

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, OCTOBER 17, 2023; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

**REGULAR MEETING AGENDA**

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the October 3, 2023 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 F23-14: Request of E&A Enterprises LLC for a Final Plat of 56th Enclave. The 2-lot subdivision is located north of 56th Street and Lakeview Parkway on 9.57 acres. [Ward 6]

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport  
Plan and Zoning Commission

Department: DNS  
Contact Info: Laura.Berkley@davenportiowa.com

**Date**  
**10/17/2023**

Subject:  
Consideration of the October 3, 2023 meeting minutes.

Recommendation:  
Approve the minutes.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 10-3-23

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	10/9/2023 - 11:49 AM

**MINUTES**  
PLAN AND ZONING COMMISSION MEETING  
CITY OF DAVENPORT, IOWA  
TUESDAY, OCTOBER 3, 2023; 5:00 PM  
CITY HALL | 226 WEST 4<sup>TH</sup> STREET | COUNCIL CHAMBERS

**REGULAR MEETING AGENDA**

I. Roll Call

Present: Schneider, Inghram, Hepner, Reinartz, Eikleberry, Johnson, Tallman, Maness, Schilling, Stelk

Excused: Garrington

Staff: Berkely, Koops, Werderitch

II. Report of the City Council Activity

Staff provided an update of the City Council activity.

III. Secretary's Report

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

Motion by Tallman, second by Johnson, to approve the September 19, 2023 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

- i. Case REZ23-05: Request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

Koops provided an overview of the rezoning request which is to facilitate development of the site for an estimated 112 to 132 apartments in approximately four buildings. Two protests were received and have been included in the Commission's Packet material.

Attorney Thomas Pastrnak and Brian Shoo of Anthony Properties were in attendance to explain the request. The applicant outlined the similarities between The Reserve development on Brady Street with the proposed multi-family development at the subject property. Pastrnak mentioned the developer might build a pedestrian trail to connect the two properties.

Commissioners commented on the impacts to adjacent developed property, compatibility with nearby land uses, access to the site, and noise.

Staff recommended Case REZ23-05 be forwarded to the City Council with a recommendation for denial.

Findings:

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

Motion by Inghram, second by Maness, to approve staff recommendation for denial. Motion was approved by a roll call vote (6-3). Commissioners Hepner, Tallman, and Schneider voting against the motion. Case REZ23-05 was denied.

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

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



The meeting adjourned at 5:37 pm.

City of Davenport  
Plan and Zoning Commission

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

**Date**  
**10/17/2023**

**Subject:**

Case F23-14: Request of E&A Enterprises LLC for a Final Plat of 56th Enclave. The 2-lot subdivision is located north of 56th Street and Lakeview Parkway on 9.57 acres. [Ward 6]

**Recommendation:**

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F23-14 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) will achieve consistency with subdivision requirements.

**Conditions:**

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. The existing sanitary sewer, located in Outlot A, shall be within a sanitary sewer easement.
4. Revise Note 2, to add a reference to Ordinance 2019-220.
5. Sidewalks shall be constructed along the right-of-way as each lot is developed, per Title 12 of the City of Davenport Code.
6. Maintain existing 20' Utility and Sanitary Sewer Easement at the rear and front of lots.
7. Add a note stating, "Stormwater detention and water quality treatment will be required for this subdivision and will be owned and maintained by the property owner."
8. Include a drainage easement to carry flow from Lot 1 to Outlot A.

**Background:**

The property owner submitted a final plat to subdivide the 9.57 acre tract of land situated north of 56th Street near the terminus of Lakeview Parkway. The site is currently undeveloped and is planted in row crops. The intent is to facilitate the sale of land for future development.

