PLAN & ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, AUGUST 15, 2023; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

~~COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS~~

~~PUBLIC HEARING AGENDA~~

I. New Business

A. Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

B. Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

~~REGULAR MEETING AGENDA~~

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the July 18, 2023 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

i. Case F23-10: Request of QuikTrip Corporation for a final plat of Business Commons at Silver Creek 2nd Addition. The 1-lot subdivision is located south of 76th Street and west of Northwest Boulevard, on 3.82 acres. [Ward 8]

ii. Case F23-11: Request of William Taylor for a final plat of Crystal Creek 9th Addition. The 4-lot subdivision is located at 3100 and 3051 Emerald Drive on 9.06 acres. [Ward 1]

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services **Date**
Contact Info: Laura Berkley | 563-888-3553 **8/15/2023**

Subject:
Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

Recommendation:
Hold the Public Hearing.

A formal staff recommendation will be provided at the September 5, 2023 Plan and Zoning Commission Meeting.

Background:
The subject property consists of approximately 16 acres of undeveloped land generally located southeast of 53rd Street and Spring Street. The site is adjacent to the Smart Luxury Motors dealership to the west, Hanlin's Creek to the east, and residential neighborhoods to the south.

The applicant, 53rd Luxury LLC, currently operate the Audi, Volkswagen, and Mercedes dealership at the corner of Eastern Avenue and 53rd Street. If a rezoning were approved, the site will be developed for one or more vehicle dealerships. The intent is to create a centralized location of car dealerships within Davenport.

This project is related to Case ROW23-04, being the right-of-way vacation of Spring Street, south of 53rd Street. Vacating this section of right-of-way will better facilitate the development of the site. A concept plan has been submitted by the applicant for review.

Why is a Zoning Map Amendment Required?
The subject property is currently split zoned between C-2 Corridor Commercial District and R-MF Multi-Family Residential District. The applicant is petitioning a rezoning to C-3 General Commercial District for the purpose of developing the site for one or more vehicle dealerships. The principal use 'Vehicle Dealership-With Outdoor Storage/Display' is a special use in the C-3 District. If the rezoning request is approved, the applicant will need to apply for a Special Use Permit, which is reviewed and approved by the Zoning Board of Adjustment.

Comprehensive Plan:
Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation:
1. **Commercial Corridor (CC)** – Well-established corridors located along high-volume major streets dominated by retail and office uses that serve the greater community. Development is generally newer and redevelopment is not anticipated within the 20 year planning horizon.

Improvements should focus on façade and site improvements, including pedestrian circulation systems and consolidated/updated signage. (Approximately 5.5 acres)

2. **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. (Approximately 10.5 acres)

Zoning:
The subject property is currently split zoned between the following zoning districts:

1. **C-2 Corridor Commercial District** (Approximately 5.5 acres): This district is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.
2. **R-MF Multi-Family Residential District** (Approximately 10.5 acres): This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

The applicant is requesting a rezoning to **C-3 General Commercial District**. This district is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Technical Review:
City Departments are reviewing the proposed Zoning Map Amendment Application. Further comments will be provided at the September 5, 2023 Plan and Zoning Commission meeting.

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the August 7, 2023 neighborhood meeting and August 15, 2023 Plan and Zoning Commission Public Hearing. In addition, a sign was posted on the property notifying the public of the pending application.

The neighborhood meeting was held at Eastern Avenue Library on August 7th at 5:30pm. There were approximately twelve members of the public in attendance. Topics of conversation and concerns raised by abutting homeowners included development of the site for multiple car dealerships, site layout, traffic, access points, site lighting, landscaping, buffering adjacent homes, stormwater management, and potential development of the southern portion of the property.

Staff will apprise the Commission of any additional correspondence at the September 5, 2023

Plan and Zoning Commission meeting.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Zoning Map
🗋	Backup Material	Vicinity, Zoning, & Future Land Use Map
🗋	Backup Material	Application
🗋	Backup Material	Exhibits
🗋	Backup Material	Public Notice
🗋	Backup Material	Minutes of Neighborhood Meeting-Applicant Copy
🗋	Backup Material	Neighborhood Meeting Attendance List

Staff Workflow Reviewers

REVIEWERS:

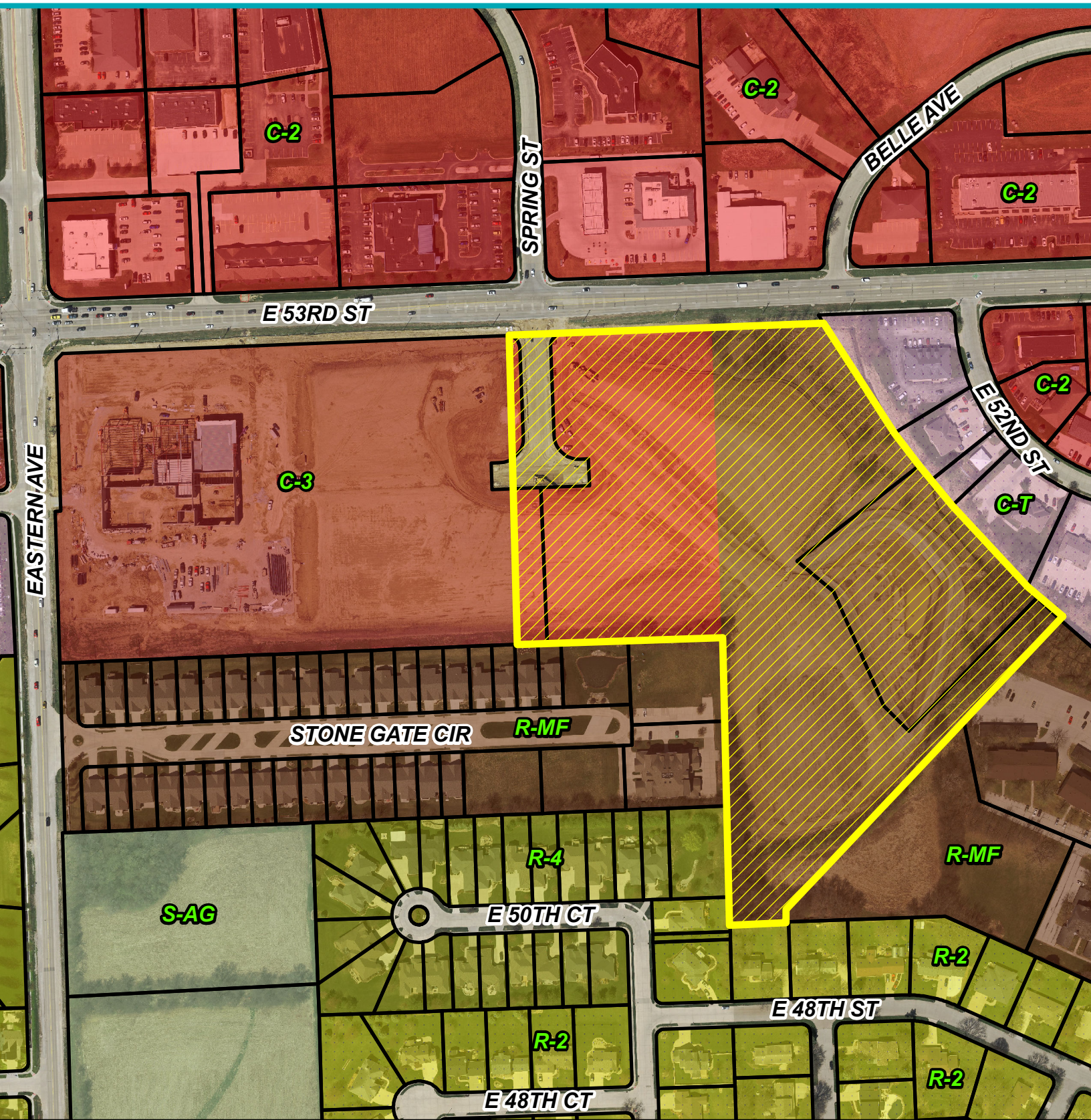
Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	8/11/2023 - 3:40 PM

Rezoning Request

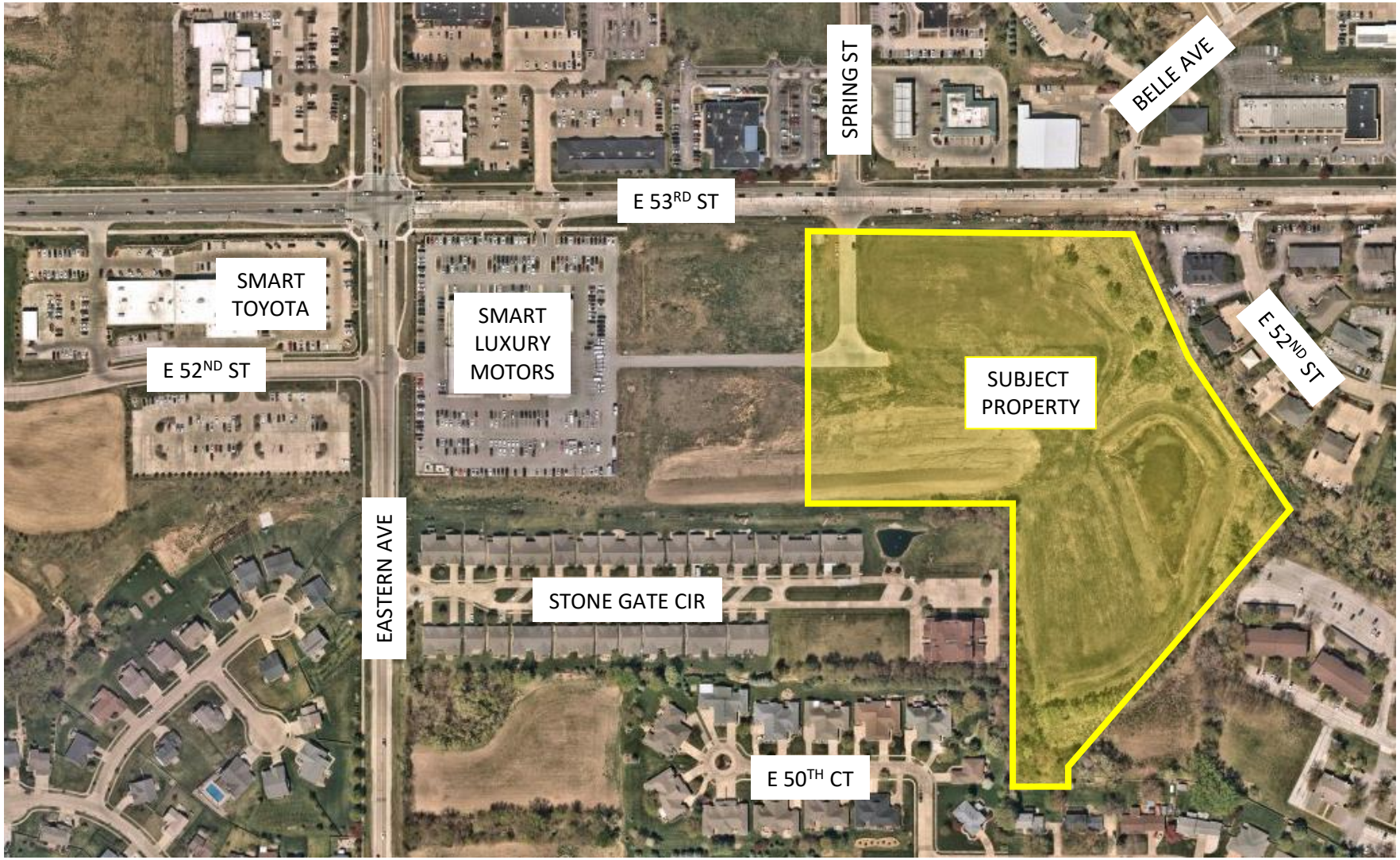
Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

Subject Property

0 250 500
Feet

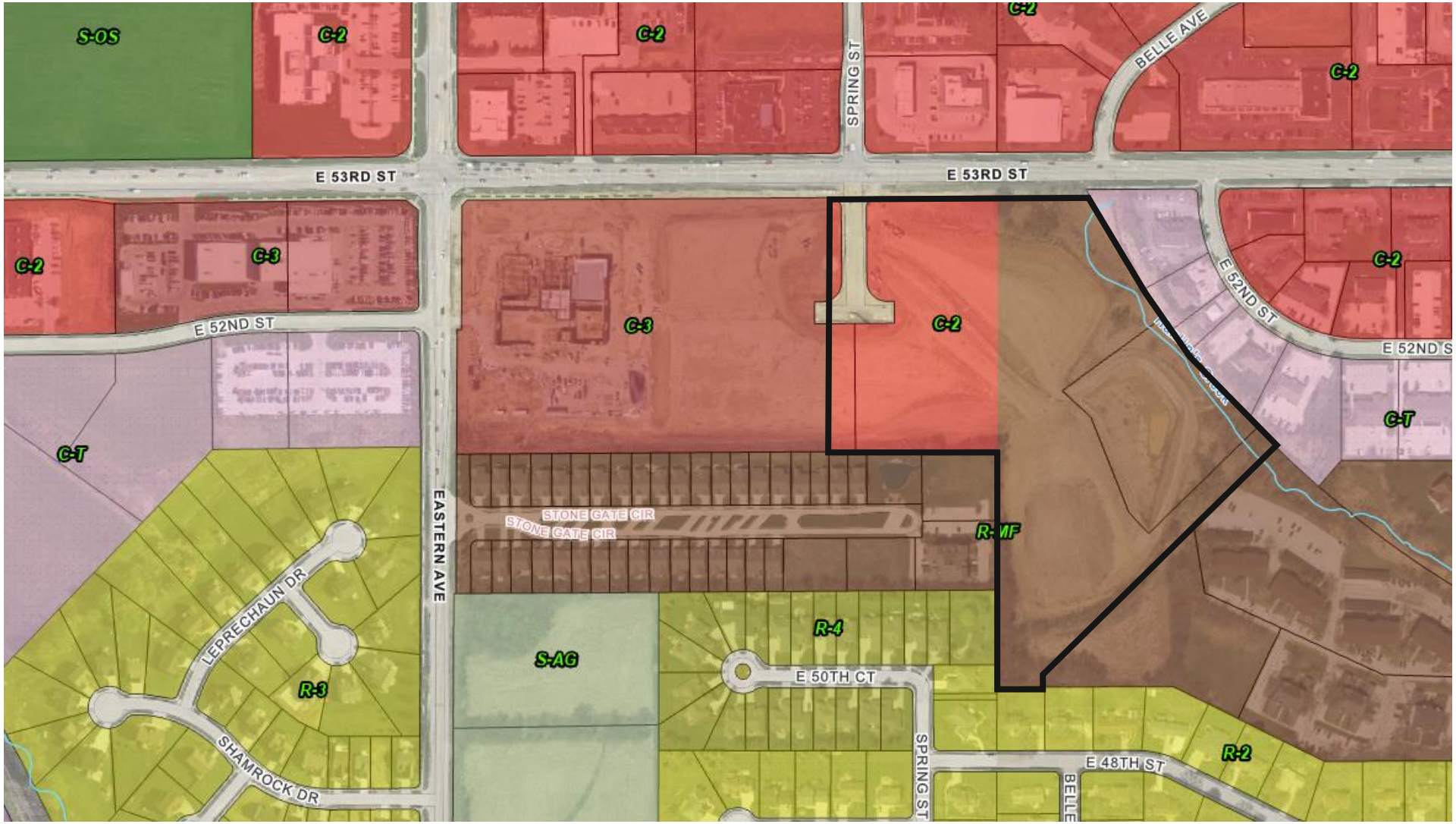


Vicinity Map



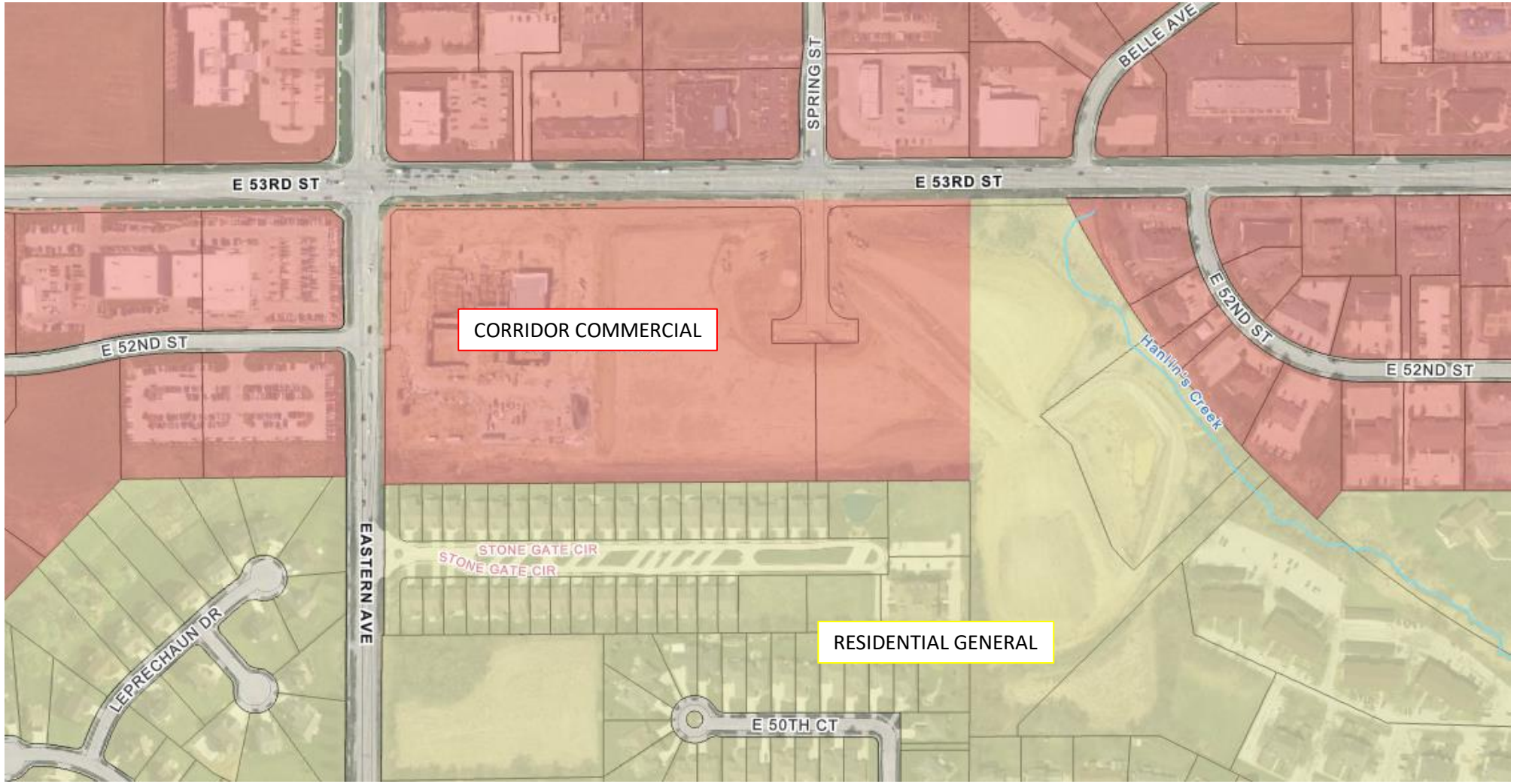
Zoning Map

DAVENPORT
IOWA | USA



Future Land Use Map

DAVENPORT
IOWA | USA



CITY OF DAVENPORT
Public Works - DNS Planning
1200 E. 46th St.
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com
davenportiowa.com/citycode

APPLICATION FOR

REZONING

(Map Amendment)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
07/05/2023	07/13/2023	08/15/2023

PROJECT TITLE
53rd & Spring Auto Dealership

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION
S of E 53rd St at Spring St and E of Spring St

NEIGHBORHOOD MEETING DATE / TIME / LOCATION
8/7/23 5:30 pm Eastern Branch Library - 6000 Eastern Ave

ZONING DISTRICT	EXISTING	PROPOSED	SQ. AREA
	C-2; R-MF	C-3	16.009 ac

APPLICANT INFORMATION

APPLICANT NAME
53rd Luxury LLC

ADDRESS
5201 N. Grape Road

CITY, STATE, ZIP
Mishawaka, IN 46545

PHONE
(574) 272-2009

SECONDARY PHONE
(480) 334-4323

E-MAIL ADDRESS
cpustelak@gurleyleep.com

Acceptance of Applicant

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

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Chris Pustelak, VP of 53rd Luxury LLC
Type Applicant's Name

Applicant's Signature _____ Date _____

DEVELOPMENT TEAM

Property Owner
See following page for owner's and information.

