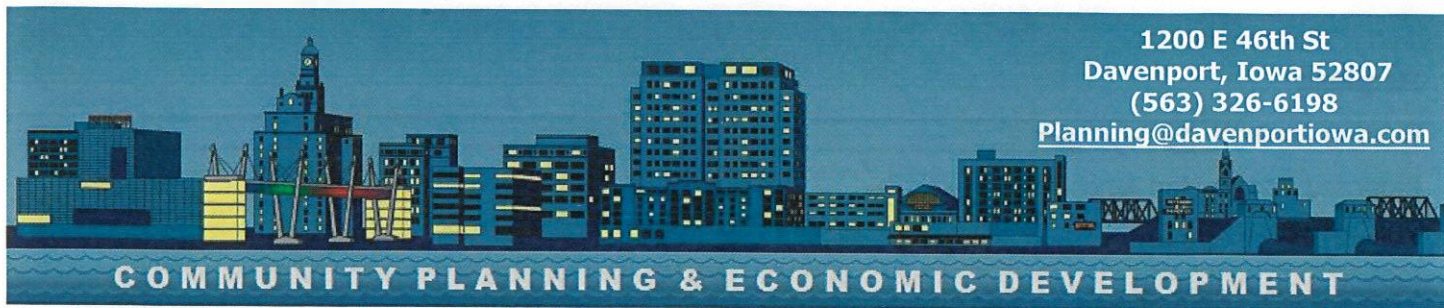
OWNER

Patrick Fennelly
2313 W. Lombard St.
Davenport, IA 52804
563-529-9916

ATTORNEY

VOLLERSTEN BRITT & GORSLINE
MIKE GORSLINE
5119 UTICA RIDGE ROAD
DAVENPORT, IA 52807
563-324-0441

Abbitt Survey & Development, PLLC
ABBITT SURVEY & DEVELOPMENT, PLLC.
4900 38TH AVE. SUITE 1
MOLINE, ILLINOIS 61265
PH. 309-524-3124
DATE: 01-10-2022 SCALE: 1" = 300' DRAWN BY: SEM CHECKED BY: JWA
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PAGE: 1 OF 1
DRAWING No.:
21-398-IADA-B-FENNELLY
DRAWING TITLE: PLAT OF SUBDIVISION



Complete application can be emailed to: [planning@davenportiowa.com](mailto:planning@davenportiowa.com)

Property Address\* parcel # 83117-04

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

**Applicant (Primary Contact)\*\***

Name: Patrick J. Fennelly  
Company:   
Address: 2313 W. Lombard St  
City/State/Zip: Davenport Iowa 52804  
Phone: 563.529-9916  
Email: pj@patrickfennelly.com

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: Abbitt Survey  
Company:   
Address: 4900 38th Ave Suite #1  
City/State/Zip: Moline IL 61265  
Phone: 309-314-0177  
Email: jim@abbittsurvey.com

**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: Mike Gorsline  
Company: VB & G  
Address: 5119 Ulica Ridge Rd.  
City/State/Zip: Davenport Iowa 52807  
Phone: 563 324-0441  
Email: Mike@vb-law.com

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

**Request:**Existing Zoning: S-AGProposed Zoning Map Amendment: R-1

Purpose of the Request:

(2) new lots  
5 Acre + 4.15 Acre to R-1

Total Land Area: 9.15 Acres Please SelectDoes 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:

Patricia J. Zund

Date:

1-24-2022

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:

Matt Wurdoritch

Planning staff

Date:

1-24-22

Date of the Public Hearing:

3-1-22

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

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PROPRIETOR: PAT FENNELLY

SURVEYOR: JAMES W. ABBITT, JR.

COMPANY: ABBITT SURVEY & DEVELOPMENT, PLLC

4900 38th AVENUE, SUITE 1

MOLINE, IL 61265

309-524-3124

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TO THE CITY OF DAVENPORT, IOWA

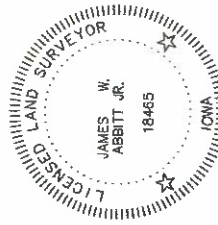
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- RECORDED DIMENSION
- R.O.W. RAIL, FOUND
- SURVEY BOUNDARY
- EASEMENT LINE
- SECTION LINE
- R.O.W. LINE

I HEREBY VERIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND  
THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT  
PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR  
UNDER THE LAWS OF THE STATE OF IOWA.



JAMES W. ABBITT, JR.  
REG. NO. 18465  
MY LICENSE EXPIRES DECEMBER 30, 2022  
PAGES OR SHEETS COVERED BY THIS SEAL:  
THIS SHEET ONLY



ABBITT SURVEY & DEVELOPMENT, PLLC  
4900 38TH AVE. SUITE 1  
MOLINE, ILLINOIS 61265  
PH. 309-524-3124

DATE: 01-10-2022 SCALE: 1" = 300' DRAWN BY: SEM CHECKED BY: JWA

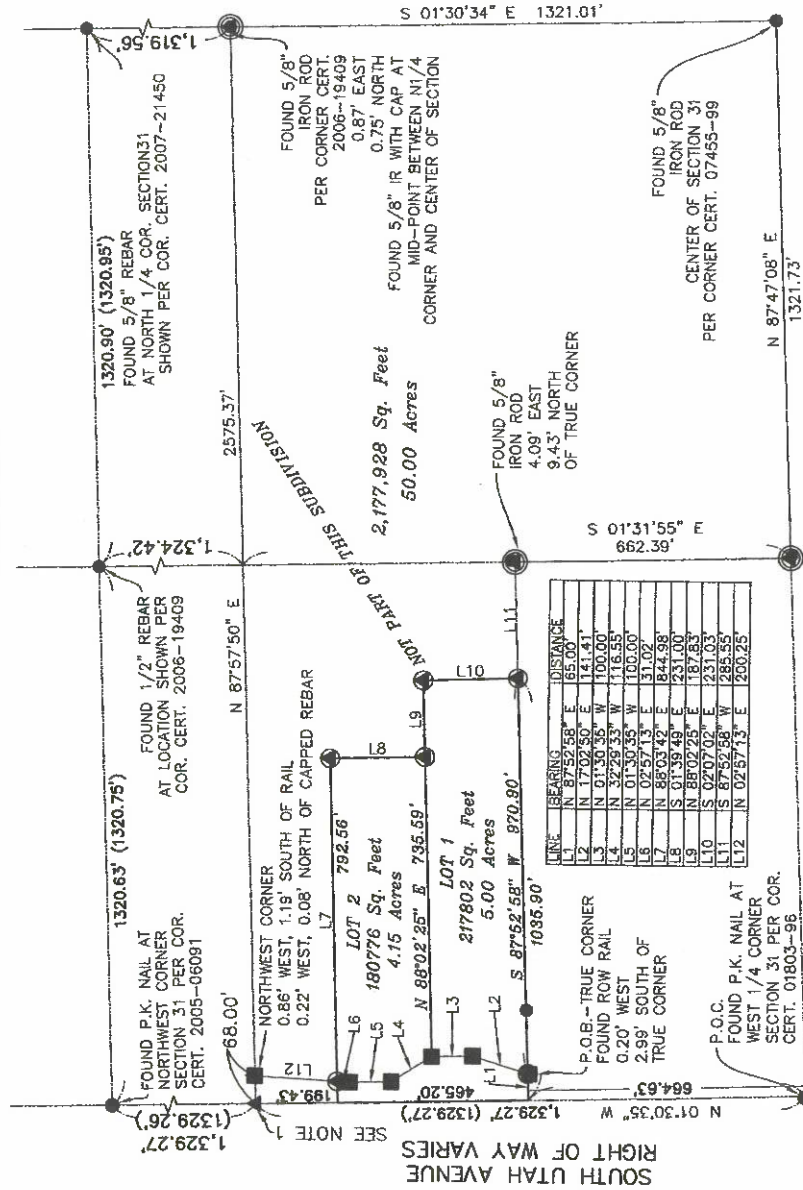
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2313 W. LOMBARD STREET  
DAVENPORT, IA 52804

PAGE: 1 OF 1

DRAWING No.:

DRAWING TITLE: PLAT OF SUBDIVISION

21-398-IADA-B-FENNELLY



**PLAT OF SUBDIVISION**  
**FENNELLY'S SOUTH UTAH ADDITION TO THE CITY OF DAVENPORT, IOWA**

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Commencing at the West Quarter corner of said Section 31, per Corner Certificate 01803-96;

Thence North 01°30'35" West, along the west line of the Northwest Quarter of said Section 31, a distance of 664.63 feet to the Point of Beginning;

Thence North 01°30'35" West, continuing along said west line of said Northwest Quarter, a distance of 465.20 feet;

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THE FOLLOWING AS LISTED HAVE REVIEWED AND APPROVED THIS FINAL PLAT AND FOUND THAT SAID PLAT DOES MEET ALL THE MINIMUM UTILITY REQUIREMENTS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
MIDAMERICAN ENERGY COMPANY  
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
IOWA-AMERICAN WATER COMPANY

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CENTURYLINK

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
METRONET

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
MEDIACOM

PLANNING AND ZONING COMMISSION  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_

DAVENPORT CITY COUNCIL  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
ATTEST: \_\_\_\_\_ DATE: \_\_\_\_\_

**ZONING & LOT INFORMATION:**

CURRENT ZONING: AR  
PROPOSED ZONING: RESIDENTIAL, R-1  
TOTAL NUMBER OF LOTS: 2  
TOTAL ACREAGE OF LOTS: 9.15  
TOTAL R.O.W. ACREAGE: 1.13  
TOTAL SITE ACREAGE: 10.28  
FRONT YARD BUILDING SETBACK: 30'

**LAND SURVEYOR**

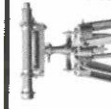
ABBOTT SURVEY & DEVELOPMENT, PLLC  
CONTACT: JIM ABBOTT  
4900 38TH AVENUE, SUITE 1  
MOLINE, ILLINOIS 61265  
309-524-3124

**OWNER**

Patrick Fennelly  
2313 W. Lombard St.  
Davenport, IA 52804  
563-529-9916

**ATTORNEY**

VOLLERSTEN BRITT & GORSLINE  
MIKE GORSLINE  
5119 UTICA RIDGE ROAD  
DAVENPORT, IA 52807  
563-524-0441



**Abbitt**  
Survey & Development, PLLC

ABBOTT SURVEY & DEVELOPMENT, PLLC  
4900 38TH AVE. SUITE 1  
MOLINE, ILLINOIS 61265  
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DATE: 01-10-2022	SCALE: 1" = 300'	DRAWN BY: SEM	CHECKED BY: JWA
PREPARED FOR: PATRICK FENNELLY 2313 W. LOMBARD STREET DAVENPORT, IA 52804		PAGE: 1 OF 1	
DRAWING NO.: 21-398-IADA-B-FENNELLY		DRAWING TITLE: PLAT OF SUBDIVISION	

Doc ID: 021211170002 Type: LAN  
 Recorded: 10/02/2017 at 12:55:12 PM  
 Fee Amt: \$298.20 Page 1 of 2  
 Revenue Tax: \$279.20  
 Scott County Iowa  
 Rita A. Vargas Recorder  
 File **2017-00026306**

Prepared by: Marie R. Tarbox, Gosma, Tarbox & Associates, PLC 201 W. 2<sup>nd</sup> St, Ste. 401, Davenport IA 52801 563-459-0180  
 Return to: Return To: VEG  
 Address Tax Statement: P. Fennelly 2313 W. Lombard St Davenport IA 52804

### TRUSTEE DEED

For the consideration of One Dollar and other valuable consideration, **Richard J. Coussens, Trustee of the SJC Family Trust under the Richard J. Coussens and Sandra J. Coussens Revocable Trust**, does hereby convey to Patrick J. Fennelly

an undivided one-half interest in the following described real estate in Scott County, Iowa:

North Half of the Southwest Quarter of the Northwest Quarter and Southeast Quarter of the Northwest Quarter of Section 31, Township 78 North, Range 3 East of the 5<sup>th</sup> P.m., together with an easement for right of way purposes over and across the West 25 feet of the South Half of the Southwest Quarter of the Northwest Quarter of said Section 31, Township and Range aforesaid.

Except that portion thereof conveyed to the State of Iowa by Warranty Deed dated May 9, 1967 and recorded in Book 306 of Deeds at page 325, in the office of the recorder of Scott County, Iowa.

Subject to easements and restrictions of record.

The grantor hereby covenants with grantees, and successors in interest, that grantor holds the real estate by title in fee simple; that grantor has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and grantor covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated.

The grantor further warrants to the grantees all of the following: That the trust pursuant to which the transfer is made is duly executed and in existence; that the person creating the trust was under no disability or infirmity at the time the trust was created; that the transfer by the trustee to the grantees is effective and rightful; and that the trustee knows of no facts or legal claims which might impair the validity of the trust or the validity of the transfer.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, according to the context.

Dated this 29 day of September, 2017.

SJC FAMILY TRUST UNDER THE  
RICHARD J. COUSSENS & SANDRA J.  
COUSSENS, REVOCABLE TRUST

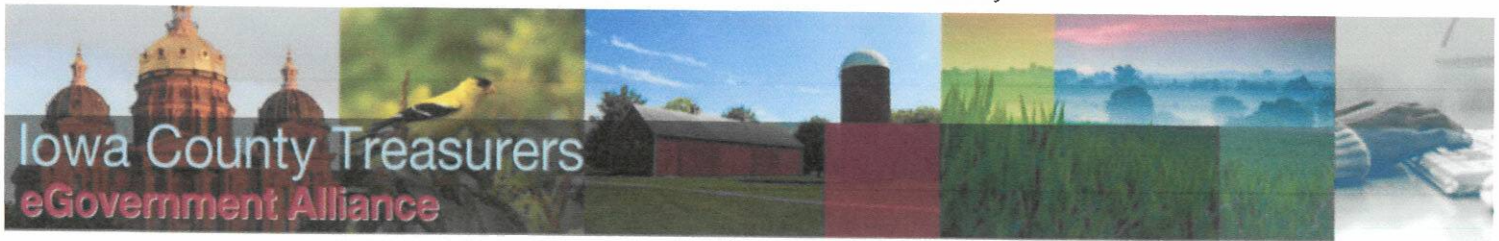
BY: Richard J. Coussens  
Richard J. Coussens, Trustee

STATE OF IOWA       )  
                                  ) ss:  
COUNTY OF SCOTT )

On this 29 day of September, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared **Richard J. Coussens**, Trustee of the SJC Family Trust Under the Richard J. Coussens and Sandra J. Coussens Revocable Trust, who executed the foregoing instrument and acknowledged that he, as the fiduciary, executed the instrument as his voluntary act and deed.



Marie Rolling-Tarbox  
Notary Public for the State of Iowa



## Payment Receipt

## Property Tax

Parcel Number(s)	Tax Year	County Name	Amount
S3117-04	2020	Scott	\$284.00
S3119-05	2020	Scott	\$371.00

Merchant Name County Treasurer Internet  
First Name Patrick  
Middle Initial J  
Last Name Fennelly  
Address 2313 W. Lombard  
City davenport  
Country United States  
State Iowa  
Postal Code 52804  
Phone US +1 563-529-9916  
Email Address pat@patrickfennelly.com

Bill Payment Amount \$655.00  
Conv. Fee \$14.74  
Total Payment Amount \$669.74

Credit Card Number xxxxxxxxxxxx7888  
Expiration Date xx / xxxx  
Name on Card Patrick Fennelly  
Card Verification Number xxx

**Payment successful!**

Amount Charged \$669.74  
Transaction ID 176536897  
Payment Date / Time 1/23/2022 7:52:16 PM  
Central

Email Address:

Payment email already sent to pat@patrickfennelly.com

[Email Additional Receipt](#)[Print Receipt](#)[Finish](#)[Privacy Policy](#) | [Terms of Use](#)





## PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 3/1/2022      Location: Council Chambers | City Hall | 226 W. 4th ST.  
Time: 5:00 PM      Subject: Public Hearing for a Rezoning Request before the Plan and Zoning Commission

**To: All property owners within 200 feet of the subject property located south of Telegraph Road and east of South Utah Avenue (Parcel #S3117-04).**

### 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 create two new single-family residential parcels.

### Request/Case Description

**Case REZ22-01: Request of Patrick Fennelly to rezone property located south of Telegraph Road and east of South Utah Avenue (Parcel #S3117-04) from S-AG Agricultural District to R-1 Single-Family Residential District. [Ward 1]**

### What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on March 1, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on March 15, 2022. 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](mailto:planning@davenportiowa.com) (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46<sup>th</sup> St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": [www.cityofdavenportiowa.com/boards](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 (Matt Werderitch) at [matt.werderitch@davenportiowa.com](mailto:matt.werderitch@davenportiowa.com) or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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



**DAVENPORT**  
DEVELOPMENT &  
NEIGHBORHOOD SERVICES

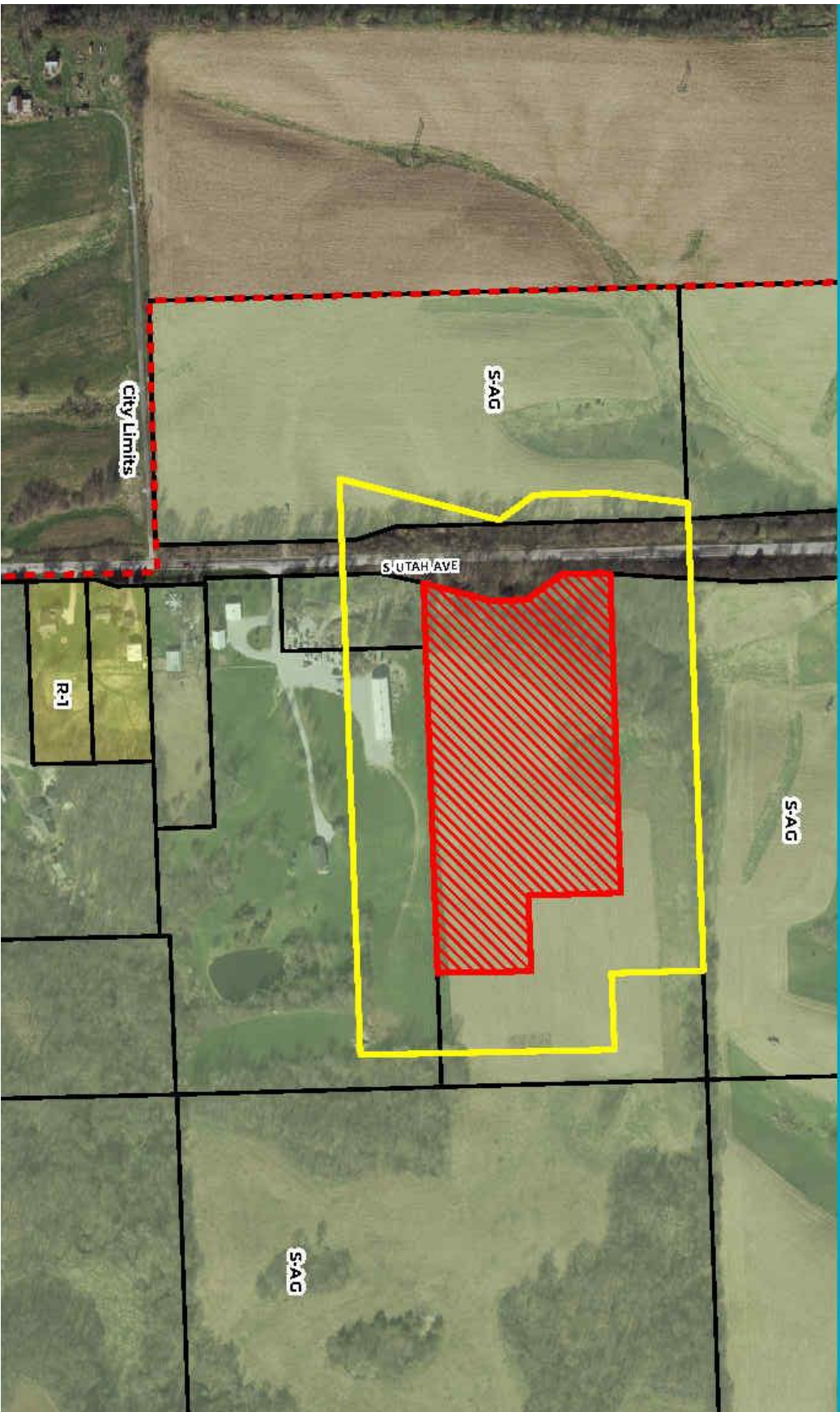
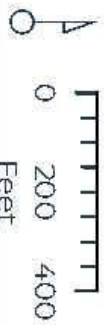
## Rezoning Request

Case REZ22-01

Rezone from S-AG Agricultural District to  
R-1 Single-Family Residential District



Subject Property  
200' Notification Boundary





City of Davenport  
Plan and Zoning Commission

Department: DNS  
Contact Info: Scott Koops | 563-328-6701

**Date**  
**3/1/2022**

**Subject:**

Case ROW22-02: Request of The Overland Group on behalf of Dollar General for a partial right-of-way vacation (abandonment) of the alley at 2340 Rockingham RD. [Ward 1]

**Recommendation:**

Hold the Public Hearing.

**Background:**

Dollar General is proposing a 10,640 square feet (sf) retail store for this the property at 2340 Rockingham Road along both sides of the alley right-of-way. The site plan (attached) depicts the store in the southwest corner of the lot with parking being located in the east, northeast and northwest of the store on both sides of the alley which is to be vacated. This request is to allow for the proposed site plan configuration which would have a parking drive aisle and the site's loading dock access located in the vacated right-of-way.

The legal description of the proposed vacation is attached. The land area to be vacated is 4,593sf., more or less.

**Analysis:**

**Comprehensive Plan:**

Davenport 2035+ Classification: Residential General  
Within Existing Urban Service Area: Yes  
Within Urban Service Area 2035: Yes

**Zoning:**

The subject property and adjacent properties are zoned C-2 Corridor Commercial Zoning District. Adjacent to the north across the railroad right-of-way is a single-family dwelling zoned R-4C Single & Two Family Residential Zoning District.

**Technical Review:**

Streets. The alley between Rockingham Road and Boies Avenue abutting 2340 Rockingham is the portion of the alley to be vacated by this request. All existing utilities located in the alley right-of-way would remain in their present location and shall be granted easements rights. Should the request be approved an access easement for City solid waste service vehicles will be obtained to provide access to both Boies and Rockingham.

Storm Water. A 10 inch stormwater sewer main is located within the alleys right-of-way.

Sanitary Sewer. No sanitary sewer service is located within the alley right-of-way.

Other Utilities. Overhead utilities are located within the existing alley right-of-way.

Emergency Services. The proposed alley right-of-way and would not have any affect on emergency services.

Parks/Open Space. This proposed vacation would not impact any existing or planned parks or public open spaces.

**Public Input:**

Neighborhood Meeting (held 2-22-22) and Public Hearing notices were sent to property owners within 200 feet of the proposed right-of-way vacation and to additional properties on the city block served by the alley right-of-way.

