

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, AUGUST 31, 2021; 5:00 PM

COUNCIL CHAMBERS CITY HALL , 226 WEST 4TH STREET

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the August 17, 2021 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

i. Case F21-10: Request of Catherine Cartee for a Final Plat of a 2 lot subdivision on 2 acres located at 4837 West Locust Street. [Ward 1]

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
8/31/2021

Subject:
Consideration of the August 17, 2021 meeting minutes.

Recommendation:
Approve the minutes.

Background:
The August 17, 2021 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 8-17-21

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	8/23/2021 - 12:19 PM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, AUGUST 17, 2021; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

Present: Johnson, Tallman, Inghram, Hepner, Brandsgard, Reinartz, Maness, Garrington, Stelk

Excused: Schneider, Lammers

Staff: Berkley, Koops, Werderitch

II. Report of the City Council Activity

Berkley updated the Commission on the status of Case REZ21-01: Parcel P1304-02C (Rock Church Ministries Inc.), which was denied by City Council.

III. Secretary's Report

A. Consideration of the August 3, 2021 meeting minutes.

Motion by Tallman, second by Hepner to approve the August 3, 2021 meeting minutes. Motion to approve was unanimous by voice vote (8-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

- i. Case F21-08: Request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust for a Final Plat of Birchwood South First Addition for a 6-lot subdivision on 17.92 acres located at 4607 East 53rd Street. [Ward 6]

Werderitch provided an overview of the proposed commercial subdivision.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F21-08 to the City Council with a recommendation for approval subject to the listed conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Remove 'Zoning' note #2 and #3 from the final plat.
4. Under the 'Zoning' notes, individually list applicable conditions from Ordinance 2021-105.
5. Include the word 'sewer' in the 15' easement description along the north lot line.
6. All easements that contain public sewer should include in the description "sewer." Update the easement on the south of East 52nd Street to include "sewer" in the description.
7. Include the central angle shown for all curves.
8. Add a 15' utility easement on the north side of 52nd Street.
9. Add Metronet as a utility signatory.

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Motion by Johnson, second by Hepner to approve Case F21-08 subject to conditions. Motion to approve was unanimous by a roll call vote (7-0). Tallman abstained.

- ii. Case F21-09: Request of Dan Dolan Homes on behalf of Sophie Foster Revocable Trust for a Final Plat of Birchwood Grove for a 15-lot subdivision on 20 acres located at 4607 East 53rd Street. [Ward 6]

Werderitch presented a summary of the proposed residential subdivision. Kevin Dolan, Dan Dolan Homes, was in attendance.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F21-09 to the City Council with a recommendation for approval subject to the listed conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.

3. "Lot C" shall be renamed to "Lot 15".
4. Ensure all rezoning conditions from the adopted Ordinance No. 2021-105 are listed as a note on the plat. Revise Note #4 to state, "The height of structures in the R-MF zoning district shall be no greater than 35 feet."
5. Pedestrian access to existing sidewalks on East 51st Street, Eastbury Estates Drive, and Hawk Drive shall be depicted as pedestrian easement with a note stating that the landowner must maintain 5 ft. wide pedestrian sidewalk for the appropriate lot numbers.
6. The "30' Landscape Buffer" shall continue along the entire eastern, western, and southernmost property lines in the renamed Lot 15.
7. Include a note stating, "The 30' landscape buffer shall be planted prior to the issuance of any certificates of occupancy."
8. Drainage easements shall be separated from landscape buffers.
9. Add the following statement to the last line of General Note #10, "or so order by the City of Davenport."
10. Lakeview Parkway and Ravenwood Lane require hammerheads/turnarounds constructed at their ends within an access easement.
11. All easements containing public sewer are to have "sewer" included in the description.
12. Include a note regarding stormwater detention and water quality requirements that reads, "Stormwater detention and water quality treatment are required with this subdivision and will be subject to the applicable ordinances in place at the time of development."
13. Provide Stormwater and detention easements on Lot A and B.

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Motion by Johnson, second by Hepner to approve Case F21-09 subject to conditions. Motion was approved by a roll call vote (6-1). Garrington dissented. Tallman abstained.

- iii. Case P21-04: Request of Origin Design on behalf of Russell Construction for a preliminary plat of Russell-Frye/Armstrong Industrial Park 1st Addition for a 3-lot subdivision on 95 acres, located 8730 Northwest Boulevard. [Ward 2]

Koops introduced the proposed industrial subdivision.