Address

Phone | Secondary Phone

E-Mail Address

Project Manager/Other
John W. Hofmeyer IV, Attorney with Arenson Law Group, PC

Address
425 Second St SE, STE 900, Cedar Rapids, IA 52401

Phone
(319) 731-0543

Secondary Phone
(319) 400-8785

E-Mail Address
jhofmeyer@arensonlaw.com

COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED

- Concept/Development Plan ☐
- Consent to Rezone/legal interest Affidavit* ☑
  *shall include owner contact information
- Legal Description* (bearing & distance) ☐
  * shall include a MS Word or Text file
- Legal Description Dimensioned Sketch ☑
- Application Fee* ☐
  *required for a complete application

Rezoning Fee Schedule	
Land Area	**Fee**
Less than 1 acre	$400
1 to less than 10 acres	$750 plus $25/acre
10 acres or more	$1,000 plus $25/acre

1 to 3 site notice signs are required based on lot size; $10 each

***PROJECT NARRATIVE*:** (submit separate sheet if needed)

Applicant seeks to rezone the following auditor parcels to C-3: N0709A02, N0710A04, N0710AOLA. The Applicant's intention is to develop the property for use with one or more motor vehicle dealerships, including outdoor storage. The Applicant intends to also submit a special use permit request to the Zoning Board of Adjustment at the appropriate time.

Contact Development & Neighborhood Services (DNS) Planning Division at planning@davenportiowa.com with any questions, for additional information, and to submit this form.

Supplemental Answer to "Property Owners" (p.1)

Property Owner 1 Auditor's Parcel Nos. N0710AOLA and N0710A04

Ed Speer Construction, Inc.

Address

5426 -- 157th Street, Grimes, IA 50111

Phone 1 Phone 2

Email

Property Owner 2 Auditor's Parcel No. N0709A02

Sheila M Speer Living Trust

Address

2221 Oak Road NE, North Liberty, IA 52317

Phone 1 Phone 2

Email

Authorization to Act as Applicant

I/We, Ed Speer Construction, Inc.
[as property owner(s)]

authorize Chris Pustelak, VP, and John Hofmeyer, attorney, for 53rd Luxury LLC
[the above person(s)]

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

for the property located at Auditor's Parcel Nos. N0710AOLA and N0710A04.

Signature(s)*

*Please note: original signature(s) or images of them are required.

Date

Application Form Types

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Appeal

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

Authorization to Act as Applicant

I/We, Sheila M Speer Living Trust
[as property owner(s)]

authorize Chris Pustelak, VP, and John Hofmeyer, attorney, for 53rd Luxury LLC
[the above person(s)]

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

for the property located at Auditor's Parcel No. N0709A02.

Signature(s)*

*Please note: original signature(s) or images of them are required.

Date

Application Form Types

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

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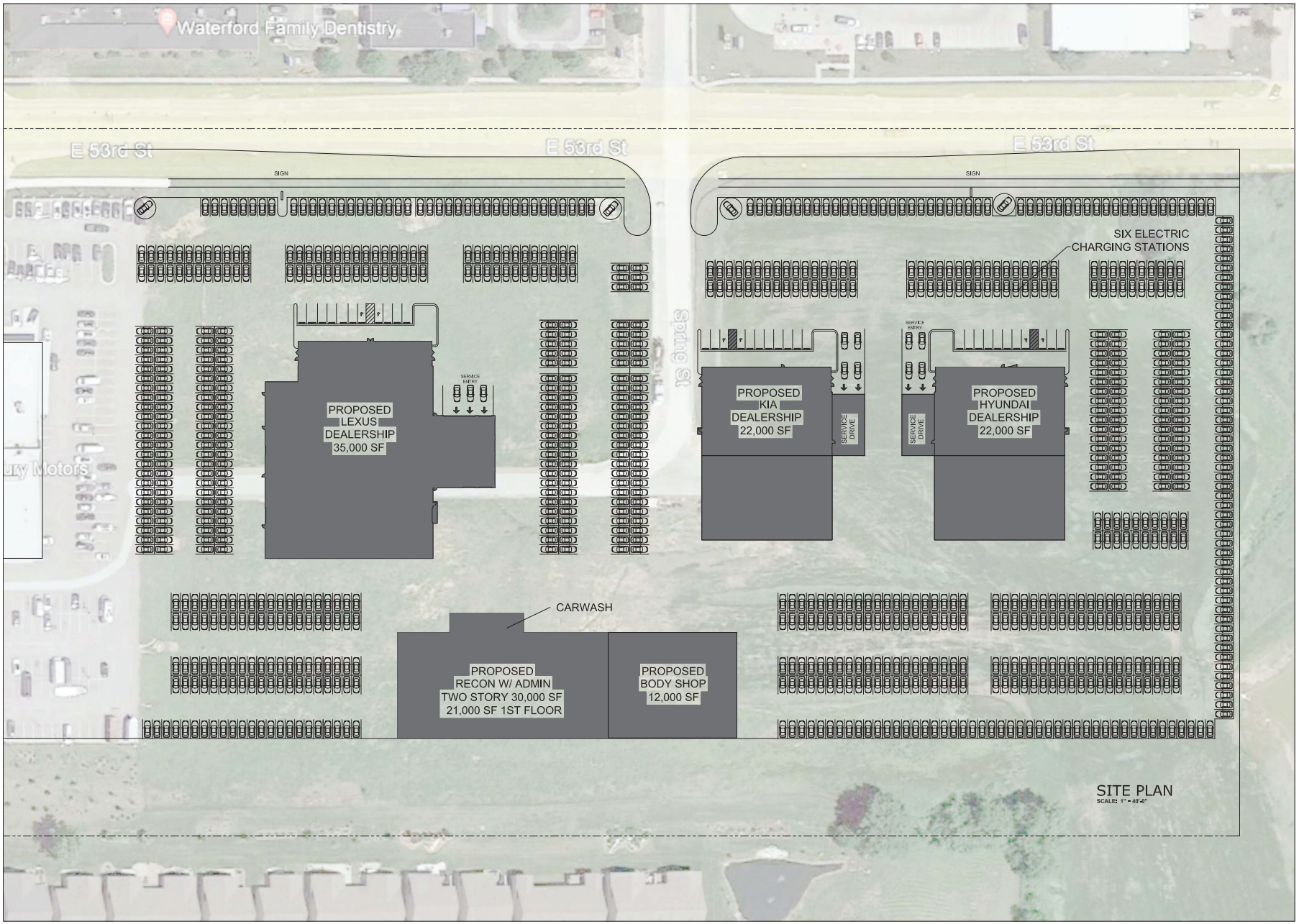


CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN BUILD
6296 Rucker Road Suite C
Indianapolis, IN 46220-4486
TEL 317-259-6038
FAX 317-259-4383
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

NEW AUTO SITE

1777 East 53rd Street
Davenport, Iowa
52807

06/29/2023
Seal

Project No.: 20021
Drawn By: KTM
Checked By: KTM

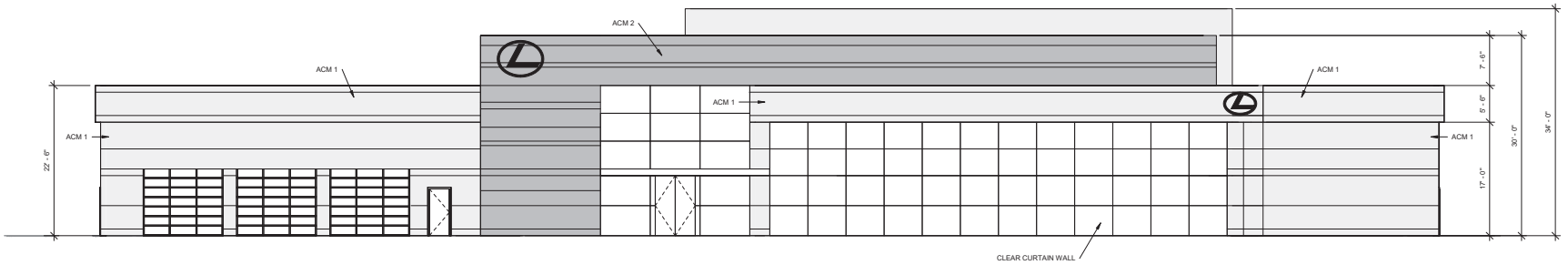
Revisions

Mark	Date	Remarks

DO NOT SCALE DRAWINGS.
Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered and/or on the drawings.

SITE PLAN

ST-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:59:53 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6266 Rucker Road
Suite C
Indianapolis, IN
46220-4566
TEL 317-259-6018
FAX 317-259-6183
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Lexus

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

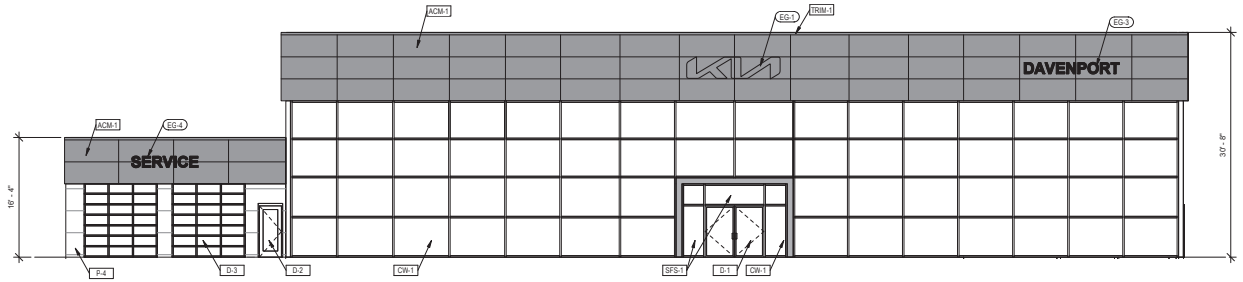
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Elevations

A4-1



3 A4-1 Front Elevation
1/8" = 1'-0"

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6396 Backer Road
Suite C
Indianapolis, IN
46250-946
TEL 317-259-0018
FAX 317-259-4785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Davenport Kia

Davenport, Iowa

6/29/2023 3:24:56 PM

Seal

Project	20021
Drawn By:	KTM
Checked	KTM

Revision

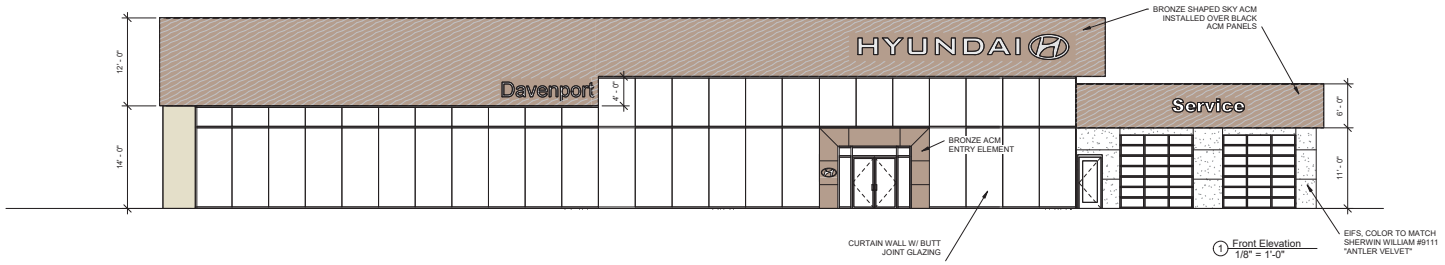
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Exterior Elevations

A4-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:36:43 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6266 Rucker Road
Suite C
Indianapolis, IN
46220-4566
TEL 317-259-0018
FAX 317-259-4785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Hyundai of Davenport

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Elevations

A4-1

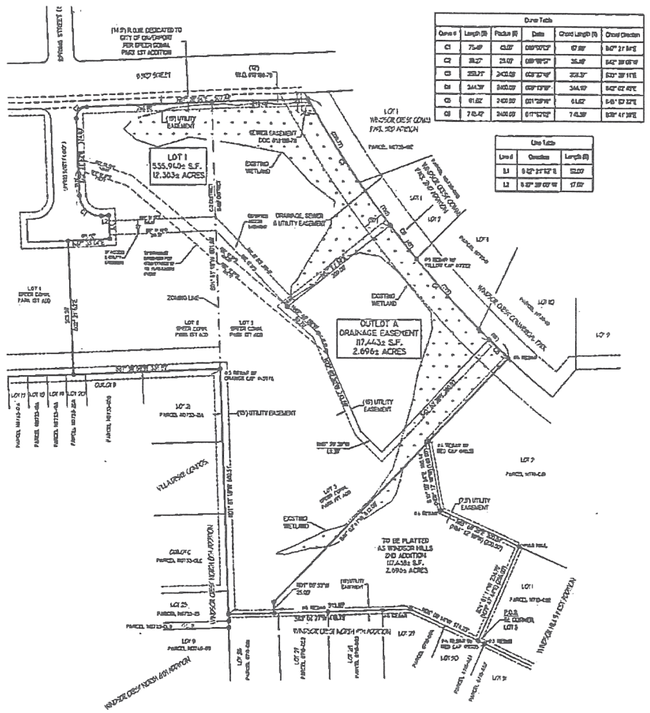
Legal Description

Lot 1 and Outlot A of Speer Commercial Park 2nd Addition to the City of Davenport, Scott County, Iowa.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236

Doc ID: 023406030010 Type: PLA
Recorded: 01/27/2023 at 10:37:39 AM
Fee Amt: $52.00 Page 1 of 10
Scott County Iowa
Rita A. Vargas Recorder
File 2023-00001524



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	75.49'	45.00'	096°07'07"	67.00'	S47° 21' 54"E
C2	39.27'	25.00'	090°00'00"	35.36'	S42° 39' 06"W
C3	253.27'	2402.00'	006°02'46"	253.15'	S37° 39' 11"E
C4	344.39'	2402.00'	008°12'59"	344.10'	S40° 42' 49"E
C5	61.62'	2402.00'	001°28'06"	61.62'	S45° 57' 32"E
C6	7 65.49'	2402.00'	0°1°34'02"	7 65.39'	S39° 41' 39"E

Line Table		
Line #	Direction	Length (ft)
L1	S 42° 21' 52" E	52.00'
L2	S 39° 38' 08" W	17.00'

FINAL PLAT OF:
SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES
1. ALL STREET RIGHTS OF WAY TO BE DEDICATED WITH THIS PLAT TO THE CITY OF DAVENPORT.
2. SIDEWALKS SHALL BE CONSTRUCTED ALONG THE FRONTAGE OF EACH LOT WHEN THE LOT IS DEVELOPED OR WHEN SO ORDERED BY THE CITY OF DAVENPORT.
3. ALL LOTS WILL BE CONNECTED TO THE PRIVATE WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC SANITARY SEWER SYSTEM OF DAVENPORT.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THIS LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR STREET LIGHTING WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS (SUDAS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
8. OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION. SAID OUTLOT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION OF SUBDIVISION.
9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION SHALL NOT BE CUT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION. IN THE EVENT THAT THE AREA DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT-ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORD. 2017-520)
13. 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.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-520.
Section 17.17.010J.

[Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-193 § 10]
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Routine use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA
BY: _____ DATE: 24 JAN 23 ATTEST: _____

CITY PLAN & ZONING COMMISSION
BY: _____ DATE: 1-20-23

MIDAMERICAN _____ DATE: 1-10-2023

IOWA AMERICAN WATER COMPANY _____ DATE: 1-11-2023

CENTURY LINK _____ DATE: 1 10 2023

MIDAMERICAN ENERGY _____ DATE: 1-10-2023
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

METRONET _____ DATE 1 10 2023

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/ YELLOW CAP #23503 UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
WETLAND LINE =
SECTION LINE =

1. Area of Subdivision-
Total: 14.999 Acres +/-
Lot 1: 12.303 Acres +/-
Outlot A: 2.696 Acres +/-

2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

3. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 5280
Ph: (563) 386-4236

4. Attorney:
R. Doug Wells
Gomez May, LLP
Davenport, Iowa 52807
Ph: (563) 359-3591

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

LICENSED LAND SURVEYOR
MICHAEL D. RICHMOND
23503
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Michael D. Richmond 12/29/2022
MICHAEL D. RICHMOND
Iowa License Number 23503
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING

DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD
563 388.4238 p/fax 386.4237 fx
2224 East 12th Street, Davenport, IA 52803

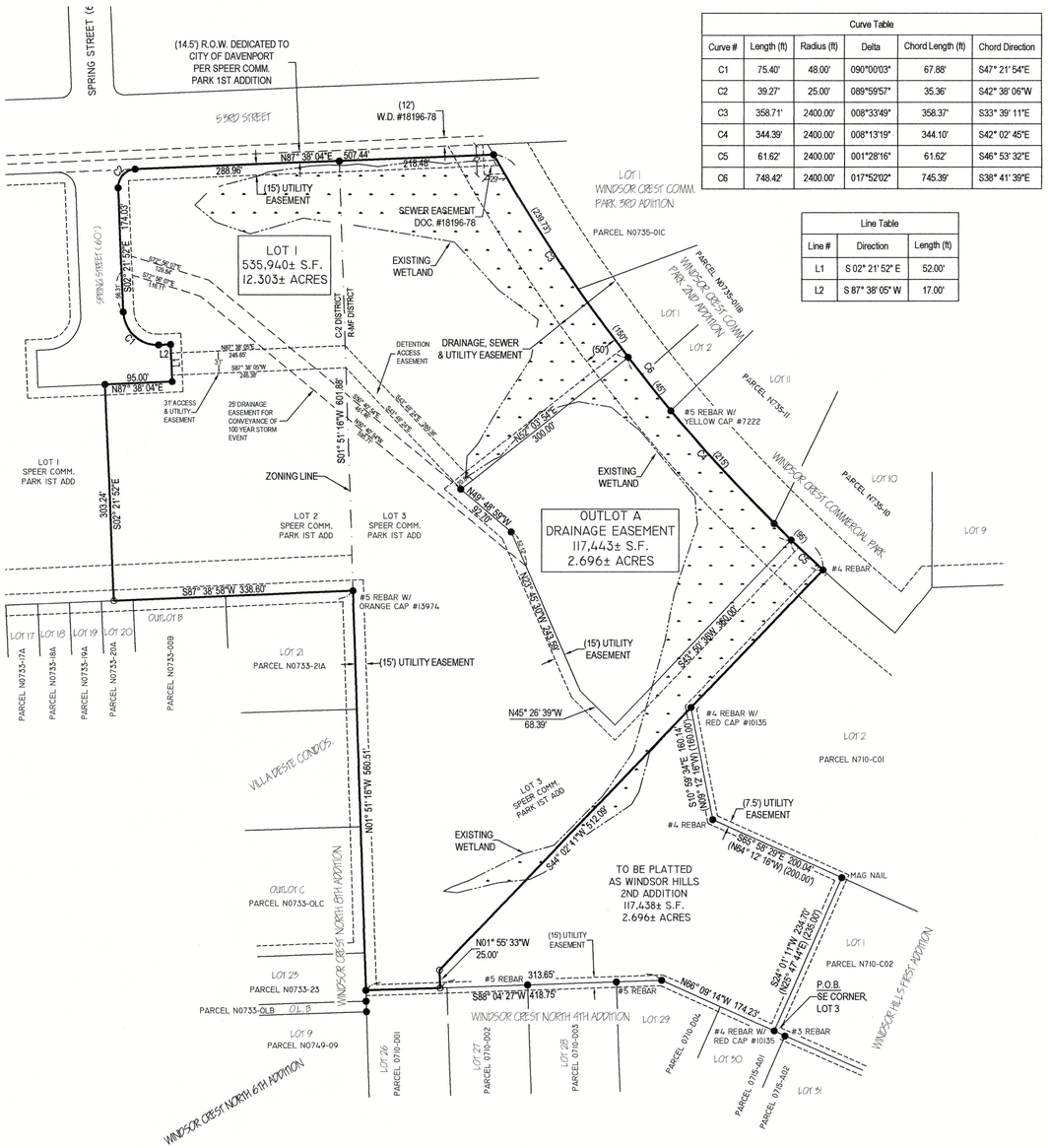
DRAWN BY: KLC CHECKED BY: MDR
DRAWING LOCATION S:\SPEER\EASTERN 53RD\SUBDIVISION

NO.	REVISIONS: DESCRIPTION	DATE

PROJECT
FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	75.40'	48.00'	090°00'03"	67.88'	S47° 21' 54"E
C2	39.27'	25.00'	089°59'57"	35.36'	S42° 38' 06"W
C3	358.71'	2400.00'	008°33'49"	358.37'	S33° 39' 11"E
C4	344.39'	2400.00'	008°13'19"	344.10'	S42° 02' 45"E
C5	61.62'	2400.00'	001°28'16"	61.62'	S46° 53' 32"E
C6	748.42'	2400.00'	017°52'02"	745.39'	S38° 41' 39"E

Line Table		
Line #	Direction	Length (ft)
L1	S 02° 21' 52" E	52.00'
L2	S 87° 38' 05" W	17.00'

FINAL PLAT OF:

SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES

1. ALL STREET RIGHTS OF WAY TO BE DEDICATED WITH THIS PLAT TO THE CITY OF DAVENPORT.
2. SIDEWALKS SHALL BE CONSTRUCTED ALONG THE FRONTAGE OF EACH LOT WHEN THE LOT IS DEVELOPED OR WHEN SO ORDERED BY THE CITY OF DAVENPORT.
3. ALL LOTS WILL BE CONNECTED TO THE PRIVATE WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC SANITARY SEWER SYSTEM OF DAVENPORT.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR STREET LIGHTING WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS (SUDAS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEROF.
8. OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION. SAID OUTLOT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION OF SUBDIVISION.
9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION SHALL NOT BE CUT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION. IN THE EVENT THAT THE AREA DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT-ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORD. 2017-520)
13. 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.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-520.
Section 17.17.010J.

[Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-195 § 10]
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Routine use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____

DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

MEDIACOM — DATE: 1-10-2023

IOWA - AMERICAN WATER COMPANY — DATE: 1-11-2023

CENTURY LINK — DATE: 1 10 2023

MIDAMERICAN ENERGY — DATE: 1-10-2023
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

METRONET — DATE 1 10 2023

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/ YELLOW CAP #23503
UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE = ———
ROAD CENTER LINE = ——— – ———
EASEMENT LINE = — — — —
WETLAND LINE= — - — - — -
SECTION LINE= ——— · ———

1. Area of Subdivision-
   Total: 14.999 Acres +/-
   Lot 1: 12.303 Acres +/-
   Outlot A: 2.696 Acres +/-

2. Engineer:
   Townsend Engineering
   2224 East 12th Street
   Davenport, Iowa 52803
   Ph: (563) 386-4236

3. Surveyor:
   Michael D. Richmond
   2224 East 12th Street
   Davenport, Iowa 5280
   Ph: (563) 386-4236

4. Attorney:
   R. Doug Wells
   Gomez May, LLP
   Davenport, Iowa 52807
   Ph: (563) 359-3591

N W E S

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

LICENSED LAND SURVEYOR
MICHAEL D. RICHMOND
23503
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Michael Richmond 12/29/2023
MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING
CIVIL ○ STRUCTURAL ○ LAND DEVELOPMENT

DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD
563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KLC
CHECKED BY: MDR
DRAWING LOCATION
S: \SPEER\EASTERN 53RD\SUBDIVISION

NO.	REVISIONS: DESCRIPTION	DATE

PROJECT
FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property generally located southeast of 53rd Street and Spring Street.

Neighborhood Meeting
Date: 8/7/2023 Time: 5:30 PM Location: Eastern Avenue Library | 6000 Eastern Avenue

Plan & Zoning Commission Public Hearing Meeting
Date: 8/15/202 Time: 5:00 PM Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?
This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned C-2 Corridor Commercial District and R-MF Multi-Family Residential District. The property owner is requesting a rezoning to C-3 General Commercial District to develop the site for one or more motor vehicle dealerships, including outdoor storage.

Request/Case Description
Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on August 15, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on September 5, 2023. 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 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 via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

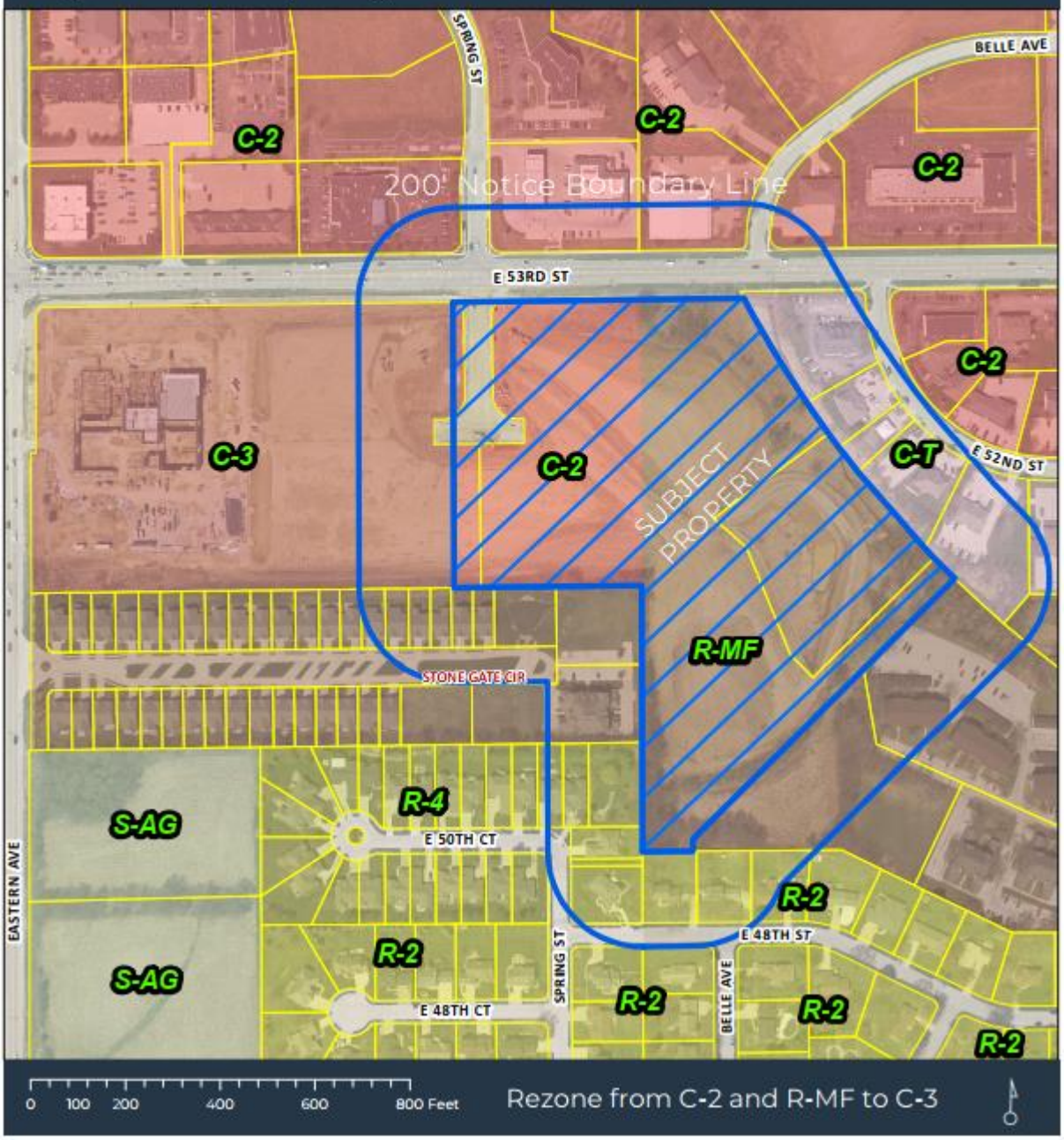
Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

THE CITY OF DAVENPORT
IOWA | USA

P&Z Notice

CASE#: REZ23-03

Adjacent Property Owner Notice Area



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS

MINUTES OF NEIGHBORHOOD MEETING

Case No: REZ23-03; ROW23-04
Date: Monday, August 7, 2023
Time: 5:30 PM
Location: Eastern Avenue Library, 6000 Eastern Avenue, Davenport, Iowa

John Hofmeyer, IV opened the meeting and identified the city personnel present: Judith Lee, 8th Ward Alderwoman; Kyle Gripp, At-Large Alderman; JJ Condon, At-Large Alderman, and Inghram, Planning and Zoning Commission Chair. Werderitch, Koops, and Berley from the city were also present at the meeting.

Developer gave its presentation as follows:

> Michael Leep, Jr., President of applicant/developer, provided information and background on the applicant/developer.
>
> Chip Walker, architect for applicant/developer, made a presentation regarding the preliminary design proposal for the development including three motor vehicle dealerships and supporting buildings.
>
> Eric Cannon, engineer for applicant/developer, made a presentation regarding steps taken to address stormwater runoff and environmental considerations at the site.

The floor was open for questioning and a general discussion was had. Multiple attendees asked questions regarding the following general topics:

1. Why applicant/developer was rezoning the whole parcel for C-3 zoning if only using the northern portion. Applicant/developer advised that there are no current plans to develop the southern portion of the parcel.

2. Whether C-3 zoning would allow development of the southern portion of the parcel for multi-family apartments if rezoned to C-3. City staff advised that multi-family apartments are a permitted use in the C-3 zoning.

3. Stormwater runoff to the east. Applicant/developer advised that all stormwater runoff would be handled through a comprehensive stormwater retention and mitigation system utilizing the existing reservoir and that decisions would be made after detailed analysis to determine the best course of action. Applicant/developer advised further that the site would not utilize “sheet” drainage and would instead utilize inlet (drains) that would take stormwater to the reservoir.

4. An attendee asked about drainage from the Stone Gate Cir. development to the SW, across the property to the reservoir. Another attendee identified that there was a culvert that takes water across between the two reservoirs. Applicant/developer did not provide an opinion on this.

5. A question was presented regarding lighting of the site and spillage. Applicant/developer discussed dark-sky initiatives and the technology that allows new lighting systems to mitigate, if not prevent, light pollution and spillage beyond the property boundaries.

When there were no further questions, John Hofmeyer, IV closed the meeting. City staff took a list of the neighborhood attendees.

Neighborhood Meeting Attendance List

Date: Time: Location:

Case:

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Scott Bliss	tayloralexm0421@gmail.com		1871 Stone Gate Cir Unit 8
2	Carrie Bliss	"		"
3	Mary Ann Damann			1822 STONE GATE
4	Steve Damann			" " "
5	Bob Ingraham	BINGHRAM55@GMAIL		
6	Lucy Moss	gmoss47@hotmail.com		1871 Stone Gate Cir Unit 10
7	Carla Osborn	cmmosborne@gmail.com		1820 Stone Gate Circle
8	MIKE OSBORN	OSBORNMCM@GMAIL.COM		" "
9				
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Neighborhood Meeting Attendance List

Date: Time: Location:

Case:

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Darren Courville	dcourville@mchsi.com		2026 E. 48th St.
2	Ann Lausen	aslausen@gmail.com		1742 Stone Gate Cir.
3	Cheryl Luders	caluders@gmail		1871 Stone Gate Cir.
4	JJ GNDON			ALDERMAN AT LARGE
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City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services **Date**
Contact Info: Laura Berkley | 563-888-3553 **8/15/2023**

Subject:
Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

Recommendation:
Hold the Public Hearing.

A formal staff recommendation will be provided at the September 5, 2023 Plan and Zoning Commission Meeting.

Background:
The petitioner has requested a vacation for the portion of Spring Street located south of 53rd Street. The area to be vacated is approximately 25,900 square feet (.59 acres). The purpose of the vacation is to better facilitate development of the abutting property for one or more vehicle dealerships.

This project is closely related to Case REZ23-03, being the rezoning of abutting property from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District.

A concept plan has been submitted by the applicant for review. If approved, access to the new dealership will be at the existing intersection of 53rd Street and Spring Street. However, the land south of 53rd Street will become a private drive and entrance to the auto dealership.

The vacation of public right-of-way is a two step process:
1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners. (No Plan and Zoning Commission action is required.)

Comprehensive Plan:
Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation:
The abutting property is currently designated as Commercial Corridor in the Davenport +2035 Future Land Use Map.

1. **Commercial Corridor (CC)** – Well-established corridors located along high-volume major streets dominated by retail and office uses that serve the greater community. Development is generally newer and redevelopment is not anticipated within the 20 year planning horizon. Improvements should focus on façade and site improvements, including pedestrian circulation systems and consolidated/updated signage.

Abutting Zoning:
The abutting property is currently zoned C-2 Corridor Commercial District to the east and C-3

General Commercial District to the west of the subject right-of-way.

1. **C-2 Corridor Commercial District**: This district is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.
2. **C-3 General Commercial District**: The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Technical Review:
City Departments and utility companies are reviewing the proposed Right-of-Way Vacation Application. Further comments will be provided at the September 5, 2023 Plan and Zoning Commission meeting.

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the August 7, 2023 neighborhood meeting and August 15, 2023 Plan and Zoning Commission Public Hearing.

The neighborhood meeting was held at Eastern Avenue Library on August 7th at 5:30pm. The purpose of the neighborhood meeting was to discuss both the right-of-way vacation and rezoning of abutting property. There were approximately twelve members of the public in attendance. Topics of conversation and concerns raised by abutting homeowners included development of the site for multiple car dealerships, site layout, traffic, access points, site lighting, landscaping, buffering adjacent homes, stormwater management, and potential development of the southern portion of the property.

Staff will apprise the Commission of any additional correspondence at the September 5, 2023 Plan and Zoning Commission meeting.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Subject Right-of-Way Map
🗋	Backup Material	Vicinity, Zoning, & Future Land Use Map
🗋	Backup Material	Application
🗋	Backup Material	Public Hearing Notice

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	8/11/2023 - 3:52 PM

Right-Of-Way Vacation | Public Hearing Notice

Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

ROW Vacation

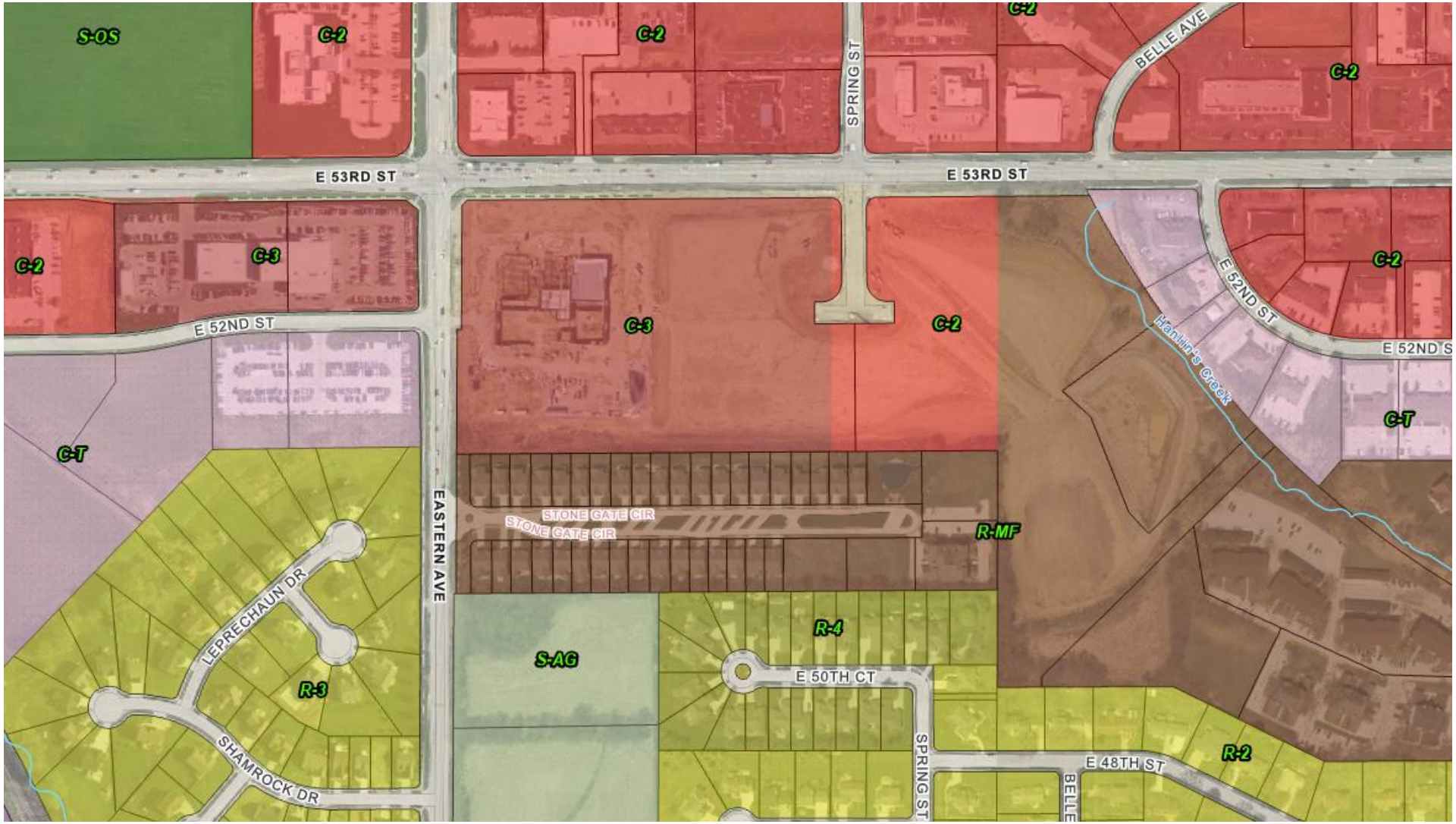
0 200 400
Feet

Vicinity Map

DAVENPORT
IOWA | USA

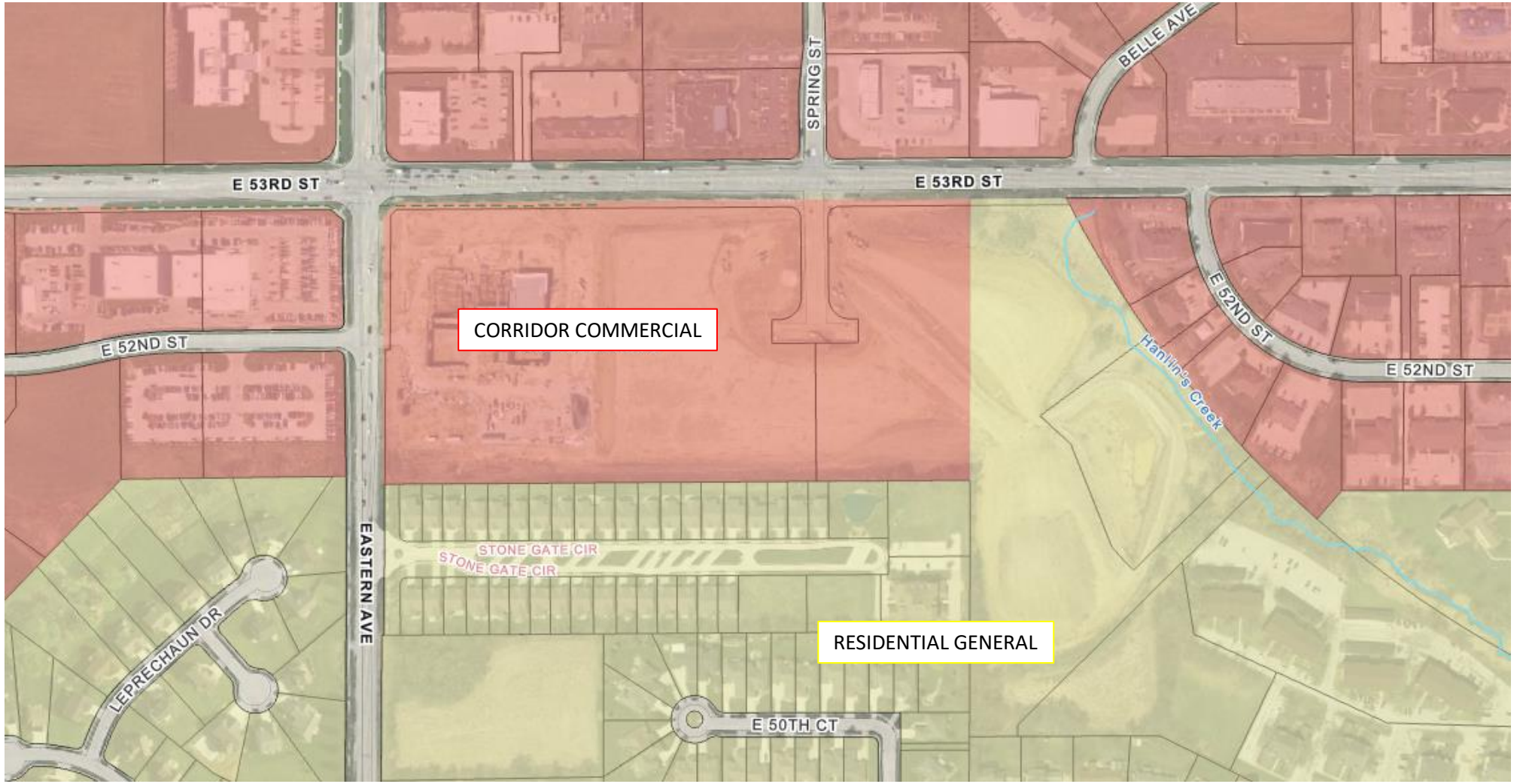
Zoning Map

DAVENPORT
IOWA | USA



Future Land Use Map

DAVENPORT
IOWA | USA



CITY OF DAVENPORT
Development & Neighborhood Services – Planning
1200 W. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

RIGHT-OF-WAY VACATION

(EASEMENT ABANDONMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING

PROJECT TITLE
Tip of the Speer

GENERAL LOCATION DESCRIPTION
S of E 53rd St at Spring St and E of Spring St

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

AREA OF VACATION	EXISTING USE	PROPOSED USE	SQUARE AREA

APPLICANT INFORMATION

Applicant Name
53rd Luxury LLC

Address
5201 N. Grape Road

City | State | Zip
Mishawaka, IN 46545

Phone
(574) 272-2009

Secondary Phone
(480) 334-4323

E-Mail Address
cpustelak@gurleyleep.com

Acceptance of Applicant

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

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Chris Pustelak, VP of 53rd Luxury LLC
Type Applicant's Name

Applicant's Signature

07/12/2023
Date

DEVELOPMENT TEAM

Surveyor

Address

Phone | Secondary Phone

E-Mail Address

Attorney/Other
John W. Hofmeyer IV, Attorney with Arenson Law Gr

Address
425 2nd St SE, STE 900, Cedar Rapids, IA 52401

Phone
(319) 731-0543

Secondary Phone
(319) 400-8785

E-Mail Address
jhofmeyer@arensonlaw.com

COMPLETE SUBMITTALS SHALL INCLUDE:	***SUBMITTED***
Concept/Development Plan, if applicable	☑
Authorization to Act as Applicant	☑
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☑
Legal Description Dimensioned Sketch	☑
Application Fee: (REQUIRED) **$400*** * check payable to 'City of Davenport'	☑

PROJECT NARRATIVE: (submit separate sheet if needed)

Applicant seeks to develop the lots, after rezoning and special use permit obtained, for use with one or more motor vehicle dealerships. This would include development of the space currently designated for right of way. The applicant has already submitted special use permit request and application for rezoning.

Submit the first page of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.

Authorization to Act as Applicant

I/We, Sheila M Speer Living Trust
[as property owner(s)]

authorize Chris Pustelak, VP, and John Hofmeyer, attorney, for 53rd Luxury LLC
[the above person(s)]

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

for the property located at Auditor's Parcel No. N0709A02.

Signature(s)*

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

Notarization:

7/12/23
Date

State of Iowa,

County of Johnson,

Driver License
[identification type]

Sworn and subscribed before me

this 12 day of July, 2023

Notary Public

My Commission Expires: 4/29/2025

JENNIFER A. CROKER
Commission Number 839579
My Commission Expires
4-29-2025

---

* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request

Authorization to Act as Applicant

I/We, Ed Speer Construction, Inc.
[as property owner(s)]

authorize Chris Pustelak, VP, and John Hofmeyer, attorney, for 53rd Luxury LLC
[the above person(s)]

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

for the property located at Auditor's Parcel Nos. N0710AOLA and N0710A04.

Signature(s)*

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

Notarization:

7/12/23
Date

State of Iowa,

County of Johnson,

Sworn and subscribed before me

this 12th day of July 2023

Driver License
[identification type]

Notary Public

My Commission Expires:

JENNIFER A. CROKER
Commission Number 839579
My Commission Expires
4-29-2025

---

* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board
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Demolition Request in the Village of East Davenport

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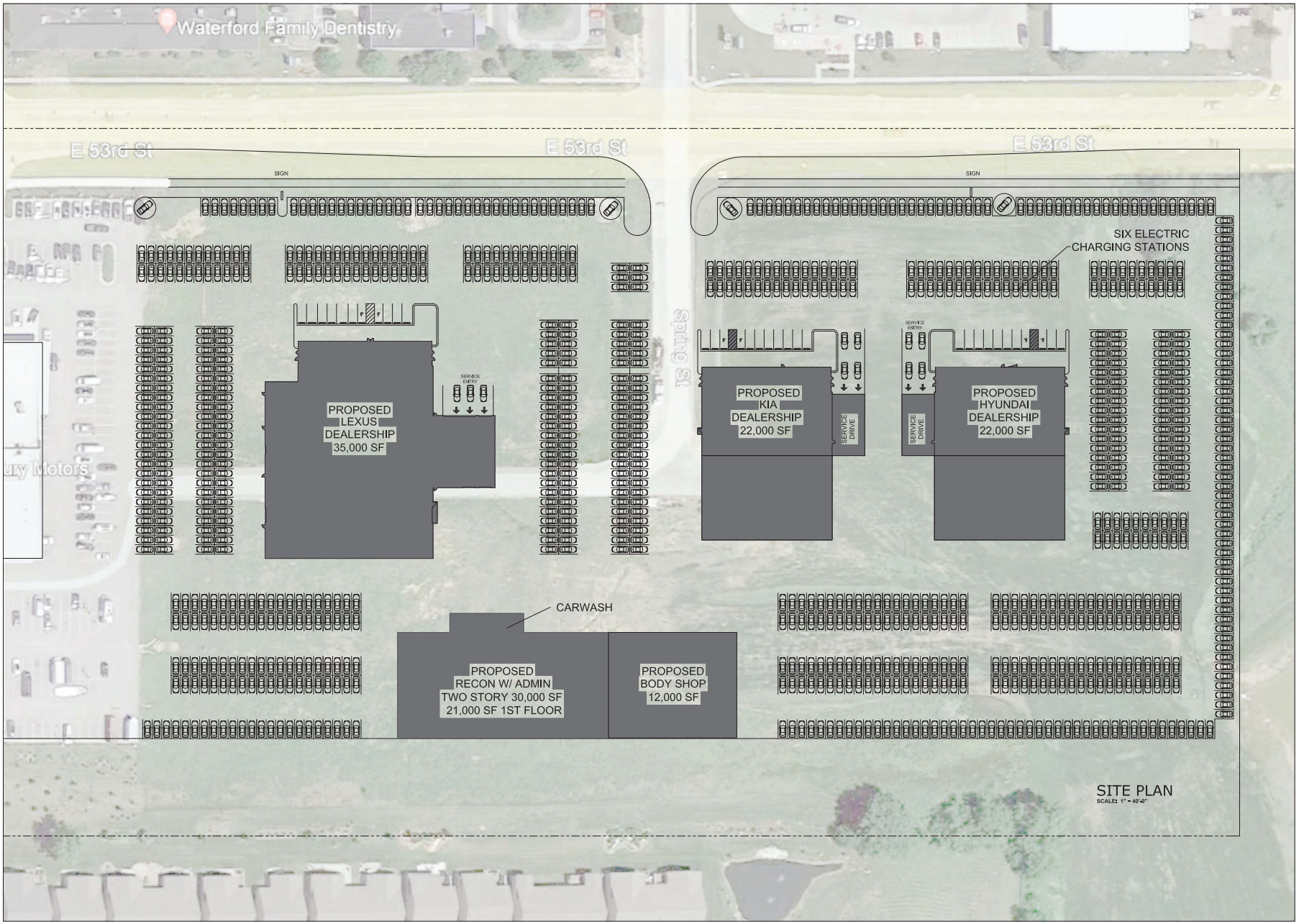


CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN BUILD
6296 Rucker Road Suite C
Indianapolis, IN 46220-4486
TEL 317-259-6038
FAX 317-259-4383
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

NEW AUTO SITE

1777 East 53rd Street
Davenport, Iowa
52807

06/29/2023
Seal

Project No.: 20021
Drawn By: KTM
Checked By: KTM

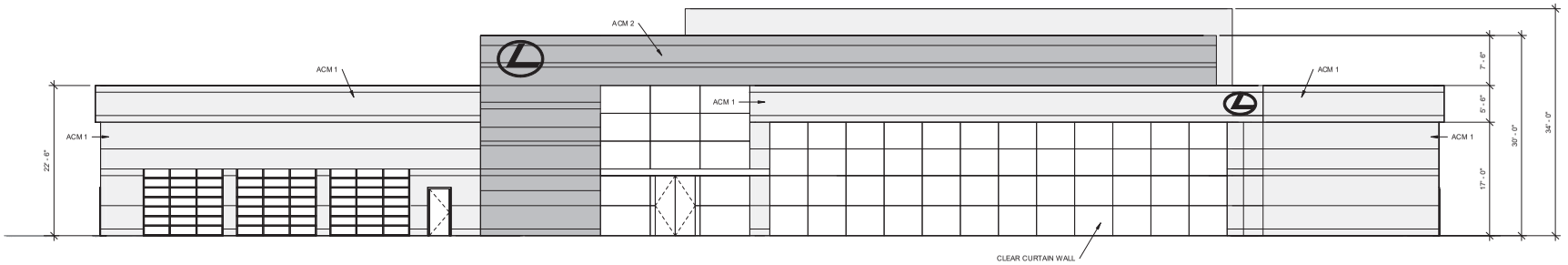
Revisions

Mark	Date	Remarks

DO NOT SCALE DRAWINGS.
Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered and/or on the drawings.

SITE PLAN

ST-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:59:53 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6266 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-0458
FAX 317-259-0785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Lexus

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

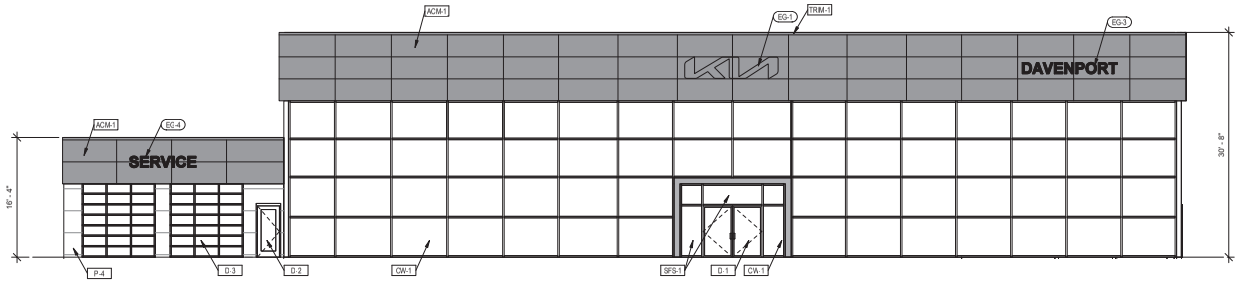
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Elevations

A4-1



3 A4-1 Front Elevation
1/8" = 1'-0"

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-0458
FAX 317-259-4785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Davenport Kia

Davenport, Iowa

6/29/2023 3:24:56 PM

Seal

Project	20021
Drawn By:	KTM
Checked	KTM

Revision

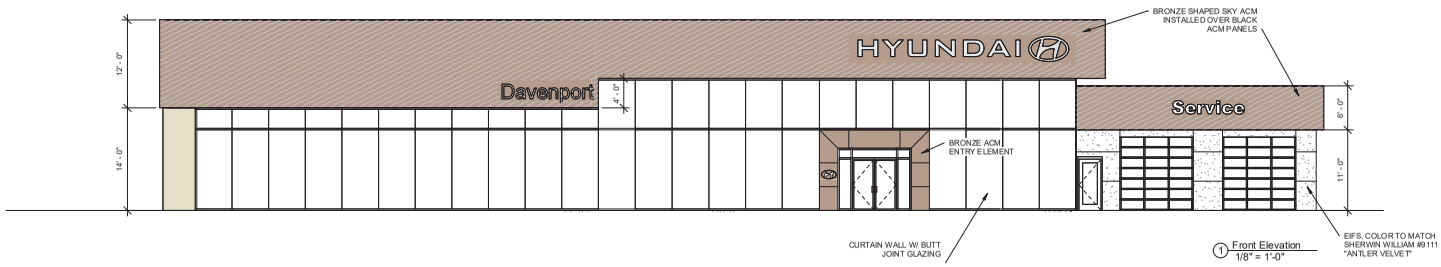
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Exterior Elevations

A4-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:36:43 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-0458
FAX 317-259-0785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Hyundai of Davenport

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Elevations

A4-1

Legal Description

Lot 1 and Outlot A of Speer Commercial Park 2nd Addition to the City of Davenport, Scott County, Iowa.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

Doc ID: 023406030010 Type: PLA
Recorded: 01/27/2023 at 10:37:39 AM
Fee Amt: $52.00 Page 1 of 10
Scott County Iowa
Rita A. Vargas Recorder
File 2023-00001524

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236 GOM

FINAL PLAT OF: SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.
Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES
1. ALL STREET RIGHTS OF WAY TO BE DEDICATED WITH THIS PLAT TO THE CITY OF DAVENPORT.
2. SIDEWALKS SHALL BE CONSTRUCTED ALONG THE FRONTAGE OF EACH LOT WHEN THE LOT IS DEVELOPED OR WHEN SO ORDERED BY THE CITY OF DAVENPORT.
3. ALL LOTS WILL BE CONNECTED TO THE SANITARY SEWER SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA, AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR SUCH UTILITIES SHALL BE GRANTED WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS AND AS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
8. OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION. SAID OUTLOT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION OF SUBDIVISION.
9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND WEED SUPPRESSED TURF, OR WATER.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION CITY OF DAVENPORT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT- ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORDINANCE 2017-320)
13. 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.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-320.
Section 17.17.010J.

(Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-193 § 10)
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Reuses use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA
BY: [signature] ATTEST: [signature]
DATE: 1-20-23

CITY PLAN & ZONING COMMISSION
BY: [signature] DATE: 1-20-23
CHAIRMAN

[signature] DATE: 1-16-2023
SECRETARY

IOWA AMERICAN WATER COMPANY
[signature] DATE: 1-11-2023

CENTURY LINK
[signature] DATE: 1-10-2023

MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN
[signature] DATE: 1-10-2023
METRONET

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

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.
[signature] 11/29/2022
GERALD D. RICHMOND
Iowa License Number 12365
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1
LICENSED LAND SURVEYOR GERALD D. RICHMOND 12365 IOWA

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1

1. Area of Subdivision-
Total: 14.999 Acres +/-
Lot 1: 12.303 Acres +/-
Outlot A: 2.696 Acres +/-

2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

3. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

4. Attorney:
R. Doug Wells
Gomez May, LLP
Davenport, Iowa 52807
Ph: (563) 359-3591

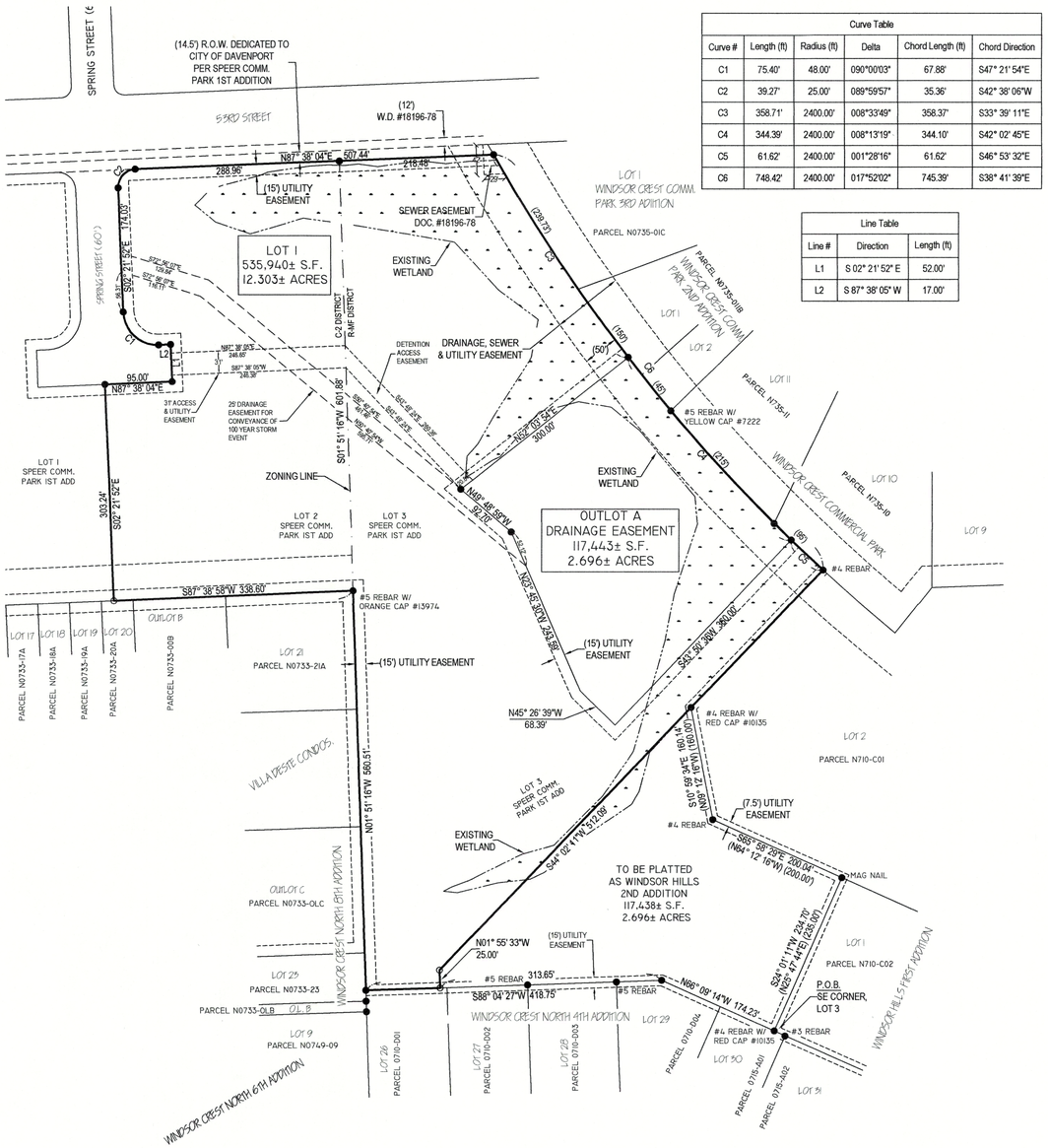
NO.	REVISIONS: DESCRIPTION	DATE

PROJECT: FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

DRAWN BY: KLC
CHECKED BY: MDR
DRAWING LOCATION: S:\SPEER\EASTERN 53RD\SUBDIVISION

TOWNSEND ENGINEERING
DATE: 9-29-21 TE PROJECT NO: EASTERN & 53RD
(563) 386-4236 FAX 386-4237
2224 East 12th Street, Davenport, IA 52803

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/YELLOW CAP #22503
UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/YELLOW CAP #22503 = ○
BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
WETLAND LINE =
SECTION LINE =



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	75.40'	48.00'	090°00'03"	67.88'	S47° 21' 54"E
C2	39.27'	25.00'	089°59'57"	35.36'	S42° 38' 06"W
C3	358.71'	2400.00'	008°33'49"	358.37'	S33° 39' 11"E
C4	344.39'	2400.00'	008°13'19"	344.10'	S42° 02' 45"E
C5	61.62'	2400.00'	001°28'16"	61.62'	S46° 53' 32"E
C6	748.42'	2400.00'	017°52'02"	745.39'	S38° 41' 39"E

Line Table		
Line #	Direction	Length (ft)
L1	S 02° 21' 52" E	52.00'
L2	S 87° 38' 05" W	17.00'

FINAL PLAT OF:

SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES

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3. ALL LOTS WILL BE CONNECTED TO THE PRIVATE WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC SANITARY SEWER SYSTEM OF DAVENPORT.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR STREET LIGHTING WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS (SUDAS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEROF.
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9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION SHALL NOT BE CUT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION. IN THE EVENT THAT THE AREA DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT-ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORD. 2017-520)
13. 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.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-520.
Section 17.17.010J.

[Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-195 § 10]
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Routine use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____

DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

MEDIACOM — DATE: 1-10-2023

IOWA - AMERICAN WATER COMPANY — DATE: 1-11-2023

CENTURY LINK — DATE: 1 10 2023

MIDAMERICAN ENERGY — DATE: 1-10-2023
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

METRONET — DATE 1 10 2023

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/ YELLOW CAP #23503
UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE = ———
ROAD CENTER LINE = ——— – ———
EASEMENT LINE = — — — —
WETLAND LINE= — - — - — -
SECTION LINE= ——— · ———

1. Area of Subdivision-
   Total: 14.999 Acres +/-
   Lot 1: 12.303 Acres +/-
   Outlot A: 2.696 Acres +/-

2. Engineer:
   Townsend Engineering
   2224 East 12th Street
   Davenport, Iowa 52803
   Ph: (563) 386-4236

3. Surveyor:
   Michael D. Richmond
   2224 East 12th Street
   Davenport, Iowa 5280
   Ph: (563) 386-4236

4. Attorney:
   R. Doug Wells
   Gomez May, LLP
   Davenport, Iowa 52807
   Ph: (563) 359-3591

N W E S

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

LICENSED LAND SURVEYOR
MICHAEL D. RICHMOND
23503
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Michael Richmond 12/29/2023
MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING
CIVIL ○ STRUCTURAL ○ LAND DEVELOPMENT

DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD
563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KLC
CHECKED BY: MDR
DRAWING LOCATION
S: \SPEER\EASTERN 53RD\SUBDIVISION

NO.	REVISIONS: DESCRIPTION	DATE

PROJECT
FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 8/15/2023
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation

To: All property owners within 200 feet of the Spring Street right-of-way located south of 53rd Street.

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate alley right-of-way. The purpose of the vacation request is to facilitate development.

Request/Case Description
Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on August 15, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on September 5, 2023. 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. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. 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 via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM one day before the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

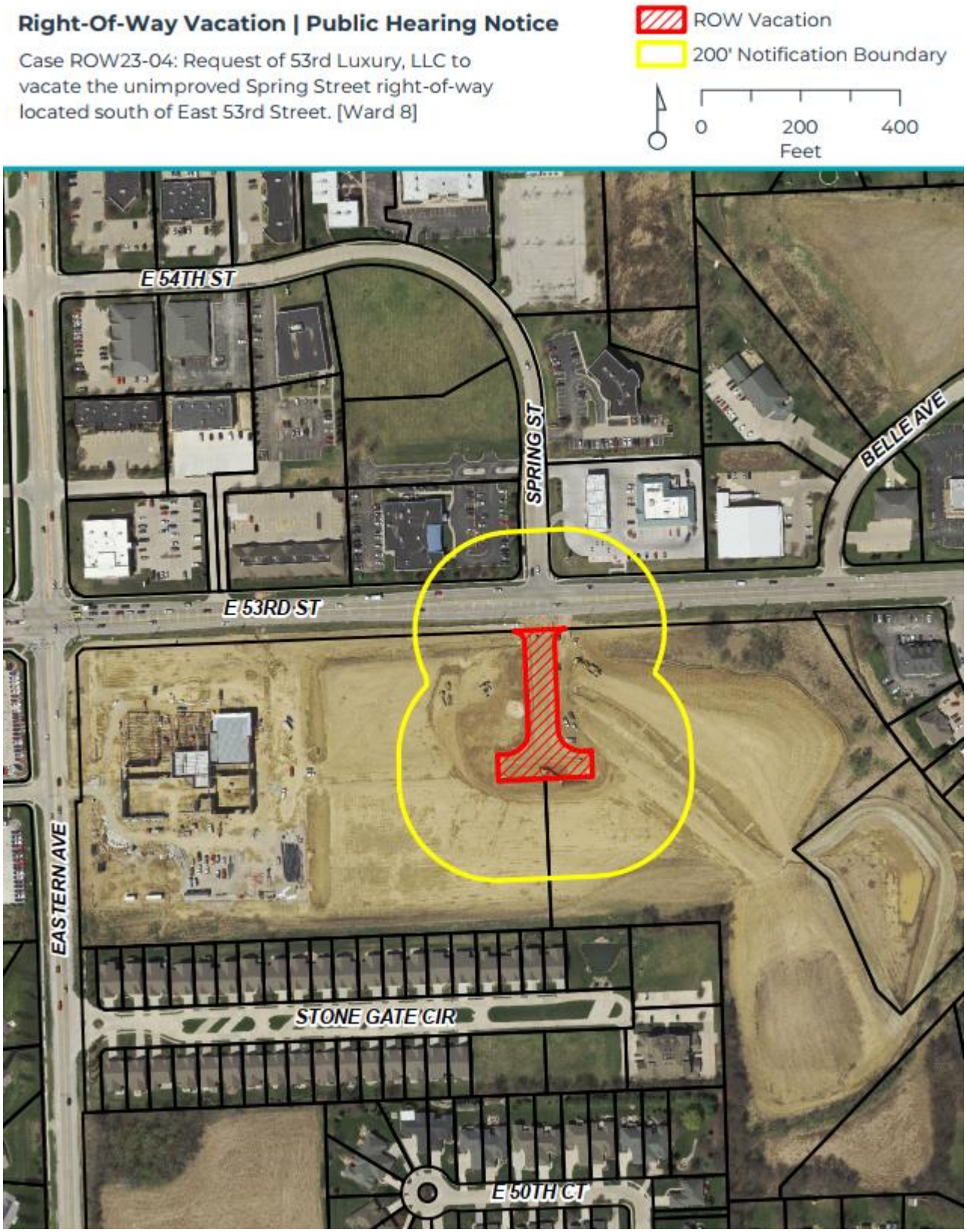
All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": http://www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at laura.berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Right-Of-Way Vacation | Public Hearing Notice

Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
8/15/2023

Subject:
Consideration of the July 18, 2023 meeting minutes.

Recommendation:
Staff recommends the City Plan and Zoning Commission approve the July 18, 2023 meeting minutes.

Background:
The July 18, 2023 meeting minutes are attached.

ATTACHMENTS:

	Type	Description
	Backup Material	Meeting Minutes 7-18-23

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	8/10/2023 - 12:47 PM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, JULY 18, 2023; 5:00 PM
CITY HALL| 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Inghram, Tallman, Maness, Johnson, Hepner, Reinartz, Eikleberry, Garrington
Excused: Brandsgard, Stelk
Staff: Berkley, Heyer, Schadt, Werderitch

II. Report of the City Council Activity

Staff provided an update of the City Council activity.

III. Secretary's Report

A. Consideration of the June 20, 2023 meeting minutes.

Motion by Tallman, second by Garrington, to approve the June 20, 2023 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

i. Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Staff introduced the rezoning petition. The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The combined area of the rezoning request is 231.26 acres.

Staff received one protest petition from an abutting property owner at 13860 Slopertown Road. The owner cited the following concerns: preservation of productive agricultural land, traffic impacts, and noise pollution caused by potential industrial development.

Commissioners inquired about city codes that may mitigate the concerns raised by the neighboring property owner.

The applicant's real estate agent was in attendance to answer questions.

Staff recommended Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the city.
5. The proposed amendment will not create any nonconformities following development.

Motion by Inghram, second by Maness, to approve staff recommendation. Motion was approved by a roll call vote (8-0).

VI. Subdivision Activity

A. Old Business

B. New Business

i. Case ROW23-03: Request of William Taylor to vacate unimproved right-of-way on Emerald Drive [Ward 1]

Staff provided an overview of the unimproved Emerald Drive right-of-way. No properties utilize the subject right-of-way for access. Vacating the right-of-way is connected to a proposed Final Plat of Crystal Creek Ninth Addition. This plat will not move forward until City Council has acted upon the vacation. The owner intends to subdivide the properties to the north into four residential lots. Vacating the unimproved Emerald Drive right-of-way will better facilitate development of the site.

The applicant, William Taylor, was in attendance to answer questions.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way on Emerald Drive in Case ROW23-03 to the City Council with a recommendation for approval, subject to the following conditions:

Findings:
1. The existing public right-of-way is not required for city purposes.
2. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Conditions:
1. Vacating the public right-of-way is contingent upon the approval of a final plat.
2. No more than four lots shall be platted north of Emerald Drive.
3. All existing utilities located in the Right-of-Way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.

Motion by Johnson, second by Tallman, to approve staff recommendation and conditions. Motion was approved by a roll call vote (8-0).

ii. Case P23-02: Request of Splendor Homes LLC for a preliminary plat of Splendor Estates. The 118-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres [Ward 8]

Commissioner Tallman abstained.

Staff summarized the history of the property and the proposed request. Last year, City Council approved a 47-lot final plat for this site. The owner never proceeded forward with the single-family subdivision. Instead, the site has been redesigned to increase the density of the development. The preliminary plat shows a series of single-family semi-detached dwellings, which are also permitted in the R-3 Single-Family and Two-Family Residential District. The subdivision will have a roadway connection to Eastern Avenue Farms Fifth Addition through the extension of East 61st Street. The subdivision will also connect to Jersey Pointe Fifth Addition by via East 59th Street. Due to the density of development, speed mitigation measures will be implemented in adjacent residential neighborhoods. Access onto Jersey Ridge Road is at the southern boundary of the subdivision. Traffic safety is enhanced at this location due to greater visibility and lines of sight.

Staff recommended the Plan and Zoning Commission forward P23-02 to City Council with a recommendation for approval subject to the following findings and conditions:

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

Conditions:
1. Revise the lot numbers to indicate a total of 118 lots.
2. Indicate the location of building footprints on Lots 48, 116, and 117.
3. Ensure positive drainage away from building foundations.
4. Show all sidewalks within the subdivision.
5. Label pavement widths on Splendor Lane, north of East 60th Street.
6. Speed mitigation measures shall be implemented in adjacent residential neighborhoods as directed by the City Engineer.
7. Add a note stating, "All on-street parking shall be limited to one side of the street."
8. Include Base Flood Elevation to Note 7 or depicted on the preliminary plat.

Representatives from Townsend Engineering and the owner's attorney were in attendance to answer questions.

Commissioners inquired about the density of the development, compatibility with the character of the surrounding neighborhoods, dimensional standards of the lots, access to the development, property values, proposed housing types, and stormwater management.

The City Engineer outlined potential options for speed mitigation where connecting to existing neighborhoods and the timing of sidewalk installation on Jersey Ridge Road.

The Chairperson opened the floor for public comments. Neighboring property owners stated the following concerns regarding the preliminary plat: density of housing, preference for single-family homes, design of the proposed dwelling units, traffic, speed mitigation, impact on property values, and stormwater management.

Motion by Schneider, second by Johnson, to add a condition stating, "A northbound left turn lane on Jersey Ridge Road shall be installed at the

developer's expense." Motion to add the condition passed by a roll call vote (8-0).

Motion by Hepner, second by Johnson, to add a condition stating, "The sidewalk on Jersey Ridge Road shall be constructed by the developer at the time of street construction." Motion to add the condition passed by a roll call vote (8-0).

Assistant Corporate Counsel provided a legal opinion regarding the approval or denial of the subdivision. If a subdivision meets provisions of both state and city code, the main consideration is on if the subdivision will cause undue burden upon the city with investment in the infrastructure.

Motion by Johnson, second by Maness, to approve staff recommendation and two additional conditions. Motion was approved by a roll call vote (4-3). Commissioner Tallman abstained.

iii. Case F23-08: Request of Johnson School Properties LLC for a final plat of Johnson School Homes. The 3-lot subdivision is located at 1730 Wilkes Avenue on 2.5 acres. [Ward 4]

Staff presented the staff report and background information for the proposed subdivision. The owners submitted a final plat to subdivide Johnson School from the larger undeveloped land on the southern half of the block. This will establish two new buildable lots, each comprising approximately .45 acres. The school and parking lot will be on a separate 1.56-acre parcel abutting Locust Street.

The applicant, Lucky Lang, was in attendance to answer questions. Commissioners inquired about the plans to develop the two newly created parcels on the southern half of the block. Mr. Lang stated the intent is to construct housing that is compatible with the character of the surrounding neighborhood.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F23-08 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

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

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

Motion by Johnson, second by Tallman, to approve staff recommendation and conditions. Motion was approved by a roll call vote (8-0).

iv. Case F23-09: Request of Shamrock Properties LC for a final plat of Tralee Farms. The 2-lot subdivision comprises 104.57 acres and is bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road. [Ward 8]

Werderitch stated the purpose of the final plat, which is to facilitate the sale of commercially zoned property south of Veterans Memorial Parkway from the residentially zoned land to the north. Before and further subdivision or development can occur on Lot 2, a preliminary plat and traffic study will be required. Public right-of-way will be dedicated to the city at the intersection of Eastern Avenue and Veterans Memorial Parkway for the future construction of a roundabout. Additional right-of-way will be dedicated along Eastern Avenue for street improvements. A second roundabout is required with this development, and will be addressed in a preliminary plat and future subdivisions. The timing of the roundabout installation will be indicated as part of the required traffic study. Pheasant Creek spans from Interstate-80 south through Veterans Memorial Parkway. The floodway associated with the creek has been delineated.

A representative of Axiom Consultants was in attendance to answer questions.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F23-09 to the City Council with a recommendation for approval subject to the listed conditions.

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

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

3. The following note shall be added to the plat: "No further subdivision or development shall occur on Lot 2 until a preliminary plat has been submitted and approved."
4. The following note shall be added to the plat: "This Subdivision is subject to rezoning conditions in Ordinance 2023-28."
5. The following note shall be added to the plat: "Additional right-of-way shall be granted and dedicated to the City of Davenport, as required, for a proposed roundabout at Veterans Memorial Parkway and Eastern Avenue."
6. The Base Flood Elevation information shall be included along Pheasant Creek.

Motion by Johnson, second by Maness, to approve staff recommendation and conditions. Motion was approved by a roll call vote (8-0).

VII. Future Business

VIII. Communications

IX. Other Business

A. Election of Officers

Motion by Reinartz, second by Johnson, for the existing officers to retain their current positions (Chair: Inghram, Vice-Chair: Maness, Secretary: Tallman). Motion passed by a roll call vote (8-0).

X. Adjourn

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

The meeting adjourned at 6:37 pm.

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services **Date**
Contact Info: Laura Berkley | 563-888-3553 **8/15/2023**

Subject:
Case F23-10: Request of QuikTrip Corporation for a final plat of Business Commons at Silver Creek 2nd Addition. The 1-lot subdivision is located south of 76th Street and west of Northwest Boulevard, on 3.82 acres. [Ward 8]

Recommendation:
Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F23-10 to the City Council with a recommendation for approval subject to the listed conditions:

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

Conditions:
1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. The entire detention basin area shall be within a stormwater detention easement.
4. Illustrate the stream channel location.
5. Note stream buffer setbacks on the plat.

Background:
The property owner submitted a final plat to subdivide the 3.82 acres of land on 76th Street, west of Northwest Boulevard. The eastern portion of the property is currently undeveloped and will be separated from the light industrial use on the developed western half.

The intent of the subdivision is to create a stormwater detention basin, which will enable the development of the lots north of 76th Street.

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

Future Land Use Designation:
The subject property is designated as **Industry (I)** in the Davenport +2035 Future Land Use Map. This land use category designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.
The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning:
The subject property is zoned **I-1 Light Industrial District**. This district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

Technical Review:

1. Zoning: The I-1 Light Industrial District does not have a minimum lot area or lot width requirements. The structures on the western portion of the property will meet setback requirements with this proposed lot line adjustment.
2. Streets: No new streets are proposed.
3. Storm Water: The stormwater detention basin will serve the property to the north and connect into the existing drainage systems.
4. Other Utilities: Other normal utility services are available.
5. Parks/Open Space: There are no impacts to parks/open space

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

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Final Plat of Business Commons at Silver Creek 2nd Addition
🗋	Backup Material	Vicinity, Zoning, & Future Land Use Map
🗋	Backup Material	Application

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	8/11/2023 - 2:18 PM

INDEX LEGEND
CITY: DAVENPORT
COUNTY: SCOTT
PART: OUTLOT A AND ALL OF LOTS 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, &
PART: LOT 40 OF BUSINESS COMMONS AT SILVER CREEK ADDITION
PROPRIETOR: CG SCDAV PROPERTY HOLDINGS LLC
REQUESTED BY: QUIKTRIP
SURVEYOR: PATRICK SHELQUIST
COMPANY: MCCLURE
PREPARED BY & RETURN TO: PATRICK SHELQUIST 335 SE ORALABOR ROAD ANKENY, IOWA 50021 / 515-512-1361

BUSINESS COMMONS AT SILVER CREEK 2ND ADDITION DAVENPORT, IOWA FINAL PLAT

OWNER:
CG SCDAV PROPERTY HOLDINGS LLC
1544 GREENVIEW DR SW STE 100
ROCHESTER MN 55902

REQUESTED BY:
QUIKTRIP CORPORATION
2255 BLUESTONE
ST. JOSEPH, MISSOURI 63303

SETBACK SUMMARY
THIS TRACT IS TO BE USED FOR DETENTION. NO SETBACKS REQUIRED.

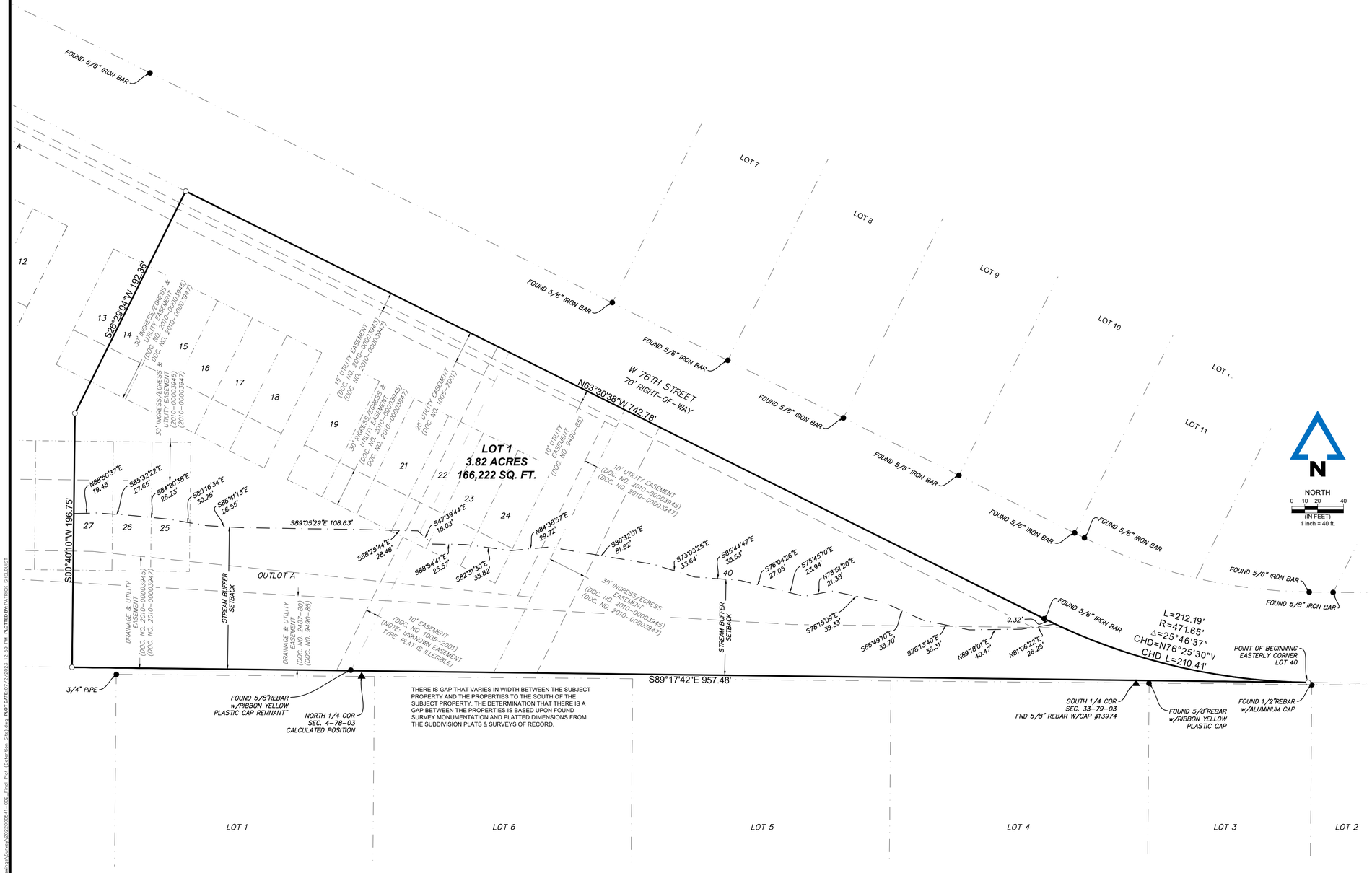
SURVEYOR:
MCCLURE
1360 NW 121ST STREET
CLIVE, IOWA 50325
(515) 964-1229
pshelquist@mcclurevision.com
ATTN: PATRICK SHELQUIST

ZONING:
I-1 LIGHT INDUSTRIAL ZONING DISTRICT

LEGAL DESCRIPTION:
BEING A PART OF OUTLOT A AND ALL OF LOTS 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, & LOT 40 OF BUSINESS COMMONS AT SILVER CREEK ADDITION, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA, DESCRIBED AS FOLLOWS:

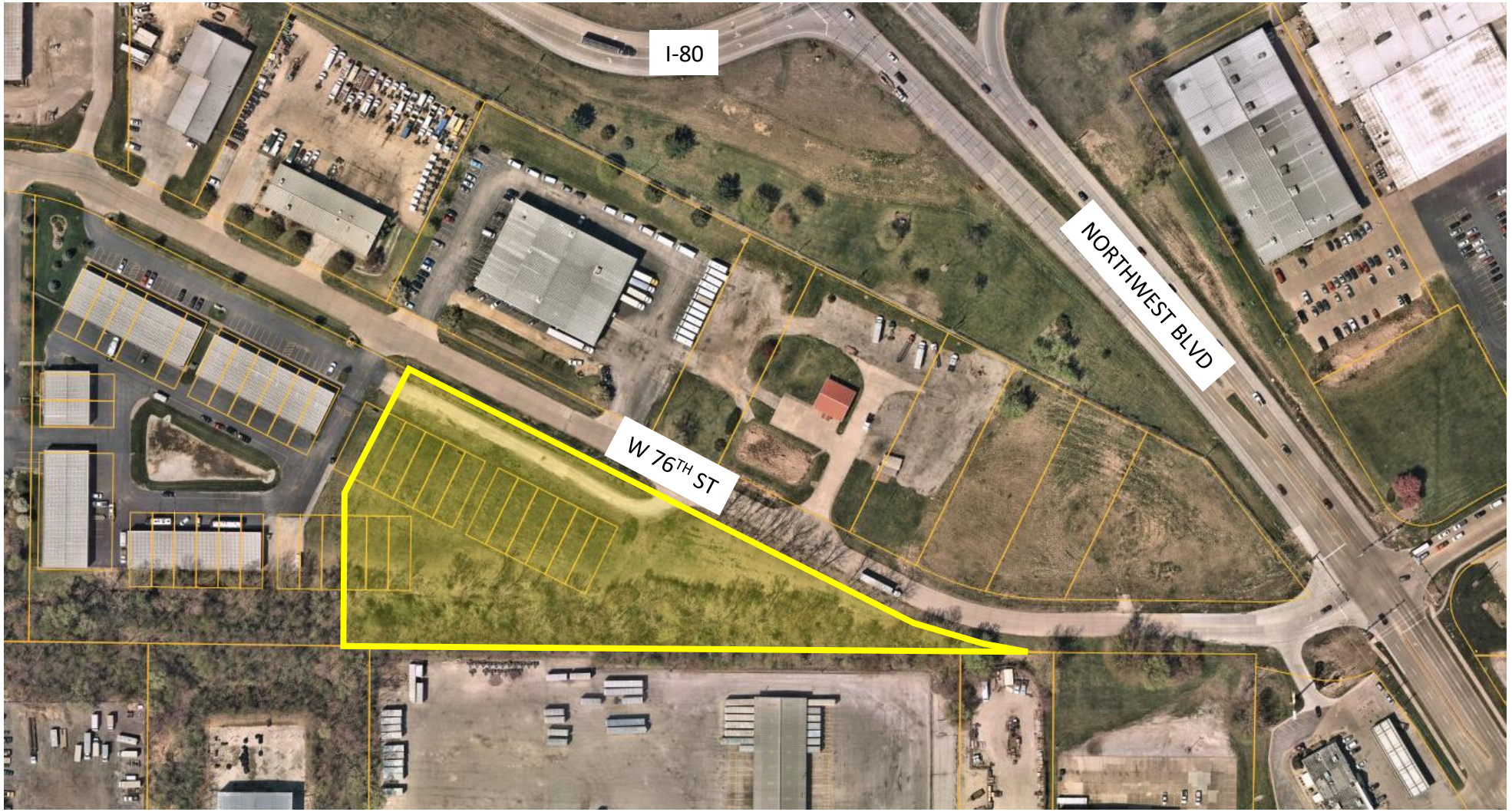
BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 40; THENCE 212.19 FEET ALONG THE ARC OF A 471.65 FOOT RADIUS CURVE AND THE NORTH LINE OF SAID LOT 40, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF WEST 76TH STREET, CONCAVE NORTHERLY, HAVING A CHORD BEARING N76°25'30"W, 210.41 FEET; THENCE N63°30'38"W, ALONG THE NORTH LINE OF SAID LOT 40 AND THE SOUTH RIGHT-OF-WAY LINE OF WEST 76TH STREET, A DISTANCE OF 742.78 FEET; THENCE S26°29'04"W, 192.36 FEET; THENCE S00°40'10"W, 196.75 FEET TO A POINT ON THE SOUTH LINE OF SAID OUTLOT A; THENCE S89°17'42"E, ALONG THE SOUTH LINE OF SAID OUTLOT A AND THE SOUTH LINE OF SAID LOT 40, A DISTANCE OF 957.48 FEET, TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 3.82 ACRES.

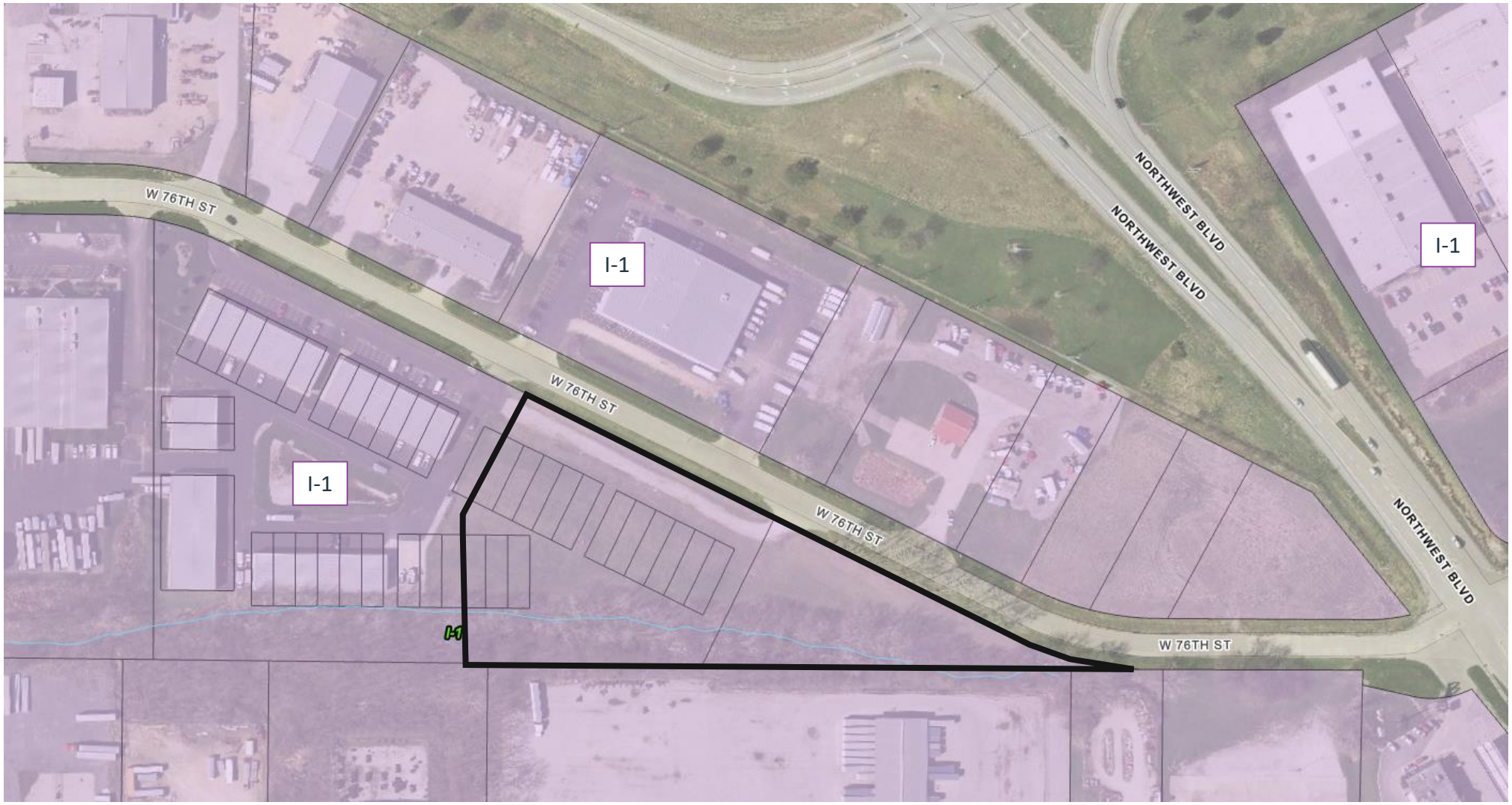

FOUND 5/8" IRON BAR
A
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
40
S26°29'04"W 192.36'
N63°30'38"W 742.78'
W 76TH STREET
70' RIGHT-OF-WAY
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 1
3.82 ACRES
166,222 SQ. FT.
S89°05'29"E 108.63'
S00°40'10"W 196.75'
OUTLOT A
S89°17'42"E 957.48'
L=212.19'
R=471.65'
Δ=25°46'37"
CHD=N76°25'30"W
CHD L=210.41'
9.32'
N89°50'37"E 19.45'
S85°32'22"E 27.65'
S84°20'38"E 26.23'
S80°16'34"E 30.25'
S86°41'13"E 26.55'
S88°25'44"E 28.46'
S88°54'41"E 25.57'
S82°31'30"E 35.82'
S47°39'44"E 15.03'
N84°38'57"E 29.72'
S80°32'01"E 81.62'
S73°03'25"E 33.64'
S85°44'47"E 35.53'
S76°04'26"E 27.05'
S75°45'10"E 23.94'
N78°51'20"E 21.38'
S78°16'09"E 39.33'
S65°49'10"E 35.70'
S78°13'40"E 35.31'
N89°18'01"E 40.47'
N81°06'22"E 26.25'
30' INGRESS/EGRESS & UTILITY EASEMENT (DOC. NO. 2010-00003945) (DOC. NO. 2010-00003947)
15' UTILITY EASEMENT (DOC. NO. 2010-00003945) (DOC. NO. 2010-00003947)
25' UTILITY EASEMENT (DOC. NO. 1005-2001)
10' UTILITY EASEMENT (DOC. NO. 9490-85)
10' UTILITY EASEMENT (DOC. NO. 2010-00003945) (DOC. NO. 2010-00003947)
30' INGRESS/EGRESS EASEMENT (DOC. NO. 2010-00003945) (DOC. NO. 2010-00003947)
DRAINAGE & UTILITY EASEMENT (DOC. NO. 2010-00003945) (DOC. NO. 2010-00003947)
DRAINAGE & UTILITY EASEMENT (DOC. NO. 2487-80) (DOC. NO. 9490-85)
10' EASEMENT (DOC. NO. 1005-2001) (NOTE: UNKNOWN EASEMENT TYPE. PLAT IS ILLEGIBLE)
STREAM BUFFER SETBACK
STREAM BUFFER SETBACK
FOUND 5/8" IRON BAR
FOUND 5/8" REBAR w/RIBBON YELLOW PLASTIC CAP REMNANT
NORTH 1/4 COR SEC. 4-78-03 CALCULATED POSITION
3/4" PIPE
THERE IS GAP THAT VARIES IN WIDTH BETWEEN THE SUBJECT PROPERTY AND THE PROPERTIES TO THE SOUTH OF THE SUBJECT PROPERTY. THE DETERMINATION THAT THERE IS A GAP BETWEEN THE PROPERTIES IS BASED UPON FOUND SURVEY MONUMENTATION AND PLATTED DIMENSIONS FROM THE SUBDIVISION PLATS & SURVEYS OF RECORD.
SOUTH 1/4 COR SEC. 33-79-03 FND 5/8" REBAR W/CAP #13974
FOUND 5/8"REBAR w/RIBBON YELLOW PLASTIC CAP
FOUND 1/2"REBAR w/ALUMINUM CAP
POINT OF BEGINNING EASTERLY CORNER LOT 40
FOUND 5/8" IRON BAR
FOUND 5/8" IRON BAR
FOUND 5/8" IRON BAR

Vicinity Map

DAVENPORT
IOWA | USA

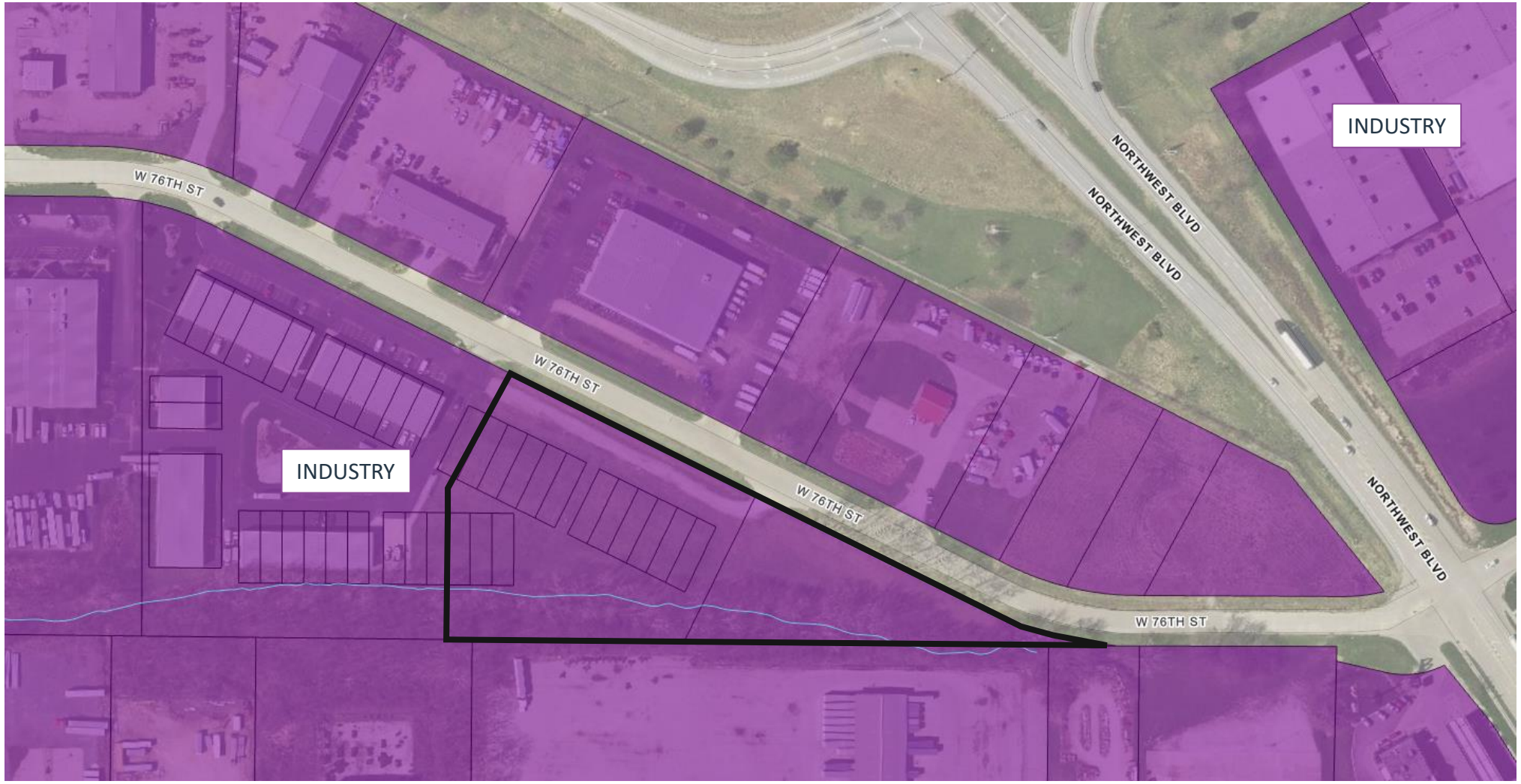


Zoning Map


W 76TH ST
I-1
NORTHWEST BLVD
NORTHWEST BLVD
I-1
W 76TH ST
I-1
W 76TH ST
NORTHWEST BLVD
I-1
W 76TH ST

Future Land Use Map

DAVENPORT
IOWA | USA



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

SUBDIVISON PLAT

(LAND DIVISION)

SUBDIVISION NAME		
Business Commons At Silver Creek 2nd Addition		
LOCATION DESCRIPTION		SUBMITTED
3131 W 76TH ST		
NUMBER OF LOTS BY USE TYPE	ACRES	STREETS ADDED
1	3.82	NO

APPLICANT INFORMATION

Applicant Name
QuikTrip Corporation

Address
2255 Bluestone Street

City | State | Zip
St. Charles, Missouri 63303

Phone
(636) 627-0003

Secondary Phone
% +

E-Mail Address
gkeen@quiktrip.com

Acceptance of Applicant

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

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

QuikTrip Corporation
Print Applicant's Name

Applicant's Signature _____ Date _____

PLAT TYPE SUBMITTED:

PRELIMINARY PLAT: §16.16 Requirements ☐
FINAL PLAT: §16.20 Requirements ☒

PRELIMINARY PLAT REQUIREMENTS:
- Preliminary Plat ☐
- Contours (2') & Infrastructure (pre/post) ☐

FINAL PLAT REQUIREMENTS:
- Platting Certificates per §354.11 State Code ☐
- Final Plat ☑

GENERAL REQUIREMENTS:
- Authorization to Act as Applicant, if needed ☐
- Application Fee (REQUIRED) ☐

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

Submit this form, and any questions, to DNS Planning Division at planning@davenportiowa.com .

DEVELOPMENT TEAM

Developer / Project Manager
QuikTrip Corporation / Gwen Keen

Address
2255 Bluestone Street

Phone
% +

Secondary Phone
% +

E-Mail Address
gkeen@quiktrip.com

Engineer
McClure

Address
335 SE Oralabor Rd, Ankeny, Iowa 50021

Phone
% +

Secondary Phone
% +

E-Mail Address
pshelquist@mcclurevision.com

Owner
CG SCDAV Property Holdings, LLC

Address
3205 W. 76th Street, Davenport, IA 52806

Phone
(563) 529-2796

Secondary Phone

E-Mail Address
jimgroves@IITIGroup.com

Attorney

Address

Phone

Secondary Phone

E-Mail Address

Authorization to Act as Applicant

I/We, CG SCDAV Property Holdings, LLC
[as property owner(s)]

authorize Gwen Keen, QuikTrip Corporation
[the above person(s)]

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

for the property located at 3131 W 76TH ST.

James J. Groves
Signature(s)*

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

Notarization:

7/12/23
Date

State of Iowa,

County of Scott,

Sworn and subscribed before me

DL
[identification type]

this 12 day of July, 2023.

Notary Public

My Commission Expires:

WADE E. VERBRUGGE
Commission Number 224381
My Commission Expires
7-8-23

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* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services **Date**
Contact Info: Laura Berkley | 563-888-3553 **8/15/2023**

Subject:
Case F23-11: Request of William Taylor for a final plat of Crystal Creek 9th Addition. The 4-lot subdivision is located at 3100 and 3051 Emerald Drive on 9.06 acres. [Ward 1]

Recommendation:
Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F23-11 to the City Council with a recommendation for approval subject to the listed conditions:

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

Conditions:
1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add a note stating, "Stormwater detention facilities are required for all residential development of two acres or more per City Code Section 13.34.210."
4. Add a note stating "No more than four lots shall be platted with this subdivision. Any future subdivision creating additional lots shall require the dedication of public right-of-way and construction of public infrastructure."

Background:
The property owner submitted a final plat to subdivide the 9.06 acre tract of land at the northern terminus of Emerald Drive. The site is currently undeveloped and zoned R-3 Single-Family Residential District. The intent is to create four new single-family lots.

This subdivision is related to Case ROW23-03, being the request to vacate the unimproved portions of Emerald Drive. Vacating the unimproved section of Emerald Drive will better facilitate development of this subdivision. There will be a shared driveway within an access easement to each new lot. This plat will not move forward until City Council has acted upon the vacation.

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

Future Land Use Designation:
The subject property is designated as **Parks and Recreation (PR)** in the Davenport +2035 Future Land Use Map. This land use category designates major developed parks, recreation areas, golf courses, cemeteries, etc. Park or recreation properties can be located in any zoning district. Smaller parks may not appear on the map because of the more general nature and scale of the map. But, it is implied in Residential General (RG) that small neighborhood parks are included.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.
The proposed Final Plat complies with the Davenport +2035 proposed land use section**.**

Zoning:
The subject property is zoned **R-3 Single-Family Residential District**. This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.

Technical Review:

1. Zoning: The proposed lots comply with residential district dimensional standards. Each lot exceeds the minimum lot area required for single-family (7,500 SF), single-family semi-detached (4,000 SF), and two-family (8,500 SF) dwellings.
2. Streets: No new streets are proposed. Each lot will share an access easement, which will consist of a paved driveway extending to Emerald Drive. This final plat is contingent upon the vacation of the unimproved portion of Emerald Drive.
3. Storm Water: Stormwater detention facilities are required for all residential development of two acres or more per City Code Section 13.34.210. The maximum impervious surface for each lot shall not exceed 60% of the total lot area.
4. Sanitary Sewer: The lots will be serviced by a private septic system. Water service will be accommodated via a private well system.
5. Other Utilities: Other normal utility services are available.
6. Parks/Open Space: There are no impacts to parks/open space

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

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Final Plat of Crystal Creek 9th Addition
🗋	Backup Material	Vicinity, Zoning, & Future Land Use Map
🗋	Backup Material	Application

Staff Workflow Reviewers

REVIEWERS:

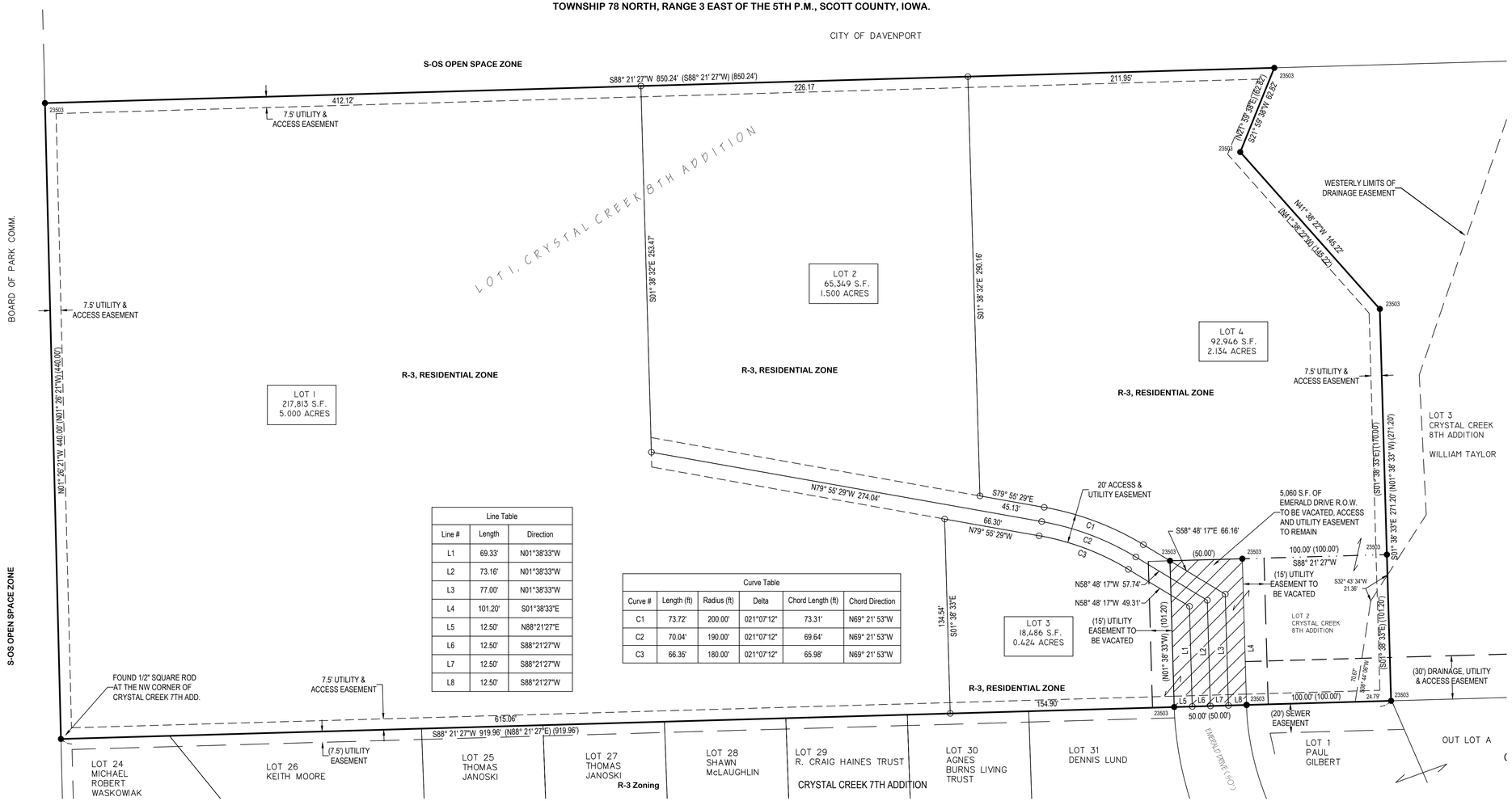
Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	8/11/2023 - 1:56 PM

FINAL PLAT OF:

CRYSTAL CREEK NINTH ADDITION

TO THE CITY OF DAVENPORT, IA

**BEING A REPLAT OF LOTS 1 AND 2 IN CRYSTAL CREEK EIGHTH ADDITION
LOCATED IN PART OF THE NORTHEAST QUARTER (NE 1 /4) OF SECTION 20,
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA.**



Line Table		
Line #	Length	Direction
L1	69.33'	N01°38'33"W
L2	73.16'	N01°38'33"W
L3	77.00'	N01°38'33"W
L4	101.20'	S01°38'33"E
L5	12.50'	N88°21'27"E
L6	12.50'	S88°21'27"W
L7	12.50'	S88°21'27"W
L8	12.50'	S88°21'27"W

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	73.72'	200.00'	021°07'12"	73.31'	N69° 21' 53"W
C2	70.04'	190.00'	021°07'12"	69.64'	N69° 21' 53"W
C3	66.35'	180.00'	021°07'12"	65.98'	N69° 21' 53"W

1. Owner
   William Taylor
   12480 95th Avenue
   Blue Grass, Ia 52726

2. Surveyor
   Jerry D. Rogers
   Townsend Engineering
   2224 East 12th Street
   Davenport, Iowa 52803
   Ph: (563) 386-4236

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

N
W E
S

GRAPHIC SCALE
40 0 20 40
(IN FEET)
1" = 40' (24x36)

LEGEND:
- DEED DIMENSION = (0.00')
- FIELD DIMENSION = 0.00'
- MONUMENTS FOUND #5 REBAR W/ YELLOW CAP #2350 3UNLESS NOTED OTHERWISE= 23503
- MONUMENTS SET: #5 REBAR W/ PINK CAP #8860 =
- BOUNDARY LINE =
- FENCE LINE =
- EASEMENT LINE =
- SETBACK LINE=
- SECTION LINE=

NOTES:

DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

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

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

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

OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.

SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES WHEN SO ORDERED BY THE CITY.

STORM WATER DETENTION AND WATER QUALITY TREATMENT WILL BE REQUIRED WITH THIS SUBDIVISION.

SANITARY SEWER SHALL BE PROVIDED BY PRIVATE SEPTIC SYSTEMS. WATER SERVICE SHALL BE PROVIDED BY PRIVATE WELL SYSTEMS.

THE 100 YEAR FLOOD ELEVATION FOR THE AREA CONTAINED IN THIS SUBDIVISION IS 659.3' NAVD 88. THE LOW WATER ENTRY LEVEL FOR ANY PERMANENT BUILDING SHALL BE 1 FOOT ABOVE THAT ELEVATION. AREA PLATTED WITH THIS SUBDIVISION IS REPRESENTED ON FEMA F.I.R.M. #19163C0345G, EFFECTIVE 3/23/2021.

BEARINGS ARE BASED ON STATE PLANE COORDINATES.

APPROVAL SIGNATURES:

CITY OF DAVENPORT DATE:

PLANNING AND ZONING COMMISSION DATE:

MEDIACOM DATE:

CENTURYLINK DATE:

IOWA - AMERICAN WATER COMPANY DATE:

MIDAMERICAN ENERGY DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.

METRONET DATE:

LICENSED LAND SURVEYOR
JERRY D. ROGERS
8860
IOWA

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

JERRY D. ROGERS Date
Iowa License Number: 8860
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING
CIVIL ○ STRUCTURAL ○ LAND DEVELOPMENT

DATE: 4/17/2023

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KLC
CHECKED BY: JDR

DRAWING LOCATION
S:\TAYLOR-BILL

NO.	REVISIONS: DESCRIPTION	DATE
1	per city review	1/18/2023

PROJECT
FINAL PLAT
CRYSTAL CREEK NINTH ADDITION
DAVENPORT, IOWA

OWNER
WILLIAM TAYLOR
12480 95TH AVENUE
BLUE GRASS, IOWA

SHEET NO.
1 OF 1

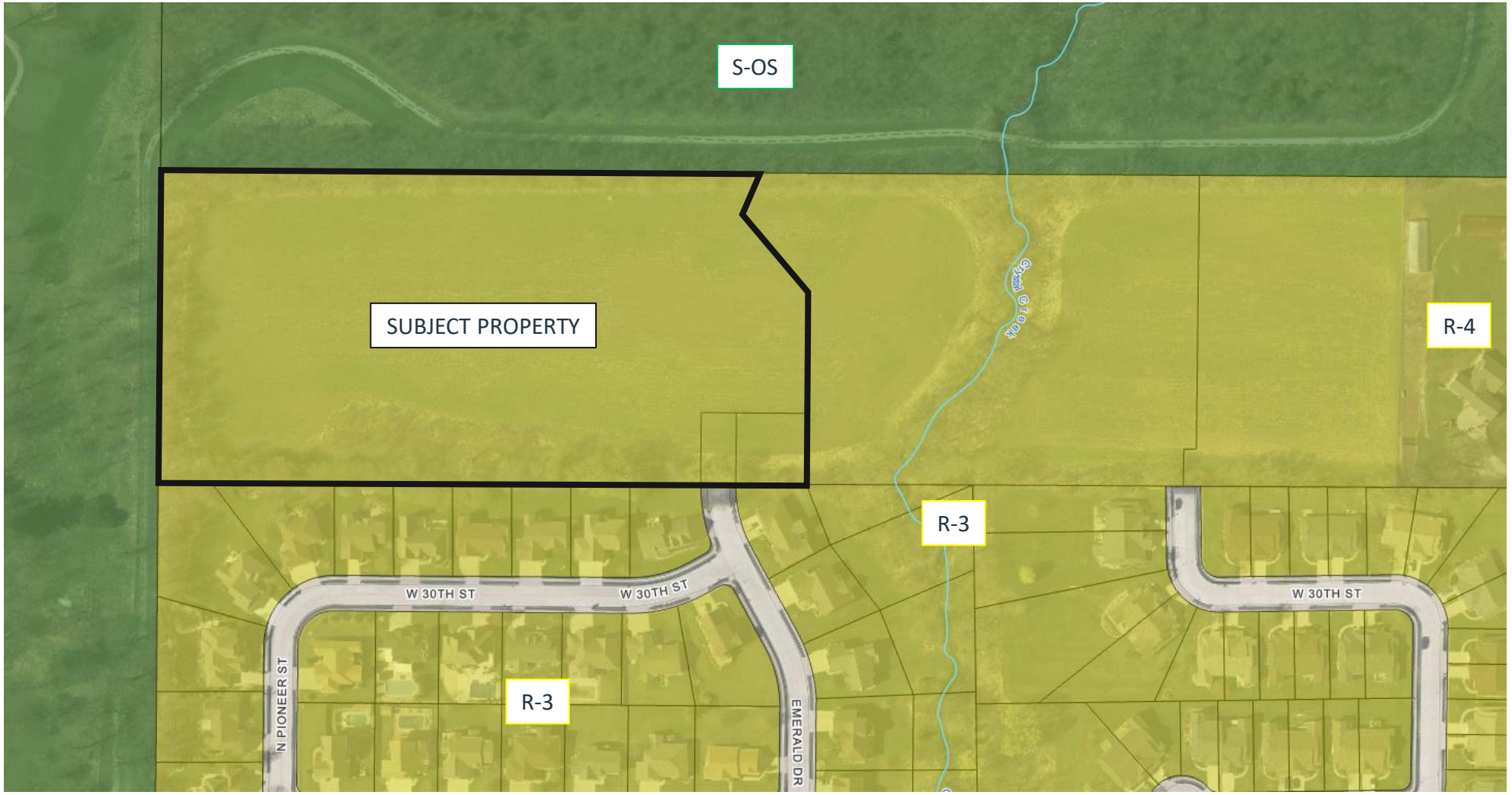
PREPARED BY / RETURN TO: TOWNSEND ENGINEERING, 2224 EAST 12TH STREET, DAVENPORT, IOWA 52803 (563) 386-4236

Vicinity Map

DAVENPORT
IOWA | USA

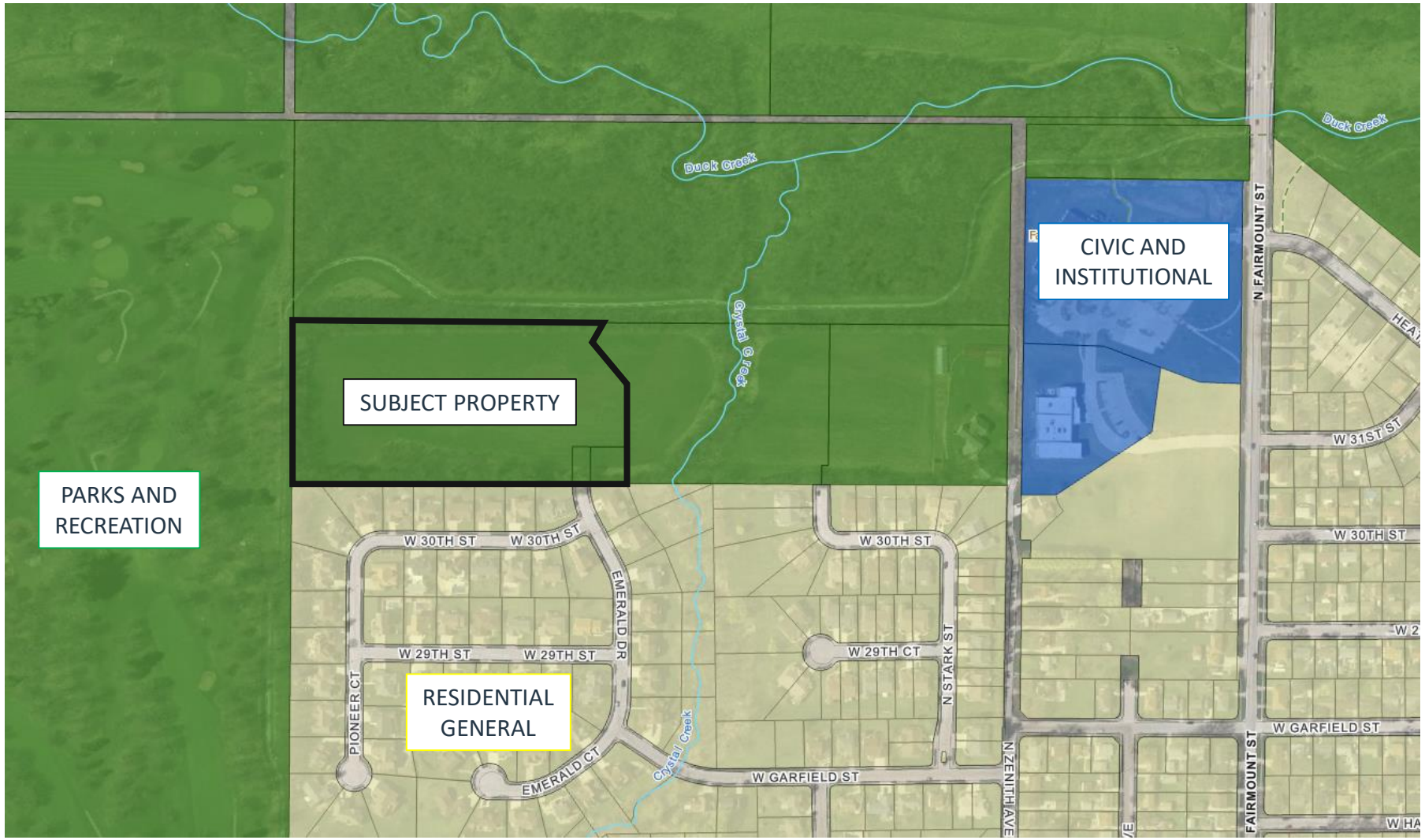
Zoning Map

DAVENPORT
IOWA | USA



Future Land Use Map

DAVENPORT
IOWA | USA



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

SUBDIVISON PLAT

(LAND DIVISION)

SUBDIVISION NAME		
Crystal Creek Ninth Addition		
LOCATION DESCRIPTION		SUBMITTED
North Dead End of Emerald Drive		
NUMBER OF LOTS BY USE TYPE	ACRES	STREETS ADDED
4 - SF (R2)	9.06	0

APPLICANT INFORMATION

Applicant Name: William Taylor
Address: 12480 95th Ave.
City | State | Zip: Blue Grass, IA 52726
Phone: (563) 370-5733
Secondary Phone:
E-Mail Address: blt.56@icloud.com

Acceptance of Applicant

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

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

William Taylor
Print Applicant's Name

Applicant's Signature

05/10/2023
Date

PLAT TYPE SUBMITTED:

PRELIMINARY PLAT: §16.16 Requirements ☐
FINAL PLAT: §16.20 Requirements ☐

PRELIMINARY PLAT REQUIREMENTS:
- Preliminary Plat ☐
- Contours (2') & Infrastructure (pre/post) ☐

FINAL PLAT REQUIREMENTS:
- Platting Certificates per §354.11 State Code ☐
- Final Plat ☐

GENERAL REQUIREMENTS:
- Authorization to Act as Applicant, if needed ☐
- Application Fee (REQUIRED) ☐

Subdivision Platting Fee Schedule

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

Submit this form, and any questions, to DNS Planning Division at planning@davenportiowa.com .

DEVELOPMENT TEAM

Developer / Project Manager
William Taylor
Address: 12480 95th Ave., Blue Grass, IA 52726
Phone: (563) 370-5733
Secondary Phone:
E-Mail Address: blt.56@icloud.com

Engineer
Townsend Engineering
Address: 2224 E. 12th St., Davenport, IA 52803
Phone: (563) 386-4236
Secondary Phone:
E-Mail Address: kevin@townsendengineering.net

Owner
William Taylor
Address: 12480 95th Ave., Blue Grass, IA 52726
Phone: (563) 370-5733
Secondary Phone:
E-Mail Address: blt.56@icloud.com

Attorney
M. Gorsline 5119 Utica Ridge Rd., Dav., IA 52807
Address: M. Gorsline 5119 Utica Ridge Rd., Dav., IA 52807
Phone: (563) 324-0441
Secondary Phone:
E-Mail Address:

Authorization to Act as Applicant

I/We, William Taylor
[as property owner(s)]

authorize Townsend Engineering
[the above person(s)]

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

for the property located at Crystal Creek 8th Addition Lot 1.

Signature(s)*

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

Notarization:

05/10/2023
Date

State of Iowa,

County of Scott,

Sworn and subscribed before me

Drivers License
[identification type]

this 10th day of May, 2023.

Notary Public

HELENE ROBERTS
Commission Number 809697
My Commission Expires
March 27, 2024

My Commission Expires:

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* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request

P&Z Subdivision Calendar | 2023

PLAN & ZONING COMMISSION | CITY OF DAVENPORT IOWA

SUBDIVISION SUBMITTAL DEADLINE 12:00 PM - Thursday	PLAN & ZONING COMMISION MEETING 5:00 PM - Tuesday	REQUIRED CERTIFICATES DUE 12:00PM - Wednesday	COMMITTEE OF THE WHOLE PUBLIC HEARING 5:30 PM - Wednesday	CITY COUNCIL MEETING 5:30 PM - Wednesday
11/10/22	12/06/22	12/28/22	01/04/23	01/11/23
11/23/22*	12/20/22	01/11/23	01/18/23	01/25/23
12/08/22	01/03/23	01/25/23	02/01/23	02/08/23
12/22/22	01/17/23	02/08/23	02/15/23	02/22/23
01/05/23	01/31/23	02/22/23	03/01/23	03/08/23
01/19/23	02/14/23	03/08/23	03/15/23	03/22/23
02/02/23	02/28/23	03/29/23	04/05/23	04/12/23
02/16/23	03/14/23	04/12/23	04/19/23	04/26/23
03/09/23	04/04/23	04/26/23	05/03/23	05/10/23
03/23/23	04/18/23	05/10/23	05/17/23	05/24/23
04/06/23	05/02/23	05/31/23	06/07/23	06/14/23
04/20/23	05/16/23	06/14/23	06/21/23	06/28/23
05/11/23	06/06/23	06/28/23	07/05/23	07/12/23
05/25/23	06/20/23	07/12/23	07/19/23	07/26/23
06/08/23	07/04/23*	07/26/23	08/02/23	08/09/23
06/22/23	07/18/23	08/09/23	08/16/23	08/23/23
07/06/23	08/01/23	08/30/23	09/06/23	09/13/23
07/20/23	08/15/23	09/13/23	09/20/23	09/27/23
08/10/23	09/05/23	09/27/23	10/04/23	10/11/23
08/24/23	09/19/23	10/11/23	10/18/23	10/25/23
09/07/23	10/03/23	10/25/23	11/01/23	11/08/23
09/21/23	10/17/23	11/08/23	11/15/23	11/22/23*
10/05/23	10/31/23	11/29/23	12/06/23	12/13/23
10/19/23	11/14/23	12/13/23	12/20/23*	12/27/23*
11/09/23	12/05/23	12/27/23	01/03/24	01/10/24
11/23/23*	12/19/23	01/10/24	01/17/24	01/24/24
12/07/23	01/02/24*	01/31/24	02/07/24	02/14/24
12/21/23*	01/16/24	02/14/24	02/21/24	02/28/24
01/11/24	02/06/24	02/28/24	03/06/24	03/13/24
01/25/24	02/20/24	03/13/24	03/20/24	03/27/24

*Submission and meeting dates may be changed or cancelled due to holiday

1. Subdivisions are submitted to the City's Electronic (Eplan) Review Portal at: www.davenportiowa.com/eplan
2. The Applicant will receive comments back prior to the Plan & Zoning Commission meeting
3. Plats must be resubmitted in Eplan to ensure all conditions have been met prior to going on Committee of the Whole agenda
4. Certificates, as listed in Section 16.20.020, are required prior to being placed on the Committee of the Whole agenda
5. Conditions must be met and utility signatures are required on the plat prior to the City signatures
6. No infrastructure improvements are permitted prior to the City Council approval of the final plat
7. Please see Scott County, Iowa Subdivision Platting Documents Required for recording:
   https://www.scottcountyiowa.gov/recorder/plats-surveys