**Comprehensive Plan:**

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

**Future Land Use Designation:**

The subject property is designated as **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 subject property is zoned **C-OP Commercial Office Park District**. This district is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

### **Technical Review:**

1. Zoning: The property was rezoned in 2019 from C-T Commercial Transitional District to C-OP Commercial Office Park District. The adopted ordinance limited building height to 35 feet. The following uses are prohibited: restaurant, vehicle dealership (indoor), hotel, and light industrial. The proposed lots comply with commercial district dimensional standards. Each lot exceeds the minimum lot area requirement of 20,000 square feet and the minimum lot width of 70 feet.
2. Streets: No new streets are proposed with this subdivision. Access to future development will be from 56th Street. Sidewalks shall be constructed at the time of development.
3. Storm Water: Outlot A is dedicated for stormwater detention. The 1.12 acre outlot is located at the northeast corner of the site.
4. Sanitary Sewer: There is a 10" sanitary sewer located in Outlot A.
5. Other Utilities: Other normal utility services are available.
6. Parks/Open Space: There are no impacts to parks/open space

### **Public Input:**

No public hearing or notifications are required for a Final Plat. However, staff met with adjacent residential property owners to discuss how city codes mitigate land uses, landscaping, lighting, noise, and stormwater management.

### **ATTACHMENTS:**

Type	Description
▣ Backup Material	Final Plat of 56th Enclave
▣ Backup Material	Vicinity, Zoning, & Future Land Use Map
▣ Backup Material	Application
▣ Backup Material	Ordinance 2019-220

### **Staff Workflow Reviewers**

#### **REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berkley, Laura	Approved	10/13/2023 - 11:12 AM

FINAL PLAT OF  
56TH ENCLAVE

A RESUBDIVISION OF LOT 1 IN CROW VALLEY PLAZA 12TH ADDITION,  
ACCORDING TO THE PLAT THEREOF AS RECORDED AS DOC. NO. 2018-31435  
TO THE CITY OF DAVENPORT,  
SCOTT COUNTY, IOWA

OWNER/DEVELOPER

E & A ENTERPRISES  
ATTN: SAMEER KULKARNI  
3885 KENSINGTON COURT  
BETTENDORF, IA 52722  
Ph: 309-592-7999  
skulkarni@bushconstruct.com

ATTORNEY

ENGINEER

RTM ENGINEERING CONSULTANTS  
5137 UTICA RIDGE ROAD  
DAVENPORT, IA 52807  
563-726-6310  
www.rtmec.com

SURVEYOR

ABBITT SURVEY & DEVELOPMENT, PLLC  
4900 38th AVE., SUITE 1  
MOLINE, IL 61265  
309-524-3124  
jim@abbittsurvey.com

NOTE:

PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.

CHANGES IN THE PLAT WHICH AFFECT THE PLACEMENT OF UTILITY FACILITIES ARE TO BE REVIEWED AND APPROVED BY THE AFFECTED UTILITIES AND ANY CHANGES WHICH RESULT IN THE RELOCATION OF UTILITY FACILITIES SHALL BE AT THE EXPENSE OF THE PARTY REQUESTING THE CHANGE.

LOT INFORMATION:

TOTAL NUMBER OF LOTS: 2

LOT A: STORM WATER MANAGEMENT

TOTAL SITE ACREAGE: 9.57 ACRES

VILLAS AT  
CROW VALLEY

CROW VALLEY  
GOLD CLUB

OUTLOT A  
(DETENTION)  
56TH ENCLAVE  
1.12 ACRES

LOT 2  
56TH ENCLAVE  
6.95 ACRES

LOT 1  
56TH ENCLAVE  
1.50 ACRES

LOT 2  
CROW VALLEY PLAZA  
TWELFTH ADDITION

LOT 2  
CROW VALLEY PLAZA  
THIRTEENTH ADDITION

WE, \_\_\_\_\_, MAYOR, AND \_\_\_\_\_  
CITY CLERK OF THE CITY OF DAVENPORT, IOWA, DO HEREBY CERTIFY  
THAT THE FOLLOWING RESOLUTION WAS ADOPTED BY THE CITY COUNCIL  
OF THE CITY OF DAVENPORT, IOWA, AT A REGULAR MEETING HELD ON  
\_\_\_\_\_, 2023:

RESOLVED BY THE CITY COUNCIL OF DAVENPORT, IOWA, THAT THE PLAT  
OF 56TH ENCLAVE, AN ADDITION TO THE CITY OF DAVENPORT, IOWA,  
AS FILED WITH THE CITY CLERK BY E & A ENTERPRISES, BE THE SAME  
IS HEREBY APPROVED AND ACCEPTED; AND THE DEDICATION AND  
GRANTING OF EASEMENTS (AND THE VACATION OF EXISTING EASEMENTS  
AS MAY BE SHOWN) ON SAID PLAT ARE ACCEPTED AND CONFIRMED  
AND THE MAYOR AND CITY CLERK OF SAID CITY BE AND THEY HEREBY  
ARE AUTHORIZED AND DIRECTED TO CERTIFY THE ADOPTION OF THIS  
RESOLUTION ON SAID PLAT AS REQUIRED BY LAW.

DATED AT DAVENPORT, IOWA, THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2023.

MAYOR OF THE CITY OF DAVENPORT, IOWA

ATTEST:

CITY CLERK

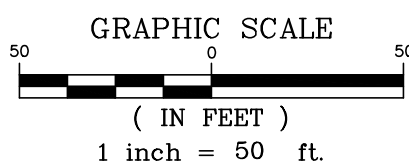
PLANNING AND ZONING COMMISSION

NOTES AND PROVISIONS:

- NO PART OF THE SUBDIVISION LIES WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON FEMA'S FLOOD INSURANCE RATE MAPS.
- CURRENT ZONING: C-OP
  - BUILDING HEIGHT IS LIMITED TO 35 FEET
  - THE FOLLOWING USES ARE PROHIBITED
    - RESTAURANT
    - VEHICLE DEALERSHIP (INDOOR)
    - HOTEL
    - LIGHT INDUSTRIAL

LEGEND

- FOUND 5/8" REBAR
- △ FOUND CIR 7983
- ⊕ FOUND CIR 8655
- FOUND CIR 13581
- FOUND CIR 22228
- SET 5/8" REBAR W/ GREEN PLASTIC CAP # 18465
- BOUNDARY LINE
- ROW LINE OR LOT LINE
- - - EASEMENT LINE
- . - BUILDING SETBACK LINE
- (100.00') DEED OR PLATTED
- 100.00' MEASURED

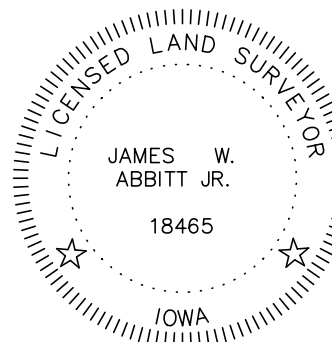


I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JAMES W. ABBITT, JR.

DATE

REG. NO. 18465  
MY LICENSE EXPIRES DECEMBER 31, 2024  
PAGES OR SHEETS COVERED BY THIS SEAL:  
THIS SHEET ONLY



MID AMERICAN ENERGY COMPANY

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

IOWA-AMERICAN WATER COMPANY

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

CENTURYLINK

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

MEDIACOM

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

CITY OF DAVENPORT, IOWA

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

CENTRAL SCOTT TELEPHONE

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

GENESEO COMMUNICATIONS

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

METRO FIBERNET, LLC

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

WINDSTREAM COMMUNICATIONS

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

PLANNING AND ZONING COMMISSION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

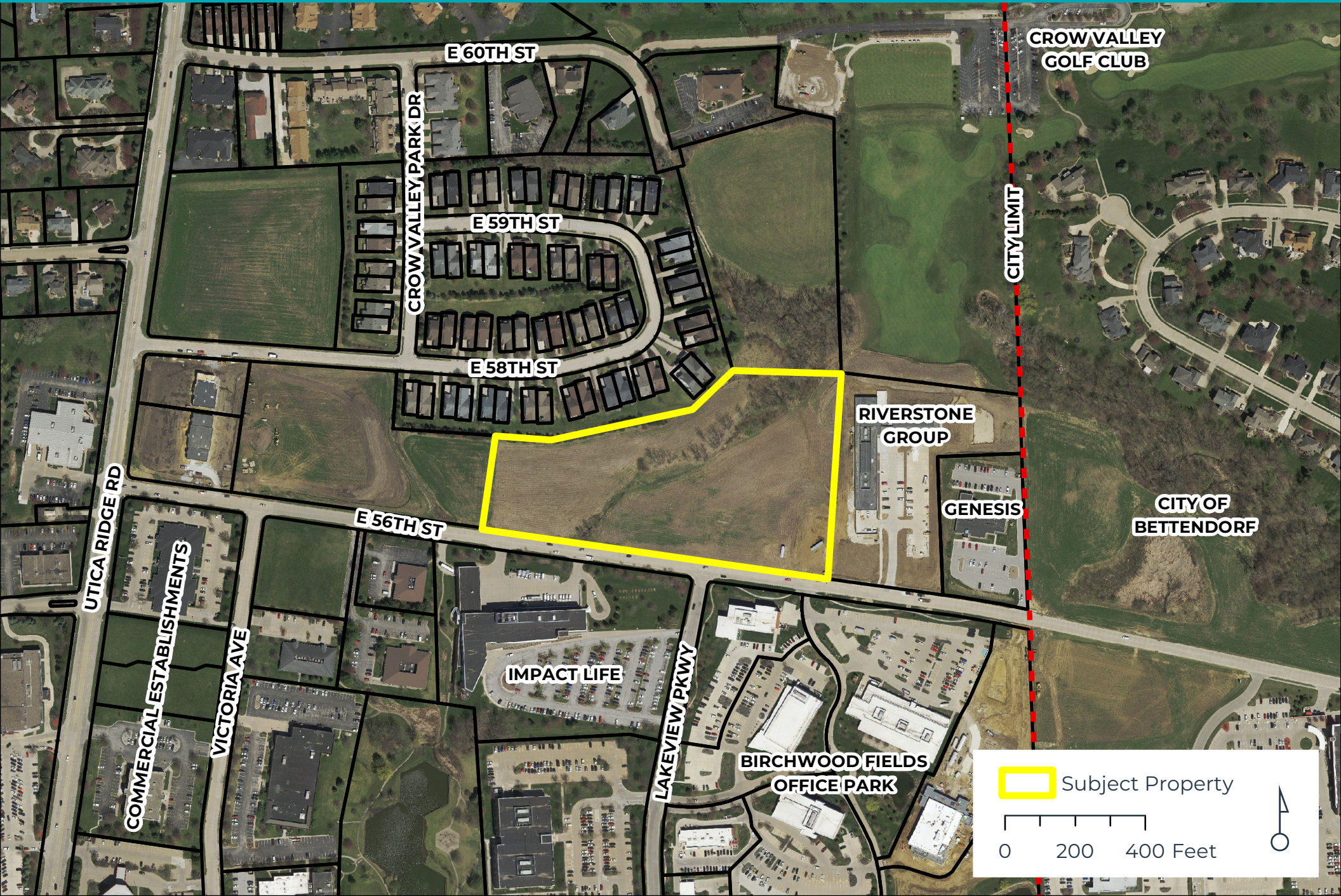
REVISIONS			
No.	DATE	DESCRIPTION	BY
DATE: 09-19-2023		SCALE: 1" = 50'	DRAWN BY: SEM
PREPARED FOR: E & A ENTERPRISES LLC		ATTN: RAMAVARAM RAO, MANAGER	CHECKED BY: JWA
3885 KENSINGTON CT.		BETTENDORF, IA 52722	PAGE: 1 OF 1
DRAWING TITLE: SUBDIVISION PLAT		JOB No.: 23-343-IADA-B-RTM	E&A 56TH ST





## Vicinity Map | Case F23-14

Request of E&A Enterprises LLC for a Final Plat of 56th Enclave.  
The 2-lot subdivision is located north of 56th Street and  
Lakeview Parkway on 9.57 acres. [Ward 6]



 Subject Property

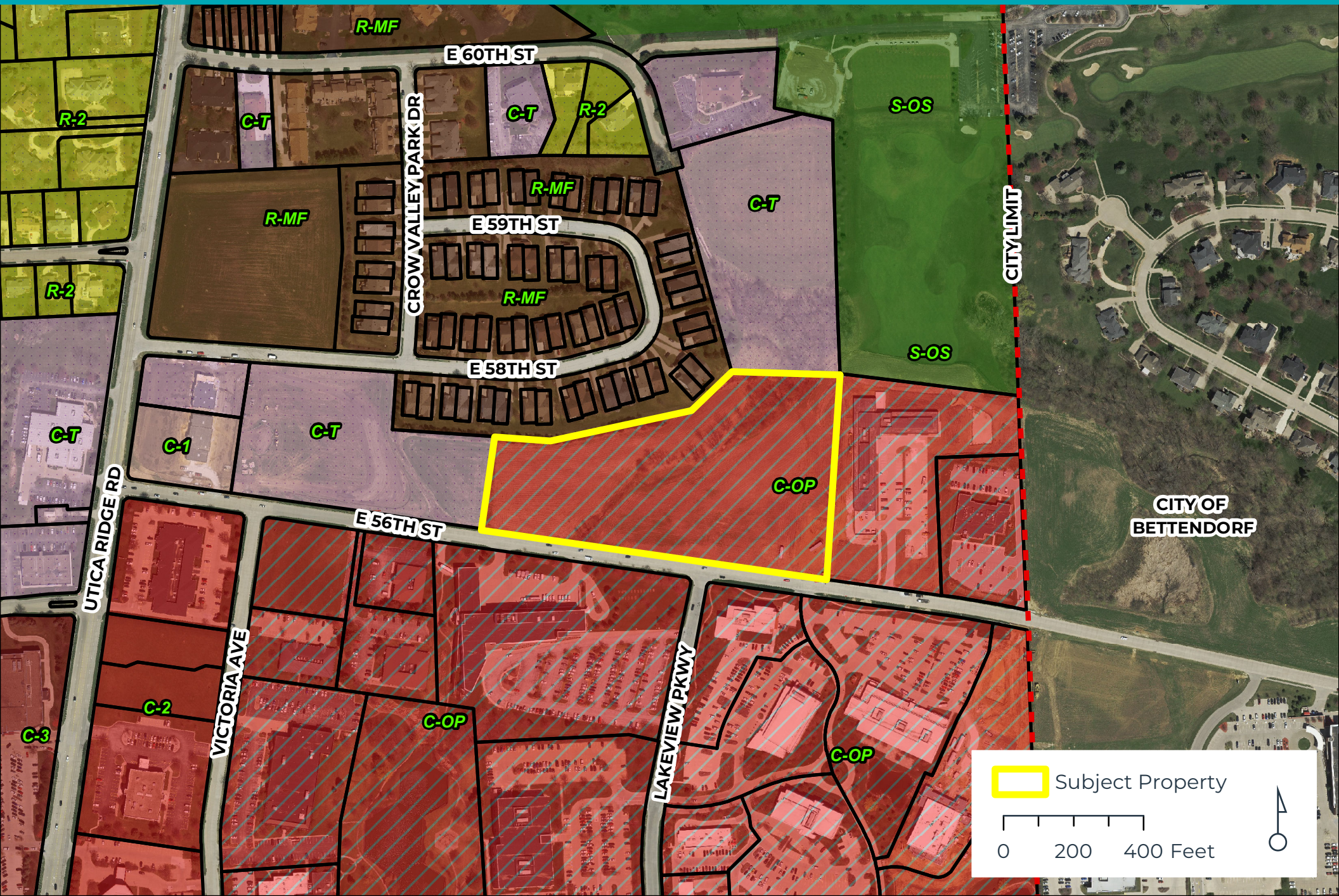
0 200 400 Feet





## Zoning Map | Case F23-14

Request of E&A Enterprises LLC for a Final Plat of 56th Enclave.  
The 2-lot subdivision is located north of 56th Street and  
Lakeview Parkway on 9.57 acres. [Ward 6]



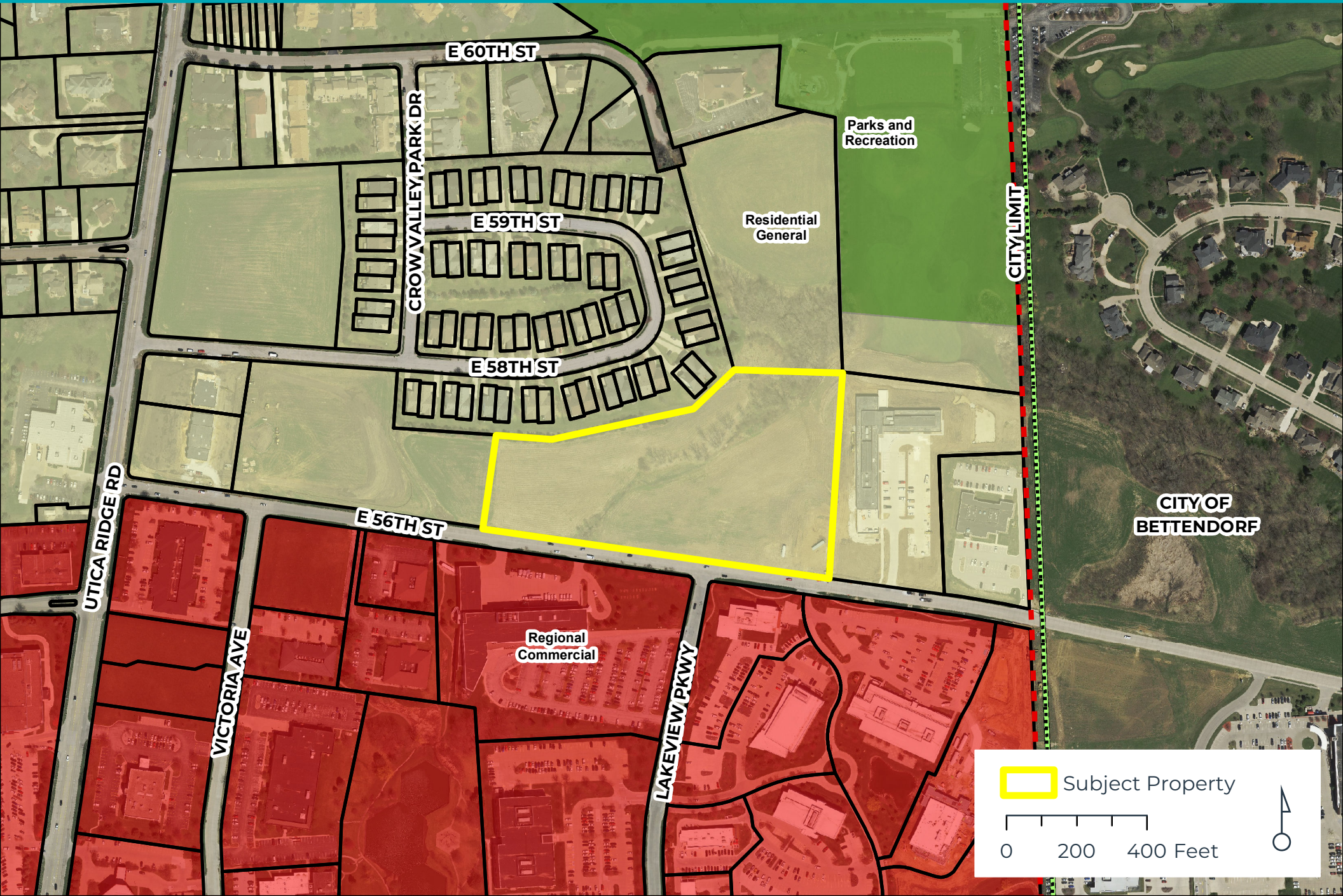




THE CITY OF  
**DAVENPORT**  
IOWA | USA

## Future Land Use Map | Case F23-14

Request of E&A Enterprises LLC for a Final Plat of 56th Enclave.  
The 2-lot subdivision is located north of 56th Street and  
Lakeview Parkway on 9.57 acres. [Ward 6]







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

Office 563.326.6198  
planning@davenportiowa.com

APPLICATION FOR  
**SUBDIVISION PLAT**  
(LAND DIVISION)

**APPLICANT INFORMATION**

Applicant Name

E & A Enterprises, LLC

Address

3885 Kensington Court

City | State | Zip

Bettendorf, Iowa 52722

Phone

(309) 592-7999

Secondary Phone

E-Mail Address

skulkarni@bushcontract.com

**Acceptance of Applicant**

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

In addition to the application fee, I understand I am responsible for all development review costs, including but not limited to a traffic study.

Y. R. RAMA VARAN

Print Applicant's Name

R. [Signature]

Applicant's Signature

9/21/2023  
Date

SUBDIVISION NAME

56th Enclave

LOCATION DESCRIPTION

North side of 56th Street near Lakeview Parkway

SUBMITTED

NUMBER OF LOTS BY USE TYPE

2 LOTS + 1 OUTLOT

ACRES

9.57

STREETS ADDED

**PLAT TYPE SUBMITTED:**

**PRELIMINARY PLAT:** \$16.16 Requirements ☐

**FINAL PLAT:** \$16.20 Requirements ☒

**PRELIMINARY PLAT REQUIREMENTS:**

Preliminary Plat ☐

Contours (2') & Infrastructure (pre/post) ☐

**FINAL PLAT REQUIREMENTS:**

Platting Certificates per §354.11 State Code ☐

Final Plat ☒

**GENERAL REQUIREMENTS:**

Authorization to Act as Applicant, if needed ☒

Application Fee (REQUIRED) ☐

**Subdivision Platting Fee Schedule**

Number of Lots	Fee
1 lot to 10 lots	\$400 plus \$25/lot
11 to 25 lots	\$700 plus \$25/lot
26 or more lots	\$1,000 plus \$25/lot

Submit this form, and any questions, to DNS Planning Division at  
[planning@davenportiowa.com](mailto:planning@davenportiowa.com).

**DEVELOPMENT TEAM**

**Developer / Project Manager**

E & A Enterprises, LLC

Address

3885 Kensington Court, Bettendorf, IA 52722

Phone

(309) 592-7999

Secondary Phone

E-Mail Address

skulkarni@bushcontract.com

**Engineer**

RTM Engineering Consultants

Address

5137 Utica Ridge Road, Davenport, IA 52807

Phone

(563) 726-6304

Secondary Phone

E-Mail Address

calisse.mcpherson@rtmec.com

**Owner**

E & A Enterprises, LLC

Address

3885 Kensington Court, Bettendorf, IA 52722

Phone

(309) 592-7999

Secondary Phone

E-Mail Address

skulkarni@bushcontract.com

**Attorney**

423 17th St., Suite 103, Rock Island, IL 61201

Address

423 17th St., Suite 103, Rock Island, IL 61201

Phone

(309) 794-9400

Secondary Phone

(563) 265-9700

E-Mail Address

hosthospitality@gmx.com



# Authorization to Act as Applicant

I/We, R. V. Rao  
[as property owner(s)]

authorize Sameer Kulkarni (Bush Construction) &/or Calisse McPherson (RTM Engineering Consultants)  
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission \*

for the property located at the north side of 56th Street near Lakeview Parkway.

R. V. Rao  
Signature(s)\*

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

Notarization: \_\_\_\_\_

State of IOWA,

County of SCOTT,

Sworn and subscribed before me

this 21<sup>ST</sup> day of SEPTEMBER, 2023.

Amy Green  
Notary Public

My Commission Expires:

03/29/2024

9/21/2023  
Date



\_\_\_\_\_  
[ identification type ]

## \* Application Form by Board Type

### Plan and Zoning Commission

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

### Zoning Board of Adjustment

Special Use  
Hardship Variance  
Zoning Appeal  
Nonconforming Use Exception

### 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

ORDINANCE NO. 2019-220

Ordinance for Case REZ19-02: Request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12<sup>th</sup> Addition from C-T Commercial Transitional District to C-OP Commercial Office Park 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 from C-T Commercial Transitional District to C-OP Commercial Office Park District.

The Legal Description is as follows:

Lot 1 of Crow Valley Plaza 12<sup>th</sup> Addition to the City of Davenport, Scott County, Iowa.

Part of the Southwest Quarter of Section 12, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particular described as Lot 2 of Ryde High 2nd Addition to the City of Davenport, Scott County, Iowa.

Section 2. The following conditions are hereby imposed upon said rezoning:

1. Building height is limited to 35 feet.
2. The following uses are prohibited:
  - a. Restaurant
  - b. Vehicle dealership (indoor)
  - c. Hotel
  - d. Light Industrial

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 May 8, 2019

Second Consideration May 22, 2019

Approved June 12, 2019



Frank J. Klipsch

Frank J. Klipsch Mayor

Attest:

Brian Krup

Brian Krup  
Deputy City Clerk

Published in the Quad City Times on June 18, 2019