

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, JANUARY 15, 2019; 5:00 PM

CITY COUNCIL CHAMBERS

COMBINED PUBLIC HEARING & REGULAR MEETING

I. New Business

- A. Public Hearing for Case ROW18-04 of McManus Development for the vacation (abandonment) of public right-of-way south of 2950 Crestline Drive, containing 3,000 square feet, more or less. [Ward 6]

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Authority

III. Secretary's Report

- A. The December 18, 2018 Plan and Zoning Commission Minutes will be presented at the next meeting.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ18-18: Request by Ahmed Ismail, for WK Development, to rezone 0.83 acres, more or less, of property located immediately northwest of the intersection of Elsie Avenue and West Kimberly Road from R-5M Medium Density Residential to C-2, General Commercial District [Ward 2].

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Scott Koops sek@ci.davenport.ia 328-6701

Date
1/15/2019

Subject:

Public Hearing for Case ROW18-04 of McManus Development for the vacation (abandonment) of public right-of-way south of 2950 Crestline Drive, containing 3,000 square feet, more or less. [Ward 6]

Recommendation:

Hold the Public Hearing

Background:

The petitioner is requesting to vacate the street in from of the dwelling to accommodate a gate. Properties at 2930 and 2950 Crestline Drive will be adjoined by a restrictive covenant-agreement not to sever.

ATTACHMENTS:

Type	Description
▣ Cover Memo	ROW18-04 Public Hearing Report
▣ Backup Material	Application
▣ Backup Material	Plat of Survey

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	1/9/2019 - 10:35 AM



City of Davenport
Community Planning & Economic Development Department
PUBLIC HEARING REPORT

PLAN AND ZONING COMMISSION

Date: Dec. 18, 2018
Request: Public Right-of-Way Relinquishment Request
Address: Crestline Dr south of 2950 Crestline Dr
Applicant: McManus Development

DESCRIPTION

Request ROW18-04 of McManus Development for the vacation (abandonment) of public right-of-way south of 2950 Crestline Drive, containing 3,000 square feet, more or less. [Ward 6]

Recommendation: None at this time.

Introduction:

The petitioner is requesting to vacate the street in front of the dwelling to accommodate a gate. Properties at 2930 and 2950 Crestline Drive will be adjoined by a restrictive covenant-agreement not to sever.

Aerial Photo: (ROW area in black crosshatching)



Prepared by:

Scott Koops, AICP, Planner II



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

Rezoning (Zoning Map Amendment)
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation
Final Development Plan
Voluntary Annexation
Subdivision

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Appeal from an Administrative Decision
Special Use Permit - New Cell Tower
Home Occupation Permit
Special Exception
Special Use Permit
Hardship Variance

Engineer (if applicable)

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

Design Review Board

Certificate of Design Approval
Demolition Request in the Downtown

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Architect (if applicable)

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

Administrative

Floodplain Development
Cell Tower Co-Location
Identification Signs
Site Plan

Attorney (if applicable)

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

Request:

Total Land Area:

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.

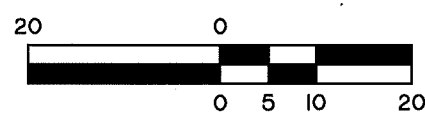
Received by:

Date:

Planning staff

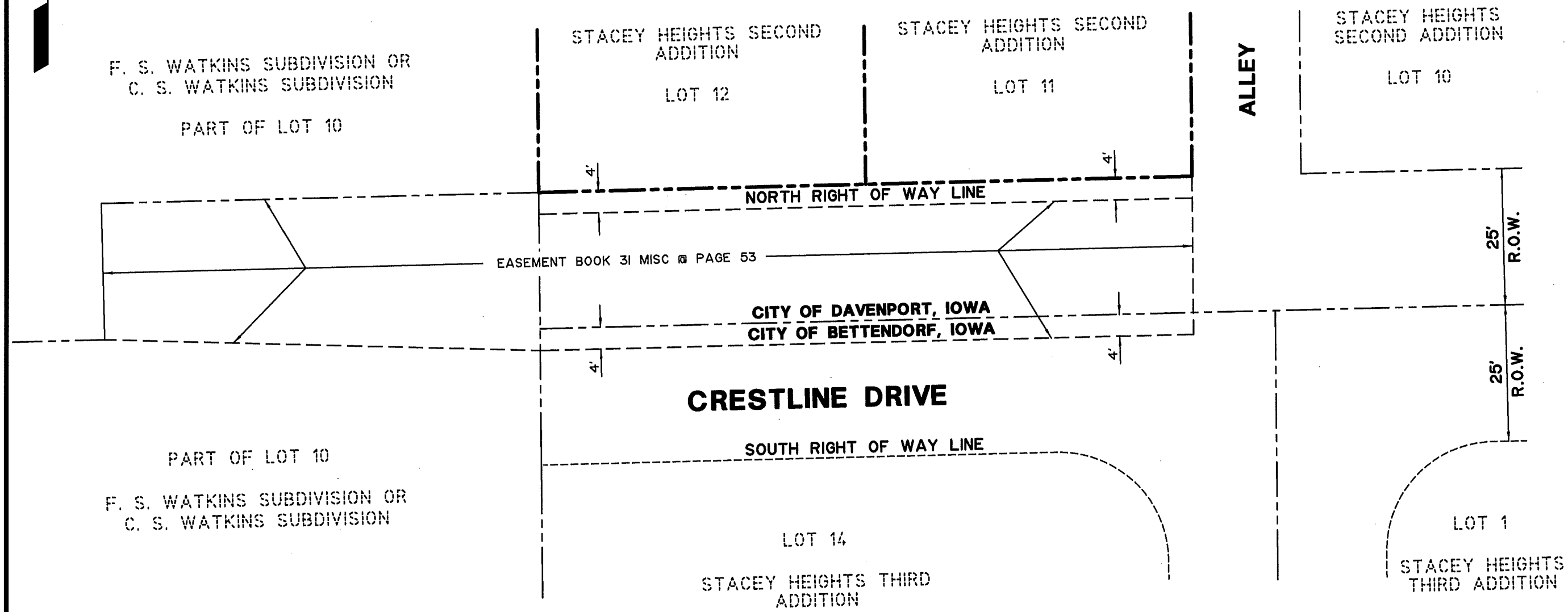
Date of the Public Hearing:

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



(SCALE: 1" = 20')
(NOVEMBER 21, 2018)

DISPLAY PLAT
STACEY HEIGHTS ADDITIONS
BETTENDORF, DAVENPORT, IOWA



PREPARED BY
VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.
4111 EAST 60th STREET
DAVENPORT, IOWA 52807
PHONE NUMBER: (563) 359 - 1348
VMCE 18311

City of Davenport
Plan and Zoning Commission

Department:
Contact Info:

Date
1/15/2019

Subject:

The December 18, 2018 Plan and Zoning Commission Minutes will be presented at the next meeting.

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	1/11/2019 - 1:29 PM

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn, 888-2286, matt.flynn@ci.davenport.ia.us

Date
12/4/2018

Subject:

Case REZ18-18: Request by Ahmed Ismail, for WK Development, to rezone 0.83 acres, more or less, of property located immediately northwest of the intersection of Elsie Avenue and West Kimberly Road from R-5M Medium Density Residential to C-2, General Commercial District [Ward 2].

Recommendation:

Staff recommends the Plan and Zoning Commission accept the draft findings and forward this case to the City Council for approval.

Findings:

Property is located on an edge of an area designated as RG, Residential General, in the Comprehensive Plan.

Property is located between commercially zoned property.

The Elsie Avenue intersection is signalized and can accommodate additional commercial traffic.

Conditions:

1. Iowa Department of Transportation will need to be contacted for work along Highway.
2. Extension of right of way line from west property along Kimberly may need to be dedicated.
3. No Parking along west side Elsie along proposed commercial development
4. Access to proposed development shall be no closer to Kimberly intersection than north line of existing 3916 Elsie address.

Background:

Proposal is to allow commercial development. Property is located between commercial development both to the east and west.

Comprehensive Plan

The property is located within the Urban Service Boundary

The Future Land Use Map designates this property as RG, Residential.

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.

The property is located adjacent to property designated as RC, Regional Commercial.

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

Technical Review

Request for comments have been sent out. Careful review of potential traffic impacts will be completed prior to a recommendation being offered.

Comments offered by Engineering at this point:

1. Iowa Department of Transportation will need to be contacted for work along Highway.
2. Extension of right of way line from west property along Kimberly may need to be dedicated.
3. No Parking along west side Elsie along proposed commercial development
4. Access to proposed development shall be no closer to Kimberly intersection than north line of existing 3916 Elsie address.

Public Input:

Signs were posted on the property on November 21.

A neighborhood meeting was held on December 10. No members of the public attended.

Discussion

This property is one of very few residentially zoned parcels along west Kimberly Road. It is immediately west of the new Genesis Clinic. The intersection of West Kimberly and Elsie is signalized and can accommodate additional traffic. The long-term viability of these properties as residential can be questioned.

Staff believes that this property would be attractive as a commercial development site, and has the opportunity to generate additional interest in commercial development in this corridor.

ATTACHMENTS:

Type	Description
▢ Backup Material	Application
▢ Backup Material	Location Map
▢ Backup Material	Zoning Map
▢ Backup Material	Future Zoning Map
▢ Backup Material	Future Land Use Map
▢ Backup Material	Public Meeting Notice and Map
▢ Backup Material	200 foot notice owners list

Staff Workflow Reviewers

REVIEWERS:

Department

City Clerk

Reviewer

Flynn, Matt

Action

Approved

Date

1/11/2019 - 1:11 PM

Zoning Map Amendment Application

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Property Address* Lot 13, & 14, and outlot 12 in Georgetown SQ, Replat 2, Davenport, Scott County

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

Applicant (Primary Contact)**

Name: AHMED ISMAIL
Company: IMEG CORP
Address: 623 26TH AVE
City/State/Zip: ROCK ISLAND, IL 61201
Phone: 309-283-1605
Email: ahmed.n.ismail@imegcorp.com

Owner (if different from Applicant)

Name: Vicki Stevenson
Company: W.K. Development, Inc.
Address: 4928 Woody Creek Circle
City/State/Zip: Bettendorf, IA 52722-2394
Phone: 563-529-9979
Email: vqstevenson@msn.com

Engineer (if applicable)

Name: AHMED ISMAIL
Company: IMEG CORP
Address: 623 26TH AVE
City/State/Zip: ROCK ISLAND, IL 61201
Phone: 309-283-1605 - CELL 319-400-9343
Email: ahmed.n.ismail@imegcorp.com

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

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

Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐
Special Use Permit - New Cell Tower ☐
Home Occupation Permit ☐
Special Exception ☐
Special Use Permit ☐
Hardship Variance ☐

Design Review Board

- Certificate of Design Approval ☐
Demolition Request in the Downtown ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

- Floodplain Development ☐
Cell Tower Co-Location ☐
Identification Signs ☐
Site Plan ☐

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

Request:Existing Zoning: R-5M (Medium Density Dwelling)Proposed Zoning Map Amendment: C-2 (Corridor Commercial)Total Land Area: 0.83 AcresDoes the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No**Submittal Requirements:**

- The following items should be submitted to Planning@ci.davenport.ia.us for review:
- 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.
 - \$5.00 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) Public Notice for the Plan and Zoning Commission public hearing:

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to 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. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice 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 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 request:

- 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 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: IMEG CORP

Date: 11/15/2018

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.

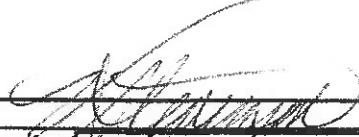
Received by: 
Planning staff

Date: 11/16/18

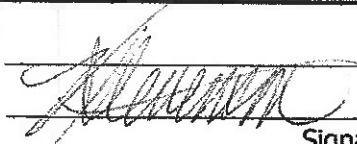
Date of the Public Hearing: 12/19

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

Authorization to Act as Applicant

I, 
authorize IMEG CORP
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council for the
property located at Lot 13, & 14, and outlot 12 in Georgetown SO, Replat 2, Davenport, IA.

(3916 & 3924 N. Elsie Ave)
Davenport, IA 52806












Signature(s)*

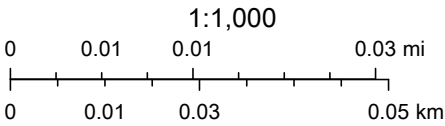
*Please note: original signature(s) required.

Location Map - REZ18-18



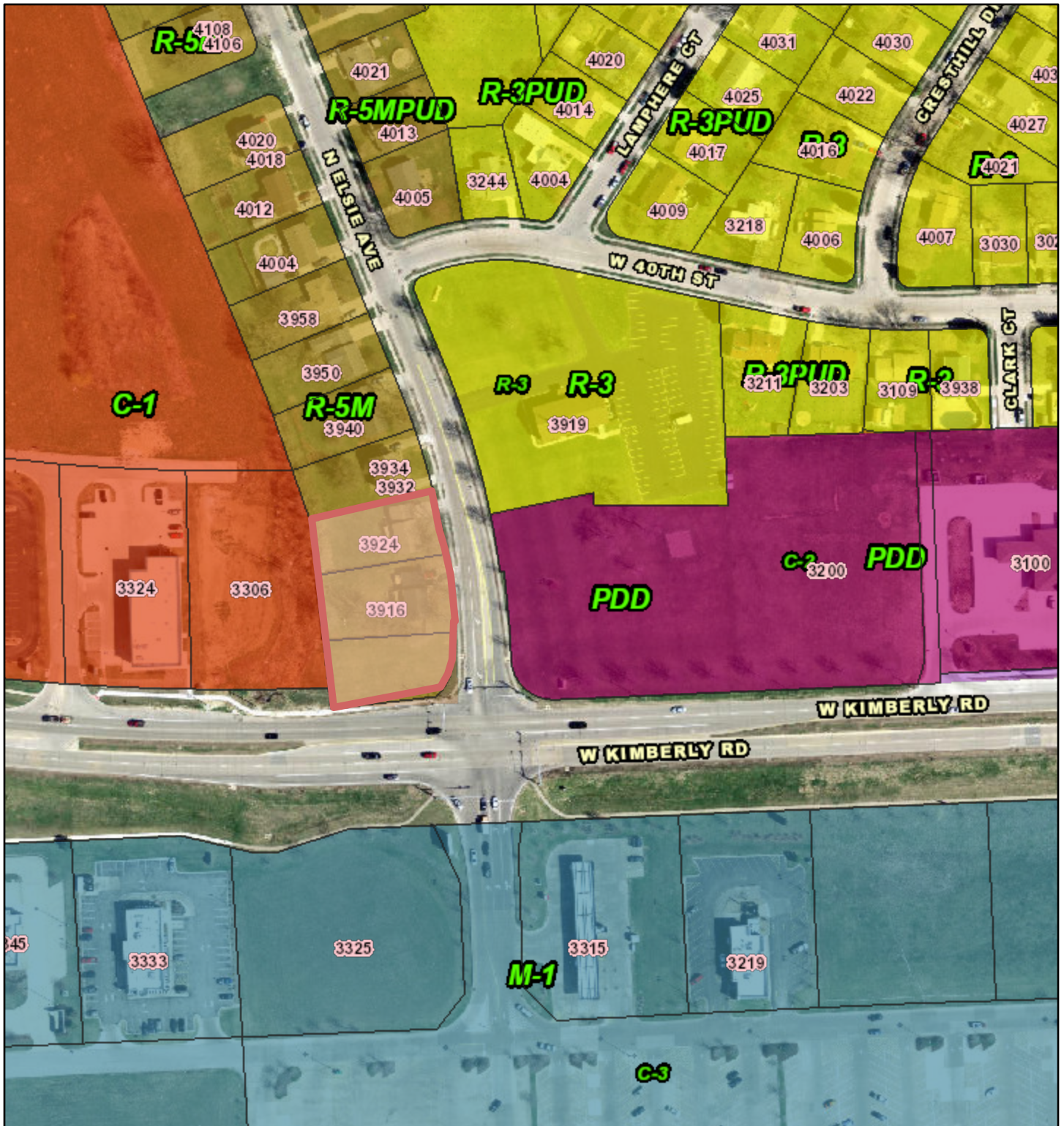
11/21/2018, 11:55:04 AM

-  Parks
-  Unnamed Tributaries
-  Parcels
-  Piped Creeks
-  Street Centerline (Labels only)
-  City Limit
-  Creeks
-  Address Points
-  Named Creeks



Scott County Iowa, Bi-State Regional Commission

Current Zoning



11/29/2018, 9:36:10 AM

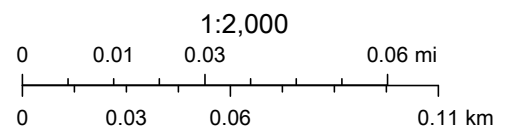
- Parks
- Parcels
- Street Centerline (Labels only)
- Piped Creeks
- City Limit
- Address Points

Creeks

- Named Creeks
- Unnamed Tributaries

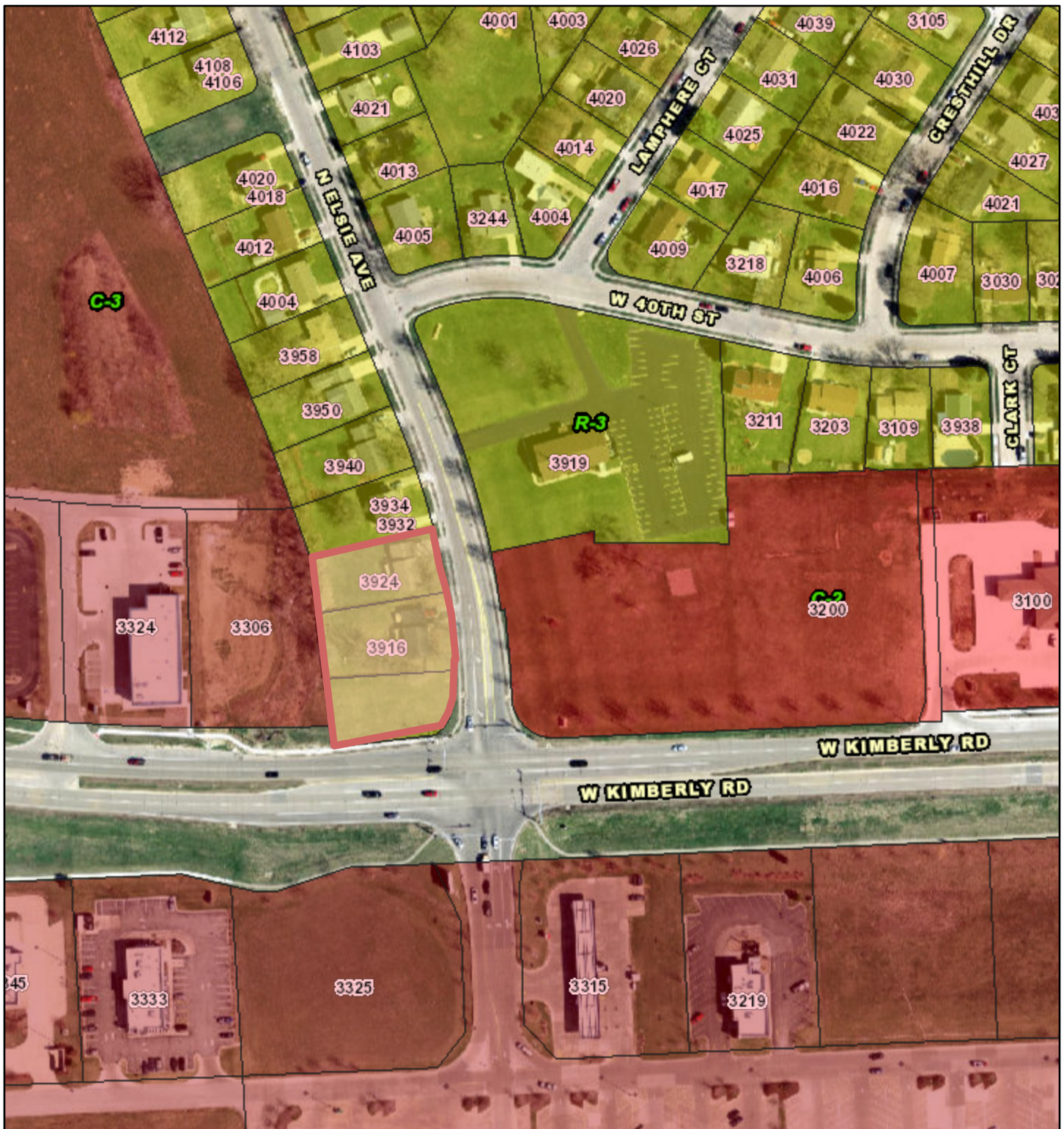
Zoning Districts

- A-1 Agricultural
- R-1 Low Density Dwelling District



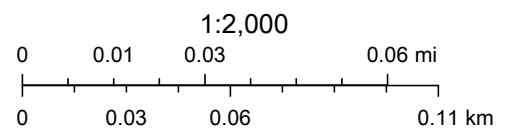
Scott County Iowa, Bi-State Regional Commission

Proposed Zoning



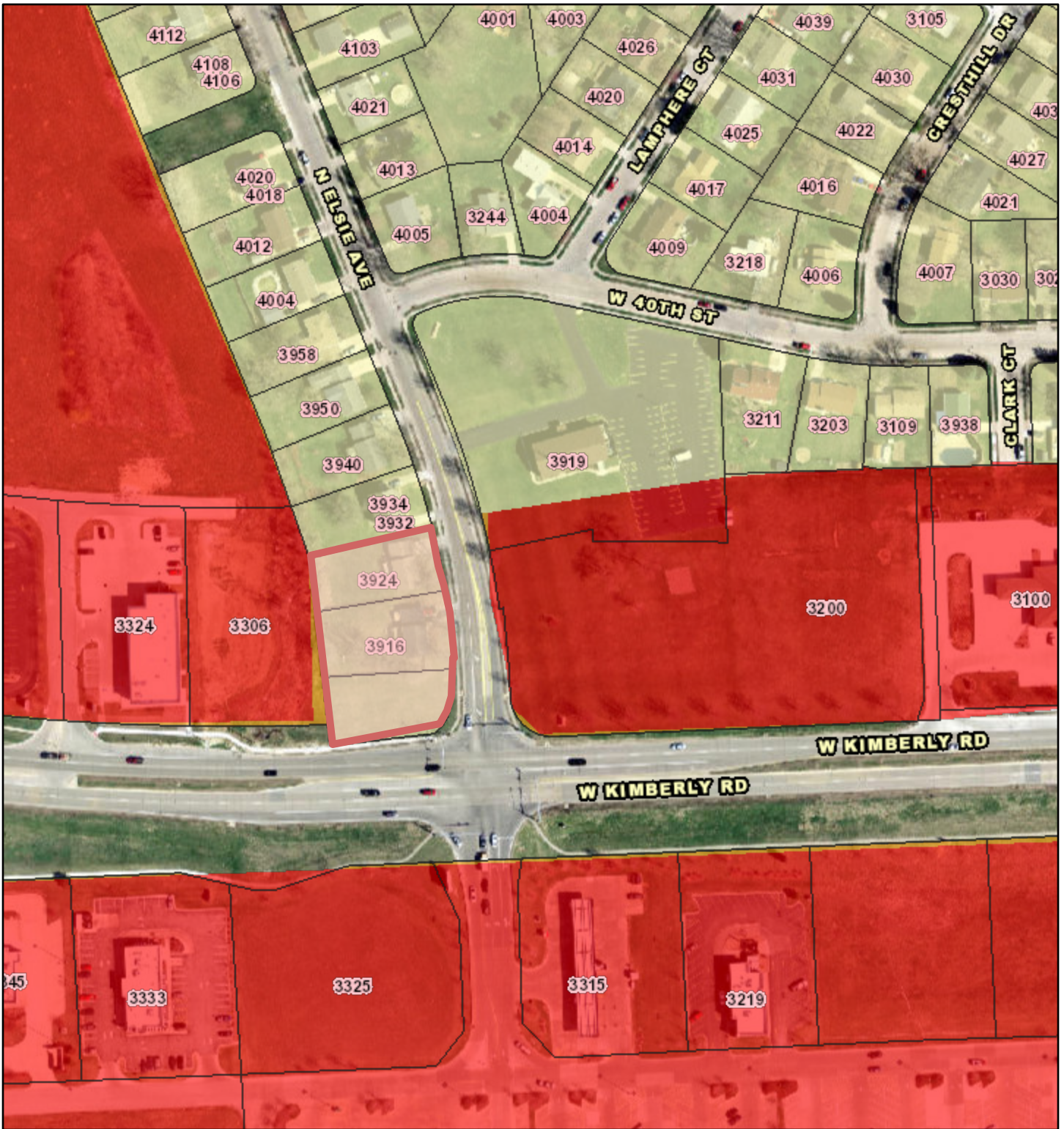
11/29/2018, 9:42:04 AM

- | | |
|---|--|
| Parks | Piped Creeks |
| Parcels | City Limit |
| Street Centerline (Labels only) | |
| Address Points | |
| Creeks | |
| Named Creeks | Recognized Neighborhoods |
| Unnamed Tributaries | 33rd Street Watch |
| | Central Community Circle |



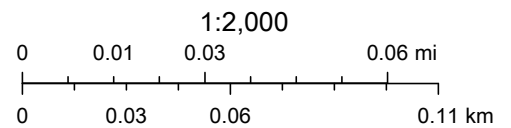
Scott County Iowa, Bi-State Regional Commission

Future Land Use



11/29/2018, 9:46:40 AM

- Parks
- Parcels
- Street Centerline (Labels only)
- Creeks
 - Named Creeks
 - Unnamed Tributaries
- Piped Creeks
- City Limit
- Address Points
- Land Use+2035
 - Urban Corridor
 - Commercial Node



Scott County Iowa, Bi-State Regional Commission

**NOTICE
PUBLIC MEETING
MONDAY, DECEMBER 10, 2018, 6:00 PM
RUDY'S TACOS MEETING ROOM
3502 W. KIMBERLY RD., DAVENPORT, IOWA**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-18: Request by Ahmed Ismail, IMEG Corp. for WK Development, to rezone 0.83 acres, more or less, of property located immediately northwest of the intersection of Elsie Avenue and West Kimberly Road from R-5M, Medium Density Dwelling District to C-2, General Commercial District [Ward 2] (See map of the affected property on reverse side of this notice).

The proposed rezoning, if successful, would allow for commercial development on the property.

A public meeting, hosted by the applicant, will be held to discuss the proposal at the time and place listed above. A formal public hearing will be held on the matter by the Plan and Zoning Commission on Tuesday, December 18, 2018, 5:00 pm at Davenport City Hall. You will receive an additional notice prior to this meeting.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ18-18









EMAIL: planning@ci.davenport.ia.us

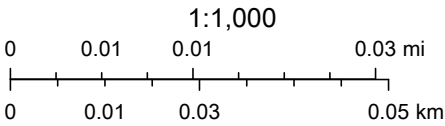
Phone: (563) 326-7765

Location Map - REZ18-18



11/21/2018, 11:55:04 AM

-  Parks
-  Parcels
-  Street Centerline (Labels only)
-  Unnamed Tributaries
-  Piped Creeks
-  City Limit
-  Address Points
-  Named Creeks



Scott County Iowa, Bi-State Regional Commission

PARCEL NUMBER	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CITY/STATE/ZIP
O1617D05D	12288.8	4.5%		0.0%	3324 W KIMBERLY RD	HALLE PROPERTIES LLC	20225 N SCOTTSDALE RD	SCOTTSDALE AZ 85255
O1617D05E	38932.6	14.1%		0.0%		W K DEVELOPMENT INC	4928 WOODY CREEK CIR	BETTENDORF IA 52722
O1619D18	10746.5	3.9%		0.0%	3932 N ELSIE AV	EJH PROPERTIES LLC	555 W KINZIE APT 3104	CHICAGO IL 60654
O1619D19	11164.6	4.0%		0.0%	3940 N ELSIE AVE	SCOTT JAMES C	3940 N ELSIE AV	DAVENPORT IA 52804
O1619D20	8577.5	3.1%		0.0%	3950 N ELSIE AV	KUEHL ROBERT H	3950 N ELSIE AV	DAVENPORT IA 52804
O1635-01C	3710.9	1.3%		0.0%	3101 W KIMBERLY RD	WAL-MART REAL ESTATE BUSINESS	PO BOX 8042	BENTONVILLE AR 72716
O1635-02C	431.8	0.2%		0.0%	3315 W KIMBERLY RD	MURPHY OIL USA	PO BOX 7300	EL DORADO AR 71731
O1635-05	9676.6	3.5%		0.0%	3325 W KIMBERLY RD	THE NATIONAL BANK	852 MIDDLE RD #1030	BETTENDORF IA 52722
O1617D05A1	13322.9	4.8%		0.0%		W K DEVELOPMENT	4928 WOODY CREEK CIR	BETTENDORF IA 52722
O1619D02C	27626.5	10.0%		0.0%	3919 N ELSIE AV	CROSS POINT BAPTIST CHURCH	3919 N ELSIE AV	DAVENPORT IA 52804
O1619E01	30992.5	11.2%		0.0%	3200 W KIMBERLY RD	GENESIS HEALTH SYSTEM	1227 E RUSHOLME ST	DAVENPORT IA 52803

PARCELS 167,471.2 60.7%
R.-O.-W. 108,392.4 39.3%

TOTAL
NOTICE AREA 275,863.6 100%

0.0% PROTEST RATE

Protests:

0

Properties:

11

Alderman: