PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, DECEMBER 3, 2019; 5:00 PM

CITY HALL COUNCIL CHAMBERS, 226 WEST 4TH STREET

I. Old Business

A. Public Hearing for Case No. REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8] CONTINUED FROM THE NOVEMBER 5, 2019 MEETING

II. New Business

A. Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

A. 1. Third Consideration: Ordinance for Case ORD19-03 being the request of the City of Davenport to reduce the maximum building height in portions of the CE, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6] ADOPTED 2019-511
2. Third Consideration: Ordinance for case REZ19-10 being the request of Larry Whitty on behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of W Locust St and Ripley St from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District. [Ward 4] ADOPTED 2019-512

III. Secretary's Report

A. Consideration of the minutes of the November 19, 2019 meeting.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business: None

B. New Business: None

VI. Subdivision Activity

A. Old Business: None

B. New Business

i. Case F19-19: Request of Classic Development Co. Inc. for a Final Plat for a 4 lot subdivision on 3.77 acres, more or less, of property located east of Waverly Road near the intersection of West 13th Street and Waverly Road. [Ward 1]

ii. Case F19-20 of Build to Suit for final plat Crow Valley Plaza 14th Addition on 2.1 acres, being a replat of part of lot 3 Crow Valley Plaza 2nd Addition located at 5445 & 5465 Utica Ridge Road containing 2 commercial lots. [Ward 6]

VII. Future Business

A. Case ROW19-02: Request to vacate a portion of the original Division Street Right-of-Way located between Ridgeview Drive and W. 76th Street. Earle Glaus, petitioner. [Ward 8]

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: CPED **Date**
Contact Info: Matt Flynn, 563-888-2286 **12/3/2019**

Subject:
Public Hearing for Case No. REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8] CONTINUED FROM THE NOVEMBER 5, 2019 MEETING

Recommendation:
Hold the Public Hearing

Background:
Reason for Request (Per Applicant): "This property is located at the S.W. Corner of N. Division Street and W. 76th Street and currently zoned as R-MF at this intersection and it is not suitable for residential at this busy intersection. To be compatible for future development, it should be zoned as "C-2" at a minimum since S.E. Corner and N.E. corners were zoned as commercial and industrial. Several developers are interested in this property if it is zoned as C-2 or higher to develop."

Additional justification is provided in the application, attached to this report.

Comprehensive Plan:

The property is located in the Urban Service Area.

The Future Land Use Designation is RG, Residential General.
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.

Surrounding Property Characteristics:

Subject Property: Vacant/agriculture; zoned R-MF, Residential Multi-Family.

North: Largely vacant/agriculture with one farmstead; zoned I-1, Light Industrial. W 76th Street, connecting the link between N. Division Street and Northwest Boulevard, was opened to the public on November 21, 2018.

Northeast: Light Industrial (Hardi agricultural implement sales/service); zoned I-1 Light Industrial.

East: Vacant/agriculture; zoned C-2, Corridor Commercial (approx.15.6 acres) and R-4, Single

and Two Family Residential. A preliminary plat, Inverness Estates, consisting of approximately 250 residential lots, was approved in 2017. According to the developer, this project is not moving forward at this time and in accordance with the Subdivision Ordinance, the preliminary plat has lapsed.

South: Single family residential; zoned R-3 Single and Two Family Residential.

Southwest: Ridgeview Park; zoned S-OS, Special Open Space District

West: Vacant; zoned R-4, Single and Two Family Residential.

Technical Review:

The property is served by the Goose Creek interceptor sewer.

N. Division Street is classified as a Major Arterial Street and is in excellent condition.

W. 76th Street is classified as a Collector Street and is in excellent condition.

Additional technical review comments will be presented as they become available.

Public Input:

Signs were placed on the property on October 15, 2019.

A public meeting was held on October 24, 2019. Approximately 10 people attended. Most concerns expressed was about poor drainage in the vicinity.

Notices were sent to 11 property owners within 200 feet notifying them of the neighborhood meeting and Plan and Zoning Commission Public Hearing.

Discussion and Recommendation:

Some factors to consider:

- Comprehensive Plan compatibility.
- Land Use transitioning.
- Need for land zoned C-2 at this location.
- Impact on infrastructure.

Full discussion will be presented at the December 17, 2019 Meeting.

Approval Standards for Map Amendments

a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies. Staff response:

b. The compatibility with the zoning of nearby property. Staff response:

c. The compatibility with established neighborhood character. Staff Response:

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

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

f. The extent to which the proposed amendment creates nonconformities. Staff response: The property is currently vacant and no nonconformities will be created.

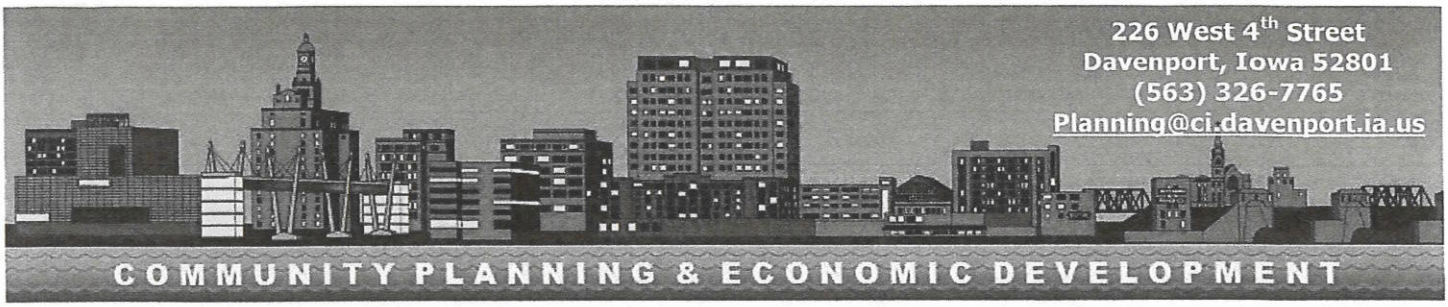
ATTACHMENTS:

	Type	Description
🗋	Backup Material	Full Application
🗋	Backup Material	Zoning Map
🗋	Backup Material	Future Land Use Map
🗋	Backup Material	Public Meeting Notice
🗋	Backup Material	200 foot notification
🗋	Backup Material	Public Hearing Notice
🗋	Backup Material	200 foot map
🗋	Backup Material	Public Hearing QCT

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	12/3/2019 - 10:04 AM



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

Property Address* S.W. CORNER OF N. DIVISION ST & W. 76TH STREET, DAVENPORT
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:	RAJU S. PENMATCHA
Company:	
Address:	9311 TURKEY HOLLOW ROAD
City/State/Zip:	TAYLOR RIDGE, IL 61284
Phone:	(309) 236-6042
Email:	RPENMATCHA@MSN.COM

Owner (if different from Applicant)

Name:	Dr. SORA REDDY, M.D.
Company:	S.B. REAL ESTATE, LLC
Address:	1100 36TH AVE
City/State/Zip	MOLINE, ILLINOIS 61265
Phone:	(309) 781-7919
Email:	SORAREDDY@YAHOO.COM

Engineer (if applicable)

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

Architect (if applicable)

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

Attorney (if applicable)

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

Application Form Type:

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

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

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

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

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

CITY OF DAVENPORT
Community Planning & Economic Dev.
OCT 11 2019
226 W 4th St
DAVENPORT IA 52801

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

Request:

Existing Zoning: R-MF

Proposed Zoning Map Amendment: C-2 (COMMERCIAL)

Purpose of the Request: PARCEL NUMBER: W0305-7B (7.04 ACRES)
THIS PROPERTY IS LOCATED AT THE S.W. CORNER OF N. DIVISION STREET AND W. 76TH STREET AND CURRENTLY ZONED AS R-MF AT THIS INTERSECTION AND IT IS NOT SUITABLE FOR RESIDENTIAL AT THIS BUSY INTERSECTION. TO BE COMPATABLE FOR FUTURE DEVELOPMENT, IT SHOULD BE ZONED AS "C-2" AS A MINIMUM SINCE S.E CORNER AND N.E. CORNERS WERE ZONED AS COMMERCIAL & INDUSTRIAL. SEVERAL DEVELOPERS ARE INTERESTED ON THIS PROPERTY IF IT IS ZONED AS C-2 OR HIGHER TO DEVELOP.

Total Land Area: 7.04 AC Please Select

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

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: RAJU S. PENMATCHA Date: Oct-10, 2019

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.

Authorization to Act as Applicant

I, Dr. SORA REDDY, M.D.
authorize RAJU S. PENMATCHA
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Signature(s)

State of Illinois,
County of Rock Island.
Sworn and subscribed to before me

This 10th day of October 2019

State of Illinois Drivers License
Form of Identification

Notary Public

My Commission Expires: 1.24.2023

PAULA THOMPSON
Official Seal
Notary Public - State of Illinois
My Commission Expires Jun 24, 2023

PROPERTY LOCATION MAP

REASONS FOR REZONING OF PARCEL NO: W0305-07B FROM R-MF (MULTIFAMILY RESIDENTIAL TO "C-2" COMMERCIAL:

1. WITH THE EXTENSION OF W.76TH STREET TO N.W.BLVD, THIS ROAD BECAME A MAIN COMMERCIAL AND INDUSTRIAL CORRIDOR AND THIS INTERSECTION OF N.DIVISION STREET AND W.76TH STREET IS BECOMING A MAJOR INTERSECTION WITH INDUSTRIAL TRAFFIC FROM NEW HEINZ AND STERILITE PLANTS.
2. THE NEW EXTENSION OF W.76TH STREET IS EXPECTED TO DRAW MORE INDUSTRIAL AND COMMERCIAL DEVELOPMENT ALONG THIS NEW CORRIDOR.
3. THIS 7 ACRE PARCEL W0305-07B IS MORE COMPATABLE FOR COMMERCIAL DEVELOPMENT COMPARED TO EXISTING "R-MF" ZONING AS RESIDENTIAL DUE TO BUSY TRAFFIC INTERSECTION.
4. THIS PARCEL IS SURROUNDED BY N.DIVISION STREET ON EAST, W.76TH STREET ON NORTH, GOOSE CREEK ON SOUTH & SOUTHWEST WITH A SCREEN OF WOODED AREA. ALSO, THE PARCEL TO EAST WAS ZONED AS "C-2" COMMERCIAL AND N.E CORNER WAS ALREADY DEVELOPED (HARDI EQUIPMENT) AS INDUSTRIAL. IT WILL HAVE NO IMPACT ON THE EXISTING RESIDENTIAL NEIGHBORHOOD ON NOISE AND VISIBILITY, THIS PARCEL STANDS BY ITSELF WITH NO NEGATIVE IMPACT ON THE EXISTING NEIGHBORHOOD.
5. SEVERAL LAND DEVELOPERS ARE ENQUIRING REGARDING THIS PARCEL TO DEVELOP AS COMMERCIAL HUB. THEY ARE INTERESTED ON THIS PARCEL DUE TO RIGHT SIZE OF 7AC COMPARED TO EAST C-2 PARCEL OF 16AC.

REQUEST REZONING THIS PARCEL FROM "R-MF" TO "C-2".

RESPECTFULLY

Raju S. Penmetsa Oct 10, 2019

600ft

2,434,317.328 594,349.531 Feet

Doc ID: 020306060004 Type: LAN
Recorded: 04/16/2015 at 01:25:43 PM
Fee Amt: $3,523.20 Page 1 of 4
Revenue Tax: $3,491.20
Scott County Iowa
Rita A. Vargas Recorder
File 2015-00008703

Prepared by: Thomas J. Pastrnak, 313 W. 3rd St., Davenport, IA 52801; (563) 323-7737
Address Tax Statement: SB Real Estate, LLC 350 John Deere Rd, Moline IL 61265
Return to: Vollertsen Brett & Gorsline PC

WARRANTY DEED
(LIMITED LIABILITY COMPANY GRANTOR)

For the consideration of Ten Dollar(s) and other valuable consideration, **JERSEY ROADS, L.C.,** an Iowa Limited Liability Company, ("Grantor") does hereby convey to **SB REAL ESTATE, LLC, an** Iowa **Limited Liability Company,** ("Grantee") the real estate located in Scott County, Iowa and being legally described as set forth on Exhibit A hereafter attached and incorporated herein by this reference ("Real Estate"), subject to covenants, restrictions and easements of record.

Grantor is a member-managed limited liability company, and the undersigned is authorized to act on behalf of Grantor, which includes execution of this deed. This conveyance is being made in the ordinary course of Grantor's business.

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

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

Dated this 13th day of April, 2015.

JERSEY ROADS, L.C., an Iowa Limited Liability Company,

By: _____
Cynthia S. Schalk, Managing Member

STATE OF IOWA)
) SS:
COUNTY OF SCOTT)

On this 13th day of April, 2015, before me, a Notary Public in and for said County and State aforesaid, personally appeared CYNTHIA S. SCHALK, to me personally known, who being by me duly sworn (or affirmed) did say that she is the Managing Member of JERSEY ROADS, L.C., an Iowa Limited Liability Company, and that said instrument was signed on behalf of the Limited Liability Company by authority of its Members, and the said CYNTHIA S. SCHALK acknowledged the execution of said instrument to be the voluntary act and deed of said Limited Liability Company, by it and by her voluntarily executed.

NOTARIAL SEAL IOWA
KAREN K. NIMRICK
Commission Number 718225
My Commission Expires
8/29/2015

Karen K. Nimrick
Notary Public in and for said County and State

[redacted]

TRACT 1

Part of the Northeast Quarter of Section 3, Township 78 North, Range 3 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa, more particularly described as follows:

Commencing at the northwest corner of said Northeast Quarter of Section 3; thence South 0 degrees 43 minutes 00 seconds East along the west line of said Northeast Quarter of Section 3, a distance of 35.01 feet to the POINT OF BEGINNING on the south right of way line of 76th Street; thence North 88 degrees 01 minute 15 seconds East along said line, a distance of 494.74 feet to the point of curvature of a non-tangent curve, concave to the Southwest, having a radius of 25.00 feet, a central angle of 90 degrees 44 minutes 38 seconds, and a chord of 35.58 feet bearing South 45 degrees 10 minutes 42 seconds East; thence Southeast along said curve, a distance of 39.59 feet to the point of curvature of a non-tangent curve, concave to the West, having a radius of 779.00 feet, a central angle of 39 degrees 14 minutes 26 seconds, and a chord of 523.15 feet bearing South 19 degrees 52 minutes 46 seconds West; thence South along said curve and westerly right of way line of Division Street, a distance of 533.52 feet; thence South 39 degrees 16 minutes 54 seconds West, a distance of 272.65 feet to the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 859.00 feet, a central angle of 2 degrees 54 minutes 35 seconds, and a chord of 43.62 feet bearing South 37 degrees 45 minutes 32 seconds West; thence Southwest along said curve, a distance of 43.62 feet; thence North 47 degrees 31 minutes 14 seconds West, a distance of 182.60 feet to the intersection with said west line of the Northeast Quarter; thence North 0 degrees 43 minutes 00 seconds West, a distance of 622.24 feet to the POINT OF BEGINNING; said described tract containing 284,055 square feet (6.52 acres), more or less.

TRACT 2

Part of the Northeast Quarter of Section 3, Township 78 North, Range 3 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa, more particularly described as follows:

Commencing at the East Quarter corner of said Section 3, said point being the POINT OF BEGINNING; thence South 87 degrees 35 minutes 24 seconds West along the south line of said Northeast Quarter, a distance of 1849.99 feet to the east line of Lot Oakbrook North 1st Addition; thence North 1 degree 38 minutes 10 seconds West along said east line, a distance of 330.10 feet to the south line of Oakbrook North 2nd Addition; thence North 87 degrees 41 minutes 17 seconds East along said south line, a distance of 70.98 feet; thence following the easterly boundary of said Oakbrook North 2nd Addition, North 2 degrees 17 minutes 42 seconds West, a distance of 119.87 feet; thence South 88 degrees 25 minutes 08 seconds West, a distance of 6.18 feet; thence North 2 degrees 27 minutes 23 seconds West, a distance of 180.23 feet; thence South 87 degrees 34 minutes 57 seconds West, a distance of 288.16 feet; thence North 2 degrees 16 minutes 08 seconds West, a distance of 179.98 feet; thence South 88 degrees 51 minutes 30 seconds West, a distance of 16.04 feet; thence North 2 degrees 00 minutes 34 seconds West, a distance of 132.20 feet to the northeast corner of Lot 27 in said Oakbrook North 2nd Addition; thence following the easterly boundary of Oakbrook North 3rd Addition, North 73 degrees 43 minutes 09 seconds East, a distance of 98.99 feet; thence North 12 degrees 51

Exhibit "A"

minutes 29 seconds West, a distance of 168.88 feet; thence North 13 degrees 38 minutes 35 seconds West, a distance of 50.86 feet; thence North 2 degrees 35 minutes 35 seconds West, a distance of 322.31 feet; thence North 77 degrees 56 minutes 41 seconds West, a distance of 110.39 feet; thence North 46 degrees 30 minutes 44 seconds West, a distance of 381.37 feet to the intersection with the easterly right of way line of Division Street at a point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 779.00 feet, a central angle of 3 degrees 06 minutes 13 seconds, and a chord of 42.19 feet bearing North 37 degrees 39 minutes 19 seconds East; thence Northeast along said curve and easterly right of way line, a distance of 42.20 feet; thence North 39 degrees 16 minutes 59 seconds East, a distance of 275.49 feet to the point of curvature of a non-tangent curve, concave to the West, having a radius of 859.00 feet, a central angle of 39 degrees 21 minutes 07 seconds, and a chord of 578.45 feet bearing North 19 degrees 36 minutes 26 seconds East; thence North along said curve, a distance of 589.98 feet to the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 25.00 feet, a central angle of 89 degrees 20 minutes 07 seconds, and a chord of 35.15 feet bearing North 44 degrees 37 minutes 04 seconds East; thence Northeast along said curve, a distance of 38.98 feet; thence North 88 degrees 01 minute 15 seconds East along the south right of way line of 76th Street, a distance of 2023.21 feet to the east line of said Northeast Quarter of Section 3; thence South 0 degrees 45 minutes 10 seconds East, a distance of 2590.17 feet to the POINT OF BEGINNING; said described tract containing 5,379,935 square feet (123.51 acres), more or less.

497978

735707 CORG $50.00 KARE 2 4/21/15

CERTIFICATE OF ORGANIZATION

OF

SB REAL ESTATE, L.L.C.

TO: THE IOWA SECRETARY OF STATE

Pursuant to Section 201 of the Iowa Limited Liability Company Act, the undersigned hereby adopts the following Certificate of Organization for the limited liability company:

SECTION 1. Name.

The name of the limited liability company is: SB REAL ESTATE, L.L.C.

SECTION 2. Initial Registered Agent and Registered Office.

The name of the company's initial registered agent and the street address of the company's initial registered office are:

Michael L. Gorsline
VOLLERTSEN, BRITT & GORSLINE, P.C.
5119 Utica Ridge Road
Davenport, Iowa 52807

Dated this 03 day of 30, 2015.

Sora Reddy, Organizer

FILED
IOWA
SECRETARY OF STATE
4-3-15
8:41A
W969298

002/002 VOLLERTSEN, BRITT, GORSLIN

IOWA SECRETARY OF STATE
PAUL D. PATE

CERTIFICATE OF EXISTENCE

Issue Date: 10/8/2019

Name: SB REAL ESTATE, L.L.C. (489DLC - 497978)
Date of Incorporation: 4/3/2015
Duration: PERPETUAL

I, Paul D. Pate, Secretary of State of the State of Iowa, custodian of the records of incorporations, certify the following for the limited liability company named on this certificate:

a. The entity is in existence and duly incorporated under the laws of Iowa.

b. All fees, taxes and penalties required under the Revised Uniform Limited Liability Company Act and other laws due the Secretary of State have been paid.

c. The most recent biennial report required has been filed with the Secretary of State.

d. The Secretary of State has not administratively dissolved the limited liability company.

e. The Secretary of State has not filed either a statement of dissolution or statement of termination.

Certificate ID: **CS179446**

To validate certificates visit:
sos.iowa.gov/ValidateCertificate

Paul D. Pate, Iowa Secretary of State

PAUL D. PATE

SERVICE · PARTICIPATION · INTEGRITY

IOWA 2019 BIENNIAL REPORT
for an IOWA
LIMITED LIABILITY COMPANY
Required by Iowa Code
Chapter 489

PAUL D. PATE
Secretary of State

FILED

Date: **6/17/2019 8:30 AM**
Corp No: **497978**
Cert No: **A19497978**

1. Name of the limited liability company, its registered agent and office.

SB REAL ESTATE, L.L.C.
MICHAEL L GORSLINE
VOLLERTSEN BRITT & GORSLINE P C
5119 UTICA RIDGE ROAD
DAVENPORT IA 52807

2. Street address of the principal office of the limited liability company:

Name

Address

1100 36TH AVE

Address

City	State	Zip	Country
MOLINE	IL	61265	USA

3. Does the limited liability company hold an interest in agricultural land in Iowa? No

4. Is the limited liability company a "family farm limited liability company"? No

5. Signed: SORA REDDY Capacity: MANAGER

Parcel "B" - rezoned to "PDD" (COMMERCIAL : 15.872 AC)

Commencing at the northwest corner of said Northeast Quarter, thence North 88 degrees-44'-15" East 624.09 feet along the north line of said Northeast Quarter; thence South 01 degrees-15'-45" East 35.00 feet to the southerly right-of-way line of 76th Street and the point of beginning; thence North 88 degrees-44'-15" East 1306.29 feet along said right-of-way; thence South 10 degrees-13'-37"West 459.20 feet; thence South 88 degrees-44'-15" West 973.32 feet; thence South 30 degrees-05'-17' West 416.20 feet; thence North 50 degrees-00'-00" West 350.00 feet to the beginning of a curve, concave westerly having a radius of 859.00 feet, the chord of which bears North 19 degrees-55'-01" East for a distance of 589.93 feet; thence on the arc of said curve for a distance of 602.18 feet to the beginning of a curve, concave southeasterly having a radius of 25.00 feet, the chord of which bears North 44 degrees-17'-09" East for a distance of 35.02 feet; thence on the arc of said curve for a distance of 38.79 feet to the point of beginning. Said Parcel "B" contains 15.872 acres, more or less.

Parcel "C" - rezoned to "R-6M" (LEGAL DESCRIPTION PARCEL W0305-07B)
(S.W. CORNER OF N. DIVISION ST & W. 76TH STREET) REZONED AS R-MF

Beginning at the northwest corner of said Northeast Quarter, thence North 88 degrees-44'-15" East 494.07 feet along the north line of said Northeast Quarter to the westerly right-of-way line of Division Street; thence South 01 degrees-15'-45" East 35.00 feet along said right-of-way line to the beginning of a curve, concave southwesterly having a radius of 25.00 feet, the chord of which bears South 45 degrees-37'-10" East for a distance of 35.75 feet; thence along the arc of said curve and said right-of-way line for a distance of 39.83 feet to the beginning of a curve, concave westerly having a radius of 779.00 feet, the chord of which bears South 20 degrees-00'-42" West for a distance of 532.57 feet; thence along the arc of said curve on said right-of-way line for a distance of 543.53 feet; thence South 39 degrees-52'-30" West 309.55 feet along said right-of-way line; thence North 46 degrees-48'-19" West 191.59 feet to the west line of the Northeast Quarter of said Section 3; thence North 00 degrees 00'-38" East 655.95 feet along said line to the point of beginning. Said Parcel "C" contains 7.039 acres, more or less.

Parcel "D" - rezoned to "R-4 P.U.D."

Commencing at the northwest corner of said Northeast Quarter, thence North 88 degrees-44'-15" East 2607.30 feet along the north line of said Northeast Quarter; thence South 01 degrees-15'-45" East 35.00 feet to the southerly right-of-way line of 76th Street; thence South 00 degrees-02'-09" East 199.89 feet; thence North 89 degrees-57'-50" East 5.00 feet; thence South 00 degrees-02'-09" East 400.14 feet to the point of beginning; thence South 00 degrees-02'-09" East 1785.12 feet; North 51 degrees-43'-20" West 496.78 feet; thence North 56 degrees-03'-26" West 369.81 feet; thence North 48 degrees-07-14" West 274.19 feet; thence 35 degrees-13'-13" West 427.35 feet; thence North 77 degrees-50'-01" West 1021.89 feet; thence North 45 degrees-35'-34" West 374.05 feet to the easterly right-of-way line of Division Street and the beginning of a curve, concave southeasterly having a radius of 779.00 feet, the chord of which bears North 38 degrees-43'-01" East for a distance of 34.88 feet; thence along the arc of said curve and right-of-way line for a distance of 34.88 feet; thence North 40

SCOTT COUNTY TREASURER
MIKE FENNELLY
600 W 4TH ST
DAVENPORT, IA 52801-1003
(563) 326-8670

PAY ONLINE AT
www.iowatreasurers.org

54984*209**G50**1.129**1/4*********AUTO5-DIGIT 61231
SB REAL ESTATE LLC
5 ORCHARD HILL BLVD
MOLINE IL 61265-7155

2018 PROPERTY TAX STATEMENT

SCOTT COUNTY TREASURER

Parcel Number: W0305-07B
Tax District: DADA
DAVENPORT AG DAVENPORT

Property Address:

Legal Description:
Sec:03 Twp:78 Rng:03 PRT NW/4 NE/4 3-78-3 NWLY OF DIVISION ST EXC ROW TRACT A PER WD 2017-9013

Go Paperless
eNoticesOnline.com
AUTHORIZATION CODE
SCO-HV4PXRKF

SCOTT COUNTY TAX BILL for SEPTEMBER 2019 and MARCH 2020. Please keep it in a safe place. Send the correct stubs along with your check for payment. If your taxes are paid by your Bank in Escrow, this is for your information only. SEE REVERSE SIDE.
Based on January 1, 2018 valuations. Taxes for July 1, 2018 through June 30, 2019. Payable September 2019 and March 2020. Your check payment may or will be processed as an electronic fund transfer. Your original check will not be returned by your financial institution. Funds may be debited from your account on the same day the payment is received.

VALUATIONS AND TAXES:

	This Year Assessed	This Year Taxable	Last Year Assessed	Last Year Taxable
Land:	20,550	11,535	0	0
Buildings:	0	0	0	0
Dwelling:	0	0	0	0
Less Military Credit:		0		0
NET TAXABLE VALUE:	20,550	11,535	0	0
Value Times Levy Rate of:		25.6436500		0.0000000
EQUALS GROSS TAX OF:		$295.80		$0.00
Less Credits of: Homestead:		$0.00		$0.00
Bus Prop Tax Credit Fund:		$0.00		$0.00
Low Income/Elderly Credit:		$0.00		$0.00
Ag Land Credit:		$34.54		$0.00
Family Farm Credit:		$0.00		$0.00
Prepaid Tax:		$0.00-		
NET ANNUAL TAXES:		$262.00		$0.00
Ag Dwelling Tax:		$0.00		$0.00

TAX DUE:
Other Taxes Unpaid: NO
Special Assessments due: NO
Drainage due: NO
Tax sale certificate: NO

OWNERS:
Deed: SB REAL ESTATE LLC
Contract:

Emergency Management Dollars:

SCOTT COUNTY TREASURER
MIKE FENNELLY
600 W 4TH ST
DAVENPORT, IA 52801-1003
(563) 326-8670

Receipt # **672833**

DUE Sept 1, 2019 **$131.00**
Date Paid:_____
Check #: _____

DUE March 1, 2020 **$131.00**
Date Paid:_____
Check #: _____

Retain the upper portion for your records. Enter the date paid and your check number for your information. Keep in a safe place.

Include this STUB with March 2020 payment.

YOU MAY PAY ONLINE AT: ***www.iowatreasurers.org***

Receipt # **672833**

2018 CT

2

Taxpayer ID #:
Dist: DADA
Parcel: W0305-07B

TAX DUE: Mar 1, 2020
TAX DELQ: Apr 1, 2020

Amount Due
$131.00

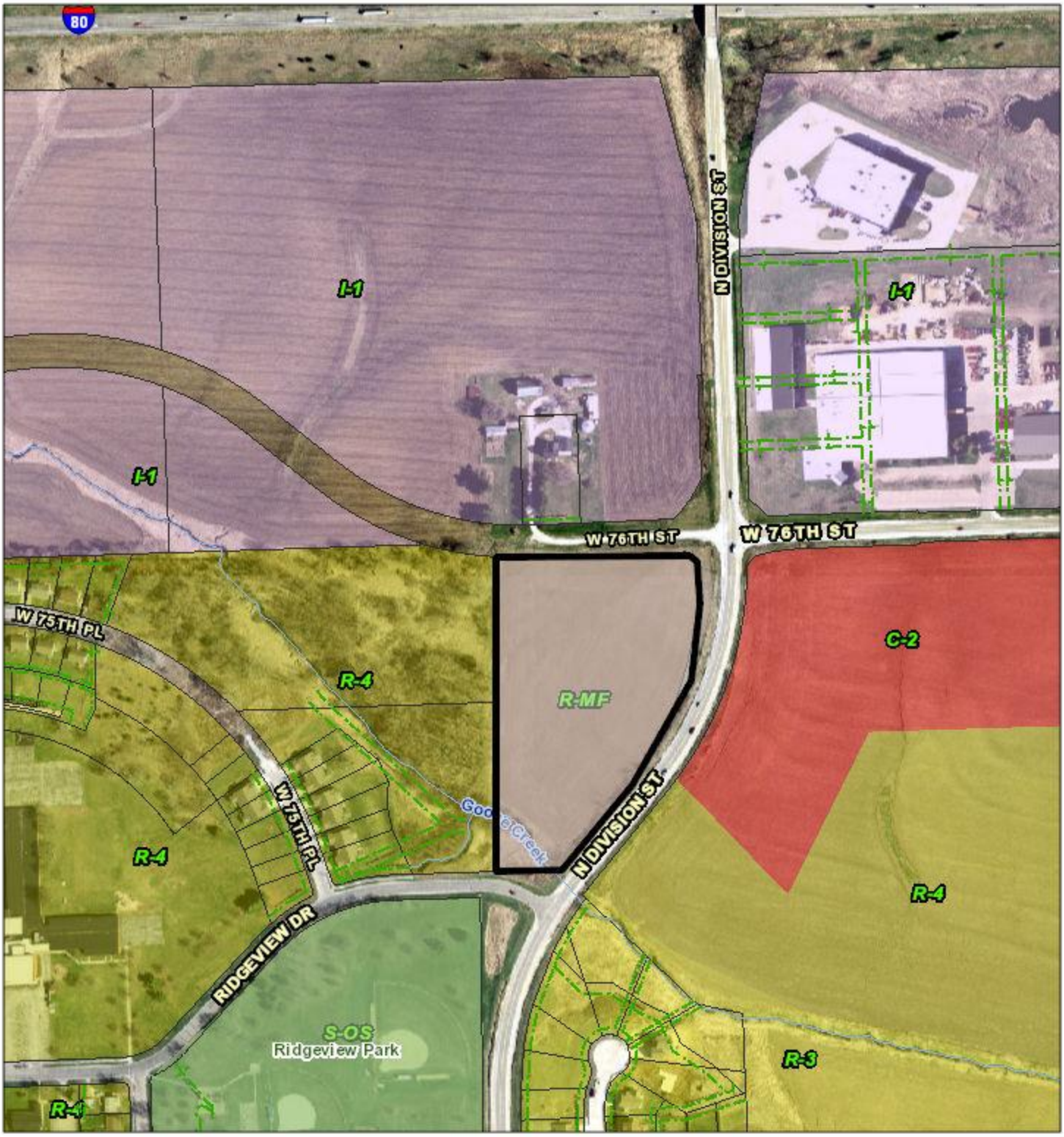
Taxpayer(s):

SB REAL ESTATE LLC
5 ORCHARD HILL BLVD
MOLINE IL 61265-7155

SCOTT COUNTY TREASURER
MIKE FENNELLY
600 W 4TH ST
DAVENPORT, IA 52801-1003

Include this STUB with September 2019 payment.

REZ19-11 Current Zoning



10/15/2019, 11:25:34 AM

1:4,000

0 0.03 0.07 0.13 mi

0 0.05 0.1 0.2 km

Easement

Parks

Parcels

Street Centerline (Labels only)

Creeks

Named Creeks

Unnamed Tributaries

Piped Creeks

City Limit

Zoning Districts

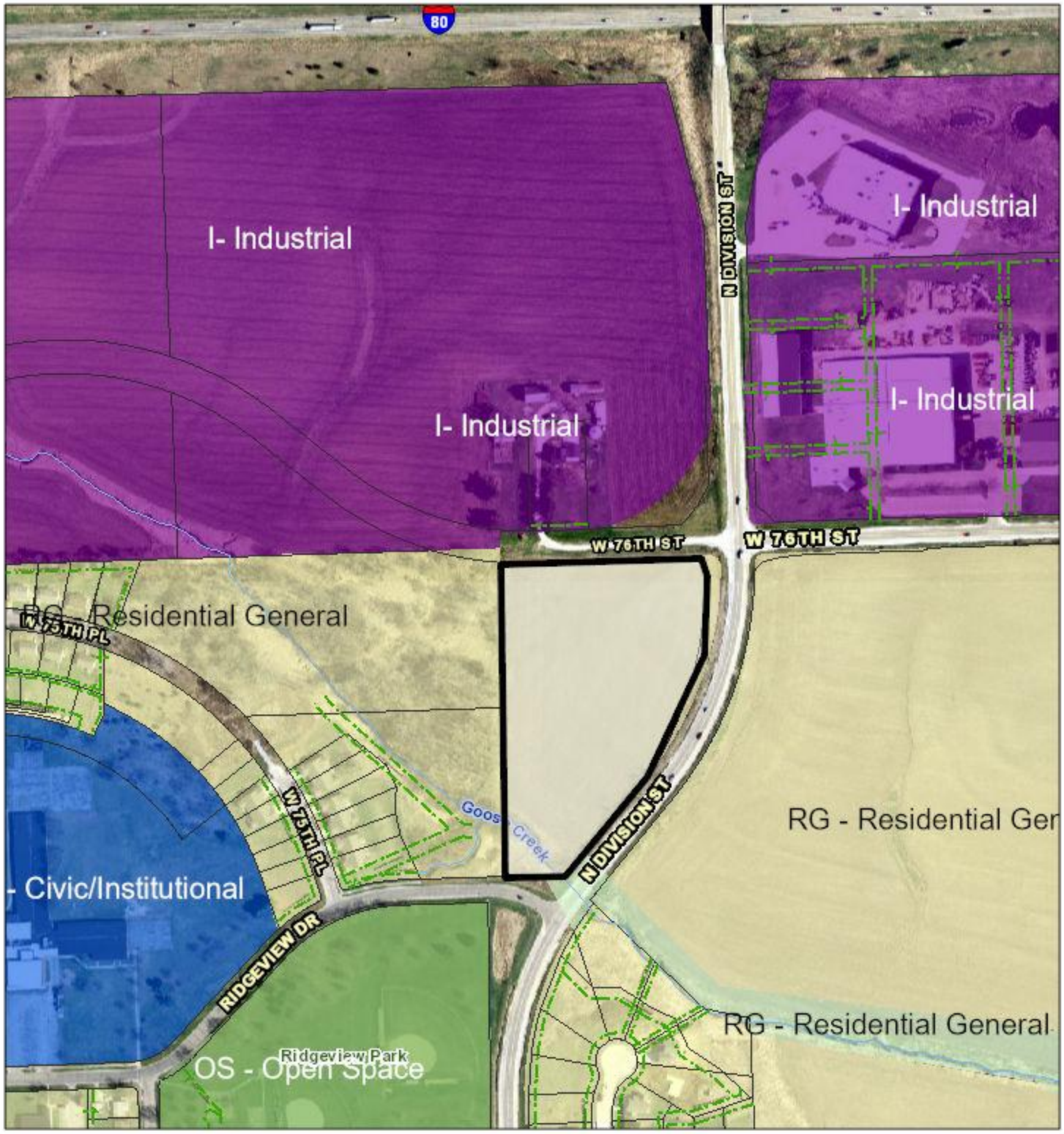
R-1 Single-Family Residential District

R-2 Single-Family Residential District

Scott County Iowa, Bi-State Regional Commission

Web AppBuilder for ArcGIS
Scott County Iowa, Bi-State Regional Commission | Copyright:(c) 2014 Esri |

REZ19-11 2035 Future Land Use



10/15/2019, 11:37:30 AM

1:4,000

0 0.03 0.07 0.13 mi

0 0.05 0.1 0.2 km

- Easement
- Parks
- Parcels
- Street Centerline (Labels only)

Creeks
- Named Creeks
- Unnamed Tributaries
- Piped Creeks
- City Limit

Land Use+2035
- Urban Corridor
- Commercial Node

Scott County Iowa, Bi-State Regional Commission

Web AppBuilder for ArcGIS
Scott County Iowa, Bi-State Regional Commission | Copyright:(c) 2014 Esri |

City of Davenport

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

NOTICE
PUBLIC MEETING
THURSDAY OCTOBER 24, 5:30 PM
RED HAWK GOLF COURSE
6364 NORTHWEST BOULEVARD, DAVENPORT, IOWA

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

Case No. REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8] See attached map.

The proposed rezoning, if approved, would allow for commercial development on the property. At this time, no specific development has been proposed.

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, November 5, 2019, 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. REZ19-11
EMAIL: planning@ci.davenport.ia.us Phone: (563) 326-7765

Davenport.16357.1.Neighborhood_Meeting_and_Adjacent_Owner_Notice_List.xlsx

	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	W0305-07A	ISB REAL ESTATE LLC/RAJU PENMATCH	1100 36TH AVE	MOLINE IL 61265
P&Z Chair:	Bob Inghram		binghram@activethermal.net	**EMAIL ALL ALDERMAN PER**
Mayor's Clerk:	Nevada Lemke		nlemke@ci.davenport.ia.us	**AND Bob, Mayor clerk and T**
Council Clerk:	Tiffany Thorndike		tthorndike@ci.davenport.ia.us	
Neigbborhood:	Oakbrook North	Pat Schilling	patschilling@me.com	
Ward/Ald:	8th Ward	Alderman Tompkins	ktompkins@ci.davenport.ia.us	12 Notices Sent
Ward/Ald:	At-Large	Alderman Condon	jcondon@ci.davenport.ia.us	
Ward/Ald:	At-Large	Alderman Gripp	kgripp@ci.davenport.ia.us	
Case manager:	CPED	MATT FLYNN	226 W 4TH ST	DAVENPORT IA 52801
W0319A12	1819 RIDGEVIEW DR	BOARD OF PARK COMMISSIONERS	700 W RIVER DR	DAVENPORT IA 52802
W0303-13B		GLAUS ERLE W & CAROL J	6 MUSKET CT	LE CLAIRE IA 52753
W0305-OLB		CYNTHIA S SCHALK 2011 ESTATE TRUST	2000 E 50TH CT	DAVENPORT IA 52807
W0305-OLA		SANDERSON BRADLEY E & SUKCHA	7128 MADISON ST	DAVENPORT IA 52806
W3451-01C	7616 N DIVISION ST	HAMANN MICHELLE L & HAMANN RANDY A	2520 E LOMAR ST	ELDRIDGE IA 52748
W3451-01D		JFSJA HAMANN LIVING TRUST	19051 220TH ST	DAVENPORT IA 52807
W3451-01D		NANCY L STEFFEN IRREVOC TRUST	108 7TH ST	DURANT IA 52747
W0305-07B		SB REAL ESTATE LLC	5 ORCHARD HILL BL	MOLINE IL 61265
W0305-17		SB REAL ESTATE LLC	5 ORCHARD HILL BL	MOLINE IL 61265
W3453-01C	1500 W 76TH ST	HARDI, INC.	1500 W 76TH ST	DAVENPORT IA 52806
W0303-22A		GLAUS ERLE W	6 MUSKET CT	LE CLAIRE IA 52753
W0303-22B		GLAUS ERLE W	6 MUSKET CT	LE CLAIRE IA 52753
W0303-06B	1802 W 75TH PL	CUROE KATHLEEN M	1802 W 75TH PL	DAVENPORT IA 52806

PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT

Public Hearing Details:

Date: 11/5/2019 **Ward: 8th**
Time: 5:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a rezoning before the Plan and Zoning Commission
Case #: HV1REZ19-17

To: All property owners within 200 feet of the subject property located at the southwest corner of West 76th Street and Division Street. See map on reverse side of this notice.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's uses by changing the zoning classification from R-MF Residential Multifamily District to C-2 Corridor Commercial District.

What are the Next Steps after the Public Hearing?

This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. 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 public hearing. 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 Matthew Flynn, AICP, the case planner assigned to this project at matt.flynn@ci.davenport.ia.us or at 563-888-2286. 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.

Zoning Map Amendment (Rezoning) Request

Adjacent Property Owner Notice Area REZ19-11

CPED

Legend

- Subject Property REZ19-11
- 200' Buffer of Subject Property
- Adjacent Property Owners

0 200 400 Feet

N W E S

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

Zoning Map Amendment (Rezoning) Request

Adjacent Property Owner Notice Area REZ19-11

CPED

Legend

- Subject Property REZ19-11
- 200' Buffer of Subject Property
- Adjacent Property Owners

0 200 400 Feet

N W E S

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

City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

Thursday, October 17, 2019

Please publish the following public notice in the Tuesday, October 22, 2019 edition of the Quad City Times.

The PO number for this notice is: 2003922

Please provide proof of publication for our records. If you have any questions, please contact us at planning@ci.davenport.ia.us or 563-326-7765. Thank you!

NOTICE
PUBLIC HEARING
TUESDAY, NOVEMBER 5, 2019 -5:00 P.M.
CITY OF DAVENPORT PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

There is on file in the Community Planning and Economic Development Department (CPED), on behalf of the Plan and Zoning Commission, the following request:

Case No. REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8]

The public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, November 5, 2019 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) 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(s). PO No. 2003922

Department of Community Planning & Economic Development
E-MAIL: planning@ci.davenport.ia.us PHONE: 563-326-7765

City of Davenport
Plan and Zoning Commission

Department: Community Planning and Economic Development **Date**
Department **12/3/2019**
Contact Info: Ryan Rusnak 563-888-2022
rrusnak@ci.davenport.ia.us

Subject:
Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

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 December 2, 2019 neighborhood meeting and the December 3, 2019 Plan and Zoning Commission Public Hearing.

Staff will apprise the Commission of any comments or correspondence at the December 3, 2019 Plan and Zoning Commission public hearing.

Discussion:

The petitioner is requesting a rezoning to C-T Commercial Transitional Zoning District to make the use of the property conforming to the Zoning Ordinance.

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

The property is currently configured as a non-conforming office. Aunt Rhodie's Nursery was formerly located at this property. Chapter 17.15, entitled "Nonconformities" would allow a professional office at this location. However, any other use (i.e. chiropractic office) would be considered a change of use, and therefore, not permitted.

The minimum lot size for a property in the C-T Commercial Transitional Zoning District is 10,000 square feet. The subject property contains 9,000 square feet of lot area. The petitioner was granted a 10% (1,000 square foot) administrative exception to the lot area requirement in order to request a zoning map amendment to the C-T Commercial Transitional Zoning District.

Off-street parking is not required in the C-T Commercial Transitional Zoning District.

Recommendation:

There is no recommendation at this time.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Application
🗋	Backup Material	Plan and Zoning Commission Pubic Hearing Notice
🗋	Backup Material	Neighborhood meeting notice

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Rusnak, Ryan	Approved	11/26/2019 - 10:50 AM

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

Property Address* 2012 E 11th Street, Davenport, IA 52803
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:	Alex Kelly
Company:	Pegasus 62 Iowa LLC
Address:	2019 E 12th Street
City/State/Zip:	Davenport, IA 52803
Phone:	309-236-5489
Email:	AKelly@RuhlCommercial.com

Owner (if different from Applicant)

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

Engineer (if applicable)

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

Architect (if applicable)

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

Attorney (if applicable)

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

Application Form Type:

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

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

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

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

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

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

Request:

Existing Zoning: R-4C

Proposed Zoning Map Amendment: C-T

Purpose of the Request:

See attached.

Total Land Area: 9000 Square Feet

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

Submittal Requirements:

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

Formal Procedure:

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

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

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

Purpose of the Request:

I am applying for a rezoning of the Former Aunt Rhodies Landscape & Design office. The subject property has been utilized for the past 30 + years as a design office and retail nursery for plants (via a non-conforming use). The subject property is neighboring a C-V zoning district and I think a C-T zoning is a suitable low-impact zoning that fits the neighborhood. My house neighbors the subject property to the North and I own the property to the west. I will be very particular about the use to ensure it fits the area and the property layout. Thanks for your consideration.

Formal Procedure (continued):

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

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

Applicant: Alex Kelly Date: 11/13/2019

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.

Doc ID: 021825020003 Type: LAN
Recorded: 11/14/2018 at 12:57:19 PM
Fee Amt: $426.20 Page 1 of 3
Revenue Tax: $399.20
Scott County Iowa
Rita A. Vargas Recorder
File 2018-00052151

WARRANTY DEED
Recorder's Cover Sheet

Preparer Information:
Joseph C. Judge
Lane & Waterman LLP
220 N. Main Street, Suite 600
Davenport, IA 52801
Phone: (563) 324-3246

Taxpayer Information:
Pegasus 62 Iowa LLC
2019 E. 12th Street
Davenport, IA 52803

Return Document To:
Frank L. Nowinski
Katz Nowinski P.C.
1000 36th Avenue
Moline, IL 61265

Grantors:
Aunt Rhodie's Properties, LLC

Grantees:
Pegasus 62 Iowa, LLC

Legal Description: See Exhibit A on Page 3

Document or instrument number of previously recorded documents: N/A

EXHIBIT A

LEGAL DESCRIPTION OF REAL ESTATE

The East 45 feet of Lot 1 in Block 10 in the Village of East Davenport, now a part of the City of Davenport, Iowa.

and

The West Half of Lot 2, and that part of the East Half of said Lot 2, particularly described as follows: Commencing at the Northeast corner of said Lot, and running thence West 40 feet, more or less, along the South line of the alley to the center of said Lot 2; thence South 150 feet to the East 11th Street (formerly Main Street); thence in a northeasterly direction to the place of beginning, all in Block 10 in the Plat of East Davenport Proper, also called Village of East Davenport, and now in the City of Davenport, Scott County, Iowa.

and

The South 30 feet of Lot 8 in Block 10 in the Village of East Davenport (now within the corporate limits of the City of Davenport, Iowa), as shown by the Plat recorded in Book "I" Land Deeds, page 180, records of the Recorder's Office of Scott County, Iowa.

Back to Dashboard (/)

Iowa Secretary of State
321 East 12th Street
Des Moines, IA 50319
sos.iowa.gov

FILED

Date: **10/15/2018 10:28 AM**
Corp No: **584815**
Cert No: **FT0008989**

Certificate of Organization - LLC

Information

CODE 489 DOMESTIC LIMITED LIABILITY COMPANY
Chapter

Pegasus 62 Iowa, LLC
Entity Name

Effective Date and Time

Perpetual
Expiration Date

Certificate of Organization - signed.pdf (/Uploads/Filings/20181015/a303a8b2-81ca-4769-a15b-9cdbc4c28dba.pdf)
Upload PDF

Registered Agent and Registered Office Address

CERTIFICATE OF ORGANIZATION

of

PEGASUS 62 IOWA, LLC

TO THE IOWA SECRETARY OF STATE:

Pursuant to Section 1201 of the Iowa Revised Uniform Limited Liability Company Act, the undersigned, acting as organizer of a limited liability company, adopts the following certificate of organization for the company.

1. **Name**: The name of the series limited liability company shall be **Pegasus 62 Iowa, LLC**.

2. **Principal Place of Business**: The location of the principal place of business of the limited liability company shall be **2019 E. 12th Street, Davenport, Iowa 52803**.

3. **Registered Office**: The registered office of the limited liability company shall be located at **256 E. 90th Street, Davenport, Iowa 52806**.

4. **Registered Agent**: The registered agent for the limited liability company upon whom process in any action or proceeding against the limited liability company may be served at the registered office shall be **Katz Nowinski P.C.**

5. **Business and Objectives**: The company, including any series created hereunder, shall be formed for any lawful purposes and shall have unlimited power to engage in and do any lawful act concerning any and all lawful businesses for which companies may be organized under the Iowa Limited Liability Company Act. In connection with the above-mentioned purposes, the company shall have the power to invest its funds in real property and securities, to acquire, own, and dispose of real and personal property, and to do all other acts incidental and necessary to the accomplishment of the foregoing purposes, to the extent permitted under the Iowa Limited Liability Company Act.

6. **Series LLC**: Pursuant to Section 489.1201, PEGASUS 62 IOWA, LLC is a series limited liability company. Each series shall be named as follows: Pegasus 62 Iowa, LLC [insert series number]. A list of series established with this Certificate of Organization is attached hereto and incorporated by this reference, but the company reserves the right to create additional series not included on the attached Exhibit A.

11. **Company Existence**: The existence of the limited liability company shall commence on the date on which the Secretary of State of the State of Iowa shall issue a Certificate of Organization for the limited liability company and shall thereafter be perpetual.

12. **Amendments**: The company reserves the right to amend, alter, change, or repeal any provision contained in this Certificate of Organization in the manner now or hereafter prescribed by statute and all rights conferred upon Members herein are granted subject to this reservation

This Certificate of Organization has been made, signed, and acknowledged by the undersigned organizers on this 15th day of October, 2018.

Alexander Kelly

STATE OF ILLINOIS)
) ss.
COUNTY OF ROCK ISLAND)

This instrument was acknowledged before me on this 15 day of October, 2018.

OFFICIAL SEAL
W MATTHEW HAYS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:06/20/20

Notary Public

This instrument was prepared by:

W. Matthew Hays
Katz Nowinski P.C.
Attorneys at Law
1000 36th Avenue, Suite 100
Moline, IL 61265-7126
mhays@katzlawfirm.com

OPERATING AGREEMENT
OF
PEGASUS 62 IOWA, LLC

THIS LIMITED LIABILITY COMPANY OPERATING AGREEMENT ("Agreement") is made and entered into as of the 15th day of October, 2018, by Alexander Kelly of 2019 E. 12th Street, Davenport, Iowa, 52803, the sole member of PEGASUS 62 IOWA, LLC ("Company").

EXPLANATORY STATEMENTS

A. The Company was formed as an Iowa limited liability company on the 15th day of October, 2018, by the filing of a Certificate of Organization with the Secretary of State of the State of Iowa.

B. Alexander Kelly desires to provide for certain agreements governing the business and affairs of the Company.

AGREEMENTS

1. Governing Law. The Company has been formed under and is subject to the Iowa Revised Uniform Limited Liability Company Act ("Act"), Chapter 489 of the Code of Iowa, as amended.

2. Name. The name of the Company is Pegasus 62 Iowa, LLC; provided that the Manager may, from time to time, change the name of the Company to any name permitted by the Act.

3. Registered Office and Registered Agent. The Company's registered office in the State of Iowa is 256 E. 90th Street, Davenport, Iowa, 52806 The name of the Company's registered agent at such address is Katz Nowinski P.C. The Manager may, from time to time, change the registered office and the registered agent of the Company.

4. Term. The term of the Company shall be perpetual, unless the Company is earlier dissolved in accordance with the provisions of this Agreement.

5. Business of the Company. The business of the Company shall be to engage in any lawful businesses and activities for which limited liability companies may be organized under the laws of the State of Iowa.

6. Ownership and Distributions. As of the date hereof, Alexander Kelly is the sole Member of the Company and has 100% share of the Net Profits and Net Losses. All distributions will be made to the Members in proportion to their share of Net Profits and Net Losses. No Transferee shall be admitted as a Member of the

9. Indemnification. The Company (to the extent of all of its assets and without any obligation on the part of any Member to contribute funds to the Company, but subject to any lien or security interests held by any person) shall indemnify and hold harmless each Manager and each Member from any loss or damage incurred by it by reason of any act performed by it for and on behalf of the Company and in furtherance of the Company's interest, provided such act or acts were done in good faith and without malfeasance, gross negligence, or willful misconduct on the part of the Manager or Member. Except as otherwise expressly and specifically provided herein, a Member shall have no obligation or liability to any other Member or, except as otherwise expressly provided by the Act, to any other person or entity, in such Member's capacity as a Member.

10. Dissolution. The Company shall be dissolved pursuant to Section 489.701 of the Act.

11. Inconsistencies. In the event of any inconsistency between this Agreement and the Act, to the extent permitted by applicable law, the terms of this Agreement shall govern.

12. Applications of Iowa Law. This Agreement and its interpretation shall be governed exclusively by its terms and by the laws of the State of Iowa.

13. Amendments. This Agreement may not be amended except in writing by a majority in interest of the Members.

14. Heirs, Successors, and Assigns. This Agreement shall be binding on and inure to the benefit of the Members and their heirs, legal representatives, successors, and assigns.

15. Creditors. None of the provisions of this Agreement shall be for the benefit of or enforceable by any creditors of the Company.

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first written above.

MEMBER:

Alexander Kelly

PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT

Public Hearing Details:

Date:	12/3/2019	Ward: **5th**
Time:	5:00 PM	
Location of Public Hearing:	226 West 4th Street in City Hall Council Chambers.	
Subject:	Public hearing for a zoning map amendment.	
Location of Property:	2012 East 11th Street	
Case #:	REZ19-13	

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 REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

What are the Next Steps after the Public Hearing?

The 12/3/2019 public hearing is the first step in the review/approval process. The Plan and Zoning Commission will meet on 12/17/2019 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?

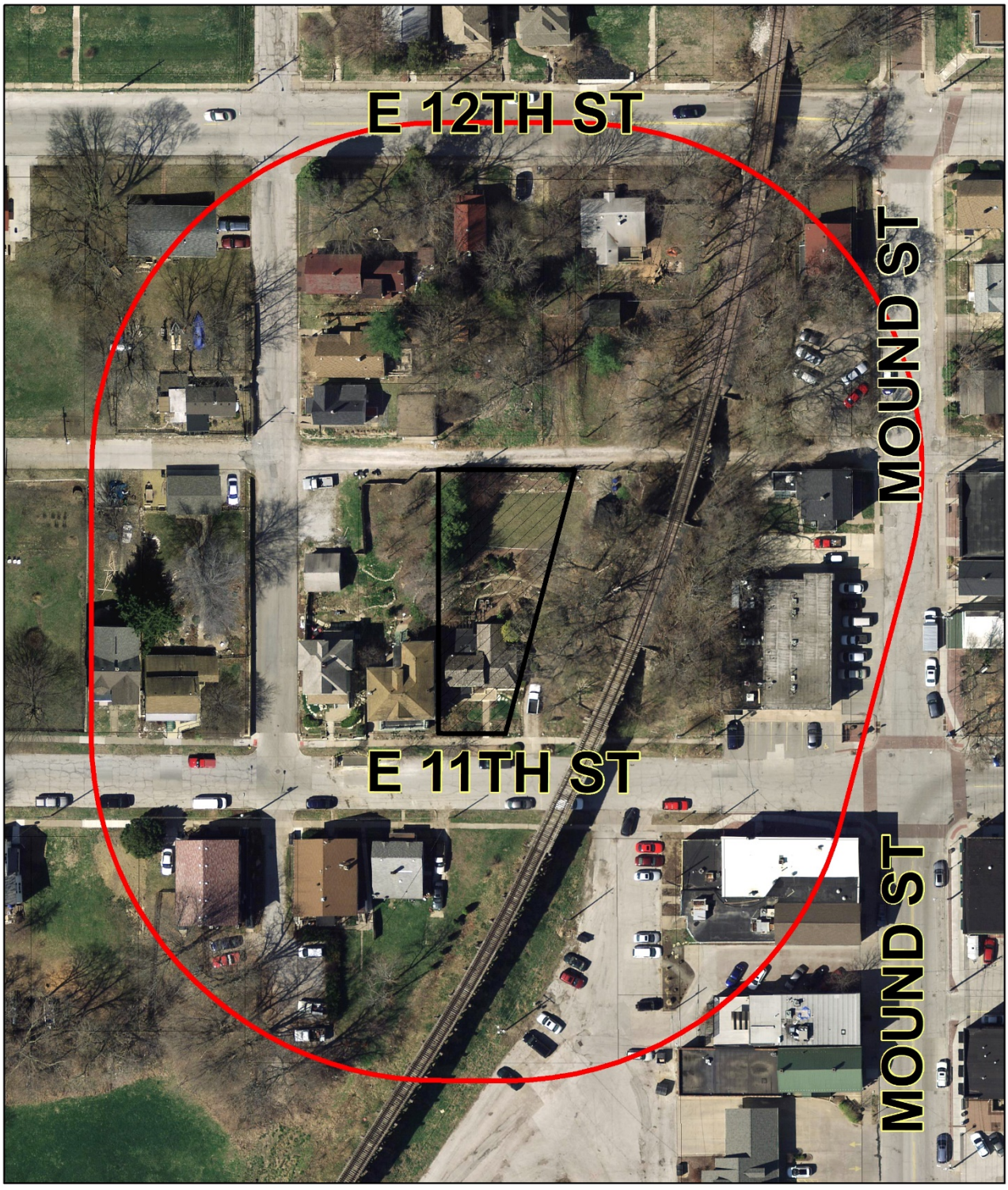
As a property owner within 200 feet of the subject property, you have the opportunity to officially comment or formally protest this request. These must be provided in writing.

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 1/8/2020. 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

N

City of Davenport

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
MONDAY DECEMBER 2, 2020 – 5:30 P.M.
2012 EAST 11th STREET DAVENPORT, IOWA 52803

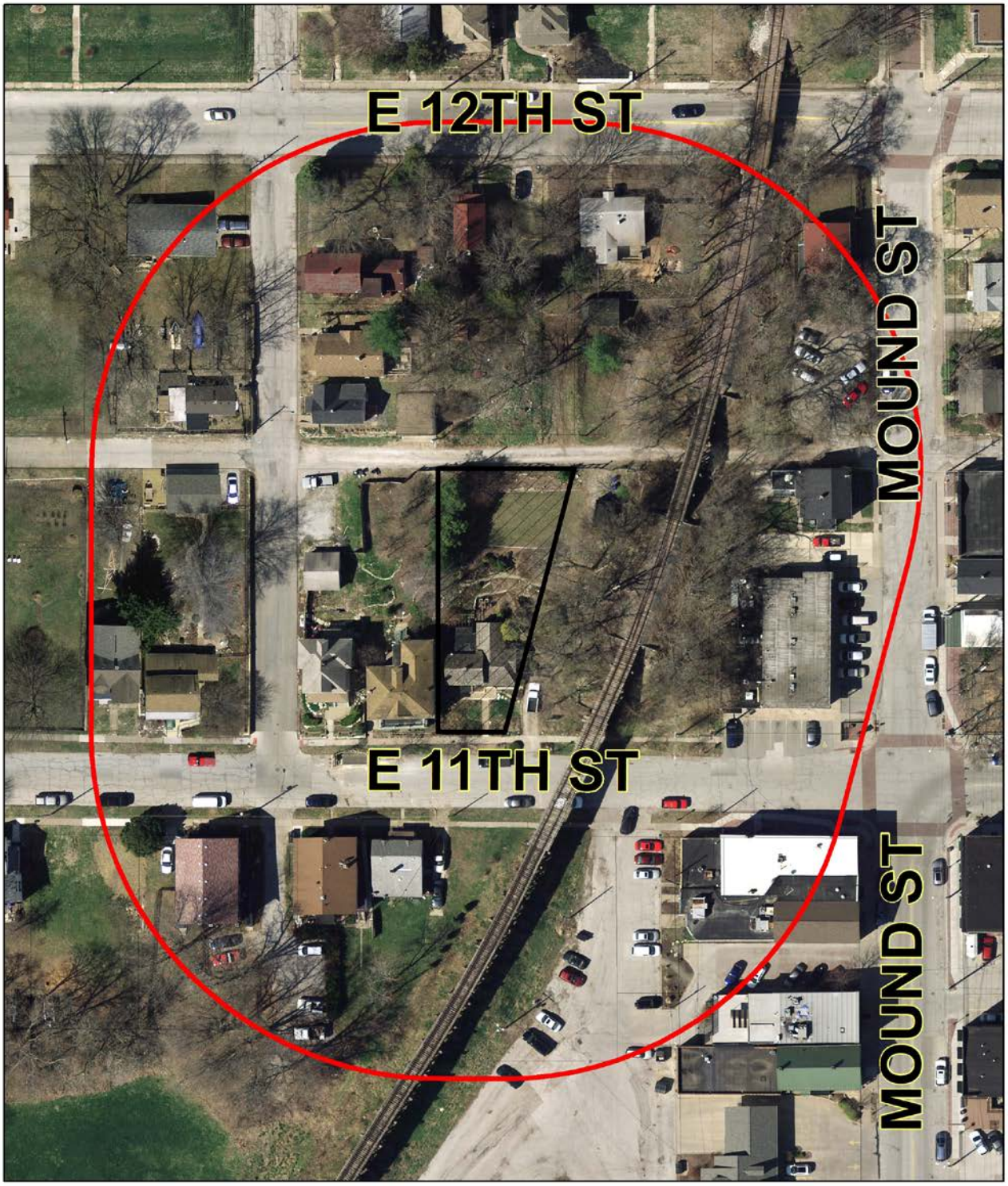
You are invited to a neighborhood meeting regarding the following request:

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

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

N

City of Davenport
Plan and Zoning Commission

Department: CPED **Date**
Contact Info: Matt Flynn 888-2286 **12/3/2019**

Subject:
1. Third Consideration: Ordinance for Case ORD19-03 being the request of the City of Davenport to reduce the maximum building height in portions of the CE, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6] ADOPTED 2019-511
2. Third Consideration: Ordinance for case REZ19-10 being the request of Larry Whitty on behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of W Locust St and Ripley St from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District. [Ward 4] ADOPTED 2019-512

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	11/27/2019 - 10:33 AM

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn 888-2286

Date
12/3/2019

Subject:
Consideration of the minutes of the November 19, 2019 meeting.

Recommendation:
Approve the minutes.

ATTACHMENTS:

	Type	Description
	Backup Material	11-19-19 Minutes

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	11/21/2019 - 12:15 PM

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, NOVEMBER 19, 2019; 5:00 PM

CITY HALL COUNCIL CHAMBERS 226 WEST 4TH STREET

I. Old Business

A. Public Hearing for Case No. REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8] TO BE CONTINUED TO THE DECEMBER 3, 2019 MEETING.

II. New Business

A. Public Hearing for Case REZ19-12: Request of BT Bridge LC to rezone 27.68 acres, more or less, of property located at 8228 N Fairmount Street from I-1 Light Industrial to I-2 Heavy Industrial. [Ward 2]

Melton provided an overview.

Beau Perkins of Hawkeye paving was present and asked for a continuation so that he could work with adjoining property owners.

The Commission agreed to continue the public hearing two cycles.

REGULAR MEETING AGENDA

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

II. Report of the City Council Activity

A. Resolution for Case P19-03 being the 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. [Ward 8] ADOPTED 2019-476

III. Secretary's Report

A. The minutes of the November 5, 2019 meeting were approved following a motion by Hepner and a second by Tallman.

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

i. Case P19-05: Request of Jason McCoy for a Preliminary Plat for a 53 lot subdivision on 18.48 acres, more or less, located of the east side of Northwest Boulevard approximately 725 feet north of West 46th Street. [Ward 7]

Melton gave the staff report. Mike Richmond and Jason McCoy were present.

Motion by Johnson, seconded by Maness, to forward Case P19-05 to the City Council with a recommendation for approval, including the following findings and conditions:

Findings:

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

1. That the right-of-way of the extended Marquette Street line up with existing Marquette Street at the north side of Northwest Boulevard;
2. That the preliminary plat depict stormwater easements connecting the detention areas to each lot; and
3. That a note be added to the plat there be no vehicular access to West 48th Street.

Motion was approved unanimously.

VII. Future Business

A. Case F19-19: Request of Classic Development Co. Inc. for a Final Plat for a 4 lot subdivision on 3.77 acres, more or less, of property located east of Waverly Road near the intersection of West 13th Street and Waverly Road. [Ward 1]

VIII. Communications

IX. Other Business Flynn reported the December 17 meeting will have to be moved due to renovations to the Council Chambers

X. Adjourn The meeting adjourned at 5:40 pm.

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Brandon Melton; 563-888-2221;
brandon.melton@ci.davenport.ia.us

Date
12/3/2019

Subject:
Case F19-19: Request of Classic Development Co. Inc. for a Final Plat for a 4 lot subdivision on 3.77 acres, more or less, of property located east of Waverly Road near the intersection of West 13th Street and Waverly Road. [Ward 1]

Recommendation:
Staff recommends the Plan and Zoning Commission accept the two listed findings and forward Case F19-19 to the City Council subject to the listed condition.

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 and Two Family Residential Zoning District.

Technical Review:

Streets. The property would have access via Waverly Road

Storm Water. With R-4 zoning, the maximum impervious surface coverage will be 60% of each of the 4 buildable lots. Otherwise, the development will need to comply with the City's stormwater requirements.

Sanitary Sewer. The property is served by an 18" main on the east edge of Waverly Rd.

Other Utilities. Other Normal utility services are available

Public Input:

No public hearing is required for a Final Plat.

Recommendation:

Findings:

1. The final plat conforms to the comprehensive plan Davenport+2035; and
2. The final 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 F19-19 to the City Council with a recommendation for approval subject to the following condition:

1. That zoning information be updated to reflect the current ordinance and setbacks be shown accordingly.

ATTACHMENTS:

	Type	Description
	Backup Material	Final Plat
	Backup Material	Zoning Map
	Backup Material	Land Use Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Melton, Brandon	Approved	11/27/2019 - 9:57 AM

FINAL PLAT OF

SOUTHLAND SECOND ADDITION

TO THE CITY OF DAVENPORT, IOWA

BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28 TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5th P.M. AND BEING A REPLAT OF LOT 2, SOUTHLAND ADDITION

(SCALE: 1" = 40')

OWNER - DEVELOPER

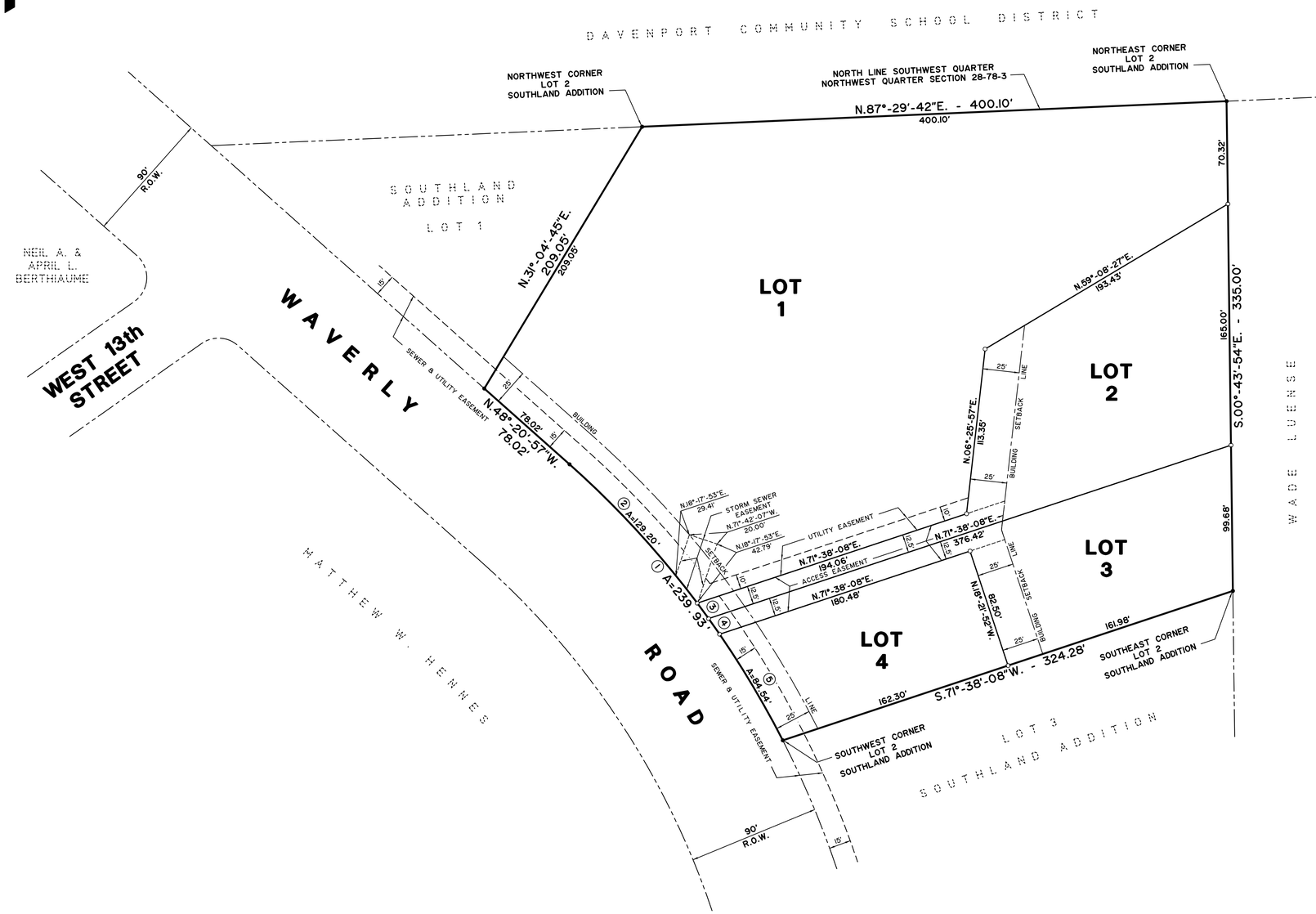
CLASSIC DEVELOPMENT CO., INC.

4301 NORTH PINE STREET

DAVENPORT, IOWA 52806

ATTN: CHRIS QUILTY

LOT AREAS			
NO.	SQUARE FEET	NO.	SQUARE FEET
1	103,825	3	19,100
2	27,255	4	14,060



GENERAL NOTES

IRON MONUMENTS FOUND SHOWN THUS —•— (5/8"ϕ IRON PIN)

IRON MONUMENTS SET SHOWN THUS —○— (5/8"ϕ IRON PIN)

ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

SUBDIVISION CONTAINS 3.77 ACRES, MORE OR LESS.

BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED WITHIN THE MINIMUM WIDTH OF SIDE YARD PROVISIONS OF CHAPTER 17.42 OF THE ZONING ORDINANCE OF THE CITY OF DAVENPORT, IOWA, ALONG THE SIDE LOT LINES OF EACH LOT HEREIN FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE, CABLE T.V. AND STREET LIGHTS.

BEARINGS SHOWN HEREON ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD 83.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS.

SUBDIVISION IS ZONED R-4 (MODERATE DENSITY DWELLING DISTRICT).

SIDEWALK SHALL BE CONSTRUCTED ALONG THE STREET FRONTAGE OF EACH LOT SHOWN HEREON IN CONJUNCTION WITH CONSTRUCTION ON THAT LOT.

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	645.00'	21°-18'-45"	239.93'	238.55'	N.37°-41'-32"W.	121.37'
2	645.00'	11°-28'-35"	129.20'	128.98'	N.42°-36'-40"W.	64.81'
3	645.00'	01°-10'-00"	13.14'	13.14'	N.36°-17'-20"W.	6.57'
4	645.00'	01°-09'-35"	13.05'	13.05'	N.35°-07'-30"W.	6.53'
5	645.00'	07°-30'-35"	84.54'	84.48'	N.30°-47'-25"W.	42.33'

DAVID L. MEYER LICENSED 7222 IOWA PROFESSIONAL ENGR. & LAND SURVEYOR

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.

Signature:

David L. Meyer, P.E. & L.S., License Number 7222

Date: NOVEMBER 06, 2019

My license renewal date is December 31, 2020

THIS SHEET ONLY

Pages or sheets covered by this seal:

CENTURYLINK

BY

DATE

MIDAMERICAN ENERGY COMPANY

BY

DATE

APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN ENERGY COMPANY

IOWA-AMERICAN WATER CO.

BY

DATE

MEDIACOM

BY

DATE

PLAN & ZONE COMMISSION

BY

DATE

CITY OF DAVENPORT, IOWA

BY

ATTEST

DATE

PREPARED BY

VERBEKE - MEYER CONSULTING ENGINEERS, P.C.

4111 EAST 60th STREET

DAVENPORT, IOWA 52807

PHONE NUMBER: (563) 359 - 1348

VMCE 19116

S-IC
N ELSIE AVE
3316
1251
R-4
WAVERLY RD
3248
3254
3260
3264
1239
1231
R-4
1227
3259
1215
1203
1101
R-4
1220
1157
1222
1145
1216
1212
1133

N ELSIE AVE
WAVERLY RD
3316
1251
1239
1231
1227
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1203
1157
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1133
1101
1220
3248
3254
3260
3264
3259
1222
1216
1212

City of Davenport
Plan and Zoning Commission

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

Date
12/3/2019

Subject:
Case F19-20 of Build to Suit for final plat Crow Valley Plaza 14th Addition on 2.1 acres, being a replat of part of lot 3 Crow Valley Plaza 2nd Addition located at 5445 & 5465 Utica Ridge Road containing 2 commercial lots. [Ward 6]

Recommendation:
Staff recommends the City Plan and Zoning Commission forward F19-20 to the City Council with a recommendation for approval subject to the following access restriction: A note shall be added to the plat stating "Access to this plat shall not be directly from Utica Ridge Road into the subdivision".

Background:
Comprehensive Plan:

Within Urban Service Area (USB35): Yes
Future Land Use Designation: RC

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:

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.
Other Utilities. Normal utility services are available 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 would achieve consistency with subdivision requirements.

Recommendation:
Staff recommends the City Plan and Zoning Commission forward F19-20 to the City Council with a recommendation for approval subject to the following access restriction: A note shall be added to the plat stating “Access to this plat shall not be directly from Utica Ridge Road into the subdivision”.

ATTACHMENTS:

	Type	Description
🗋	Exhibit	Exhibits for report
🗋	Exhibit	Plat
🗋	Exhibit	Application

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	11/26/2019 - 10:29 AM

Exhibits

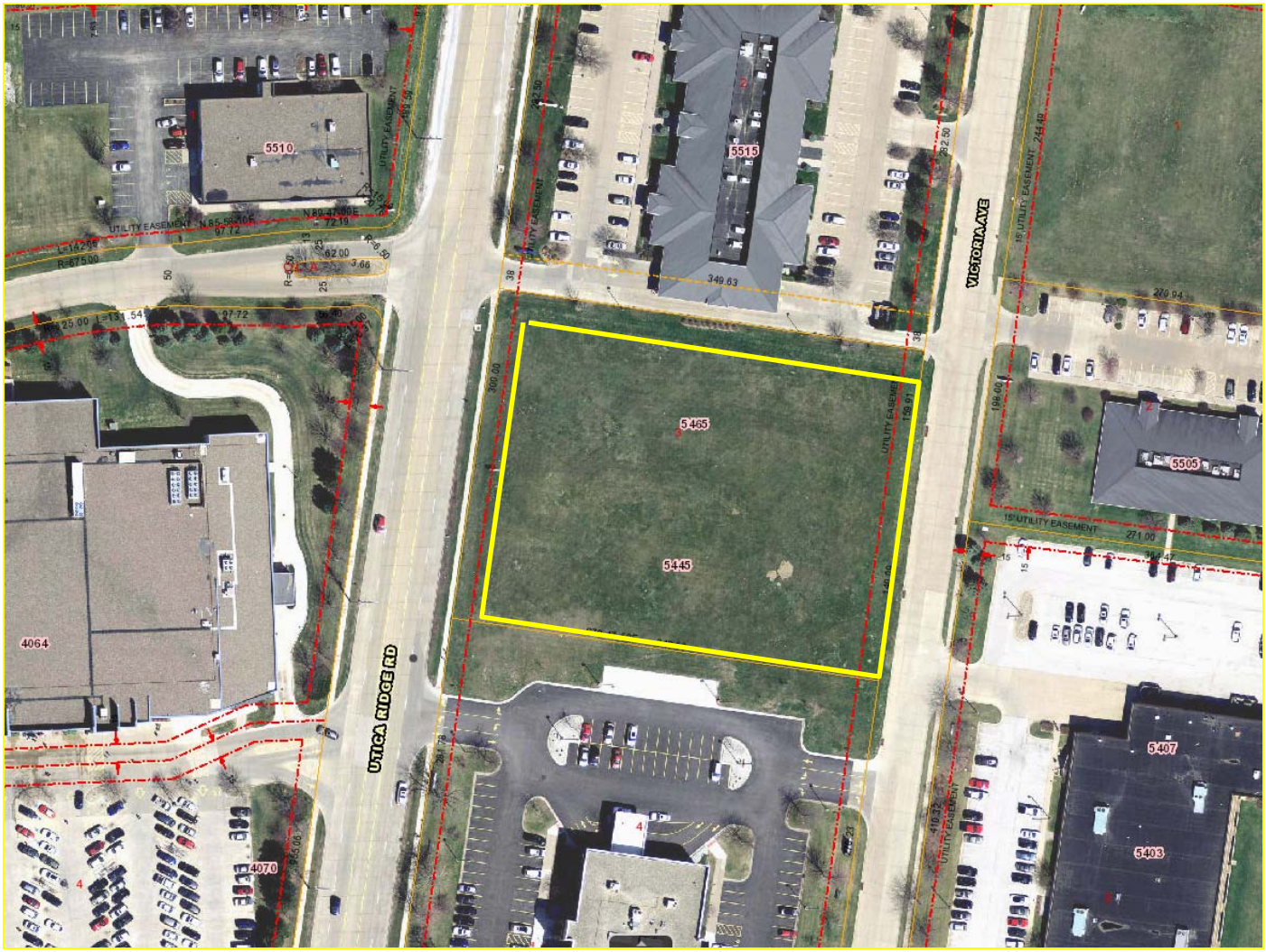
PLAN AND ZONING COMMISSION

DESCRIPTION

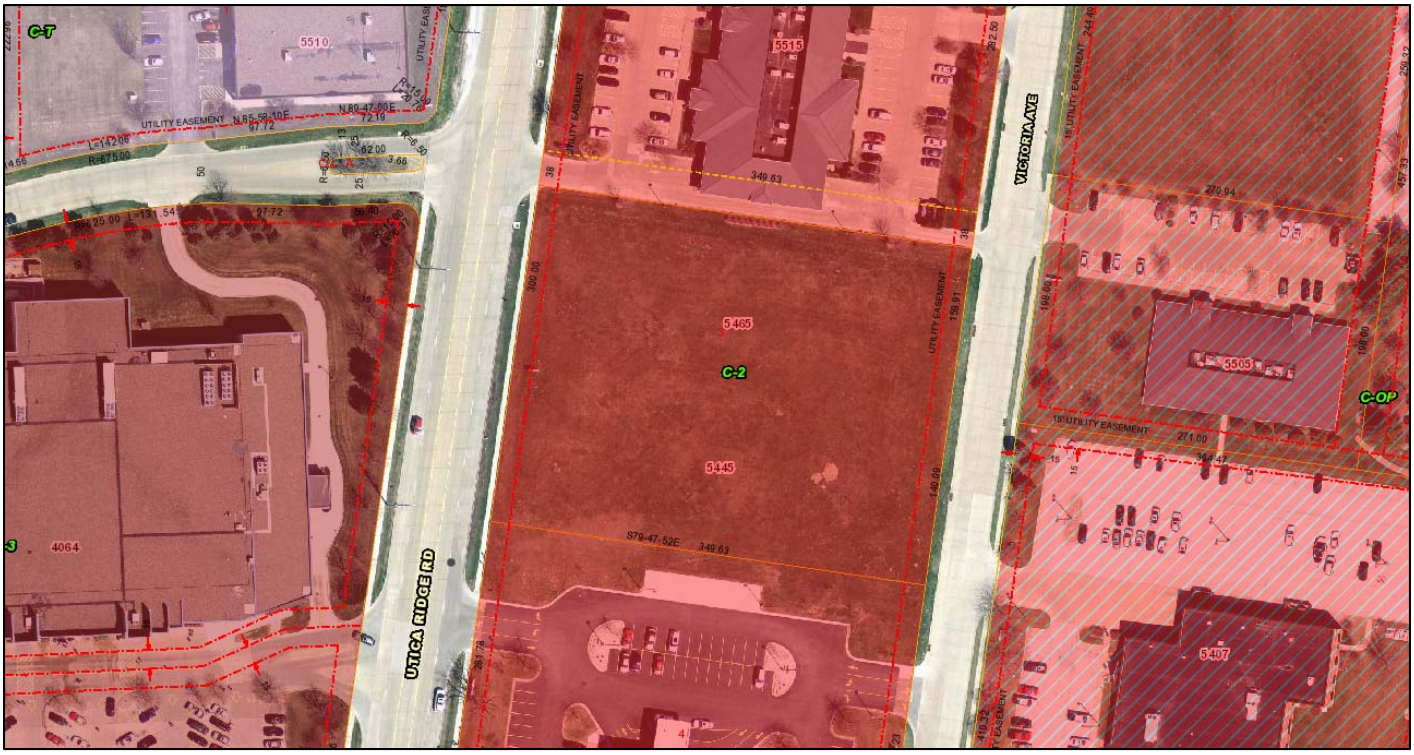
Case F19-20 of Build to Suit for final plat Crow Valley Plaza 14th Addition on 2.1 acres, being a replat of part of lot 3 Crow Valley Plaza 2nd Addition located at 5445 & 5465 Utica Ridge Road containing 2 commercial lots. [Ward 6]

Recommendation: Staff recommends the City Plan and Zoning Commission forward F19-20 to the City Council with a recommendation for approval subject to the following access restriction: A note shall be added to the plat stating "Access to this plat shall not be directly from Utica Ridge Road into the subdivision".

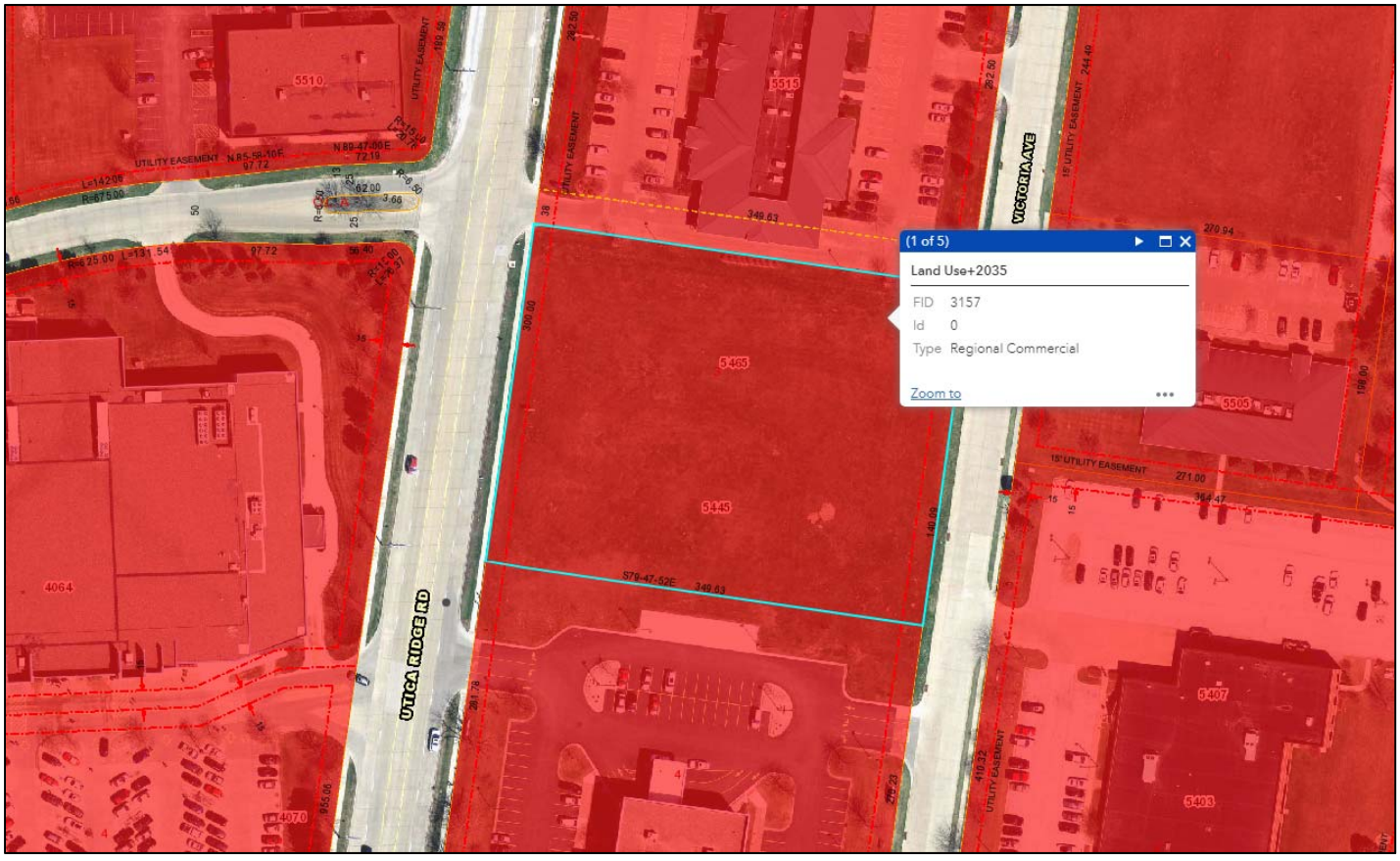
Aerial Photo:



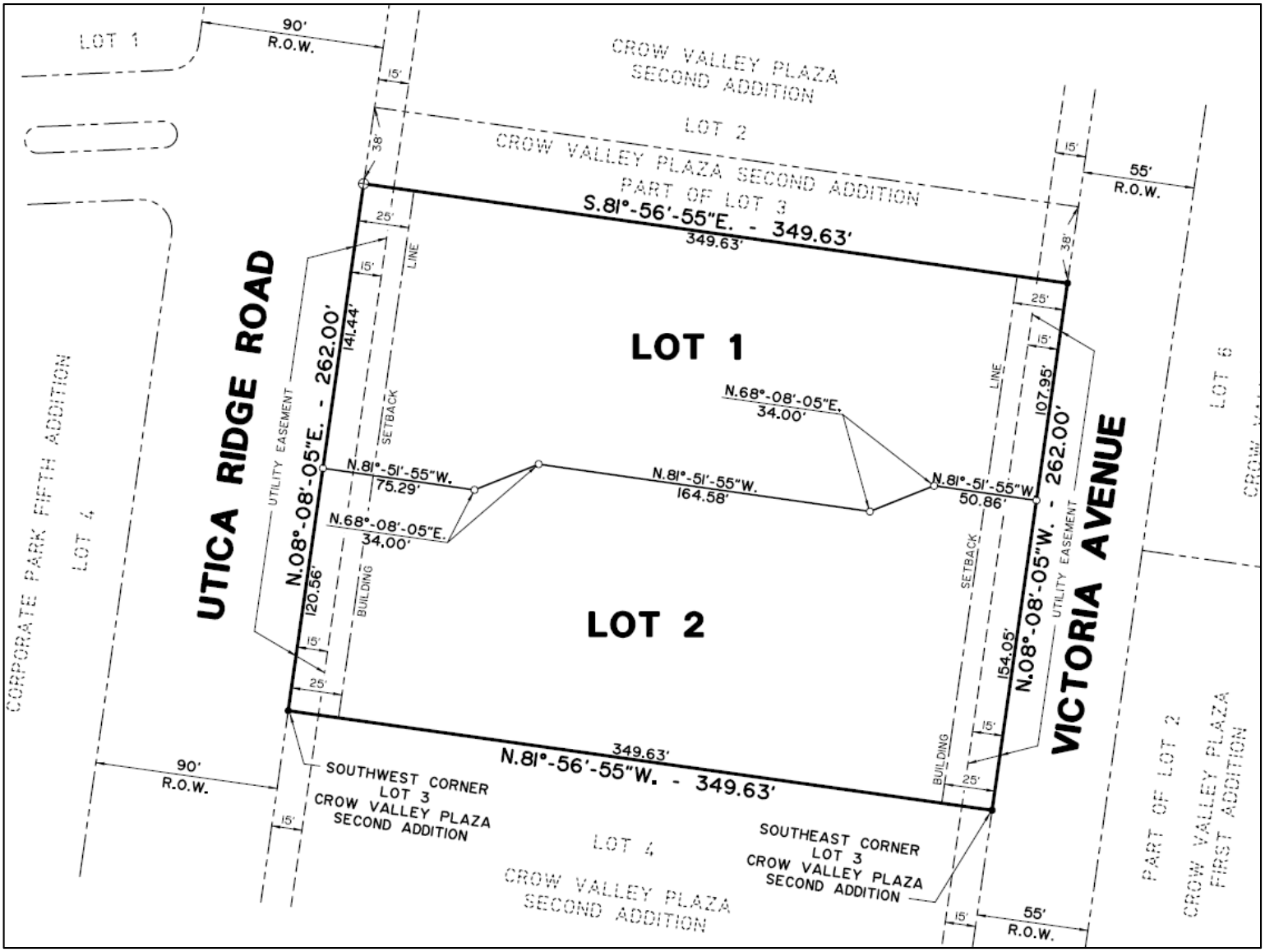
Zoning
("C-2" Corridor Commercial)



Land Use 2035
(Regional Commerical)



Plat


LOT 1
90'
R.O.W.
CROW VALLEY PLAZA
SECOND ADDITION
LOT 2
CROW VALLEY PLAZA SECOND ADDITION
PART OF LOT 3
15'
38'
55'
R.O.W.
S.81°-56'-55"E. - 349.63'
349.63'
25'
15'
LINE
UTILITY EASEMENT
SETBACK
UTICA RIDGE ROAD
N.08°-08'-05"E. - 262.00'
141.44'
LOT 1
N.68°-08'-05"E.
34.00'
N.81°-51'-55"W.
75.29'
N.81°-51'-55"W.
164.58'
N.81°-51'-55"W
50.86'
N.68°-08'-05"E.
34.00'
120.56'
BUILDING
LOT 2
107.95'
154.05'
N.08°-08'-05"W. - 262.00'
VICTORIA AVENUE
CORPORATE PARK FIFTH ADDITION
LOT 4
LOT 6
PART OF LOT 2
CROW VALLEY PLAZA
FIRST ADDITION
90'
R.O.W.
N.81°-56'-55"W. - 349.63'
SOUTHWEST CORNER
LOT 3
CROW VALLEY PLAZA
SECOND ADDITION
SOUTHEAST CORNER
LOT 3
CROW VALLEY PLAZA
SECOND ADDITION
LOT 4
CROW VALLEY PLAZA
SECOND ADDITION

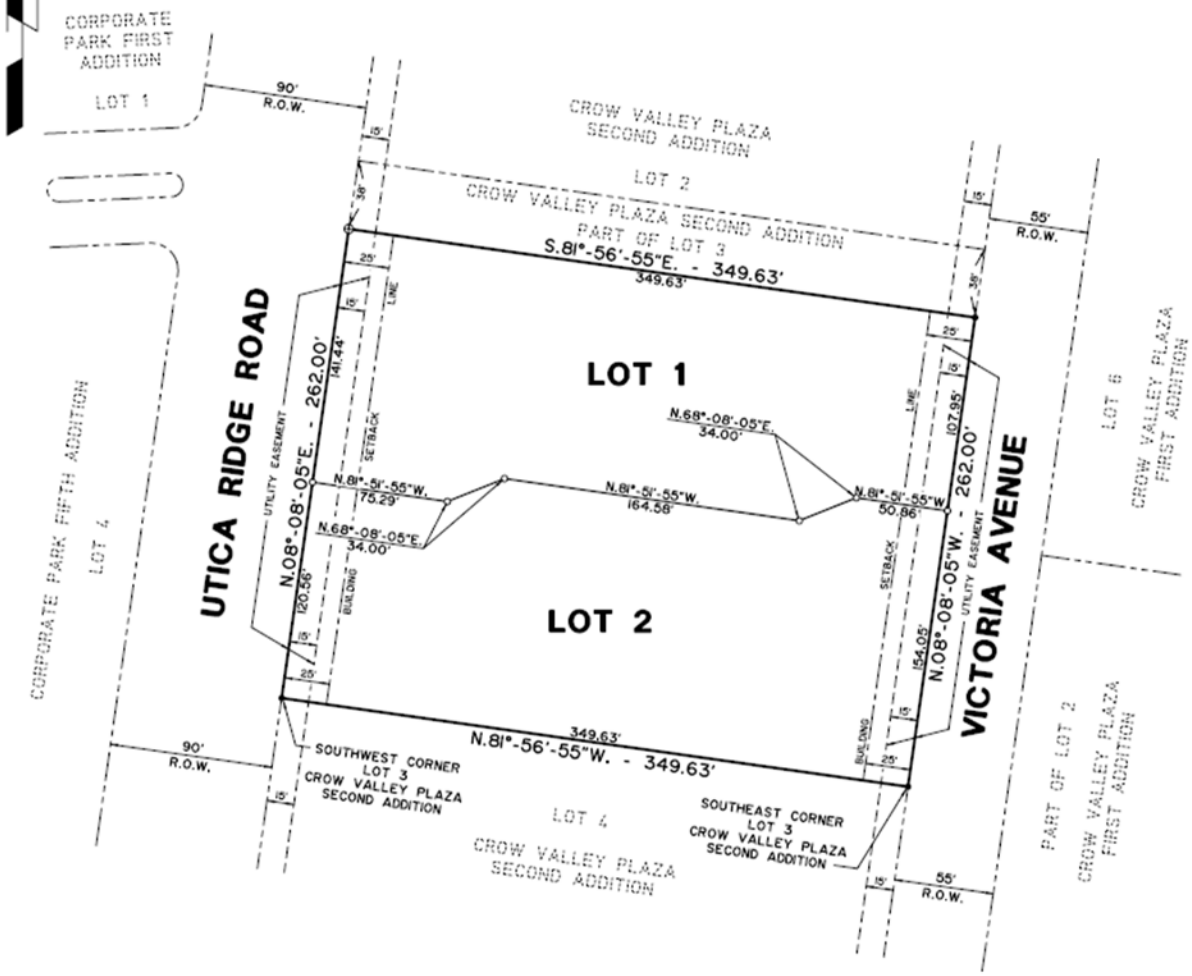
FINAL PLAT OF
CROW VALLEY PLAZA FOURTEENTH ADDITION
TO THE CITY OF DAVENPORT, IOWA

BEING PART OF THE NORTHWEST QUARTER OF SECTION 9 AND PART OF THE NORTHEAST QUARTER OF SECTION 8 ALL IN TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M. AND BEING A REPLAT OF PART OF LOT 3 CROW VALLEY PLAZA SECOND ADDITION

OWNER
NELSOND, LLC
880 13th AVENUE NORTH
CLINTON, IOWA 52732

OWNER
KRE, LLC
CONSOLIDATED FCO, LLC
1805 STATE STREET
BETTENDORF, IOWA 52722

DEVELOPER
NELSON CORP.
SUITE 101
1805 STATE STREET
BETTENDORF, IOWA 52722



GENERAL NOTES

IRON MONUMENTS FOUND SHOWN THUS —•— (5/8"Φ IRON PIN).

CUT "+" IN CONCRETE FOUND SHOWN THUS —⊕—

IRON MONUMENTS SET SHOWN THUS —○— (5/8"Φ IRON PIN).

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SUBDIVISION CONTAINS 3.77 ACRES, MORE OR LESS.

BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED WITHIN THE MINIMUM WIDTH OF SIDE YARD PROVISIONS OF CHAPTER 17.42 OF THE ZONING ORDINANCE OF THE CITY OF DAVENPORT, IOWA, ALONG THE SIDE LOT LINES OF EACH LOT HEREIN FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE, CABLE T.V. AND STREET LIGHTS.

BEARINGS SHOWN HEREON ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD 83.

ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS.

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SIDEWALK SHALL BE CONSTRUCTED ALONG THE STREET FRONTAGE OF EACH LOT SHOWN HEREON IN CONJUNCTION WITH CONSTRUCTION ON THAT LOT.

LOT AREAS			
NO.	SQUARE FEET	NO.	SQUARE FEET
1	44,010	2	47,590

DAVID L. MEYER ☆ LICENSED 7222 IOWA ☆ PROF. ENGR. & LAND SURVEYOR

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.

Signature:
David L. Meyer, P.E. & L.S., License Number 7222
Date: NOVEMBER 07, 2019
My license renewal date is December 31, 2020
THIS SHEET ONLY
Pages or sheets covered by this seal:

MEDIACOM
BY
DATE

IOWA-AMERICAN WATER CO.
BY
DATE

CITY OF DAVENPORT, IOWA
BY
ATTEST
DATE

PLAN & ZONE COMMISSION
BY
DATE

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

CENTURYLINK
BY
DATE

PREPARED BY

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

VMCE 19277

BACKGROUND

Comprehensive Plan:

Within Urban Service Area (USB35): Yes
Future Land Use Designation: RC

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:

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.
Other Utilities. Normal utility services are available 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 would achieve consistency with subdivision requirements.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward F19-20 to the City Council with a recommendation for approval subject to the following access restriction: A note shall be added to the plat stating “Access to this plat shall not be directly from Utica Ridge Road into the subdivision”.

Prepared by:

Scott Koops

Scott Koops, AICP – Planner II
Community Planning

50 0 0 10 25 50

(SCALE : 1" = 50')

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NELSOND, LLC

880 13th AVENUE NORTH

CLINTON, IOWA 52732

OWNER

KRE, LLC

CONSOLIDATED FCO, LLC

1805 STATE STREET

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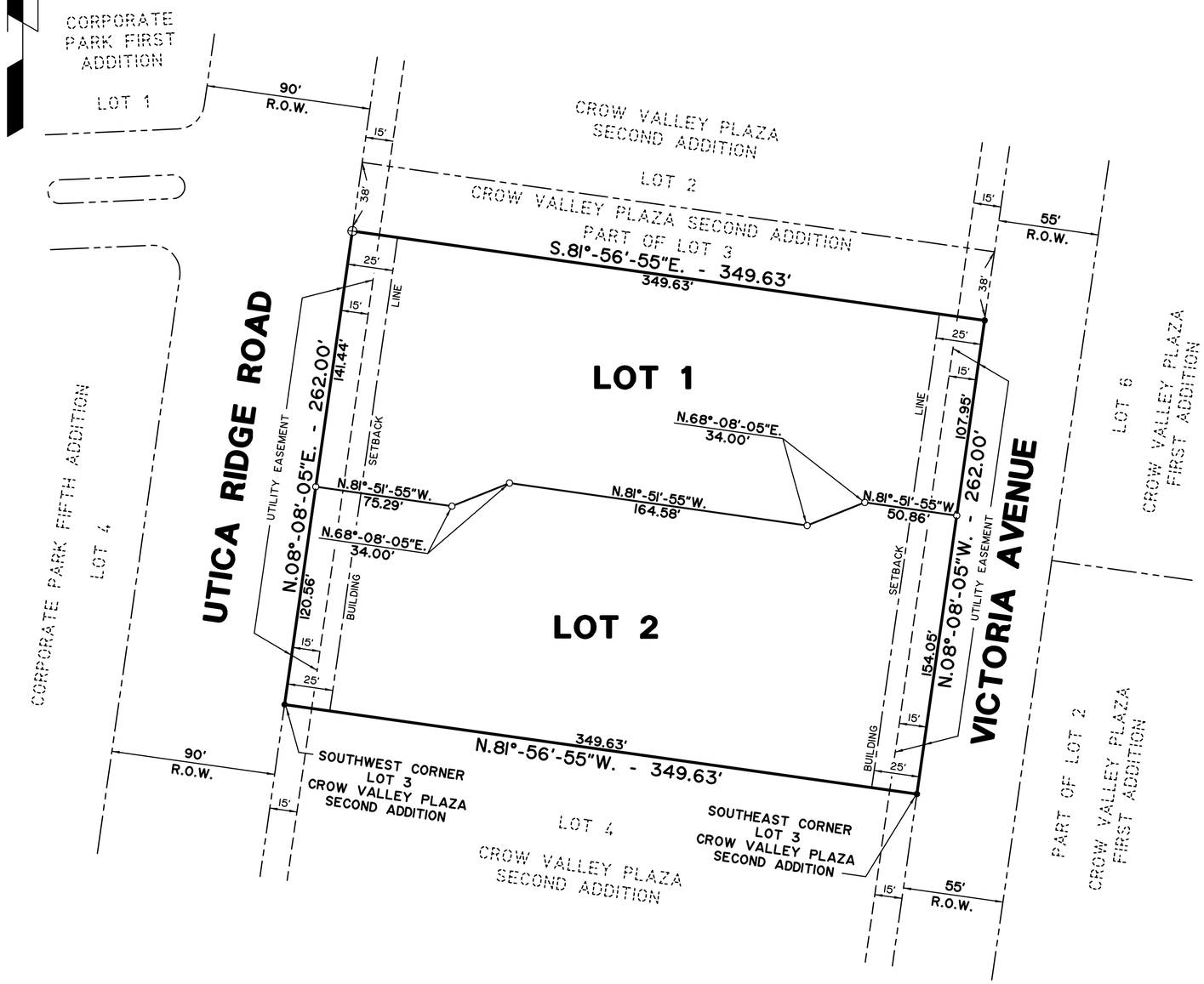

FINAL PLAT OF

CROW VALLEY PLAZA FOURTEENTH ADDITION

TO THE CITY OF DAVENPORT, IOWA

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DAVID L. MEYER ☆ LICENSED 7222 IOWA ☆ PROF. ENGR. & LAND SURVEYOR

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.

Signature:

David L. Meyer, P.E. & L.S., License Number 7222

Date: NOVEMBER 07, 2019

My license renewal date is December 31, 2020

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4111 EAST 60th STREET

DAVENPORT, IOWA 52807

PHONE NUMBER: (563) 359 - 1348

VMCE 19277

CITY OF DAVENPORT
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)
SUBDIVISION REFERENCE FILE

PRELIM / FINAL / PUD (circle the appropriate designation)

SUBDIVISION NAME: CROW VALLEY PLAZA FOURTEENTH ADDITION

LOCATION: East side Utica Ridge Road South of East 56th Street

DEVELOPER:
Name: NELSON CORP - Attn: Kevin Koellner
Address: 1805 State Street, Bettendorf, IA 52722
Phone: 563-355-2022 FAX: _____
Mobile Phone: _____ Email: kevink@buildtosuit.com

ENGINEER:
Name: Verbeke-Meyer Consulting Engineers, P.C.
Address: 4111 East 60th Street Davenport, IA 52807
Phone: 563-359-1348 FAX: 563-359-3295
Mobile Phone: _____ Email: dlm@verbeke-meyer.com

ATTORNEY:
Name: Joe Judge
Address: 220 North Main Street, #600, Davenport, IA 52801
Phone: 563-333-6660 FAX: 563-324-1616
Mobile Phone: _____ Email: jjudge@L-Wlaw.com

OWNER:
Name: K.R.E. LLC, NelsonD, LLC, Consolidated FCO, LLC
Address: 1805 State Street, Bettendorf, IA 52722
Phone: 563-355-2022 FAX: _____
Mobile Phone: _____ Email: kevink@buildtosuit.com

NUMBER OF LOTS: _____ 2 _____ ACRES: 2.10
SF 2F MF & EST. UNITS COMM IND

STREETS ADDED: -0- LINEAR FEET

Does the plat contain a drainage way or floodplain area: ____Yes X No

Fee per Plat	Fee
Ten or fewer lots (< 10 lots)	$400 plus $25/lot
Eleven to twenty-five lots (≥ 11 lots ≤ 25 lots)	$700 plus $25/lot
More than twenty-five lots (> 25 lots)	$1,000 plus $25/lot
Reforestation fee (submit to Land Use Office Prior to City Council review)	$150 per 50 feet of lineal lot frontage

NOTE: THE PLAT WILL NOT BE PROCESSED UNTIL THE FEE AND COMPLETED REFERENCE FILE ARE RECEIVED BY THE PLANNING AND LAND DEVELOPMENT OFFICE.

City of Davenport
Plan and Zoning Commission

Department: CPED **Date**
Contact Info: Matt Flynn, 888-2286 **12/3/2019**

Subject:
Case ROW19-02: Request to vacate a portion of the original Division Street Right-of-Way located between Ridgeview Drive and W. 76th Street. Earle Glaus, petitioner. [Ward 8]

Recommendation:
None, this is the preview.

Background:
Property owner to the west requests this Right-of-Way be vacated. Records indicate the ROW is 33 feet wide which suggests an additional 33 feet has been vacated in the past. Staff will be verifying this.

A public hearing will be held at the December 17, 2019 meeting. Adjacent property owners will be notified.

ATTACHMENTS:

	Type	Description
	Backup Material	Application
	Backup Material	Legal Description
	Backup Material	Location Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	11/26/2019 - 10:14 AM

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

Property Address* See attached legal description
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)

Name:	Erle Glaus
Company:	
Address:	6 Musket Court
City/State/Zip:	LeClaire,Iowa
Phone:	563.209.2520
Email:	

Owner (if different from Applicant)

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

Engineer (if applicable)

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

Architect (if applicable)

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

Attorney (if applicable)

Name:	Michael J. Meloy
Company:	Meloy Law Firm
Address:	2535 Tech Drive
City/State/Zip:	Bettendorf,Iowa 52722
Phone:	563.359.3959
Email:	mike@meloylaw.com

Application Form Type:

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

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

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

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

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

Applicant: Erle Glaus Date: 11/14/2019

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

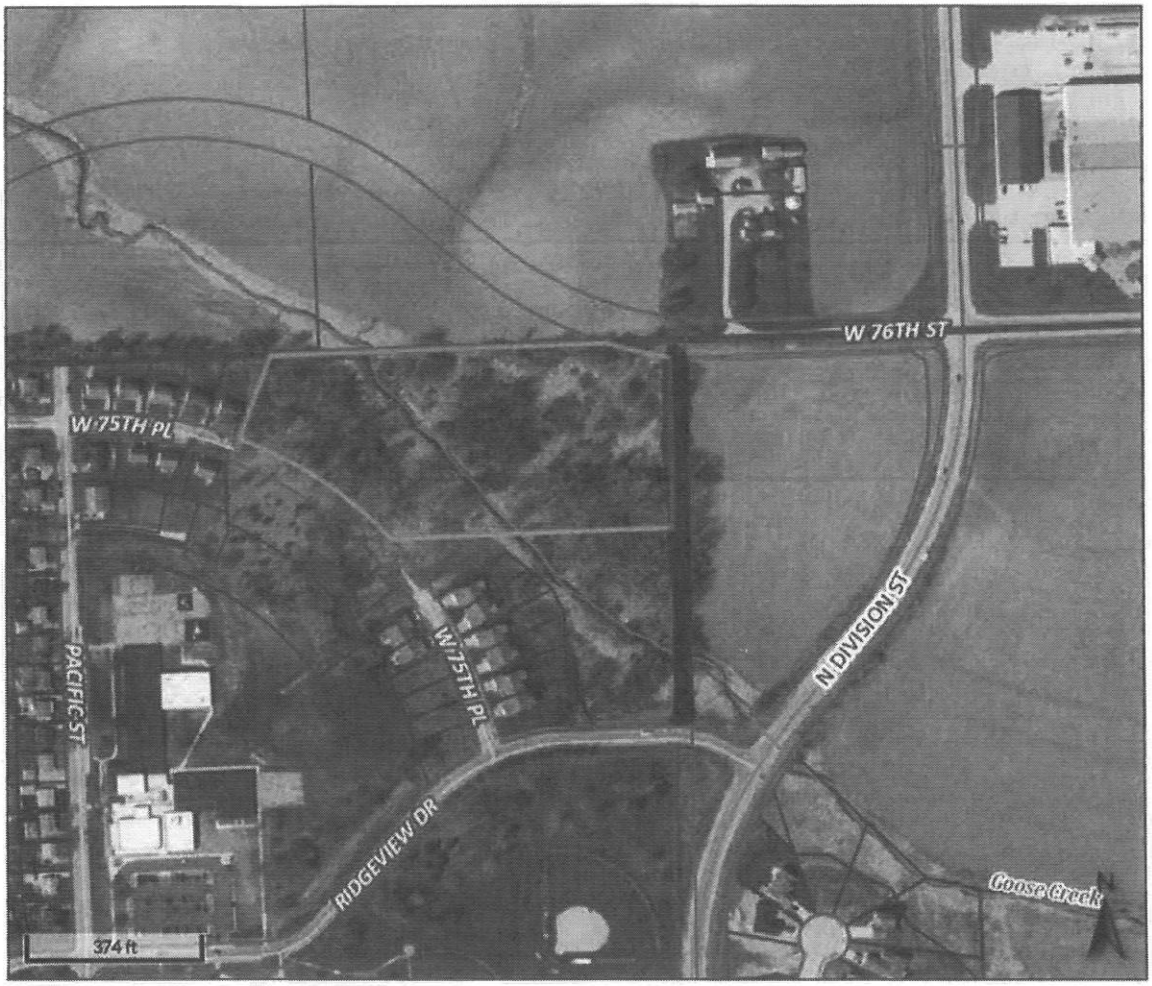
Date of the Public Hearing: _____

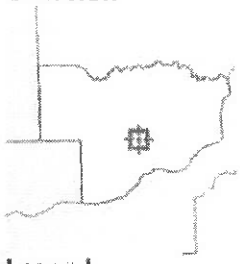
Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

Commencing at the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest ¼ of Section 3 Township 78 North, Range 3 East of the 5th P.M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43' 03" to the point of beginning; thence continuing South 0 degrees 43' 03" to the North Right of Way Line of Ridgeview Drive; Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North, Range 3 East of the 5th P.M. to a point; thence North 00 degrees 00' – 38' East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing .4712 acres more or less.

Scott County / City of Davenport, Iowa





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	W0303-22B	**Alternate ID**	W09045	**Owner Address**	GLAUS ERLE W
Sec/Twp/Rng	n/a	**Class**	R		6 MUSKET CT
Property Address		**Acreage**	n/a		LE CLAIRE IA 52753

Legal Description

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ROW19-02 – Approximately 1930

2014