Present at the neighborhood meeting were First Ward Alderman Dunn, Plan and Zoning Chairman Inghram, Glen Meisner representing the petitioner, and city staff. No one from the general public attended the meeting. In addition to the mailings to adjacent property owners a public hearing notice was published in the Quad City Times per State Code requirements.

**Staff Recommendation:**

This is a public hearing; no recommendations are provided at this time.

**ATTACHMENTS:**

Type	Description
▣ Exhibit	Site Plan
▣ Exhibit	Application
▣ Exhibit	Public Hearing Notice
▣ Exhibit	Neighborhood Meeting Notice

**Staff Workflow Reviewers**

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	2/24/2022 - 10:29 AM





226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801  
(563) 326-7765  
[Planning@ci.davenport.ia.us](mailto:Planning@ci.davenport.ia.us)

Complete application can be emailed to [planning@ci.davenport.ia.us](mailto: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:

**Request:**

Vacation of alley between parcels J0040-061, J0040-05, J0040-04, J0040-42, and J0040-21.

Total Land Area:  Square Feet

**Submittal Requirements:**

- The completed application form.
- Required fee: \$400.

**The Applicant hereby acknowledges and agrees to the following procedure and requirements:****(1) Application:**

- Prior to submission of the application for the right-of-way or easement vacation, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the right-of-way or easement vacation 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) Public Notice for the Plan and Zoning Commission public hearing:**

- Planning staff will send a public hearing notice to surrounding property owners.

**(3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:**

- 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 hold a public hearing on the request. Subsequently, 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.

**(4) City Council's consideration of the right-of-way or easement vacation:**

- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation 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 4<sup>th</sup> Street, Davenport, Iowa.

## DESCRIPTION - PUBLIC ALLEY VACATION

Commencing at the Southwest Corner of Lot 10 of Block 1 of A.M. Cooks Addition to Davenport, Iowa, in accordance with the Plat thereof Recorded in Deed Book 92 at Page 323 of the Records of the Scott County Recorder's Office; Thence N57°00'30"E, along the South Line of said Lot 10, a distance of 27.46 feet, to the POINT OF BEGINNING; Thence continuing N57°00'30"E, 176.30 feet, to a Point on the Westerly Right-of-Way Line of the Canadian Pacific DME Railroad; Thence S71°13'09"E, along said Westerly Right-of-Way Line, 24.33 feet; Thence S53°19'36"W, 162.87 feet; Thence S66°39'30"W, 29.23 feet; Thence N32°59'30"W, 24.67 feet, to the POINT OF BEGINNING. Said Public Alley Vacation contains 4,593 square feet and is subject to easements and restrictions of record.



CIVIL ENGINEERS  
LAND PLANNERS  
LAND SURVEYORS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282  
[www.mmsconsultants.net](http://www.mmsconsultants.net)

Date: 01-26-2022  
Revision: PER GDM REVIEW

## PUBLIC ALLEY VACATION PLAT

DAVENPORT  
SCOTT COUNTY  
IOWA

MMS CONSULTANTS, INC.

Date: 01-25-2022  
Designed by: OVERLAND  
Field Book No.: 1331  
Drawn by: RLW  
Scale: 1"=50'  
Checked by: GDM  
Sheet No.: 1  
Project No.: IC 9426-030  
of: 1

# PUBLIC ALLEY VACATION PLAT

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 3 EAST, OF THE FIFTH PRINCIPAL MERIDIAN  
DAVENPORT, SCOTT COUNTY, IOWA

**LOCATION:**  
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 3 EAST, OF THE FIFTH PRINCIPAL MERIDIAN, DAVENPORT, SCOTT COUNTY, IOWA.

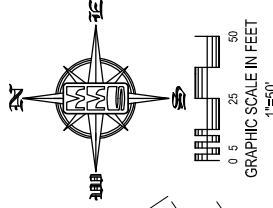
**LAND SURVEYOR:**  
GLEN D. MEISNER P.L.S.  
MMS CONSULTANTS, INC.  
1917 SOUTH GILBERT STREET  
IOWA CITY, IOWA, 52240  
PHONE: 319-351-8282

**SURVEY REQUESTED BY:**  
OVERLAND ENGINEERING, LLC  
1598 IMPERIAL CENTER, SUITE 2009  
WEST PLAINS, MO 65775

**PROPRIETOR OR OWNER:**  
CITY OF DAVENPORT  
226 WEST 4TH STREET  
DAVENPORT, IOWA 52801

**DOCUMENT RETURN INFORMATION:**  
LAND SURVEYOR

FOR COUNTY RECORDER'S USE



- ### LEGEND AND NOTES
- PROPERTY CORNER(S), FOUND (as noted)
  - PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
  - PROPERTY &/or BOUNDARY LINES
  - RIGHT-OF-WAY LINES
  - CENTER LINES
  - LOT LINES, PLATTED OR BY DEED
  - EXISTING EASEMENT LINES, PURPOSE NOTED
  - (R) RECORDED DIMENSIONS
  - (M) MEASURED DIMENSIONS
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

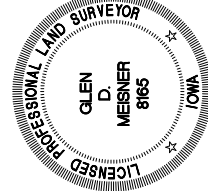
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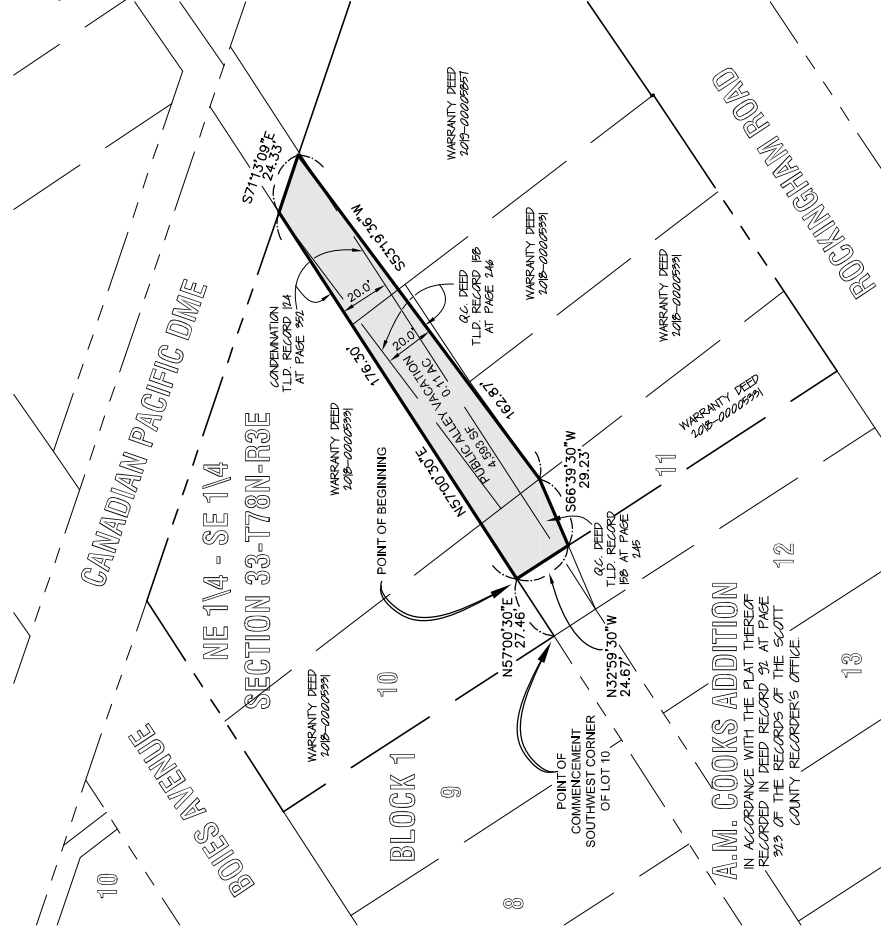
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

GLEN D. MEISNER  
P.L.S. Iowa Lic. No. 8165  
My license renewal date is December 31, 20\_\_.

Pages or sheets covered by this seal:



SEAL





[illegible][illegible]

HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT  
WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL  
SUPERVISION AND THAT I AM A DULY LICENSED  
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE  
STATE OF IOWA.

*Russell W. Doss* 12/1/2020

\_\_\_\_\_  
(SIGNATURE) (DATE)

RUSSELL W. DOSS  
LICENSE NO. 20087  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023  
PAGES OR SHEETS COVERED BY THIS SEAL: C1 THRU

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED HEREIN ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO THE ENGINEER. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.

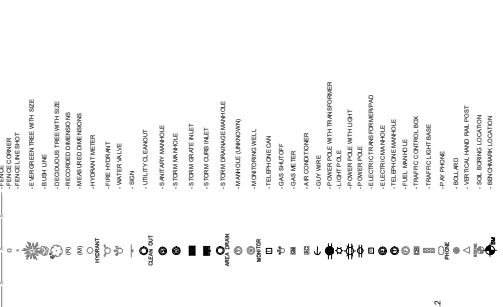
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- DEMOLITION NOTES:
  - 1) BUILDING DEMOLITION SHALL CONFORM TO ALL OSHA, EPA, STATE OF IOWA, AND CITY OF EMERSON REQUIREMENTS.
  - 2) GEOTECHNICAL/ENVIRONMENTAL CONSULTANTS SHALL BE GRANTED ACCESS TO THE SITE.
  - 3) EXCESS MATERIALS SHALL BE DISPOSED OF PROPERLY, AND IN A TIMELY MANNER.
  - 4) PRIOR TO DEMOLITION, CONTRACTOR SHALL COORDINATE WITH ALL UTILITIES BEFORE REMOVING ANY SERVICE CONNECTIONS.
  - 5) SEE THE ENVIRONMENTAL SITE INVESTIGATION REPORT.
  - 6) ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO DEMOLITION.

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED HEREIN ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN THE PREPARATION OF THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.

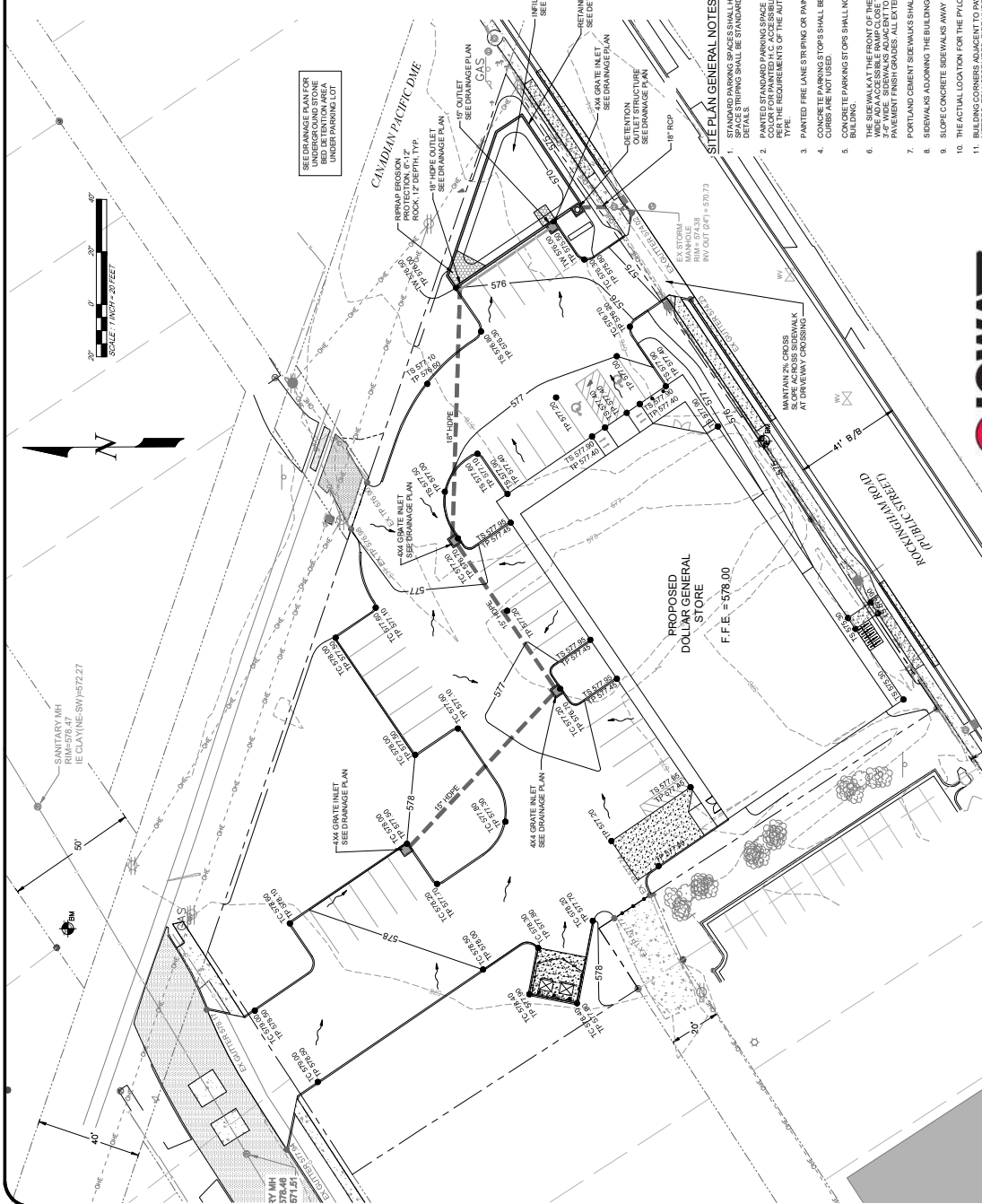
**IOWA**  
**ONE CALL**  
1-800-292-8989  
www.iowacall.com

## STANDARD LEGEND AND NOTES

[illegible]

**SITE PLAN GENERAL NOTES:**

- [illegible]



## UTILITY DISCLAIMER

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED HEREIN ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN THE PREPARATION OF THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRessed BY DISC (A)MET.

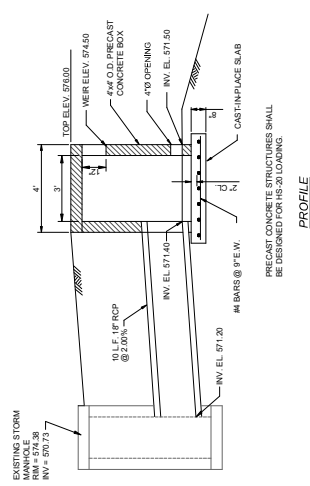
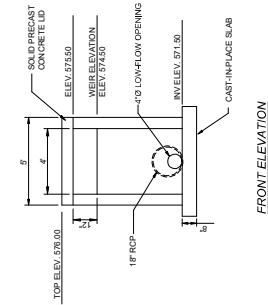
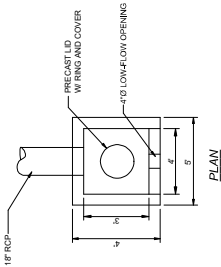
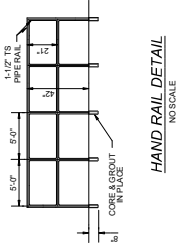
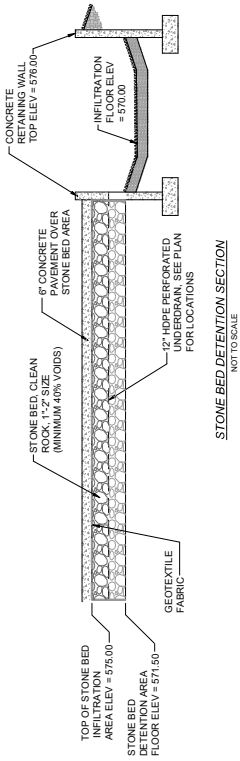
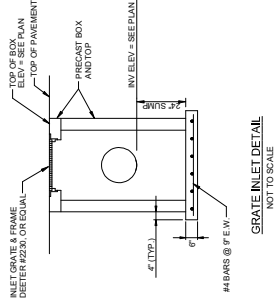


**1-800-292-8989**  
**www.lowanecall.com**



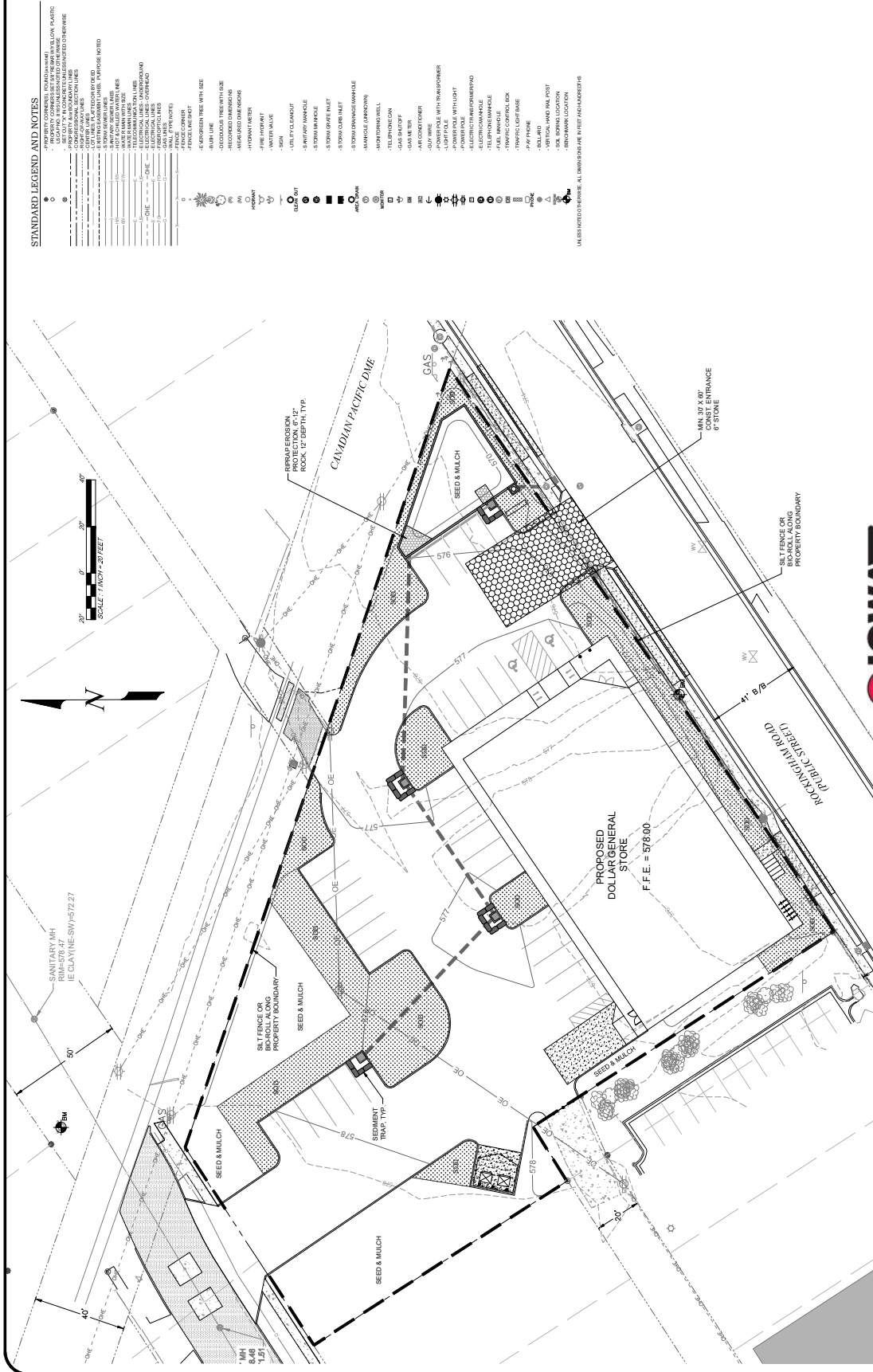


NO.	DATE	DESCRIPTION	BY



CONCRETE RETAINING WALL DETAIL  
NOT TO SCALE

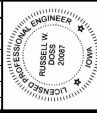
DETENTION OUTLET DETAILS  
NOT TO SCALE



## UTILITY DISCLAIMER

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED HEREIN ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN THE PREPARATION OF THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.



[illegible]

**Verland** ENGINEERING, LLC

598 IMPERIAL CTR. STE. 2009 WEST PLAINS, MO 65775  
 PHONE: (417) 256-8150 FAX: (417) 256-8152  
[nutty@verlandeng.com](mailto:nutty@verlandeng.com)

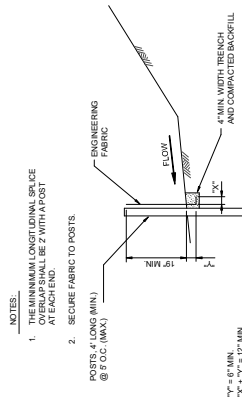
DOLLAR GENERAL  
DAVENPORT, IOWA  
SEDIMENT & EROSION  
CONTROL DETAILS

SHEET  
C4

## SEEDING AND MULCHING SPECIFICATIONS

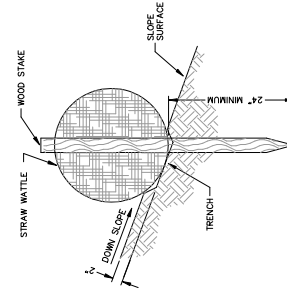
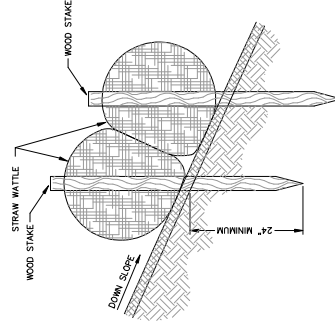
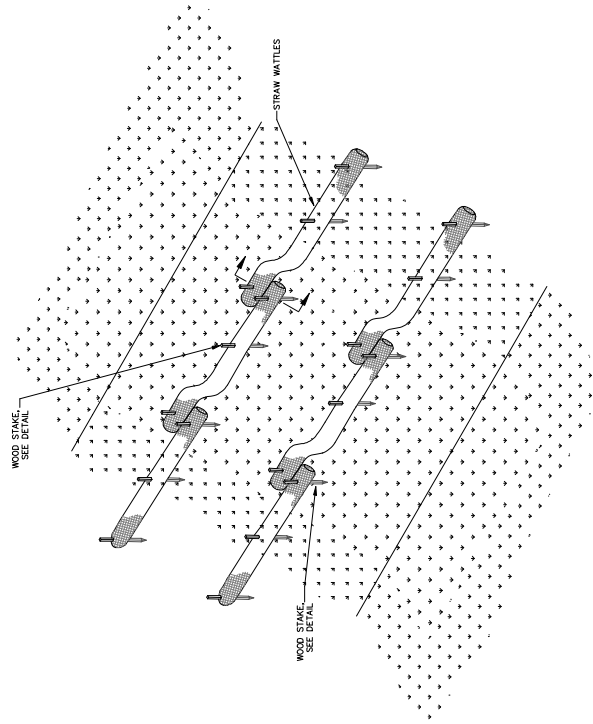
ALL DISTURBED AREAS MUST BE REVEGETATED BEFORE TEMPORARY SEDIMENT CONTROLS CAN BE REMOVED.

1. GOVERNING SPECIFICATIONS
- ALL SEEDING, MULCHING, FERTILIZING, AND MAINTENANCE SHALL BE IN ACCORDANCE WITH SECTION 910 OF THE SUDAS STANDARD SPECIFICATIONS
- SEED SHALL BE APPLIED AT A RATE OF 20 LBS PER ACRE
- SEEDING SHALL BE PREPARED USING TOPSOIL A MINIMUM OF 6 INCHES
2. FERTILIZER
- FERTILIZER SHALL BE 13-15-15 (N-P-K) COMMERCIAL GRADE APPLIED AT A RATE OF 20 LBS PER ACRE
3. SEEDING
- SEED MIX SHALL BE TYPE 1 AS SPECIFIED IN THE SUDAS STANDARD SPECIFICATIONS
- SEED SHALL BE APPLIED AT A RATE OF 20 POUNDS PER ACRE
- MULCHING SHALL BE APPLIED AT THE RATE OF 15 TONS PER ACRE



### SILT FENCE DETAIL

NOT TO SCALE

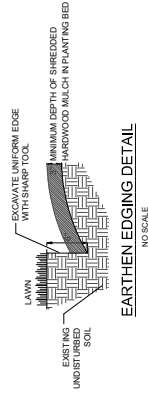


BIO-ROLL/WATTLE DETAIL

NOT TO SCALE

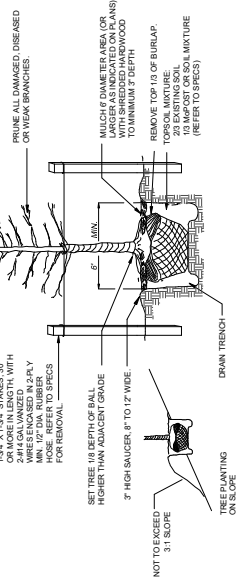






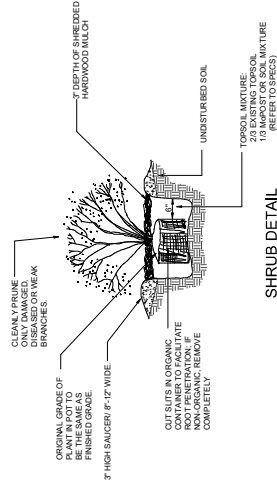
## EARTHEN EDGING DETAIL

NO SCALE



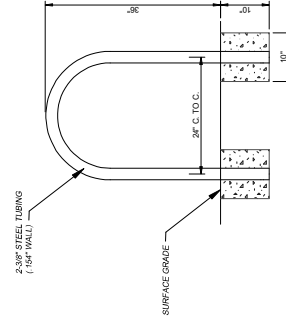
TREE DETAIL- LESS THAN 3 1/2" CALIPER

NO SCALE



SHRUB DETAIL

NO SCALE



## BICYCLE RACK DETAIL

(NOSCALE)

## LANDSCAPE NOTES:

1. ALL PLANTING BEDS SHALL HAVE A MINIMUM 3" DEPTH OF MULCH, WITH EDGING AS REQUIRED.
2. ALL TREES LOCATED IN SOD AREAS SHALL HAVE A MULCH RING AROUND THEM WITH EDGING.
3. ALL PLANTINGS SHALL BE THOROUGHLY WATERED BY THE LANDSCAPE CONTRACTOR AT THE TIME OF THE PLANTINGS.
4. MAXIMUM GRADING SHALL NOT EXCEED 4:1.

5. CONTRACTOR IS RESPONSIBLE FOR ESTABLISHING ALL VEGETATION AND REGIONAL APPROPRIATE LANDSCAPING.

## BRIGADION NOTES:

- ADDITIONAL NOTES:**
1. IRRIGATION SYSTEM FOR SODDED AND LANDSCAPED AREAS IS NOT SHOWN BUT SHALL BE DESIGNED AND INSTALLED BY CONTRACTOR.
  2. IRRIGATION SYSTEM TO INCLUDE ALL SPRAY HEADS, VALVES AND CONTROLLERS.
  3. LOCATE HEADS A MINIMUM OF 2'-0" FROM EDGE OF PAVEMENT / CURB.

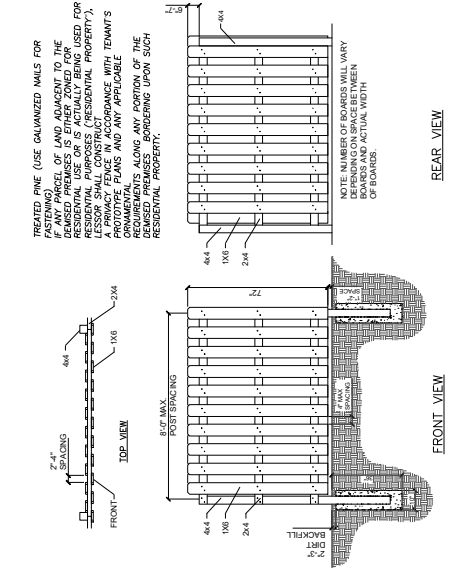
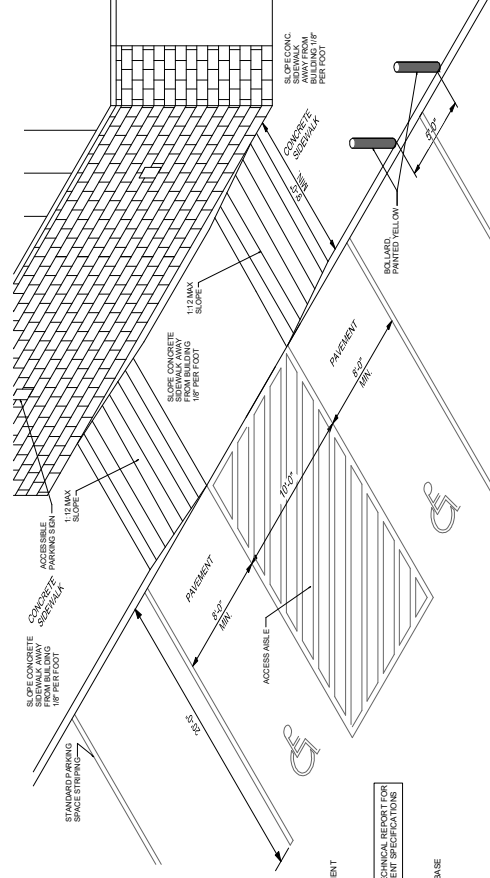
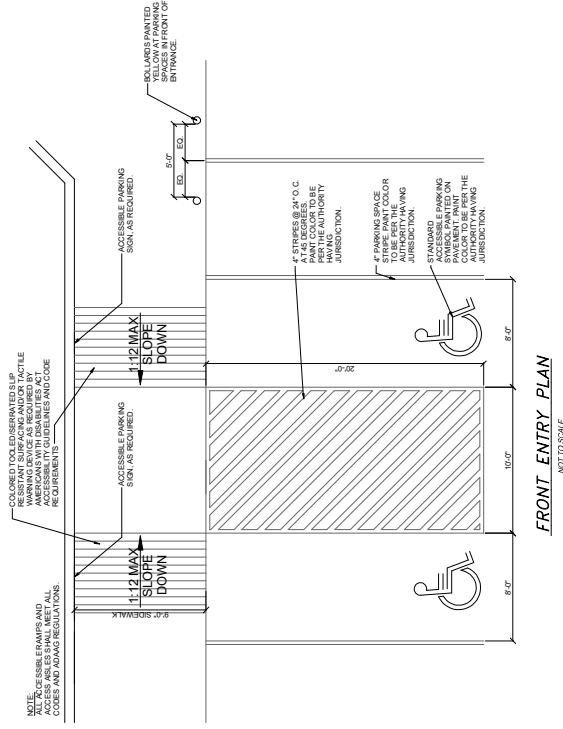
NO.	DATE	DESCRIPTION	BY



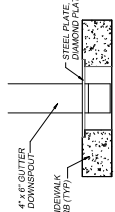
**Overland**  
ENGINEERING, LLC  
1598 IMPERIAL CTR., STE. 2000 WEST PLAINS, MO 65755  
PHONE: (417) 662-1525 FAX: (417) 662-1526  
russell@overlandeng.com

DOLLAR GENERAL  
DAVENPORT, IOWA  
DETAILS

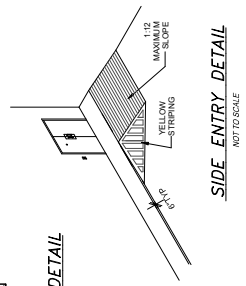
C7  
SHEET



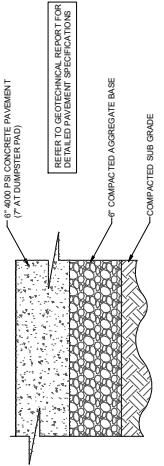
WOOD FENCE DETAIL  
NOT TO SCALE



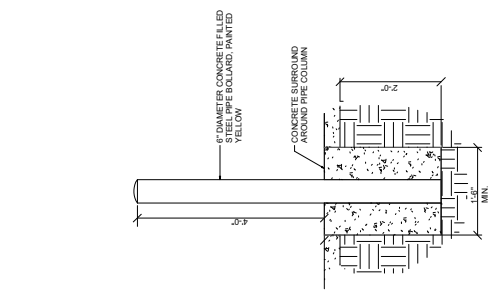
GUTTER DOWNSPOUT DETAIL  
NOT TO SCALE



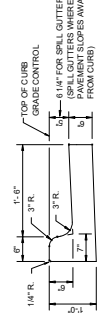
SIDE ENTRY DETAIL  
NOT TO SCALE



CONCRETE PAVEMENT SECTION  
NOT TO SCALE



BOLLARD DETAIL  
NOT TO SCALE



CONCRETE CURB & GUTTER DETAIL  
NOT TO SCALE

STRIPE PAINTING NOTES  
SURFACES SHOULD BE CLEAN, DRY AND METAL SURFACES FREE OF  
HEAVY RUST. 2 COATS SHERWIN WILLIAMS' KEM 4000 ACRYLIC  
PAINT CHANNEL OR SET YELLOW STRIPES  
SURFACES SHOULD BE CLEAN, DRY, TOP COAT SHERWIN  
WILLIAMS' - PROMAT TRAFFIC MARKING PAINT YELLOW T66498  
SURFACES SHOULD BE CLEAN, DRY, TOP COAT SHERWIN  
WILLIAMS' - PROMAT TRAFFIC MARKING PAINT T.C. BLUE



## Public Hearing Notice | Plan & Zoning Commission

**Date:** 3/1/2022    **Location:** City Hall | 226 W 4th ST | Council Chambers  
**Time:** 5:00:00 PM    **Subject:** Hearing for right-of-way abandonment request before Plan & Zoning Commission

29 Notices Sent  
Alderman Dunn  
Ward 1

To: All property owners within 200' of the subject property **2340 Rockingham RD:**

### What is this About?

This notice is being sent to inform you that a public hearing will be held for a right-of-way abandonment request. The purpose of the right-of-way abandonment request is to remove portions of public right-of-way from public use.

#### Request/Case Description

**Case ROW22-02: Request of The Overland group on behalf of Dollar General for the right-of-way vacation (abandonment) of the alley at 2340 Rockingham RD. [Ward 1]**

### What are the Next Steps after the Public Hearing?

This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing 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 as you received this notice. For the specific dates and times of subsequent meetings, please contact the case planner below.

### Would You Like to Submit an Official Comment?

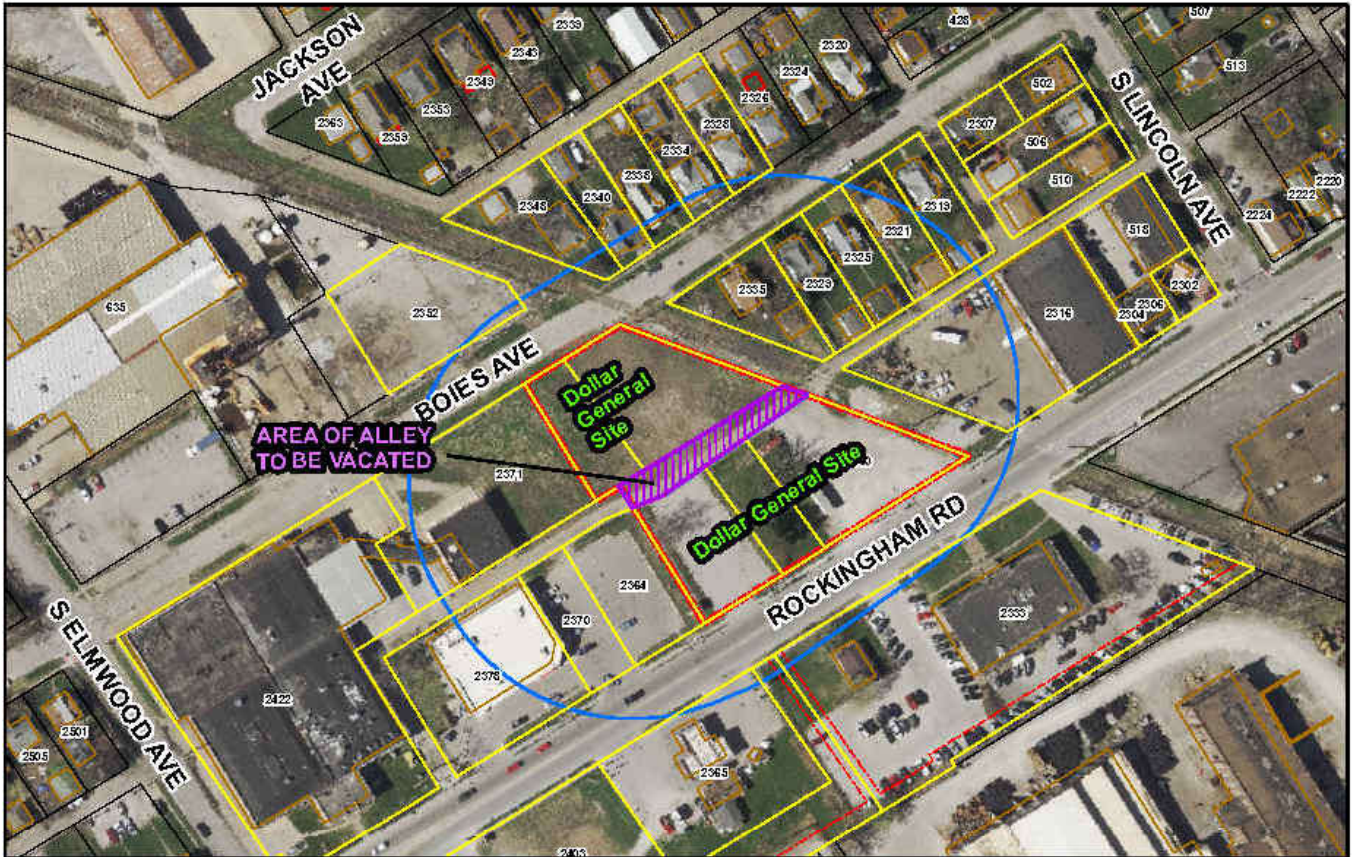
As a property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to [planning@davenportiowa.com](mailto:planning@davenportiowa.com) (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46<sup>th</sup> St, Davenport IA 52807.

### 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, AICP) at [scott.koops@davenportiowa.com](mailto: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 in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or [planning@davenportiowa.com](mailto:planning@davenportiowa.com) for updates.





# ZBA: Adjacent Property Owner Notice Area

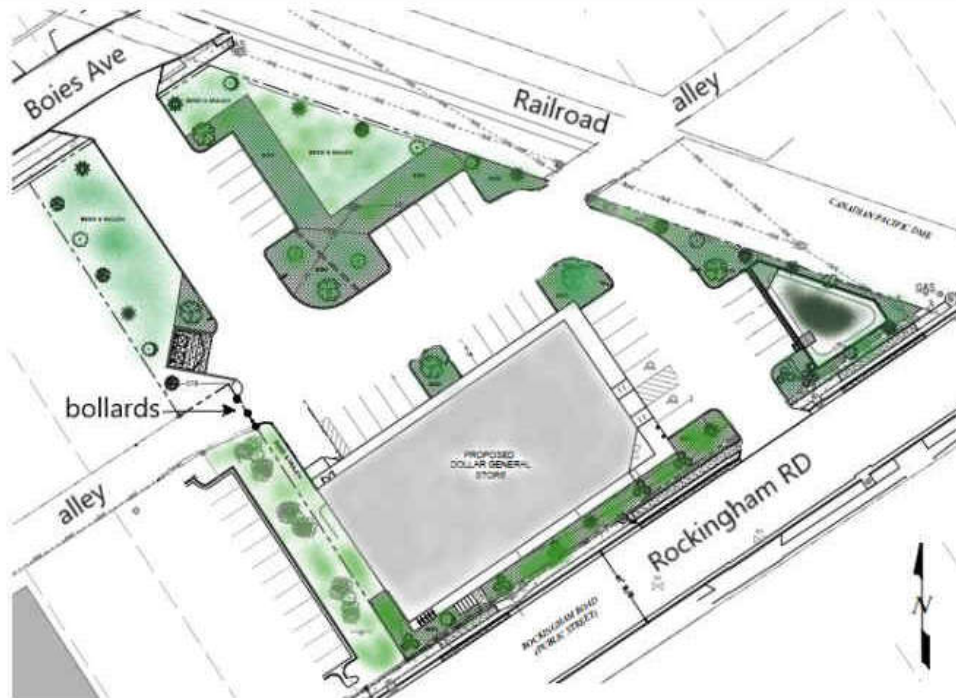


Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 50 100 200 Feet



 Public Alley to be Vacated
  Noticed Property Owners
  200ft Buffer
  Dollar General Site Boundary







## Neighborhood Meeting Invitation | Proposed right-of-way abandonment

**Date:** 2/22/2022    **Location:** Roosevelt Community Center Gym | 1220 Minnie Ave | Davenport IA 52802  
**Time:** 5:30 PM    **Subject:** informal neighborhood meeting regarding a right-of-way abandonment

Ward Alderman Dunn,  
At-Large Alderman Gripp and  
Alderman Condon:

You are invited to a neighborhood meeting regarding the following right-of-way abandonment request which will come before the Davenport City Plan and Zoning Commission later on 3/1/2022 for a public hearing and is described as:

Description of right-of-way abandonment Request:

**Request ROW22-02 of The Overland group on behalf of Dollar General for the right-of-way vacation (abandonment) of the alley at 2340 Rockingham RD.**

The purpose of this meeting is to provide an informal setting to allow the developer to describe the proposed development, to interact with adjacent owners, and to answer any questions and concerns about the proposed action.

The purpose of the proposed request is to remove portions of public right-of-way for private use.

### What are the Next Steps after the neighborhood meeting?

The next meeting will be a public hearing on **3/1/2022 at 5:00 PM** in City Hall Council Chambers | 226 W. 4<sup>th</sup> Street | Davenport IA 52801, at which time the City Plan and Zoning Commission will hear public comments regarding this proposal. Planning staff will send additional notices with the dates and times of additional public hearings regarding this request.

### Questions Regarding this Notice or the Process?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this case (Scott Koops, AICP) at [scott.koops@davenportiowa.com](mailto:scott.koops@davenportiowa.com) or at (563) 328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

# ZBA: Adjacent Property Owner Notice Area

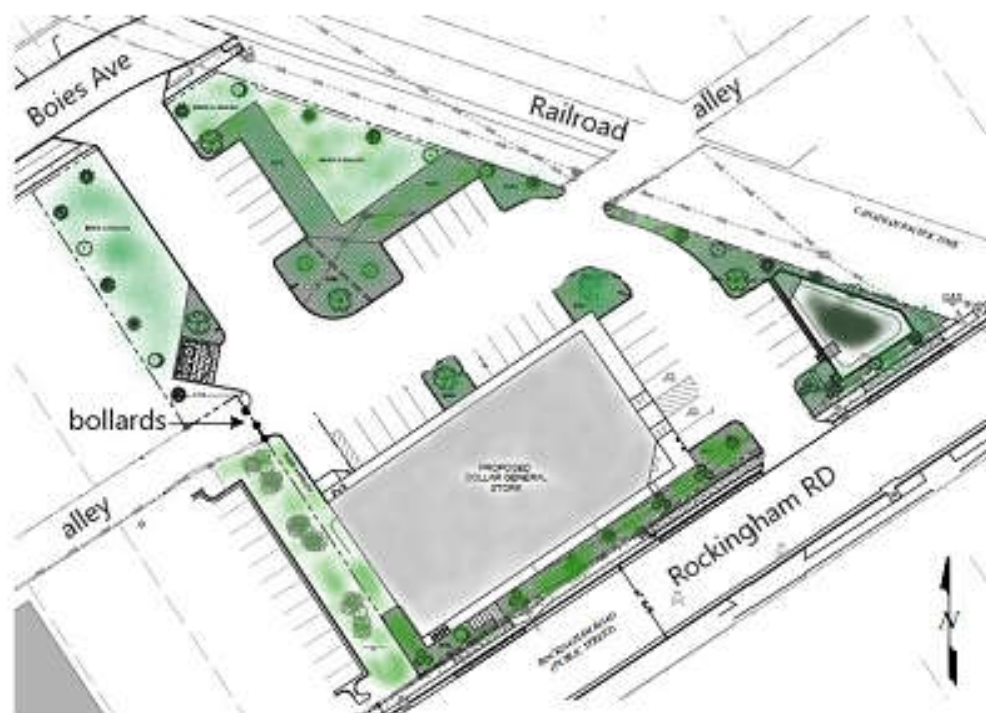


Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 50 100 200 Feet



Public Alley to be Vacated Noticed Property Owners 200ft Buffer Dollar General Site Boundary



City of Davenport  
Plan and Zoning Commission

Department: DNS  
Contact Info: Matt Werderitch 563.888.2221

**Date**  
**3/1/2022**

Subject:  
Consideration of the January 18, 2022 meeting minutes.

Recommendation:  
Staff recommends the City Plan and Zoning Commission approve the January 18, 2022 meeting minutes.

Background:  
The January 18, 2022 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 1-18-22

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	2/11/2022 - 10:17 AM

**MINUTES**  
PLAN AND ZONING COMMISSION MEETING  
CITY OF DAVENPORT, IOWA  
TUESDAY, JANUARY 18, 2022; 5:00 PM  
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

**REGULAR MEETING AGENDA**

I. Roll Call

Present: Schneider, Lammers, Johnson, Inghram, Hepner, Brandsgard, Garrington, Stelk, Reinartz, Maness  
Excused: Tallman  
Staff: Berkley, Werderitch

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the January 4, 2022 meeting minutes.

Motion by Hepner, second by Lammers to approve the January 4, 2022 meeting minutes. Motion to approve was unanimous by voice vote (9-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case ROW22-01: Request of Seven Hills Paving LLC to vacate unimproved right-of-way south of East 59th Street and west of Tremont Avenue. [Ward 8]

Werderitch presented the history of the unimproved public right-of-way and outlined the process for having it vacated. Staff received one written comment from the property owner at 817 East 59th Street. Austin and



Saralyn Ostwinkle of Seven Hills Paving were present virtually. The purpose of the petition is to develop the four lots south of East 59th Street. The land would be further subdivided to enable private access to the site.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way south of East 59th Street and west of Tremont Avenue in Case ROW22-01 to the City Council with a recommendation for approval subject to the listed conditions.

Findings:

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

Conditions:

1. The property owner shall record an easement agreement immediately subsequent to the recording of the city's quitclaim deed.
2. A final plat shall be recorded within six months of the conveyance of public right-of-way. The final plat shall provide access and utility easements from the proposed lots to East 59th Street.
3. No development shall occur on Lots 7, 8, 9, and 10 of Brady Eighty Industrial Park 6th Addition until a final plat providing access to East 59th Street is recorded.

Motion by Johnson, second by Hepner to approve Case ROW22-01 subject to conditions. Motion to approve was unanimous by a roll call vote (9-0).

VII. Future Business

Berkley stated there is no business scheduled for the February 1<sup>st</sup> or February 15<sup>th</sup> meeting.

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Hepner, second by Garrington to adjourn the meeting. Motion to adjourn was unanimous by voice vote (9-0).

The meeting adjourned at 5:12 pm.

City of Davenport  
Plan and Zoning Commission

Department: DNS  
Contact Info: Laura Berkley | 563-888-3553

**Date**  
**3/1/2022**

**Subject:**

Case F22-02: Request of Prairie Heights Development, LLC for a Final Plat of Prairie Heights 5<sup>th</sup> Addition for a 50 lot subdivision on 11.38 acres located south of Olde Brandy Lane and west of Mississippi Avenue. [Ward 8]

**Recommendation:**

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F22-02 to the City Council with a recommendation for approval subject to the listed conditions:

**Findings:**

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

**Background:**

**Discussion:**

The request is for a 50 lot subdivision on 11.38 acres of property to facilitate residential development. This plat is a continuation of the Prairie Heights neighborhood and will serve as the final phase of development.

The lot sizes and dimensions are compatible with the abutting Prairie Heights phases. This section will have access via Olde Brandy Lane and Lakeview Parkway.

**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 would comply with the Davenport +2035 proposed land use section.**

**Zoning:**

The property is currently zoned R-4 Single-Family and Two-Family Residential Zoning District. This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a dense urban development pattern. The R-4 District may also serve as a transitional district between Davenport's single-family and two-family neighborhoods and more intense uses within the City. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4 District.

**Technical Review:**

- Streets: The property currently has access via Olde Brandy Lane and Parkview Lane. With this subdivision, the applicant proposes the addition of College Avenue and Deere Creek Lane, totaling 1615 linear feet of new street added to the City. All streets as shown meet Davenport Municipal Code requirements.
- Storm Water: The development will include more than 5,000 square feet of hard surface. Outlot A in Prairie Heights 3rd Addition was designed to serve as water detention for this development at full build out. With R-4 zoning, the maximum impervious surface coverage is 60% of each of the lots. The development of the property will need to comply with the City's stormwater requirements.
- Sanitary Sewer: Sanitary sewers will be extended from existing infrastructure on Olde Brandy Lane and Parkview Lane.
- Other Utilities: Other normal utility services are available.

**Public Input:**

No public hearing is required for a Final Plat.

**ATTACHMENTS:**

Type	Description
▢ Backup Material	Final Plat Page 1
▢ Backup Material	Final Plat Page 2
▢ Backup Material	Zoning & Future Land Use Map
▢ Backup Material	Application

**Staff Workflow Reviewers****REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	2/25/2022 - 3:19 PM



FINAL PLAT  
PRAIRIE HEIGHTS FIFTH ADDITION  
DAVENPORT, IOWA

LEGAL DESCRIPTION

LOT 21 OF PRAIRIE HEIGHTS FOURTH ADDITION, AN OFFICIAL PLAT NOW IN AND FORMING A PART OF THE CITY OF DAVENPORT, AS RECORDED IN DOCUMENT #2021-00023563 OF THE SCOTT COUNTY RECORDER'S OFFICE, SCOTT COUNTY, IOWA.

DESCRIBED PARCEL CONTAINS 11.38 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

FOR RECORDER'S USE ONLY

RECORDER'S INDEX

COUNTY: SCOTT  
SECTION: 1-T78N-R3E  
QUARTER SECTION: SE 1/4  
CITY: DAVENPORT  
SUBDIVISION: PRAIRIE HEIGHTS FOURTH ADD  
BLOCK: NA  
LOT(S): NA

MINIMUM LOW OPENING ELEVATIONS

LOTS 17 - 27: 701.00'

KEY NOTES:

- (A) 15' PUBLIC UTILITY EASEMENT  
(B) 30' STORM SEWER AND DRAINAGE EASEMENT  
(C) 20' STORM SEWER AND DRAINAGE EASEMENT  
(D) 10' PUBLIC UTILITY EASEMENT  
(E) EXISTING 40' SANITARY SEWER AND DRAINAGE EASEMENT  
(F) 15' SANITARY SEWER AND DRAINAGE EASEMENT  
(G) SANITARY SEWER AND DRAINAGE EASEMENT (PER THIRD ADDITION FINAL PLAT)  
(H) 20' STORM SEWER EASEMENT

NOTES:

- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- DEERE CREEK LANE AND COLLEGE AVENUE SHALL BE DEDICATED AS PUBLIC RIGHT-OF-WAY UPON RECORDING OF THIS PLAT.
- OUTLOT A IS FOR THE PURPOSE OF GREENSPACE AND A MAILBOX CLUSTER AND SHALL BE OWNED AND MAINTAINED BY THE CLIENT AND HOMEOWNER'S ASSOCIATION. OUTLOT A IS TO BE COVERED BY A BLANKET STORM SEWER AND DRAINAGE EASEMENT.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
- 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.
- AT THE TIME OF RECORDING AND ACCEPTANCE BY THE CITY, THE SUBJECT PROPERTY WAS ZONED R-4 SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT. REQUIRED SETBACKS AT TIME OF RECORDED ARE: FRONT: 20' REAR: 20' SIDE: 5'.
- OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF BUSHES, FENCES, FILL, SHRUBS, STRUCTURES, TREES, AND/OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORM WATER RUNOFF.
- STORM WATER QUALITY TREATMENT AND STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. A PROVISION FOR STORM WATER DETENTION FOR THIS SUBDIVISION HAS BEEN MADE IN THE REGIONAL DETENTION FACILITY LOCATED IMMEDIATELY NORTH IN OUTLOT PRAIRIE HEIGHTS 3RD ADDITION. THIS DETENTION FACILITY IS OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES PRIOR TO THE COMPLETION OF RESIDENTIAL CONSTRUCTION FOR EACH LOT, OR AS SO ORDERED BY THE CITY OF DAVENPORT.
- THE LOW WATER ENTRY ELEVATION FOR ANY DWELLING SHALL NOT BE LESS THAN THE (L.W.E.) ELEVATION LISTED.
- BENCHMARK #20203 CUT "X" ON BIKE TRAIL ELEVATION 722.31. SEE PRAIRIE HEIGHTS FOURTH ADDITION FOR LOCATION.

APPROVED BY:

CITY OF DAVENPORT

BY:

DATE:

ATTEST:

CITY PLAN & ZONE COMMISSION

BY:

DATE:

CENTURYLINK

DATE

MEDIACOM

DATE

IOWA AMERICAN WATER COMPANY

DATE

MIDAMERICAN ENERGY

DATE

APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

METRONET

DATE

LEGEND

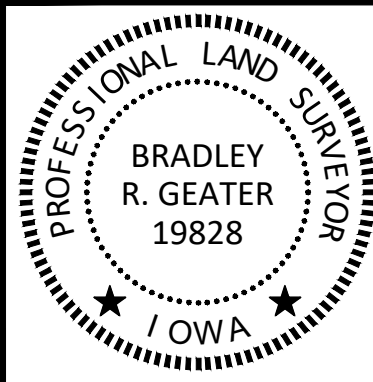
- SET 3/4" Ø PIPE OPC 19828  
● FOUND PROPERTY CORNER  
3/4" Ø PIPE OPC 19828 OR AS LABELED  
× SET CUT "X"  
OPC ORANGE PLASTIC CAP  
— PROPOSED BOUNDARY/PROPERTY LINE  
- - - EXISTING PROPERTY LINE  
- - - PROPOSED EASEMENT

OWNER / APPLICANT:

PRAIRIE HEIGHTS DEVELOPMENT LLC  
211 FIRST AVENUE SE  
CEDAR RAPIDS, IA 52401

PREPARED BY:

AXIOM CONSULTANTS, LLC  
60 E. COURT STREET, UNIT 3  
IOWA CITY, IOWA 52240



HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

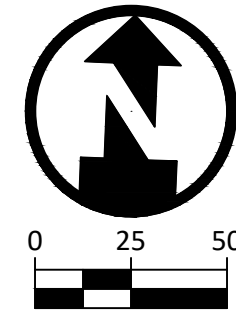
BRADLEY R. GEATER, P.L.S., P.E.  
LICENSE NUMBER 19828.

DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023.

PAGES OR SHEETS COVERED BY THIS SEAL: 2 PAGES

ENGINEER:



DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE
A	RESPONSE TO COMMENTS	2022-02-24

PROJECT NAME:

PRAIRIE HEIGHTS  
FIFTH ADDITION

CLIENT NAME:

PRAIRIE HEIGHTS DEVELOPMENT LLC

DESIGN PROFESSIONAL:

BOELK

PROJECT NO.:

19-0095

SHEET NAME:

FINAL PLAT

SHEET NUMBER:

1 OF 2






FINAL PLAT  
PRAIRIE HEIGHTS FIFTH ADDITION  
DAVENPORT, IOWA

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LEN.
C1	106.44	480.00	12°42'17"	S09° 01' 14"E	106.22
C2	48.14	325.00	8°29'15"	S28° 33' 18"E	48.10
C3	27.39	210.00	7°28'23"	S06° 23' 59"E	27.37
C4	52.39	210.00	14°17'38"	S17° 16' 59"E	52.25
C5	52.39	210.00	14°17'38"	S31° 34' 37"E	52.25
C6	51.71	210.00	14°06'29"	S45° 46' 40"E	51.58
C7	47.56	210.00	12°58'30"	S59° 19' 09"E	47.45
C8	71.06	300.00	13°34'20"	S59° 01' 13"E	70.90
C9	21.70	300.00	4°08'42"	S50° 09' 42"E	21.70
C10	35.66	275.00	7°25'45"	S44° 22' 27"E	35.63
C11	68.02	275.00	14°10'16"	S33° 34' 27"E	67.84
C12	110.57	160.00	39°35'40"	S46° 00' 34"E	108.38
C13	65.76	160.00	23°32'57"	S14° 26' 16"E	65.30
C14	50.17	350.00	8°12'49"	S61° 41' 59"E	50.13
C15	51.73	350.00	8°28'08"	S53° 21' 31"E	51.69
C16	6.32	350.00	1°02'06"	S48° 36' 24"E	6.32
C17	86.73	324.95	15°17'34"	S40° 26' 38"E	86.47
C18	48.45	460.00	6°02'06"	S16° 18' 14"E	48.43
C19	51.07	460.00	6°21'38"	S10° 06' 22"E	51.04
C20	20.25	460.00	2°31'20"	S05° 39' 53"E	20.25
C21	13.97	460.00	1°44'25"	S03° 32' 00"E	13.97
C22	8.03	332.52	1°22'59"	S03° 32' 39"E	8.03
C23	52.22	332.52	8°59'54"	S08° 44' 06"E	52.17
C24	34.23	332.52	5°53'52"	S16° 10' 58"E	34.21
C25	71.17	275.00	14°49'42"	S11° 54' 26"E	70.97
C26	8.78	275.00	1°49'47"	S03° 34' 41"E	8.78
C27	13.58	480.00	1°37'14"	S03° 28' 42"E	13.58
C28	51.96	480.00	6°12'10"	S07° 23' 24"E	51.94
C29	40.89	480.00	4°52'53"	S12° 55' 56"E	40.88
C30	90.69	309.00	16°48'59"	S11° 04' 18"E	90.37
C31	203.88	185.00	63°08'36"	S34° 14' 05"E	193.72
C32	100.50	325.00	17°43'03"	S56° 56' 52"E	100.10
C33	119.29	300.00	22°46'55"	S36° 41' 53"E	118.50

LINE TABLE		
LINE #	LENGTH	BEARING
L1	38.32	S10° 33' 00"E
L2	15.75	S19° 19' 17"E
L3	15.00	N02° 39' 48"W
L4	50.00	N87° 20' 12"E
L5	15.00	S02° 39' 48"E
L6	25.00	N02° 39' 48"W
L7	5.52	S65° 48' 24"E
L8	15.66	N35° 22' 21"W
L9	27.28	N53° 18' 04"W
L10	2.20	N65° 21' 33"W
L11	2.31	N57° 21' 29"W
L12	15.48	N42° 49' 17"W
L13	25.00	N02° 39' 48"W
L14	4.14	S48° 05' 21"E
L15	16.44	S70° 40' 43"W
L16	20.68	S65° 48' 24"E
L17	5.58	S65° 48' 24"E
L18	13.89	S02° 39' 48"E
L19	18.67	S19° 19' 17"E
L20	18.67	S19° 19' 17"E
L21	10.00	N02° 39' 48"W
L22	2.40	S70° 40' 43"W
L23	2.92	S19° 19' 17"E
L24	25.00	N02° 39' 48"W
L25	21.64	S19° 28' 47"E
L26	2.01	S65° 48' 24"E

NOT FOR CONSTRUCTION

ENGINEER:



AXIOM  
CONSULTANTS

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE
A	RESPONSE TO COMMENTS	2022-02-24

PROJECT NAME:  
PRAIRIE HEIGHTS  
FIFTH ADDITION

CLIENT NAME:  
PRAIRIE HEIGHTS DEVELOPMENT LLC

SHEET NAME:  
FINAL PLAT

SHEET NO.:  
19-0095

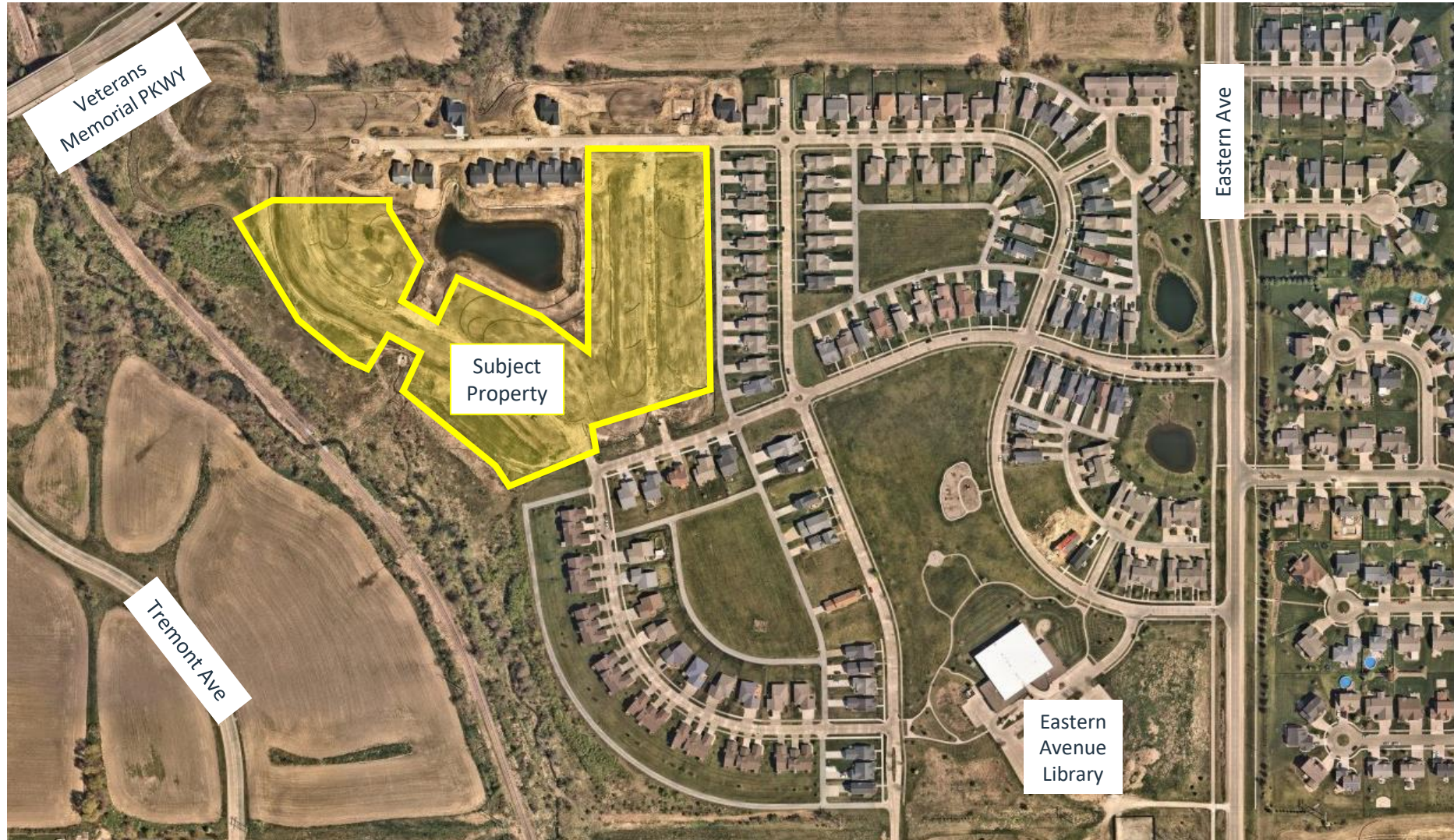
SHEET NUMBER:  
BOELK

2 OF 2



# Vicinity Map

DAVENPORT  
IOWA | USA



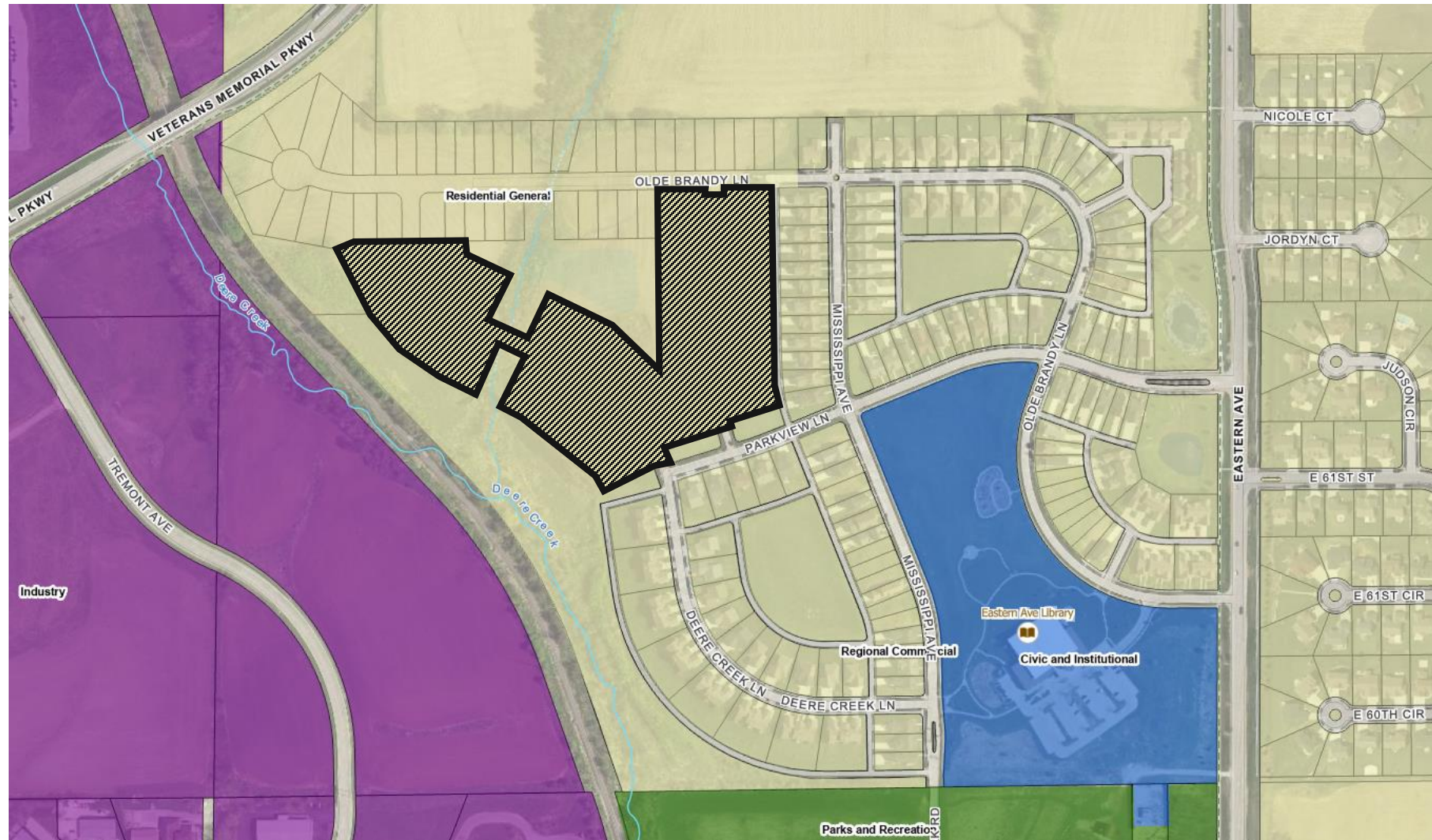


# Zoning Map





# Future Land Use Map







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

Complete application can be emailed to [planning@davenportiowa.com](mailto: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:

**Owner** (if different from Applicant)

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

**Engineer** (if applicable)

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

**Architect** (if applicable)

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

**Attorney** (if applicable)

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 ☐

**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 ☐

**Historic Preservation Commission**

- Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

**Administrative**

- Administrative Exception ☐  
Health Services and Congregate ☐  
Living Permit ☐

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

Property Location:

Lot 21 of Prairie Heights Fourth Addition, official plat now forming as recorded Document #2021-00023563

Total Land Area: 11.38 Acres

Total Number of Lots: 53

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:

Lot 21 of Prairie Heights Fourth Addition, official plat now forming as recorded Document #2021-00023563

Total Land Area: 11.38 Acres

Total Number of Lots: 53

Linear Feet of Streets Added: 1615

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: 101

Date: 2-7-2022

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 the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 226 West 4<sup>th</sup> Street, Davenport, Iowa.

### Authorization to Act as Applicant

I, Darryl High authorize Brian Boelk  
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council for  
the property located at Lot 21 of Prairie Heights Fourth Addition, official plat now forming as recorded



Signature(s)

State of Iowa

County of Linn

Sworn and subscribed to before me

This 7<sup>th</sup> day of February 2022



Notary Public

My Commission Expires: 4-29-22

personally known

Form of Identification