Staff recommended the Plan and Zoning Commission forward P21-04 to City Council with a recommendation for approval subject to the following conditions:

1. An additional 20 feet of Utility Easement shall be added to the existing 10 foot easement along the south lot line.
2. All sewer easements shall be either 15 feet wide or twice the depth of the sewer, whichever is greater.
3. The legal description, utility note, and preparer's contact info shall be removed.
4. A total of 70 feet of right-of-way shall be required along West 83rd Street.
5. Standard Plat Notes shall be added.
6. Corporate limits shall be shown on the plat.
7. Lot three shall not have any direct access to Northwest Boulevard.
8. Additional storm and sanitary sewer easements shall be required based on preliminary engineering of conceptual plans including service drainage of the property to the west.
9. Provide 30 feet of right-of-way radii at the intersection of Northwest Boulevard & Zenith Avenue.
10. Lots A, B, and C shall be labeled as outlots and shall be shown with stormwater detention easements.

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport+2035; and
2. The preliminary plat will achieve consistency with subdivision requirements with the proposed conditions.

Hepner inquired about the restricted access to Northwest Boulevard. Berkley clarified that Northwest Boulevard is under the jurisdiction of the Iowa DOT, which determines the location of access drives.

Motion by Johnson, second by Hepner to approve Case P21-04 subject to conditions. Motion to approve was unanimous by a roll call vote (7-0).

VII. Future Business

VIII. Communications

The executive committee is reviewing the existing by-laws and intends to make minor revisions, which will be presented to the Commission at a future meeting date.

IX. Other Business

X. Adjourn

Motion by Hepner, second by Johnson to adjourn the meeting. Motion to adjourn was unanimous by voice vote (8-0).

The meeting adjourned at 5:20 pm.

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
8/31/2021

Subject:

Case F21-10: Request of Catherine Cartee for a Final Plat of a 2 lot subdivision on 2 acres located at 4837 West Locust Street. [Ward 1]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F21-10 to the City Council with a recommendation for approval subject to the listed findings and conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The plat (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Submit an updated access easement and maintenance agreement providing all existing and proposed lots with access rights.
4. Show all existing utility easements.
5. Add a note stating, "Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cables, gas service, gas main, utility poles, manholes, water service, sewer lateral, telephone service and cable T.V. service to individual structures and street lights.

Background:

The request is for a 2-lot subdivision to facilitate construction of a new single-family dwelling. There are currently five residences within the Cartee's Additions, this plat would allow a sixth residence. All lots meet the minimum lot area and width requirements of the R-1 Single-Family Residential District.

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

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

areas, where higher intensity may be considered.

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

The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning:

The property is zoned R-1 Single-Family Residential District. This district is intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards.

Technical Review:

- Streets: The proposed plat is located south of West Locust Street, an arterial street. Access to the lots would be by way of an existing driveway. An access easement is required.
- Storm Water: Stormwater regulations will apply in a development with more than 5,000 square feet of impervious surface. This includes houses and driveways.
- Sanitary Sewer: Sanitary sewer service is located to the southwest and is accessible for this development.
- Other Utilities: This is an urban area and normal utility services are available.
- Parks/Open Space: The proposed plat does not impact any existing or planned parks or public open space.

Public Input: No public hearing is required for a Final Plat.

ATTACHMENTS:

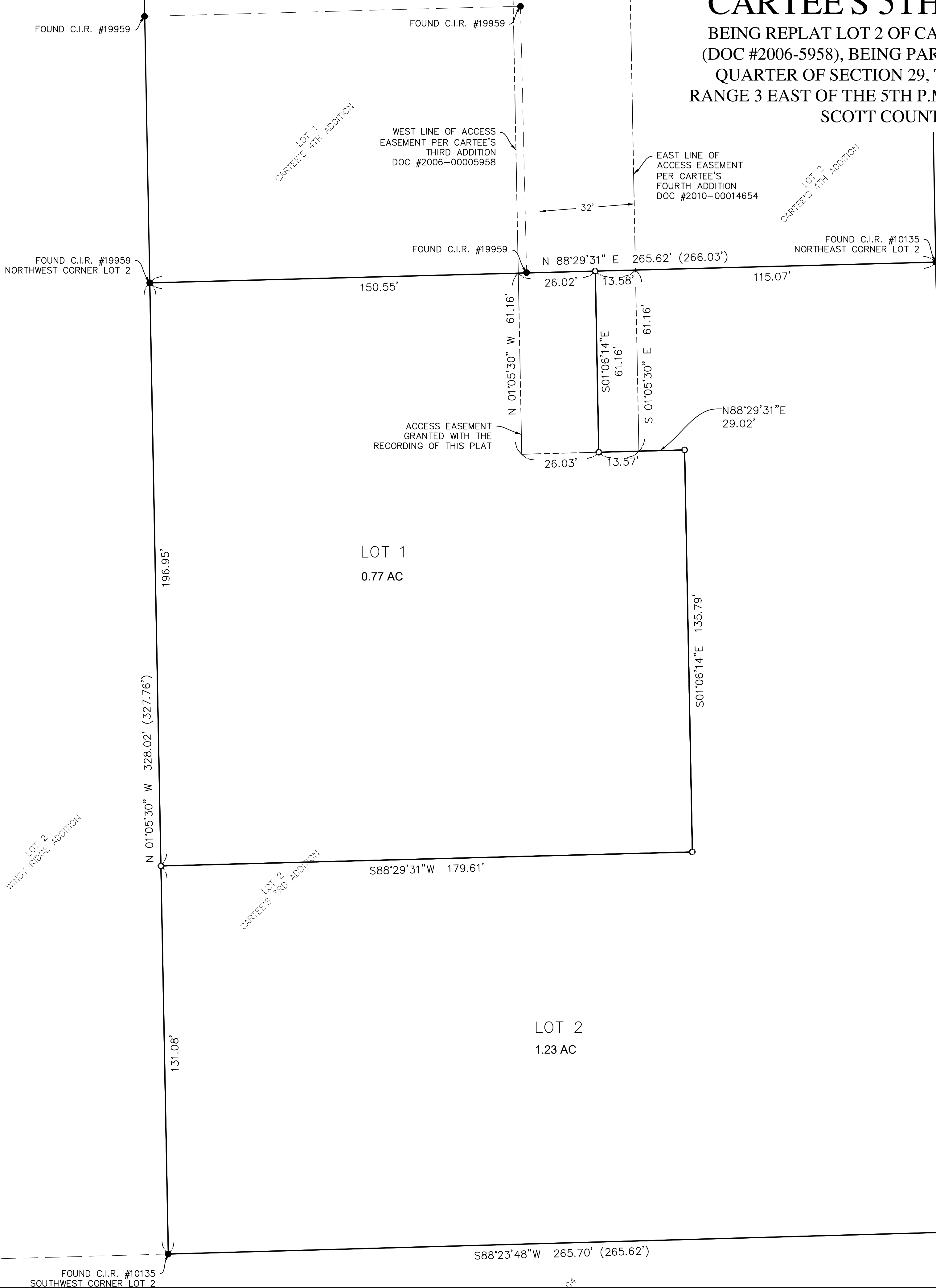
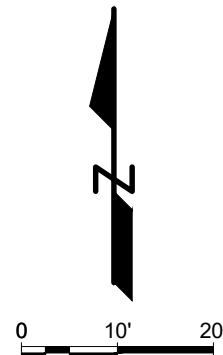
Type	Description
▢ Backup Material	Final Plat
▢ Backup Material	Zoning and Future Land Use Map
▢ Backup Material	Application

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berkley, Laura	Approved	8/26/2021 - 1:49 PM

FINAL PLAT OF
CARTEE'S 5TH ADDITION
BEING REPLAT LOT 2 OF CARTEE'S 3RD ADDITION
(DOC #2006-5958), BEING PART OF THE NORTHWEST
QUARTER OF SECTION 29, TOWNSHIP 78 NORTH,
RANGE 3 EAST OF THE 5TH P.M., CITY OF DAVENPORT,
SCOTT COUNTY, IOWA



MIDAMERICAN ENERGY COMPANY

BY _____

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

IOWA--AMERICAN WATER CO.

BY _____

DATE _____

MEDIACOM

BY _____

DATE _____

CENTURYLINK

BY _____

DATE _____

METRONET

BY _____

DATE _____

PLAN & ZONE COMMISSION

BY _____

DATE _____

CITY OF DAVENPORT, IOWA

BY _____

ATTEST _____

DATE _____

REQUESTOR:

COLIN & JESSICA CARTEE

4837 WEST LOCUST STREET

DAVENPORT, IOWA 52804

LEGEND

- SET 5/8" IRON ROD WITH
ORANGE PLASTIC CAP#22228
● FOUND MONUMENT AS NOTED
— SURVEY BOUNDARY LINE
- - - EXISTING LOT LINES
- - - EXISTING EASEMENT LINES
123.45 MEASURED DISTANCE
(123.45) RECORDED DISTANCE

BEARINGS BASED ON THE IOWA STATE
PLANE COORDINATE SOUTH ZONE, NAD 83
(2011) EPOCH 2010.00

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.

DRAFT

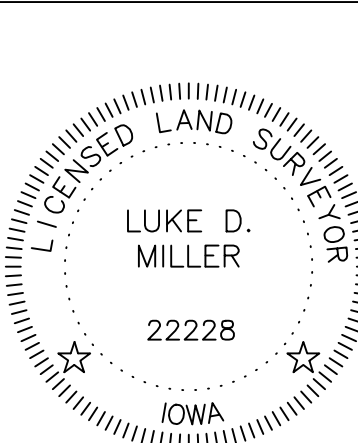
Signature: _____
Luke D. Miller

Date _____ Reg. No. 22228

My license renewal date is December 31, 2021.

Pages or sheets covered by this seal:

THIS SHEET ONLY.



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& ASSOCIATES, P.C.
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REVISION HISTORY

NO.	DESCRIPTION	DATE	APPR.
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PRELIMINARY
NOT FOR
CONSTRUCTION

CARTEE'S 5TH ADDITION

COLIN & JESSICA CARTEE
4837 WEST LOCUST STREET
DAVENPORT, IOWA 52804

Non-Reduced Sheet Size: 24" x 36"
Full sized plans have been prepared using standard scales.
Reduced size plans may not conform to standard scales.

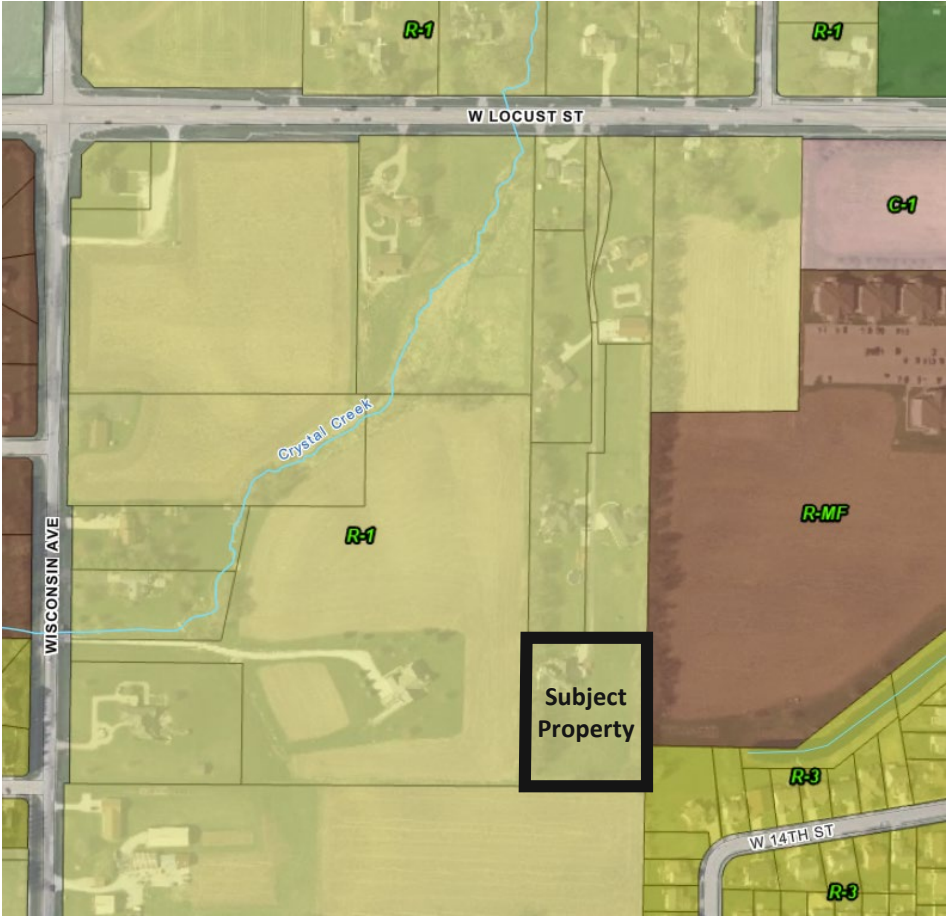
DESIGNED	DRAWN:
FIELD	FIELD BOOK
CHECKED	CHECK DATE
LDM	

FINAL
PLAT

PROJECT NO.
21-6083 BOUNDARY
7-28-21

SHEET
1 OF 1

Maps



Zoning Map



Future Land Use Map



Complete application can be emailed to planning@davenportiowa.com

Property Address*

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

Applicant (Primary Contact)

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Attorney (if applicable)

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

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

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

Property Location:

Total Land Area: Please Select

Total Number of Lots:

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

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

Lot 2 of Cartee's Third Addition

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

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

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner: Catherine Carter

Date: 8/5/2022

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by: _____

Date: _____

Planning staff

Date of Plan and Zoning Commission Public Hearing: _____

Plan and Zoning Commission meetings are held the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa.