

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, SEPTEMBER 17, 2019; 5:00 PM

COUNCIL CHAMBERS CITY HALL 226 WEST 4TH STREET

I. Old Business

- A. Case REZ19-010: Request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

This item was tabled from the September 2, 2019 Plan and Zoning Commission public hearing.

II. New Business

- A. Public Hearing for Case ORD19-03: Request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

A.

- B. 1. Third Consideration: Ordinance for Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [All Wards] **ADOPTED 2019-363**

2. Third Consideration: Ordinance for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Dr and Telegraph Rd, bounded roughly by Wisconsin Ave and S Vermont Ave to the east and west respectively, from R-1 and R-2 Single-Family Residential to S-AG Agricultural District.

[Ward 1] **ADOPTED 2019-364**

3. Resolution for Case P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7] **ADOPTED 2019-366**

4. Resolution for Case F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7] **ADOPTED 2019-367**

5. Resolution for Case F19-14 being the request of Montgomery LC for a final plat for a 2-lot subdivision on 3.4 acres, more or less, of property located on the north side of E 53rd Street approximately 155 feet east of Belle Ave. [Ward 8] **ADOPTED 2019-368**

III. Secretary's Report

A. Consideration of the September 3, 2019 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business: None

B. New Business: None

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F19-15 of Terry Whitson for final plat Whitson Subdivision on 1.69 acres at 3802 Boies Ave containing 3 lots zoned for single & two-family residential. [Ward 1]
- ii. Case F19-16: Request of Cook Real Estate Development for a final plat of A Lot of Storage Subdivision on 5.53 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 2 lots. [Adjacent to Ward 1]
- iii. Case P19-03: Request of Axiom Consultants for a Preliminary Plat for an 83 lot subdivision on 25.07 acres, more or less, of property located immediately west and north of Prairie Heights First Addition.

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Department
Contact Info: Ryan Rusnak 563-888-2022
rrusnak@ci.davenport.ia.us

Date
9/17/2019

Subject:

Case REZ19-010: Request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

This item was tabled from the September 2, 2019 Plan and Zoning Commission public hearing.

Recommendation:

No recommendation at this time.

Background:

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Residential General (RG) – Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

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

Zoning:

The property is currently zoned R-4C - Single-Family and Two-Family Central Residential Zoning District.

Technical Review:

Streets.

The property located at the southeast corner of West Locust Street and Ripley Street.

Storm Water.

Development of the property will need to comply with the City's stormwater requirements.

Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

Public Input:

Letters were be sent to property owners within 200 feet of the proposed request notifying them of the August 29, 2019 neighborhood meeting and the September 3, 2019 Plan and Zoning Commission Public Hearing.

A few stakeholders attended the neighborhood meeting. The concern was raised about introducing C-2 Corridor Commercial District to the property, as opposed to C-1 Neighborhood Commercial District.

Discussion:

The petitioner is requesting a rezoning to C-2 Corridor Commercial District to facilitate redevelopment of the property.

Recommendation:

There is no recommendation at this time.

ATTACHMENTS:

Type	Description
▣ Backup Material	Neighborhood Meeting Notice, Public Hearing Notice and Notification List
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/10/2019 - 1:06 PM



*Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com*

**NOTICE
NEIGHBORHOOD MEETING
THURSDAY AUGUST 29, 2019 – 5:30 P.M.
AT CITY HALL – 226 WEST 4TH STREET – COUNCIL CHAMBERS**

You are invited to a neighborhood meeting regarding the following request:

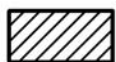
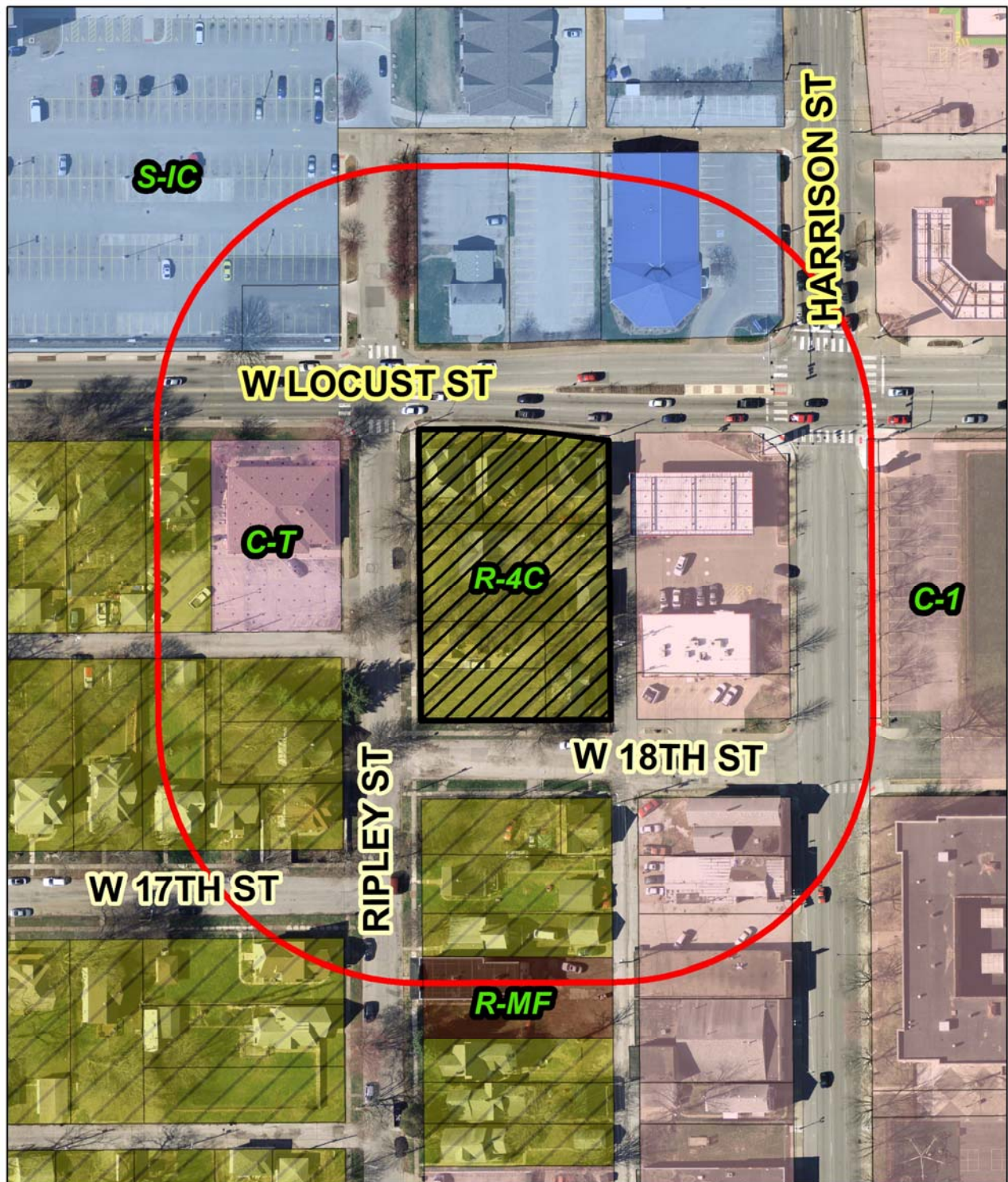
Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

The purpose of the request is to facilitate commercial development.

Please see map on the back for the property location.

The purpose of the meeting is to allow the applicant to describe the proposed development, answer any questions you have and hear any concerns about the proposed development.

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022.



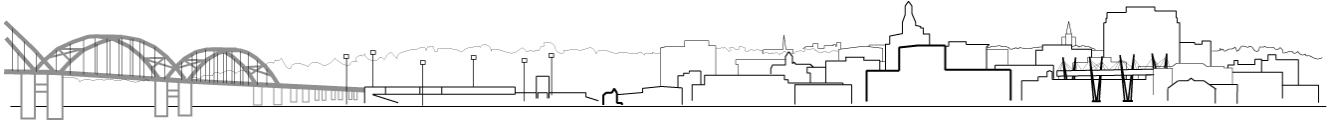
Subject Property



200 Foot Notification Radius



**PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT**



Public Hearing Details:

Date:	9/3/2019	Ward: 4th
Time:	5:00 PM	
Location of Public Hearing:	226 West 4 th Street in City Hall Council Chambers.	
Subject:	Public hearing for a zoning map amendment.	
Location of Property:	Bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley	
Case #:	REZ19-06	

To: All property owners within 200 feet of the subject property.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a request for a zoning map amendment. The purpose of the request is to allow the property developed for an unspecified commercial use.

Request Description:

Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

What are the Next Steps after the Public Hearing?

The 9/3/2019 public hearing is the first step in the review/approval process. The Plan and Zoning Commission will meet on 9/17/2019 to vote (provide its recommendation) on the request. 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 specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment or Protest?

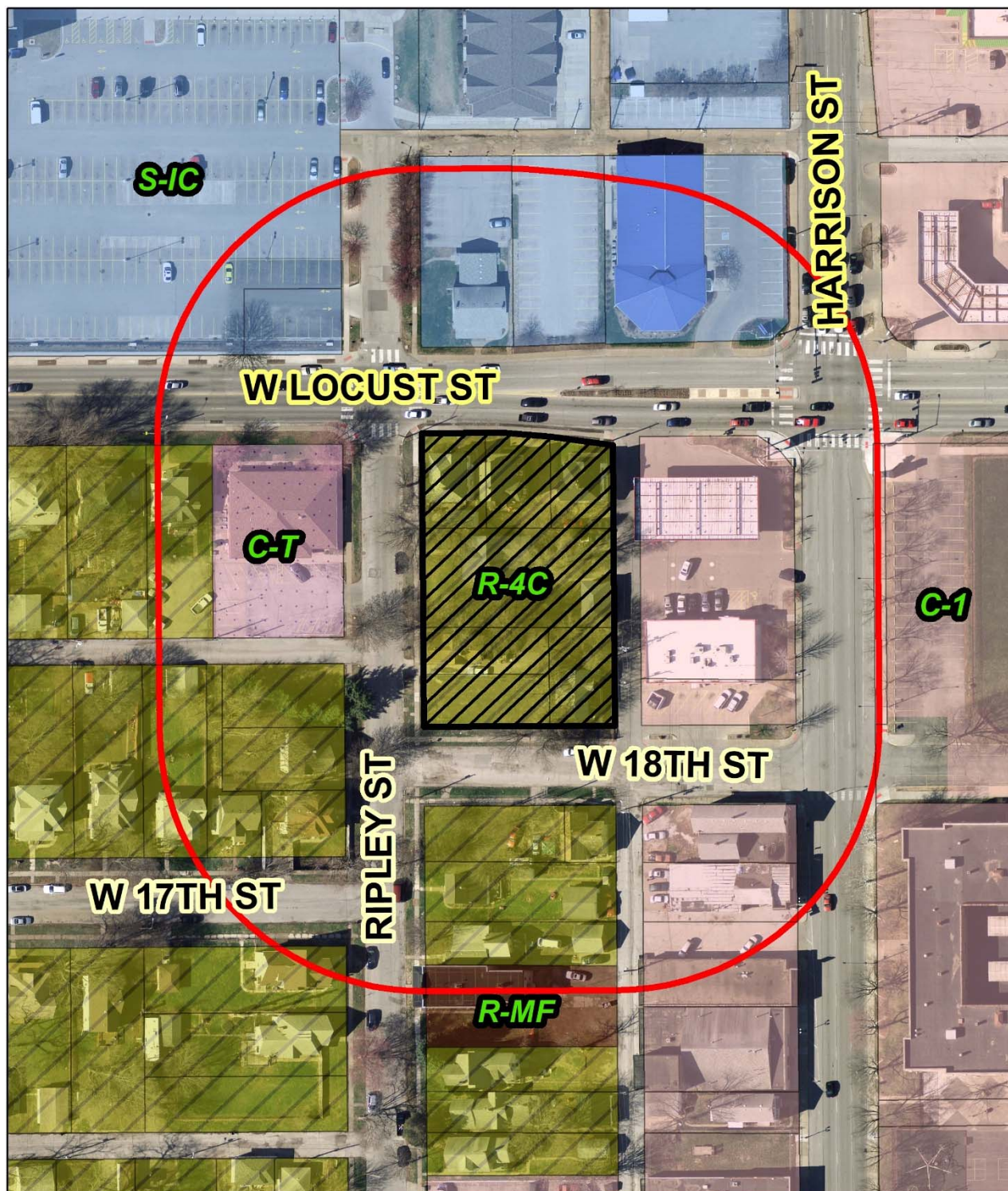
As a property owner within 200 feet of the subject property, you have the opportunity to officially comment or formally protest this request. These must be provided in writing.

If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the City Council public hearing, which is anticipated to be held on 10/2/2019. Please note that for a protest to be official, it needs to be in writing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.



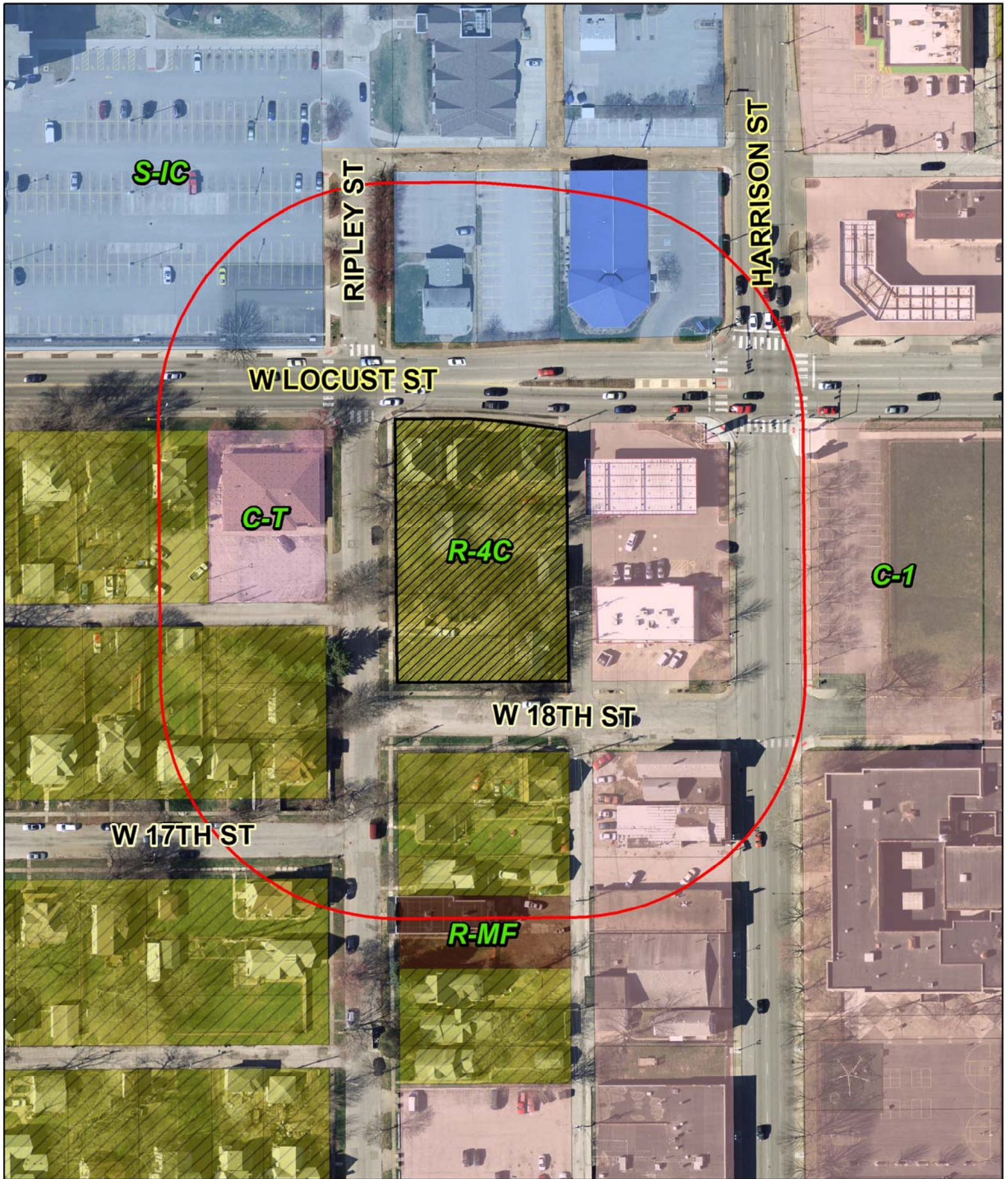
Subject Property



200 Foot Notification Radius



FID	Parcel	Address	Sq_Ft_Land	Acreage	Deed1_Name	Deed1_Addr	Deed1_CSZ
	0 B0059-20	402 W LOCUST ST	0	0.085	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	1 G0006-05	1716 HARRISON ST	0	0.117	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	2 G0006-06A	1720 HARRISON ST	0	0.117	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
					BOBBIE COLEY		
	3 G0006-08A	315 W 18TH ST	1892	0.043	TONY COLEY	315 W 18TH ST	DAVENPORT IA 52803
					BOBBIE COLEY		
	4 G0006-08B		0	0.105	TONY COLEY	315 W 18TH ST	DAVENPORT IA 52803
					JAMES DALTON SMITH III		
	5 G0006-10	1633 RIPLEY ST	6438.6	0.148	BRITTANY LAUREN SMITH	971 OAKMOOR DR	FENTON MO 63026
	6 G0006-11	1629 RIPLEY ST	4672	0.107	MARKEESE MCCORMICK	1803 15TH ST	MOLINE IL 61265
	7 G0006-12	1625 RIPLEY ST	0	0.215	OCEANSIDE50FIVE LLC	2238 SAINT JOHN DR	DUBUQUE IA 52001
	8 G0006-21	1710 RIPLEY ST	4800	0.11	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	9 G0006-22		0	0.11	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	10 G0006-24A	401 W LOCUST ST	0	0.335	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	11 G0006-34	414 W 17TH ST	7300	0.168	NATHANIEL VAUGHN	414 W 17TH ST	DAVENPORT IA 52803
	12 G0006-35	410 W 17TH ST	1460	0.077	ARGENTUM PROPERTIES LLC	C/O MILLTOWN REALTY	DAVENPORT IA 52803-2379
	14 G0006-36	316 W 18TH ST	3723	0.086	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	15 G0006-38		0	0.096	KWIK SHOP INC	734 EAST 4TH AV	HUTCHINSON KS 67504
	16 G0006-41A	303 W LOCUST ST	0	0.485	KWIK SHOP INC	734 EAST 4TH AV	HUTCHINSON KS 67504
	17 G0006-43	315 W LOCUST ST	0	0.079	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	18 G0006-44	321 W LOCUST ST	0	0.084	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	19 G0006-45	325 W LOCUST ST	0	0.085	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	20 G0006-46	1809 RIPLEY ST	0	0.248	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	21 G0006-47	1807 RIPLEY ST	0	0.073	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	22 G0006-48	1801 RIPLEY ST	0	0.08	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
	23 G0007-01C		0	0.043	CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801
	24 B0059-40A	328 W LOCUST ST	0	0.231	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52804
	25 B0059-43B		0	0.227	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
	26 B0059-44A	310 W LOCUST ST	0	0.444	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52804



N



Civic and Institutional

RIPLEY ST

HARRISON ST

**Commercial
Node**

W LOCUST ST

W 18TH ST

W 17TH ST

Residential General

N



City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn, 563-888-2286,
matt.flynn@ci.davenport.ia.us

Date
9/3/2019

Subject:

Public Hearing for Case ORD19-03: Request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet.
[Ward 6]

Recommendation:

Hold the Public Hearing

Background:

Upon the request of the Jersey Farms neighborhood, the City Council has directed staff to prepare an ordinance amendment reducing the maximum height in a portion of the Elmore Corners zoning district, namely the area to the west and south of Elmore Avenue.

The current height limit for the district is 120 feet, which ensures the Rhythm City Casino remains conforming in that regard.

Reducing the height to 55 feet in the suggested area would ensure buildings not higher than approximately 4 stories through the Zoning Ordinance rather than through the Elmore Corners Area Plan and Design Guidelines.

Affected property owners have been contacted by phone and mailed notice of the hearing. The Jersey Farms neighborhood has been contacted as well.

Attached is a brief presentation outlining the issue.

ATTACHMENTS:

Type	Description
▣ Backup Material	Council Presentation
▣ Backup Material	Notice to property owners
▣ Exhibit	Pastrnak Letter

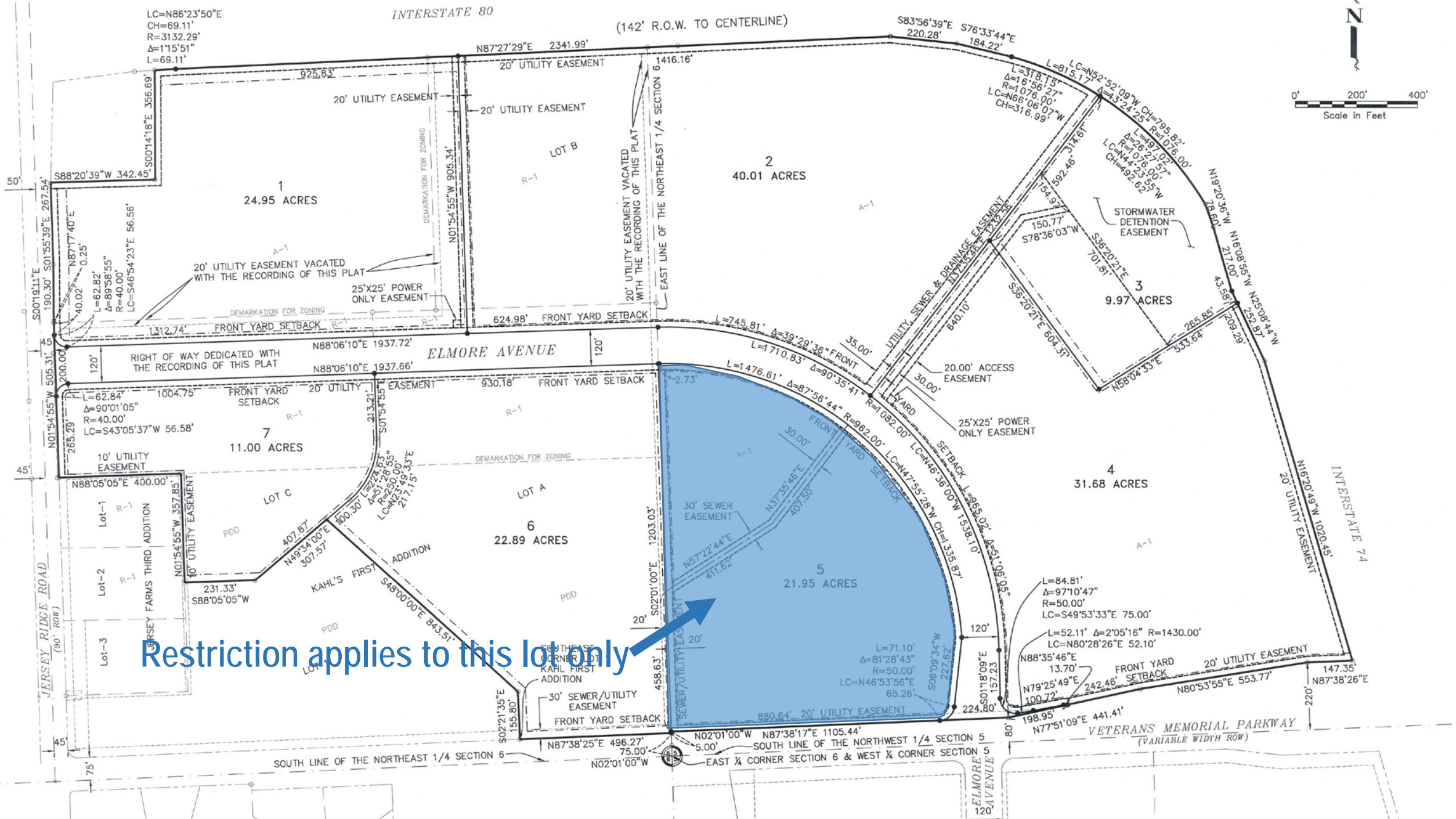
Staff Workflow Reviewers

REVIEWERS:

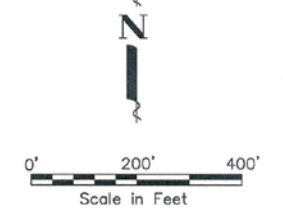
Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	9/10/2019 - 3:39 PM

City Council Added this Condition to the River 80 First Addition Final Plat in 2014:

" Building height on Lot 5 within River 80 First Addition shall not exceed fifty (50) feet. Further, a 50 foot landscape buffer along Veteran's Memorial Parkway consisting of a 5 – 6 foot undulating berm containing a minimum Class "E" Screen as outlined in Title 17.56 of the Davenport shall be installed prior to the issuance of any Certificate of Occupancy for said Lot 5.



Restriction applies to this lot only



Under the old Zoning Ordinance, the property was zoned PDD and there was no height limit.

Rhythm City Casino is 106 feet tall.

The Elmore Corners Area Plan was adopted in 2017. Among its concepts, it specifically mentions protections to be taken to ensure compatibility between the neighborhood and Elmore Corners

NEIGHBORHOOD CONTEXT

Established single-family neighborhoods border the Elmore Corners planning area to the west. As development occurs, design attention must be paid to building placement, massing, design, setbacks, and lighting to ensure future development does not negatively impact these neighborhoods. The proposed Urban Greenway along the western project boundary will provide a natural buffer between established and proposed neighborhoods.



Neighborhood Context

Within the Site Layout section of the Plan, it references buildings should be 3 to 4 stories in height adjacent to the neighborhood.

The vast majority of illustrative examples within the Plan document show buildings 2-4 stories in height.

One hotel concept, 6 stories in height was included, but was targeted to the Entertainment District adjacent to Rhythm City Casino.

The new zoning ordinance established a new zoning classification, C-E Elmore Corners Zoning District.

The maximum height in this district is 120 feet. This ensures Rhythm City Casino would remain legally conforming from a height perspective.

The Design Review Board has authority to review and approve new development in Elmore Corners by applying the design standards found in the Plan.

Staff believes the intent of the scale of development on property adjacent to Jersey Farms is clear. Any development exceeding four stories would have to be of exceptional design and oriented away from the subdivision.

A text amendment to address the height concerns can be as simple as amending Table 17.05-5 as follows:

Table 17.05-5: C-E District Dimensional Standards	
	C-E
Bulk	
Minimum Lot Area	20,000sf
Minimum Lot Width	80'
Maximum Building Height	120' East and North of Elmore Ave.; 55' West and South of Elmore Ave.
Minimum Setbacks	
Front Setback	25'
Interior Side Setback	10', unless abutting a residential district then 20'
Corner Side Setback	20'
Rear Setback	10', unless abutting a residential district then 25'

The owners of the property should be notified because of the potential to limit development based on what is allowed currently.

Elmore Corners Zoned "C-E"

Jersey Farms Zoned "R-2"



Lot 5 River 80 First Addn.

Elmore Corners South and
West of Elmore Ave.



Other Options:

Do nothing and rely on design standards (applicant can already appeal denial to the City Council).

Provide notification to property owners within 200 feet of application.

Provide Council authority to increase height in C-E instead of ZBA.

Eliminate height limits altogether, or adopt different standards more restrictive than that is proposed.



*Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com*

September 6, 2019

Subject: Proposed Zoning Standard Change
C-E, Elmore Corners Zoning District

Dear Property Owner:

The Jersey Farms Neighborhood Association has requested the City consider a zoning ordinance text amendment that would reduce the maximum height of structures in a portion of the area zoned C-E, Elmore Corners District from 120 feet to 55 feet. Specifically, this would be in the area south and west of Elmore Avenue (see attached map). You own property that would be affected by the change.

The City Council has directed staff to prepare an ordinance for consideration that would enact the proposed height reduction. The Case Number is ORD19-03.

Like any change in zoning, either with the map or text, it must follow a process that includes public hearings before the Plan and Zoning Commission and Committee of the Whole.

The public hearing before the Plan and Zoning Commission will be held:

Tuesday, September 17, 2019
City Council Chambers, City Hall
226 West Fourth Street
Davenport, Iowa 52801

You may submit written comments on the above item or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing.

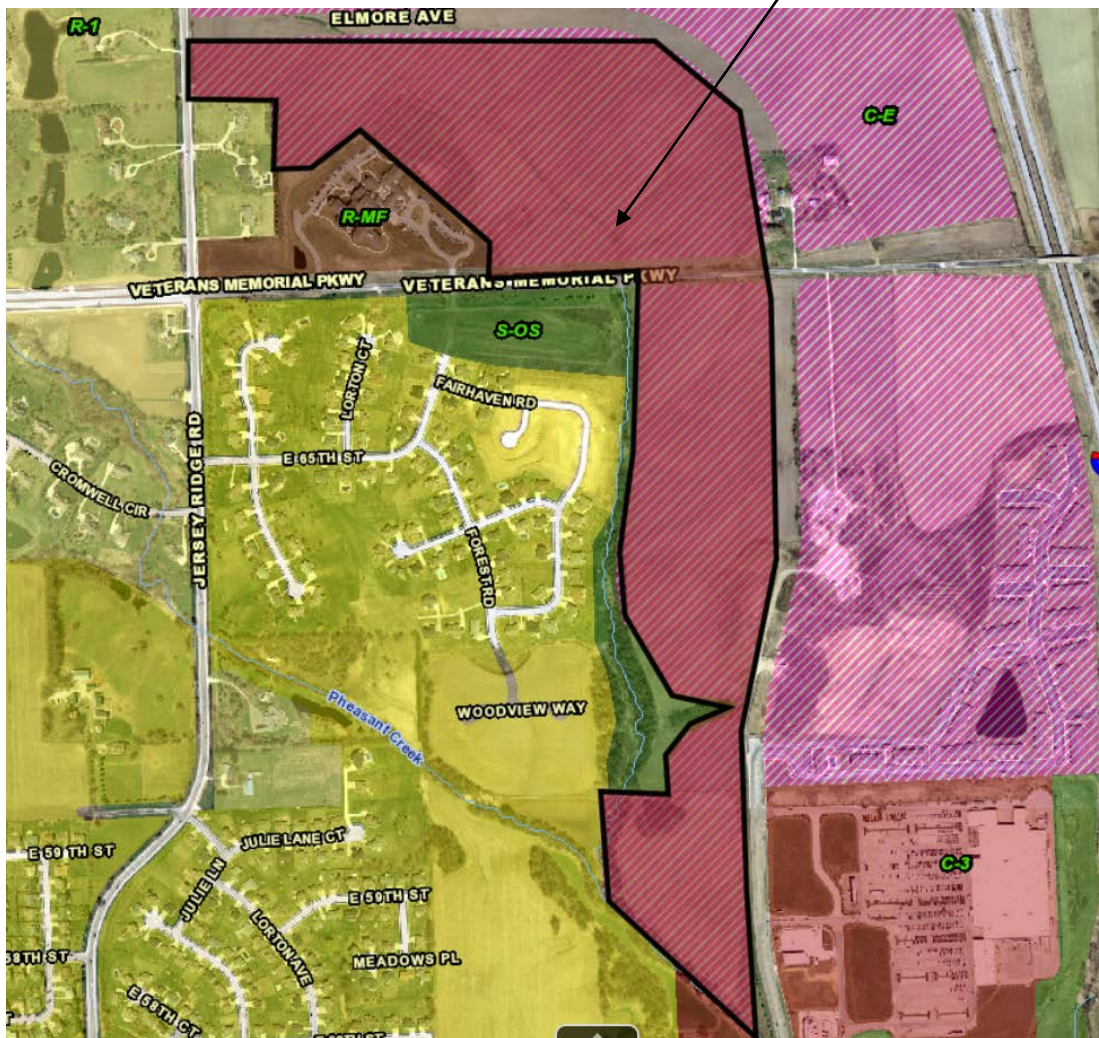
Please let me know if you have further questions.

Sincerely,



Matthew G. Flynn, AICP
Senior Planning Manager/Zoning Administrator
563-888-2286, matt.flynn@ci.davenport.ia.us

Area Proposed for Reduced Height Limit



PASTRNAK LAW FIRM, P.C.
Attorneys at Law
313 W. 3rd Street
Davenport IA 52801
Phone: (563) 323-7737, Ext. 220
Fax: (563) 323-7739
E-mail: ckpastrnak@pastrnak.com

Thomas J. Pastrnak*
Candy K. Pastrnak*

ILLINOIS OFFICE:
6300 75th Ave., Suite A
Milan, IL 61264

Thomas R. Schulz – Of Counsel *
Gregory S. Jager – Of Counsel**
Dee Runnells – Of Counsel*

* Admitted in Iowa and Illinois
** Admitted in Iowa Only

Via email to matt.flynn@ci.davenport.ia.us

Planning and Zoning Commission
c/o Matt Flynn
City of Davenport
226 W. 4th St
Davenport, Iowa 52801

September 16, 2019

Re: Case ORD 19-03
Elmore Corridor Overlay District
Reduction in Height

Dear members of the Commission:

We represent VTS Farm Parcel A, LLC, the owner of approximately 15.24 acres of property located within the Elmore Corridor Overlay District, specifically located west of Elmore Avenue and south of 60th Street. (A copy of a Beacon map showing the location of the property is enclosed for ease of reference.) On behalf of the owner, VTS Farm Parcel A, LLC we object to any modification of the already significant limiting building restrictions imposed by the terms of the Elmore Corridor Overlay District.

We have thoroughly reviewed the existing design standards and building restrictions proposed for the Elmore Corners Overlay District and have already experienced the difficulty said standards and restrictions have created in our client's ability to market and find purchasers and/or developers of this 15.24 acres in the heart of the Elmore Corridor Overlay District.

The proposed height limitation will even more severely restrict and limit the potential buyers/developers of this property. A height limitation, as proposed, would most certainly deter and perhaps even eliminate hotel, senior living center and other multi-story development, which

PASTRNAK LAW FIRM, P.C.

Matt Flynn

September 16, 2019

Page 2

would obviously be a benefit to the City of Davenport and its tax base. To impose additional regulations on property which is already subject to the restrictions and limitations imposed in the overlay district would, in our opinion, not only overburden the property but essentially constitute an unlawful taking.

Further, the imposition of the additional restriction ignores the built in controls and mechanisms that are afforded the City by the terms in the existing Overlay District.

Finally, the imposition of the height restriction on the isolated undeveloped parcels in the area is arbitrary and capricious, particularly since buildings to the east and north of Elmore can exceed the height limit yet buildings to the west and south of Elmore will be prevented from exceeding the height limit.

In conclusion, our client is opposed to modification of the height restrictions, particularly further limitations to height, in the ECOD Elmore Corners Overlay District, and ask our client's objection be placed of record.

Sincerely,

A handwritten signature in cursive script that reads "Candy K. Pastrnak". The signature is written in dark ink and is positioned above the printed name and title.

Candy K. Pastrnak

Attorney at Law

For: Pastrnak Law Firm

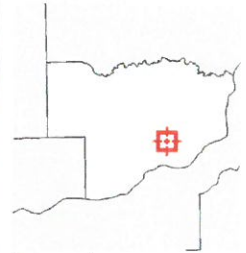
On Behalf of: VTS FARM PARCEL A, LLC, an Iowa limited liability company.



Scott County / City of Davenport, Iowa



Overview



Legend

- Parcels
- Parcel Point
- Political Township
- All Roads
 - Interstate
 - US Highway
 - State Highway
 - County Route
 - Major road
 - Local roads
 - Ramp
 - Alleyway/Access Road
 - Bike/Pedestrian Trail
 - Driveway
- Rights of Way
- Railroad
- County Boundary
- Major Rivers and Streams
 - River Centerline
 - River Boundary
 - Major Stream
- Minor Streams, Other
 - Minor Stream
 - Small Lake/Pond
 - Drainageways, etc
 - Island
- Major Rivers and Lake
 - Lake
 - Major Stream
 - River
 - Minor Lakes and Ponds

Parcel ID Y0801-02A
Sec/Twp/Rng 07-78-04
Property Address

Alternate ID Y17023
Class A
Acreage 15.25

Owner Address VTS FARM PARCEL A LLC
19134 246TH AVE
BETTENDORF IA 52722

City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Contact Info:

Date
9/17/2019

Subject:

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/10/2019 - 1:06 PM

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn, 563-888-2286,
matt.flynn@ci.davenport.ia.us

Date
9/17/2019

Subject:

1. Third Consideration: Ordinance for Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [All Wards]

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[Ward 1] **ADOPTED 2019-364**

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Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	9/12/2019 - 9:52 AM

City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Department
Contact Info: Ryan Rusnak 563-888-2022
rrusnak@ci.davenport.ia.us

Date
9/17/2019

Subject:
Consideration of the September 3, 2019 meeting minutes.

Recommendation:
Approve the minutes.

ATTACHMENTS:

Type	Description
▣ Backup Material	9-3-2019 minutes

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/10/2019 - 1:06 PM

**PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA**

**TUESDAY, SEPTEMBER 3, 2019; 5:00 PM
COUNCIL CHAMBERS CITY HALL 226 WEST 4TH STREET**

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

- I. Roll Call:
Present: Brandsgard, Inghram, Johnson Lammers, Maness, Medd, Schneider, Tallman
Excused: Connell, Hepner, Reinartz.
Staff: Flynn, Rusnak, Leabhart.

I. New Business

A. Case REZ19-010: Request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

Rusnak gave an overview of the proposal. The petitioner was not present. Kristi Miller, 1810 Farnam Street, spoke in opposition. Scott Tunnicliff, Hilltop Campus Village Director, spoke and is supportive of C-1, not C-2.

Because the petitioner was not present, the Commission expressed a desire to table the request.

Motion by Tallman, second by Brandsgard to table the request (and keep the public hearing open) to the September 17, 2019 meeting. Vote to table was approved (7-0) by voice vote.

REGULAR MEETING AGENDA

- I. Roll Call:
Present: Brandsgard, Inghram, Johnson Lammers, Maness, Medd, Schneider, Tallman
Excused: Connell, Hepner, Reinartz.
Staff: Flynn, Rusnak, Leabhart.

II. Report of the City Council Activity

1. Ordinance for Case REZ19-08: Request to rezone 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District (Fairmount Cemetery and Crematory Association, Petitioner). [Ward 1]

ADOPTED 2019-340

2. Resolution for Case F19-06 being the request of Dolans 53rd Street LC for a Final Plat for a 1 lot subdivision on 2.83 acres located north of W 53rd St and east of Villa Dr. [Ward 8] **ADOPTED 2019-344**

III. Secretary's Report

Consideration of the September 3, 2018 meeting minutes.

Motion by Tallman, second by Johnson to approve the September 3, 2018 minutes.
Vote to approve was unanimous by voice vote.

IV. Report of the Comprehensive Plan Committee No Report

V. Zoning Activity

A. Old Business: None

B. New Business: None

VI. Subdivision Activity

A. Old Business: None

B. New Business: None

VII. Future Business

A. Case ORD19-03: Request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

B. Case P19-03: Request of Axiom Consultants for a Preliminary Plat for an 83 lot subdivision on 25.07 acres, more or less, of property located immediately west and north of Prairie Heights First Addition.

VIII. Communications: None

IX. Other Business: None

X. Adjourn: The meeting adjourned at 5:30 pm.

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Scott Koops, Planner II, AICP
sek@ci.davenport.ia.us

Date
9/17/2019

Subject:

Case F19-15 of Terry Whitson for final plat Whitson Subdivision on 1.69 acres at 3802 Boies Ave containing 3 lots zoned for single & two-family residential. [Ward 1]

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings and forward F19-15 to the City Council with a recommendation for approval as proposed.

Background:

BACKGROUND

Comprehensive Plan:

Within Urban Service Area (USB35): Yes

Future Land Use Designation: Residential General

Technical Review:

Streets. No new streets are proposed with this request.

Storm Water. The plat will need to conform to any requirements of the City of Davenport Natural Resources Division.

Sanitary Sewer. Sanitary sewer service is located along the street. No new service will be required.

Other Utilities. Normal utility services are available nearby in this developed area.

Parks/Open Space. No park shall be required with this infill development.

DISCUSSION

Planning Staff has reviewed this plat and confirmed that the plat conforms to the requirements of the subdivision code.

STAFF RECOMMENDATION

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
1. The plat has achieved consistency with subdivision requirements.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward F19-15 to the City Council with a recommendation for approval as proposed.

ATTACHMENTS:

Type	Description
▣ Executive Summary	Staff Report
▣ Exhibit	Plat

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	9/11/2019 - 10:33 AM



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

PLAN AND ZONING COMMISSION

DESCRIPTION

Request F19-15 of Terry Whitson for final plat Whitson Subdivision on 1.69 acres at 3802 Boies Ave containing 3 lots zoned for single & two-family residential. [Ward 1]

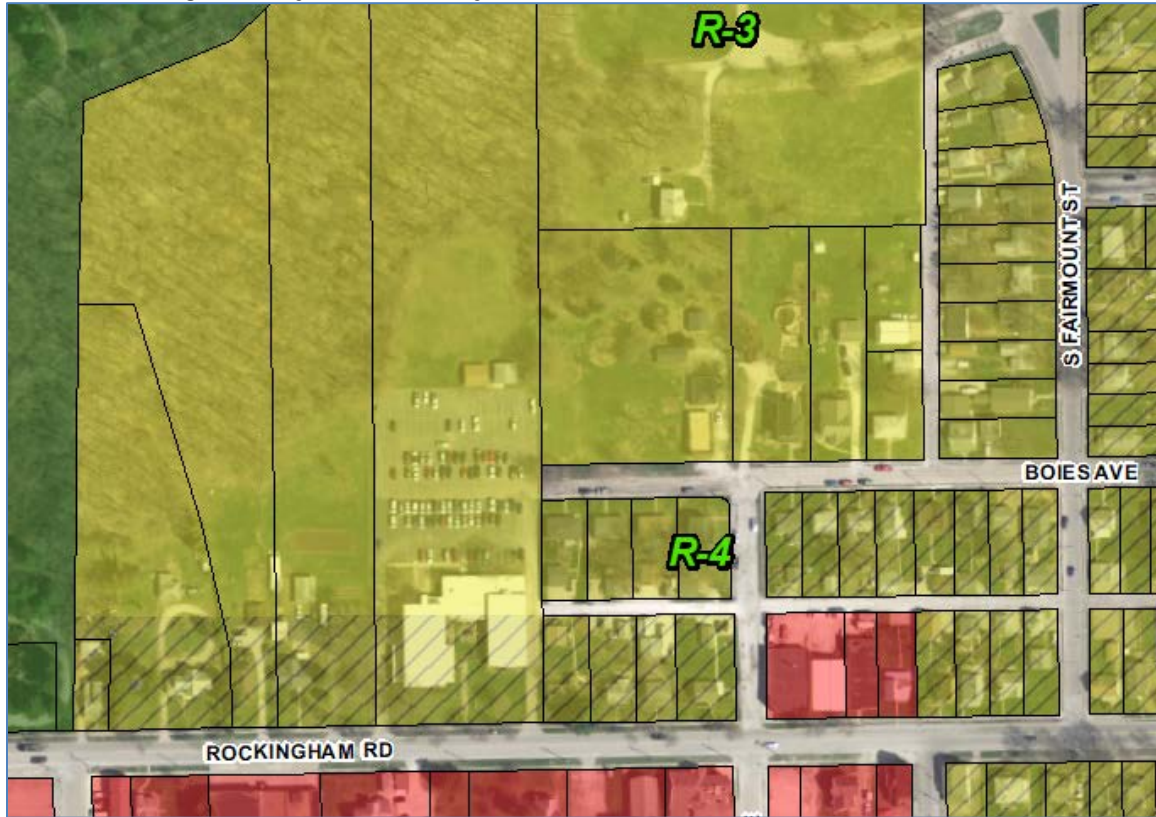
Recommendation: Staff recommends the City Plan and Zoning Commission accept the listed findings and forward F19-15 to the City Council with a recommendation for approval as proposed.

Aerial Photo:



Zoning

(R-3 & R-4 Single-Family & Two-Family Residential)

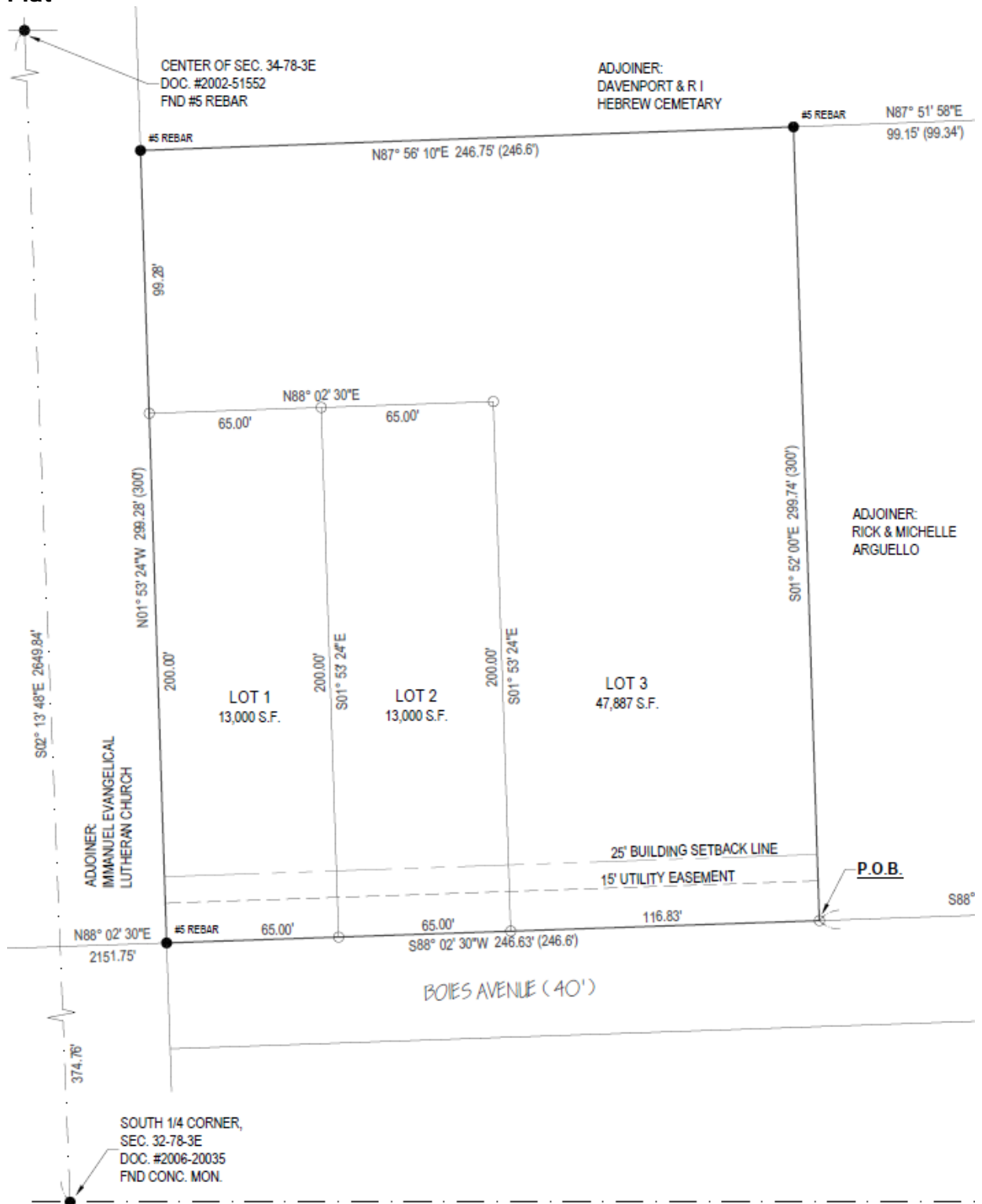


Land Use 2035

(Industry, Corridor Commercial, Residential General & Civic/Institutional)



Plat



BACKGROUND

Comprehensive Plan:

Within Urban Service Area (USB35): Yes

Future Land Use Designation: Residential General

Technical Review:

Streets. No new streets are proposed with this request.

Storm Water. The plat will need to conform to any requirements of the City of Davenport Natural Resources Division.

Sanitary Sewer. Sanitary sewer service is located along the street. No new service will be required.

Other Utilities. Normal utility services are available nearby in this developed area.

Parks/Open Space. No park shall be required with this infill development.

DISCUSSION

Planning Staff has reviewed this plat and confirmed that the plat conforms to the requirements of the subdivision code.

STAFF RECOMMENDATION

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat has achieved consistency with subdivision requirements.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward F19-15 to the City Council with a recommendation for approval as proposed.

Prepared by:



Scott Koops, AICP – Planner II
Community Planning

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Ryan Rusnak 563-888-2022
rrusnak@ci.davenport.ia.us

Date
9/17/2019

Subject:

Case F19-16: Request of Cook Real Estate Development for a final plat of A Lot of Storage Subdivision on 5.53 acres located in unincorporated Scott County southwest of the Locust Street/Interstate 280 Interchange containing 2 lots. [Adjacent to Ward 1]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed finding and forward case F19-16 to the City Council with a recommendation for approval.

Background:

This property is contiguous with the City limits. The City has the authority to review subdivisions within 2 miles of its boundary.

This subdivision will have to be approved by both Scott County and the City. The County has the final say; and in practice has not taken final action until the City completes its process.

It is staff's opinion that the plat would not have adverse effects to the City of Davenport.

Recommendation:

Finding:

1. The plat does not achieve consistency with subdivision requirements nor is the location of the development within the urban service area.

Staff recommends the Plan and Zoning Commission accept the listed finding and forward case F19-16 to the City Council with a recommendation for approval.

ATTACHMENTS:

Type	Description
▣ Backup Material	Final Plat
▣ Backup Material	Scott County Information
▣ Backup Material	Aerial Photograph

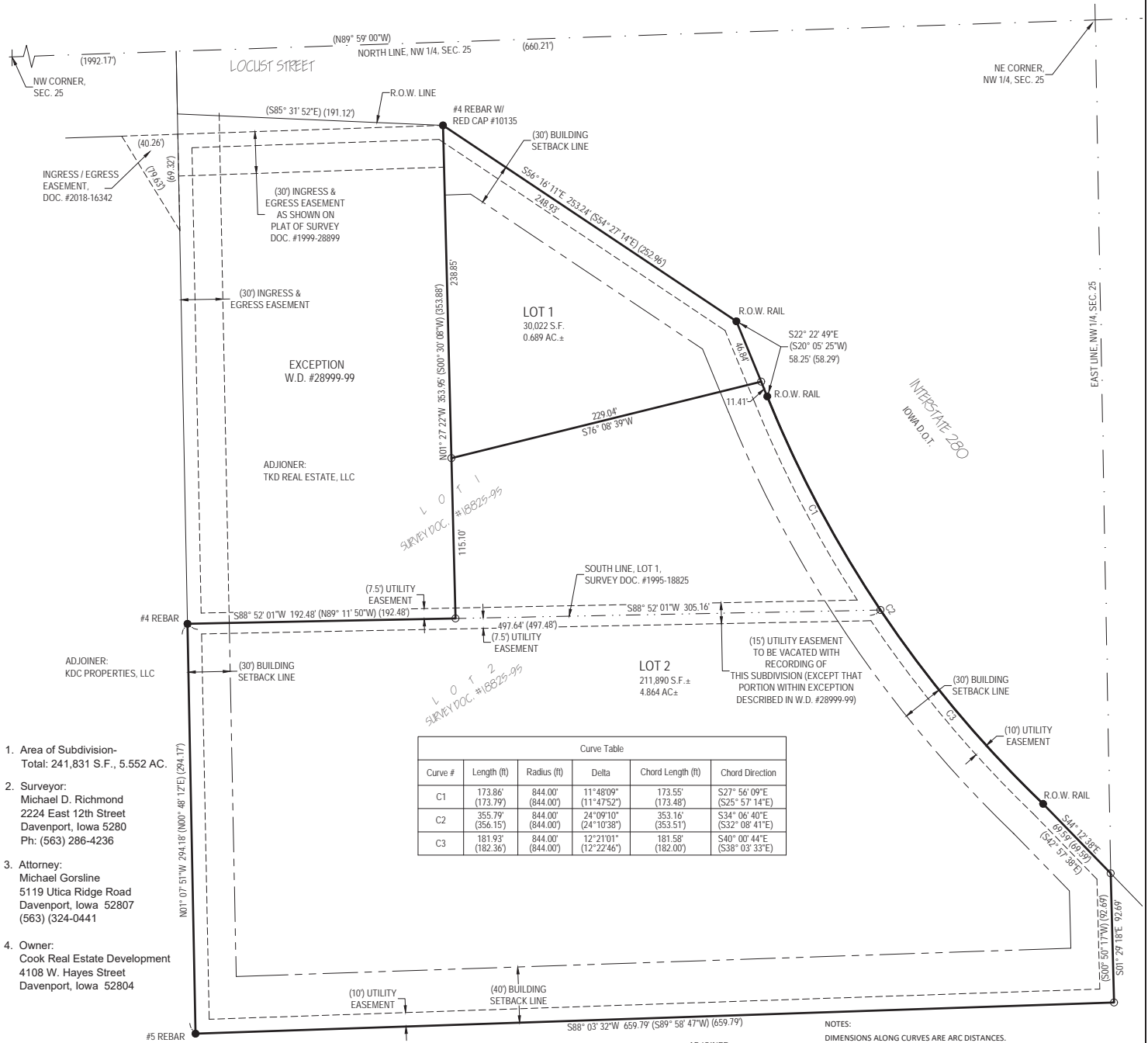
Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	9/10/2019 - 1:13 PM

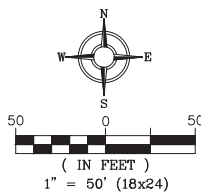
FINAL PLAT OF:
**A LOT OF STORAGE
SUBDIVISION**

BEING PART OF THE EAST HALF OF THE NORTHWEST
QUARTER OF SECTION 25, TOWNSHIP 78 NORTH,
RANGE 2 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
SCOTT COUNTY, IOWA.



- Area of Subdivision-
Total: 241,831 S.F., 5.552 AC.
- Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52807
Ph: (563) 286-4236
- Attorney:
Michael Gorsline
5119 Utica Ridge Road
Davenport, Iowa 52807
(563) (324-0441)
- Owner:
Cook Real Estate Development
4108 W. Hayes Street
Davenport, Iowa 52804

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	173.86' (173.79')	844.00' (844.00')	11°48'09\"	173.55' (173.48')	S27°56'09\"E (S25°57'14\"E)
C2	355.79' (356.15')	844.00' (844.00')	24°09'10\"	353.16' (353.51')	S34°06'40\"E (S32°08'41\"E)
C3	181.93' (182.36')	844.00' (844.00')	12°21'01\"	181.58' (182.00')	S40°00'44\"E (S38°03'33\"E)



THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOD 12A, NAD 83
(2011) EPOCH 2010.00.

MID AMERICAN ENERGY

BY: _____ DATE _____

CENTURYLINK

BY: _____ DATE _____

SCOTT COUNTY PLANNING AND DEVELOPMENT

BY: _____ DATE _____
MEETS SUBDIVISION AND ZONING REQUIREMENTS

NOTES:
DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

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

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

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



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 Land Surveyor
under the laws of the State of Iowa.
MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2019
Pages or sheets covered by this seal: 1

PLANNING & DEVELOPMENT

500 West Fourth Street

Davenport, Iowa 52801-1106

Office: (563) 326-8643 Fax: (563) 326-8257

Email: planning@scottcountyiowa.com



Timothy Huey
Director

NOTICE OF PLANNING AND ZONING COMMISSION PUBLIC HEARING FOR A SKETCH PLAN/FINAL PLAT OF A MINOR SUBDIVISION

In accordance with the Subdivision Ordinance for unincorporated Scott County, the Planning and Zoning Commission will hold a public hearing for a sketch plan/final plat of a minor subdivision on **Tuesday, August 20, 2019 at 7:00 P.M.** This notice is being sent to property owners of record within 500 feet of the property in question and to appropriate County officials. The meeting will be held in the **1st Floor Board Room, Scott County Administrative Center, 600 W. 4th Street, Davenport, Iowa 52801.**

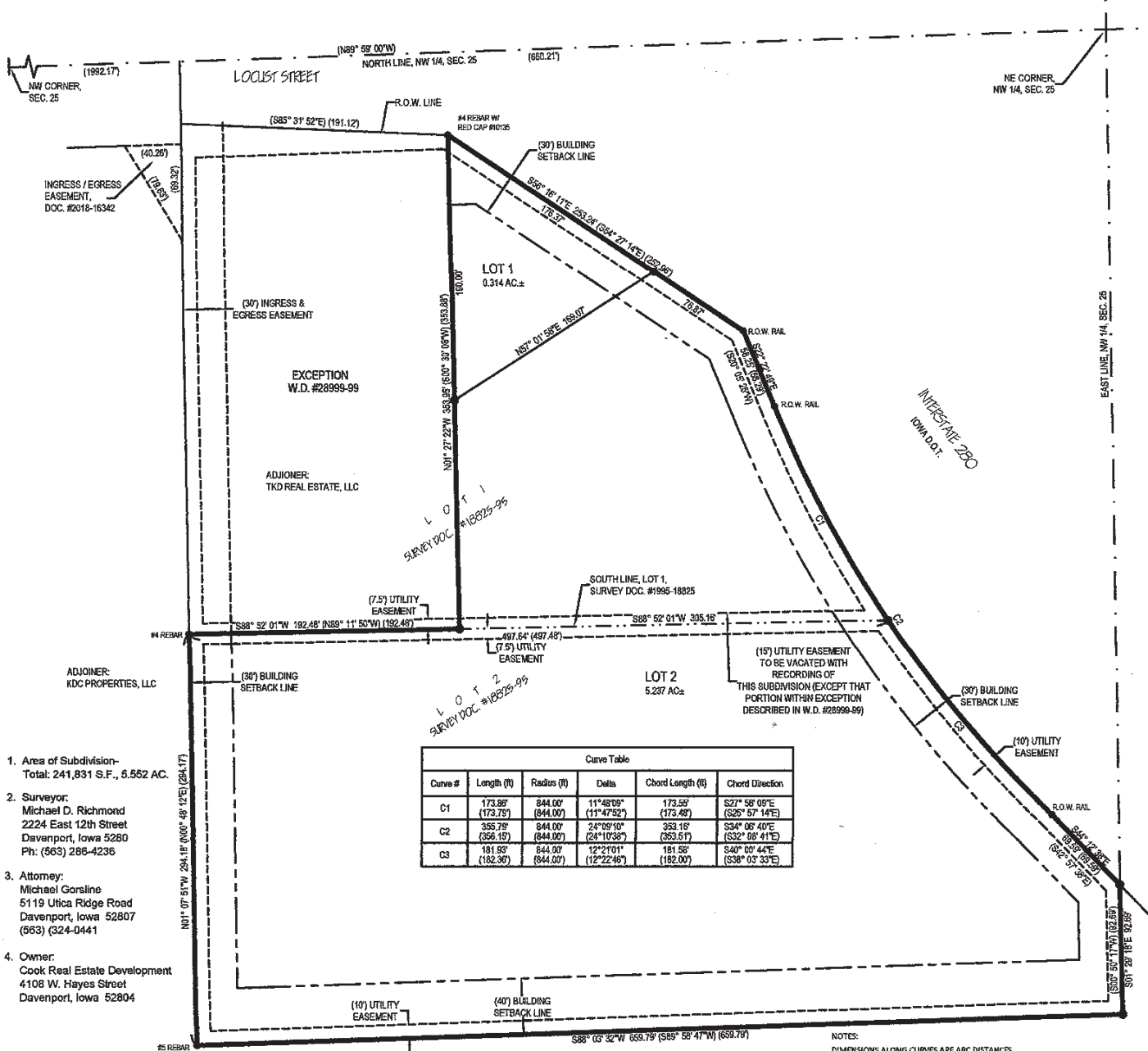
An application has been submitted by **Jeff Cook DBA Cook Real Estate Development** for a sketch plan/final plat of a Minor Subdivision known as A Lot of Storage. The plan proposes to subdivide an existing 5.5 acre parcel, more or less, into two (2) new lots. Lot 1 will be 0.3 acres and Lot 2 will be 5.3 acres, more or less. The property is zoned Commercial Light Industrial (C-2) and is located directly south of 160th Street (Locust Street) and directly west of Interstate I-280. The property is legally described as part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Blue Grass Township (Parcel ID#: 822503004). A copy of the proposed subdivision is included on the reverse side of this notice.

If you have questions or comments regarding this meeting or the proposed plat please call, write or email the Planning and Development Department, 600 West Fourth Street, Davenport, Iowa 52801, (563)-326-8643, planning@scottcountyiowa.com or attend the meeting.

Timothy Huey
Director

FINAL PLAT OF:
**A LOT OF STORAGE
SUBDIVISION**

BEING PART OF THE EAST HALF OF THE NORTHWEST QUARTER
OF SECTION 25, TOWNSHIP 78 NORTH, RANGE 2 EAST OF THE
FIFTH PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA.



1. Area of Subdivision-
Total: 241,831 S.F., 5.562 AC.

2. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 286-4236

3. Attorney:
Michael Gorsline
5119 Utica Ridge Road
Davenport, Iowa 52807
(563) (324-0441)

4. Owner:
Cook Real Estate Development
4108 W. Hayes Street
Davenport, Iowa 52804

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C3	181.83 (182.36)	844.00 (844.00)	12°21'01" (12°22'46")	181.58 (182.00)	S40°00'44"E (S38°03'33"E)

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THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND
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BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS,
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WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.

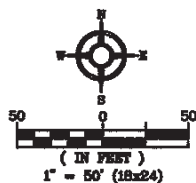
I hereby certify that this land surveying document was prepared and
the related survey work was performed by me or under my direct
personal supervision and that I am a duly licensed Land Surveyor
under the laws of the State of Iowa.



MICHAEL D. RICHMOND
Iowa License Number: 20050
My license renewal date is December 31, 2019
Pages or sheets covered by this seal: 1

LEGEND:

DEED DIMENSION = (0.00)
FIELD DIMENSION = 0.00
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 =
BOUNDARY LINE =
FENCE LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE =



THIS MEASURED BEARING IS GIVEN
HEREON AND BASED ON THE US STATE
PLANE COORDINATE SYSTEM, NAD 83
SCOTT ZONE (0 450) GRID 12A, NAD 83
GDA 11 130000 2014.00.

MID AMERICAN ENERGY

BY: _____ DATE _____

CENTURYLINK

BY: _____ DATE _____

SCOTT COUNTY PLANNING AND DEVELOPMENT

BY: _____ DATE _____
MEETS SUBDIVISION AND ZONING REQUIREMENTS

**TOWNSEND
ENGINEERING**

DATE: 7/16/2019
563-286-4236
2224 East 12th Street, Davenport, IA 52803

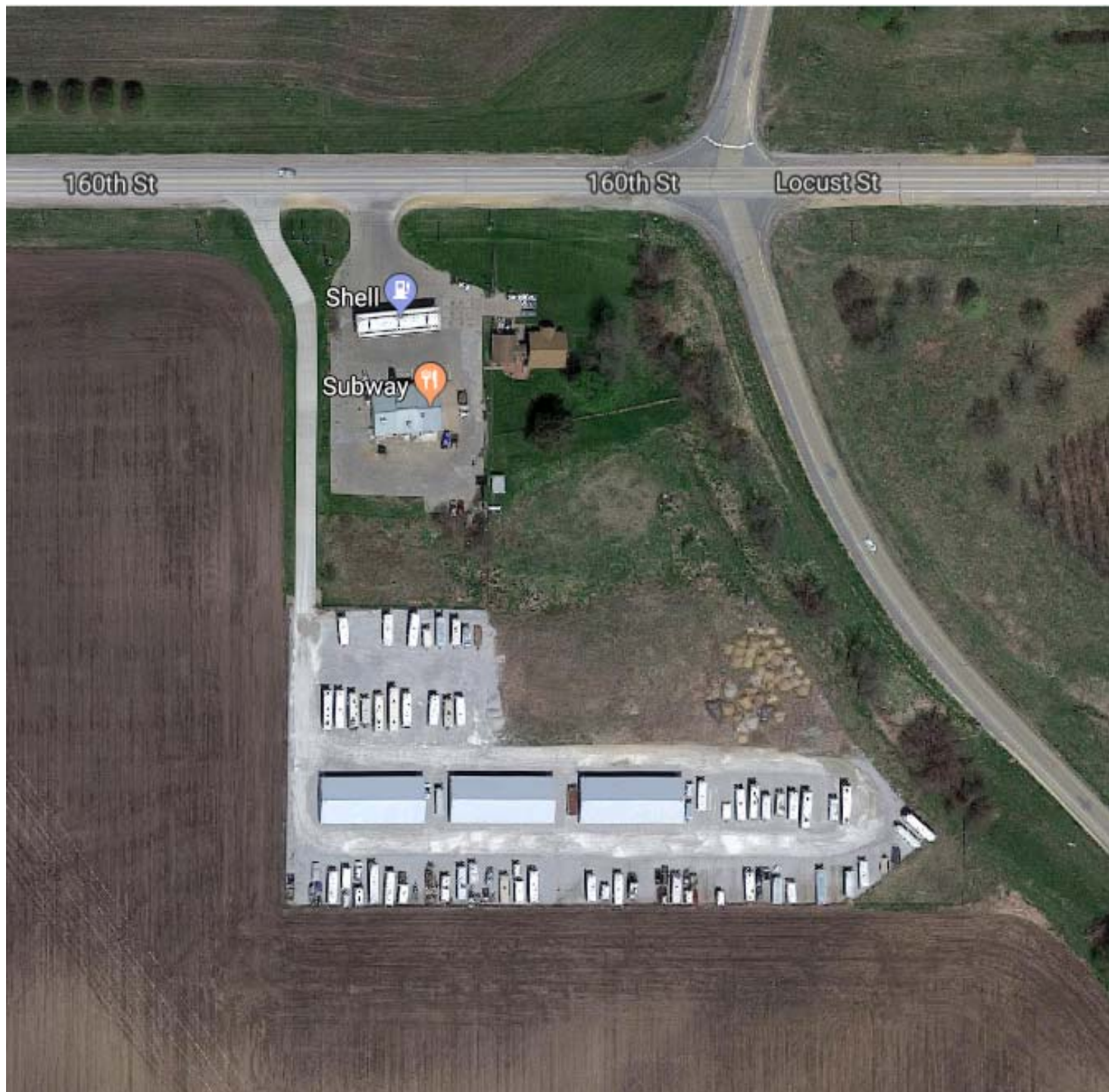
DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DRAWN BY: [Signature]

NO.	REVISION	DATE

PROJECT
FINAL PLAT
A LOT OF STORAGE SUBDIVISION
DAVENPORT, IOWA

PREPARED FOR:
JEFF COOK
4108 HAYES STREET
DAVENPORT, IOWA 52804

SHEET NO.
1
OF
1



City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development
Contact Info: Brandon Melton; 563-888-2221;
brandon.melton@ci.davenport.ia.us

Date
9/17/2019

Subject:

Case P19-03: Request of Axiom Consultants for a Preliminary Plat for an 83 lot subdivision on 25.07 acres, more or less, of property located immediately west and north of Prairie Heights First Addition.

Recommendation:

Staff recommends the Plan and Zoning Commission accept the two listed findings and forward Case P19-03 to the City Council subject to the nine listed conditions.

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Residential General (RG) – Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered. .

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

The proposed Preliminary Plat would comply with the Davenport 2035 proposed land use section.

Zoning:

The property is currently zoned R-4 Single-Family + Two Family Residential Zoning District.

Technical Review:

Streets. The property would have access via Olde Brandy Lane, Parkview Lane and potentially a new connection with Veteran's Memorial Parkway.

Storm Water. The development will include more than 5,000 square feet of hard surface. There are currently three labeled outlots but their intended purpose is not clear at this time. This will be defined before council considers. With R-4 zoning, the maximum impervious surface coverage will be 60% of each of the 83 buildable lots. Otherwise, the development will need to comply with

the City's stormwater requirements.

Sanitary Sewer. Sanitary sewers will need to be extended from existing infrastructure on Deere Creek Lane, Olde Brandy Lane, and College Avenue.

Other Utilities. Other Normal utility services are available

Public Input:

No public hearing is required for a Preliminary Plat.

Discussion:

The request is for a Preliminary Plat for an 83 lot subdivision on 25.07 acres, more or less, of property

Recommendation:

Findings:

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

Staff recommends the Plan and Zoning Commission accepted the listed findings and forward Case P19-03 to the City Council with a recommendation for approval subject to the following nine conditions:

1. That the intended purpose of outlots A, B, and C be noted and conform to the subdivision ordinance;
2. That water course within outlot A be shown;
3. That 100 year flow route be shown and demonstrate existing culverts and roadway overtopping can manage without lot flooding;
4. That Veterans Memorial Parkway be labeled;
5. That Olde Brandy Lane continue or culdesac;
6. That if accessing Veteran's Memorial Parkway, one access would be allowed and would be as far east as possible away from the bridge;
7. That drainage easements be provided to convey stormwater from individual lots to detention and water quality practices;
8. That water detention and quality be located in labeled easements;
9. That a note be added to the plat stating that detention and water quality treatment are required for this subdivision

ATTACHMENTS:

Type	Description
▢ Backup Material	Preliminary Plat
▢ Backup Material	Land Use Map
▢ Backup Material	Zoning Map

Staff Workflow Reviewers

REVIEWERS:

Department

City Clerk

Reviewer

Flynn, Matt

Action

Approved

Date

9/13/2019 - 10:47 AM

PROJECT VICINITY MAP

The map shows the project location (hatched area) situated near the intersection of I-61, I-80, and I-461. Major roads include I-61, I-80, I-461, W 63rd St, W 59th St, E 59th St, E 60th St, E 61st St, E 62nd St, E 63rd St, E 64th St, E 65th St, E 66th St, E 67th St, E 68th St, E 69th St, E 70th St, E 71st St, E 72nd St, E 73rd St, E 74th St, E 75th St, E 76th St, E 77th St, E 78th St, E 79th St, E 80th St, E 81st St, E 82nd St, E 83rd St, E 84th St, E 85th St, E 86th St, E 87th St, E 88th St, E 89th St, E 90th St, E 91st St, E 92nd St, E 93rd St, E 94th St, E 95th St, E 96th St, E 97th St, E 98th St, E 99th St, E 100th St. Other roads include W 63rd St, W 59th St, E 59th St, E 60th St, E 61st St, E 62nd St, E 63rd St, E 64th St, E 65th St, E 66th St, E 67th St, E 68th St, E 69th St, E 70th St, E 71st St, E 72nd St, E 73rd St, E 74th St, E 75th St, E 76th St, E 77th St, E 78th St, E 79th St, E 80th St, E 81st St, E 82nd St, E 83rd St, E 84th St, E 85th St, E 86th St, E 87th St, E 88th St, E 89th St, E 90th St, E 91st St, E 92nd St, E 93rd St, E 94th St, E 95th St, E 96th St, E 97th St, E 98th St, E 99th St, E 100th St. The project location is marked with a black square and a label "PROJECT LOCATION" with an arrow pointing to it. A north arrow is in the top right corner.

NOT TO SCALE

LINE TABLE		
LINE #	LENGTH	BEARING
L1	194.09	S02° 39' 48"E
L2	75.00	S87° 20' 12"W
L3	142.67	S70° 40' 43"W
L4	15.75	S19° 19' 17"E
L5	199.04	S70° 40' 43"W
L6	51.27	S77° 26' 54"W
L7	155.20	S61° 37' 38"W
L8	50.11	N35° 22' 21"W
L9	60.00	N65° 21' 33"W
L10	155.54	N24° 11' 36"E
L11	79.70	N65° 48° 24"W
L12	155.34	S20° 22' 46"W
L13	112.83	N65° 48' 24"W
L14	141.04	N57° 21' 29"W
L15	101.82	N42° 49' 17"W
L16	52.41	N01° 10' 04"W
L17	143.86	S01° 44' 33"W
L18	48.76	N87° 34' 58"E
L19	147.76	N11° 17' 28"E

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

LOT 12

CITY OF DAVENPORT

LOT 11

OL B
0.00 AC
139 SF

L18

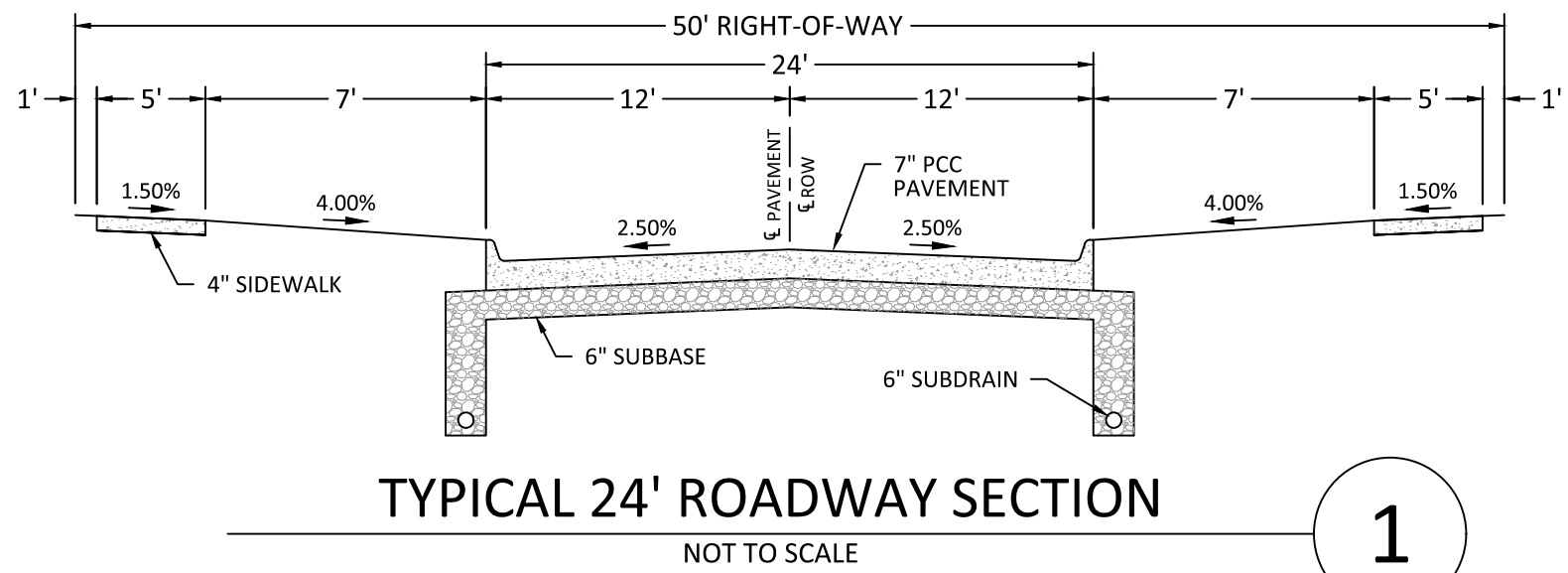
49'

OLDE BRANDY LANE

OUTLOT B DETAIL

1" = 20'

1



- PREPARED BY:**
AXIOM CONSULTANTS, LLC
MICHAEL J. WELCH, PE
60 E. COURT STREET, UNIT 3
IOWA CITY, IOWA 52240

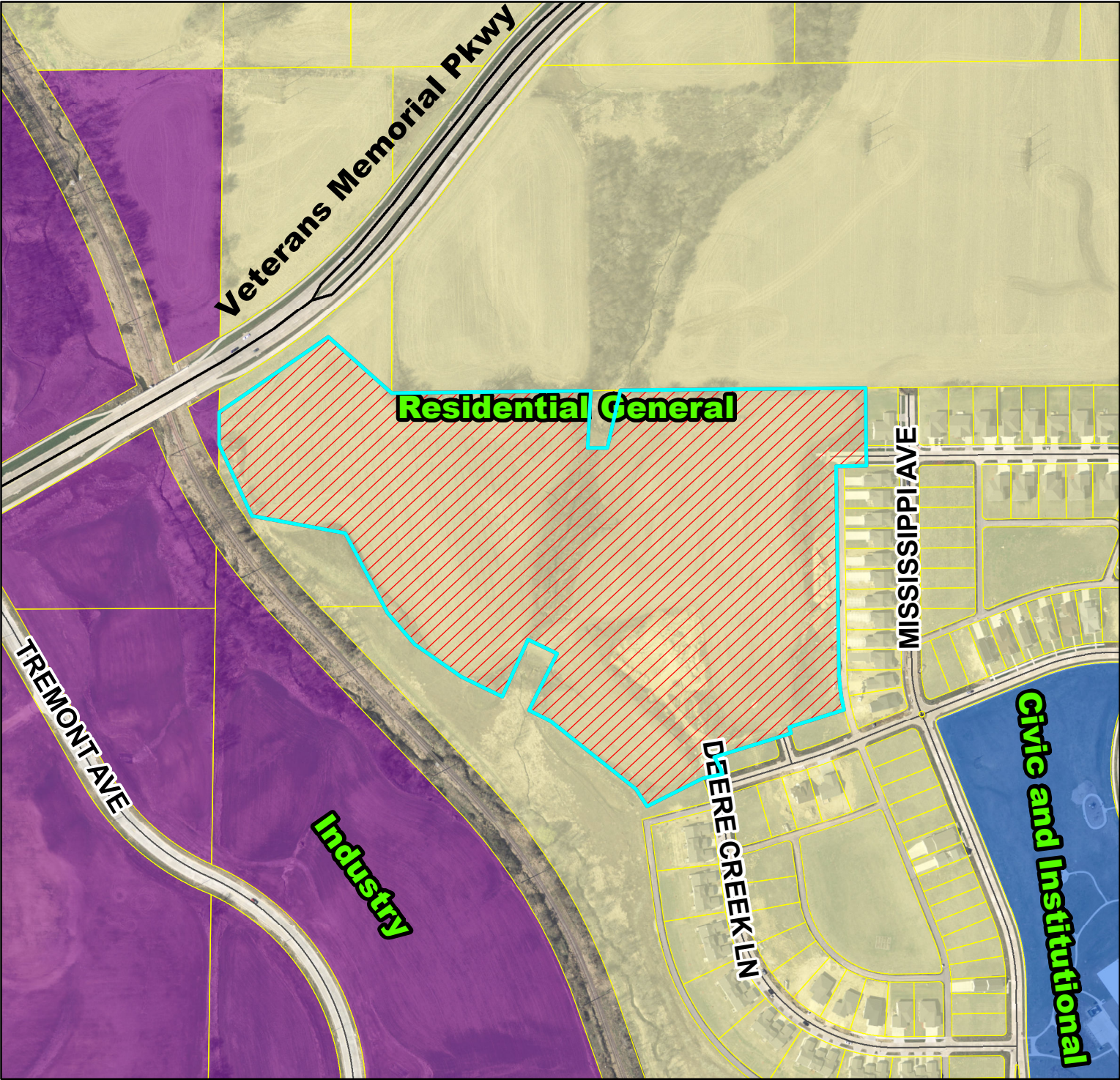


ISSUED FOR:	PRELIMINARY	
	DATE ISSUED: AUGUST 26, 2019	CURRENT REV:

PROJECT NAME:
PRAIRIE HEIGHTS
THIRD ADDITION

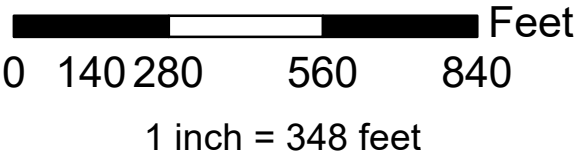
SHEET NAME: PRELIMINARY PLAT

P19-03 - Land Use Map

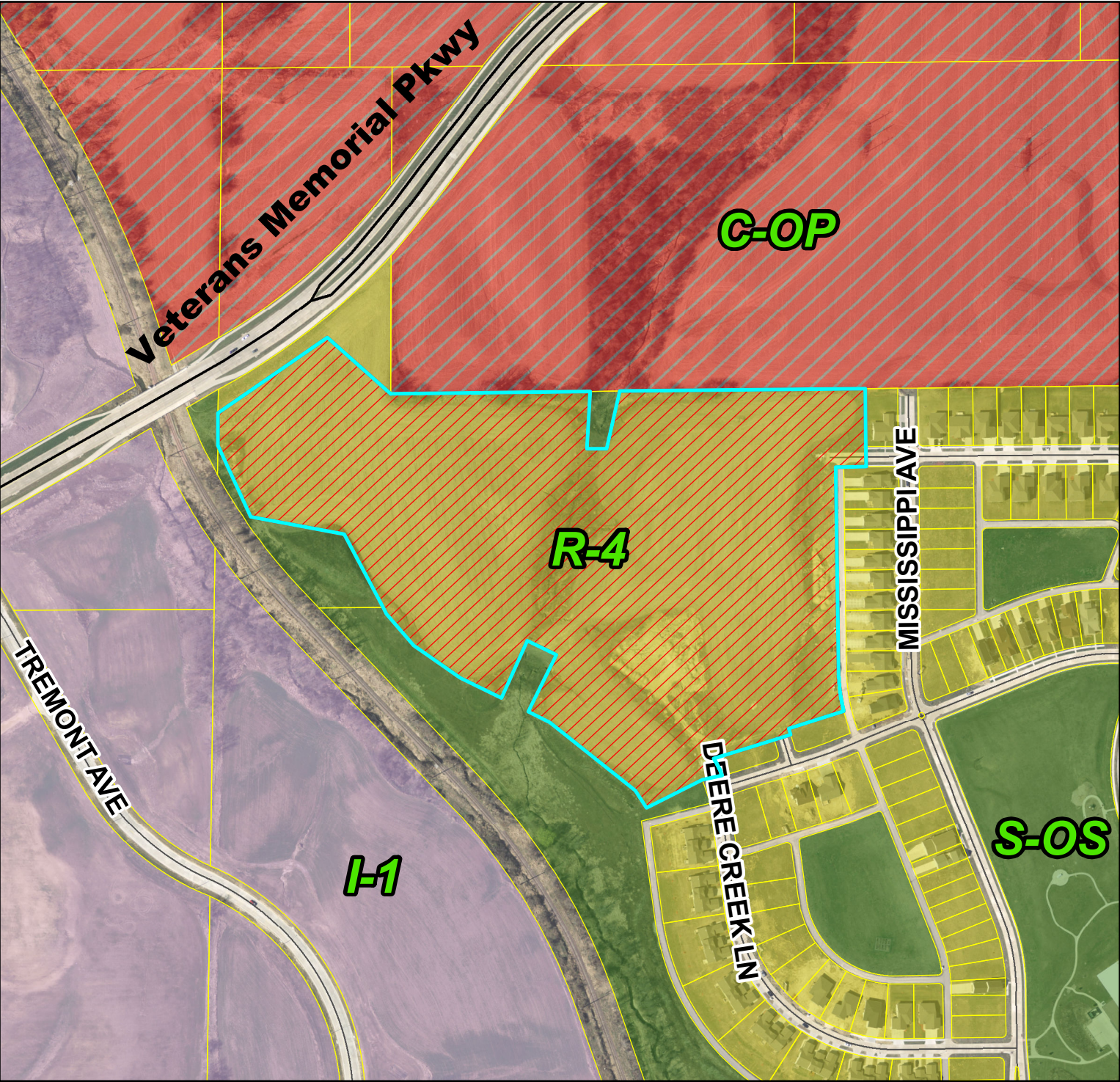


Legend

 Subject_Property



P19-03 - Zoning Map



Legend

Subject_Property

