

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, MAY 31, 2022; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the May 17, 2022 meeting minutes.

IV. Report of the Comprehensive Plan Committee

A. Case CP22-01: Request of the City of Davenport to amend the Davenport +2035 Comprehensive Plan by assigning Future Land Use Map classifications to the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east. [Ward 6]

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

i. Case F22-06: Request of Patrick Fennelly for a Final Plat of Fennelly's South Utah Addition located south of Telegraph Road and east of South Utah Avenue (The southwest 9.15 acres of Parcel #S3117-04). [Ward 1]

ii. Case F22-07: Request of Civil Engineering Consultants, Inc. on behalf of MidAmerican Energy Company for a Final Plat of Subdivision 78 located at 6702 and 6652 North Division Street. [Ward 8]

VII. Future Business

VIII. Communications

IX. Other Business

A. Review of Plan and Zoning Commission Bylaws

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/3/2022

Subject:
Consideration of the May 17, 2022 meeting minutes.

Recommendation:
Staff recommend approval of the May 17, 2022 meeting minutes.

Background:
The May 17, 2022 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 5-17-22

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	5/25/2022 - 3:28 PM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, MAY 17, 2022; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

- A. Case CP22-01: Request of the City of Davenport to amend the Davenport +2035 Comprehensive Plan by assigning Future Land Use Map classifications to the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east. [Ward 6]

Werderitch provided an overview on the Future Land Use Map amendment process. The amendment is being petitioned by the City of Davenport given the increasing development interest in this substantial growth area. The City is required to amend the existing land use before any development can occur.

No members of the public spoke.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

II. Roll Call

Present: Schneider, Eikleberry, Tallman, Inghram, Hepner, Stelk, Reinartz, Johnson, Brandsgard

Excused: Garrington, Maness

Staff: Berkley, Werderitch

III. Report of the City Council Activity

Berkley provided an update of the City Council activity.

IV. Secretary's Report

- A. Consideration of the May 3, 2022 meeting minutes.

Motion by Tallman, second by Hepner to approve the May 3, 2022 meeting minutes.
Motion to approve was unanimous by voice vote (8-0).

V. Report of the Comprehensive Plan Committee

- A. Case CP22-01: Request of the City of Davenport to amend the Davenport +2035 Comprehensive Plan by assigning Future Land Use Map classifications to the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east. [Ward 6]

Commissioners discussed the proposed comprehensive plan amendment. Topics of conversation included expansion of the urban service boundary, utility services, future development, Utica Creek and site drainage.

VI. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

Werderitch provided an overview of the proposed rezoning case and history of the site. The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. The purpose of the rezoning request is to place the entirety of the property under a commercial zoning classification. The property owner, Adam Seitz of VSM Holdings LLC, was in attendance to answer questions.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case REZ22-03 to the City Council with a recommendation for approval.

Findings:

1. The proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character.

4. The proposed amendment promotes the public health, safety, and welfare of the City.
5. Rezoning the property to C-3 General Commercial District does not create any nonconformities.

Motion by Johnson, second by Tallman, to approve staff recommendation for approval of Case REZ22-03 in accordance with the listed findings. Motion to approve staff recommendation was approved by a roll call vote (8-0).

- ii. Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

Staff stated the purpose of the right-of-way vacation is to better facilitate development of the abutting 7.41 acre commercial property (parcel #Y0801-03) to the west. The area to be vacated is approximately .48 acres. Staff outlined the vacation process. The applicant, Adam Seitz of VSM Holdings LLC, was in attendance.

Commissioners inquired about the history of the right-of-way width and future sidewalk installation on the west side of Elmore Avenue.

Staff recommended the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek in Case ROW22-03 to the City Council with a recommendation for approval, subject to the following condition.

Findings:

1. The unimproved 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.

Condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

Motion by Hepner, second by Johnson, to approve staff recommendation for approval of Case ROW22-03 in accordance with the listed findings and condition. Motion to approve staff recommendation was approved by a roll call vote (8-0).

VII. Subdivision Activity

A. Old Business

B. New Business

VIII. Future Business

Commissioner Inghram announced there will be an update to the Plan and Zoning Commission Bylaws in the near future.

IX. Communications

X. Other Business

XI. Adjourn

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

The meeting adjourned at 5:28 pm.

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/17/2022

Subject:

Case CP22-01: Request of the City of Davenport to amend the Davenport +2035 Comprehensive Plan by assigning Future Land Use Map classifications to the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east. [Ward 6]

Recommendation:

Staff recommends Case CP22-01 be forwarded to the City Council with a recommendation for approval.

Findings:

1. The proposed future land use amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes orderly development that protects the public health, safety, and welfare of the City.
3. The amendment identifies land for current and future development through the extension of the urban service boundary.

Background:

Discussion:

The City of Davenport has received increasing development interest in the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the City Limit to the east. Given the adjacent residential development in Bettendorf and the surrounding area, the City is initiating this amendment to better prepare for future development of this substantial growth area.

Davenport's Future Land Use Map currently identifies this area as Urban Fringe. This land use designation is intended for "areas that are currently outside the Urban Service Area but may be considered for inclusion later within the planning timeframe. Appropriate land use categories should be determined at that time." In addition, the subject area is outside the 2035 Urban Service Boundary.

The City is required to amend the existing land use before any development can occur. Once a future land use category is assigned to the area, then the property can be subdivided and rezoned in smaller sections as development occurs. The land is currently zoned S-AG Agricultural District, which is intended to address existing agricultural land uses. The property owner is interested in selling 50 acres on the eastern edge of the site to continue the residential subdivision in Bettendorf.

Based on initial conversations with the property owner, the intention is to develop the area from east to west. The first phase of development is to expand the Forest Grove Crossing subdivision in Bettendorf into Davenport.

Comprehensive Plan:

Within Existing Urban Service Area: No

Within Urban Service Area 2035: No

Future Land Use Designations:

The Davenport +2035 Land Use Plan Update can be found online using the following link:
at <https://www.davenportiowa.com/common/pages/DisplayFile.aspx?itemId=13273690>

The subject area is designated Urban Fringe in the Davenport +2035 Land Use Map. The following are future land use categories:

1. **Agricultural Reserve (AR)** – Areas located outside the Urban Service Area and unlikely to develop in the foreseeable future. Uses should be limited to agriculture and open space, with only limited residential development needing minimal urban services.
2. **Urban Fringe (UF)** – Areas that are currently outside the Urban Service Area but may be considered for inclusion later within the planning timeframe. Appropriate land use categories should be determined at that time.
3. **Open Space / Public Land (OS)** - Includes undeveloped open space, natural areas, floodplains and wetlands that may be or may not be planned for future park and recreation development.
4. **Parks and Recreation (PR)** - 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.
5. **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.
6. **Urban Corridor (UC)** - Generally established corridors along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be developed to help guide future development decisions.
7. **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.
8. **Commercial Node (CN)** - Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN should serve a population of about 5000 people within 1/2 mile.

Ideally, CN areas should be architecturally integrated, and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.

9. **Regional Commercial (RC)** – Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.
10. **Civic / Institutional (CI)** – Reserved for major developments for government, education, religion, medical, utilities, and other cultural or non-profit organizations located outside of the Downtown (DT).
11. **Industry (I)** - 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.
12. **Downtown (DT)** – the original center of the City, marked by historical buildings, regional cultural attractions, large scale single-purpose or mixed-use developments, government or institutional centers. Development in DT shall be governed by detailed design guidelines marked by high quality design and building materials, set in an environment that is supportive of all transportation modes, including pedestrian.

Zoning:

The subject area is currently zoned **S-AG Agricultural District**. This zoning classification is intended to address existing agricultural land uses. The standards of the S-AG District promote the continuation of farming, and protect agricultural land uses from encroachment of incompatible developments.

Technical Review:

Planning staff has solicited feedback from the City of Bettendorf, the school district, and utility companies to determine the urban services required to facilitate development of this substantial growth area. Outside agencies will continue to be notified as development occurs within this growth area. Below are initial comments from City departments:

- **Zoning:** The property is currently zoned S-AG Agricultural District. Planning staff anticipate the site will largely develop as residential, with some limited commercial near the intersection of Utica Ridge Road and Forest Grove Drive. Since the site is over 200 acres, rezoning the property will occur in increments as development occurs.
- **Streets:** Forest Grove Drive/Veterans Memorial Parkway is intended to serve as a major east-west arterial street with limited traffic signals and intersections. The speed of travel is intended to remain at its current 40 mph. Engineering staff will require access points to Forest Grove Drive to align with the existing road network to the south (Somerset Road, Golf Course Road, and Eagle Ridge Road). Access to Utica Ridge Road will be limited due to Iowa DOT requirements related to distances allowed from highway overpasses. In addition, Charissa's Place in Bettendorf will also be extended from the residential subdivision in Bettendorf, westward into Davenport. However, additional details will be

established during the development process.

- **Sewer:** There is an existing public sanitary sewer on the eastern portion of the site serving the I-80 Rest Stop. The sanitary sewer is sized to accommodate development in this area. Additional sanitary sewer can be extended north along Utica Creek.
- **Parks and Recreation:** The City of Davenport Parks and Recreation Comprehensive Plan identified this portion of the city as deficient in park land, particularly neighborhood and community parks. With anticipated residential development, additional park space and trail connectivity should be prioritized. Neighborhood parks typically require 5-10 acres of land, while community parks need 20-30 acres.
- **Police & Fire:** Emergency services will be notified throughout the planning process to ensure resources can be made available to accommodate response times and public safety.
- **Education:** The subject area is within the Bettendorf Community School District.

Staff Recommendation

- **Urban Service Boundary:** Expand the Urban Service Boundary to encompass the entirety of the growth area. The service boundary will include all land south of I-80 and to the eastern municipal limit.
- **Residential General:** Given the development of Forest Grove Crossings in Bettendorf, there is development interest to continue residential neighborhoods between the interstate and Forest Grove Road. Residential General does accommodate limited neighborhood commercial development and future parkland.
- **Open Space & Public Land:** Establish a 100' buffer around Utica Creek. This is consistent with other creek systems throughout the city. Utica Creek does not contain any mapped floodplain through the subject area. However, its preservation will protect a natural feature, prevent flooding, and provide a future amenity for recreation.
- **Future Commercial Node:** Commercial development will be directed towards the intersection of Utica Ridge Road and Forest Grove Drive. Neighborhood compatible commercial services clustered around this intersection can provide amenities to local residents.

Public Input:

A public hearing notice was published in the Quad City Times notifying residents of the May 17, 2022 Plan and Zoning Commission Public Hearing.

City staff met with the ownership group and interested developer on April 28, 2022. Staff outlined the process to have the eastern portion of the site developed, which includes a Future Land Use Map amendment, rezoning, and subdivision plat.

Staff will apprise the Commission of any additional correspondence at the May 31, 2022 Plan and Zoning Commission meeting.

ATTACHMENTS:

Type	Description
▢ Backup Material	Land Use Map Amendment-Staff Recommendation
▢ Backup Material	Maps

Staff Workflow Reviewers

REVIEWERS:

Department

City Clerk

Reviewer

Werderitch, Matt

Action

Approved

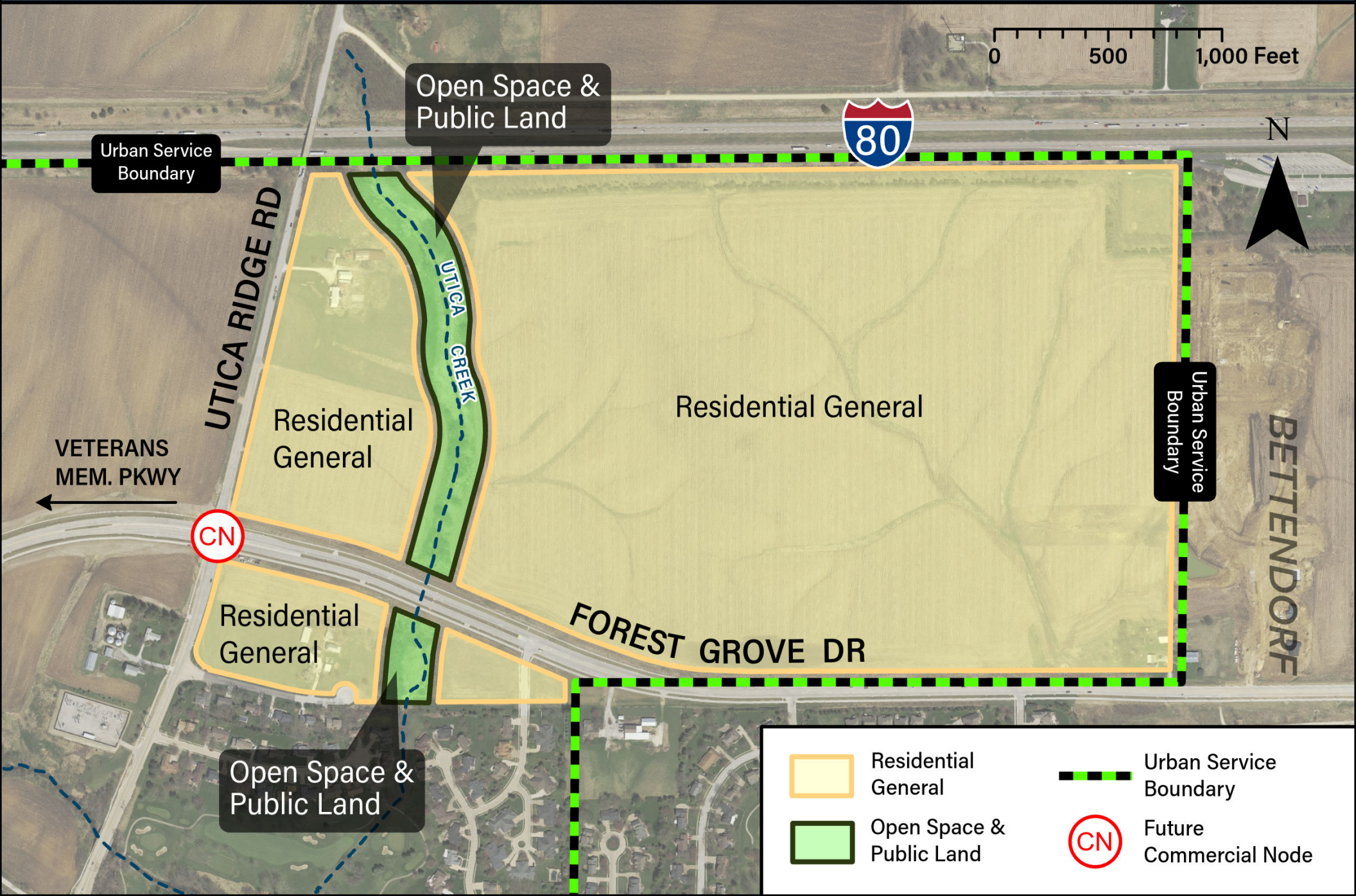
Date

5/27/2022 - 3:41 PM



THE CITY OF
DAVENPORT
IOWA | USA

Davenport +2035 Future Land Use Map Amendment

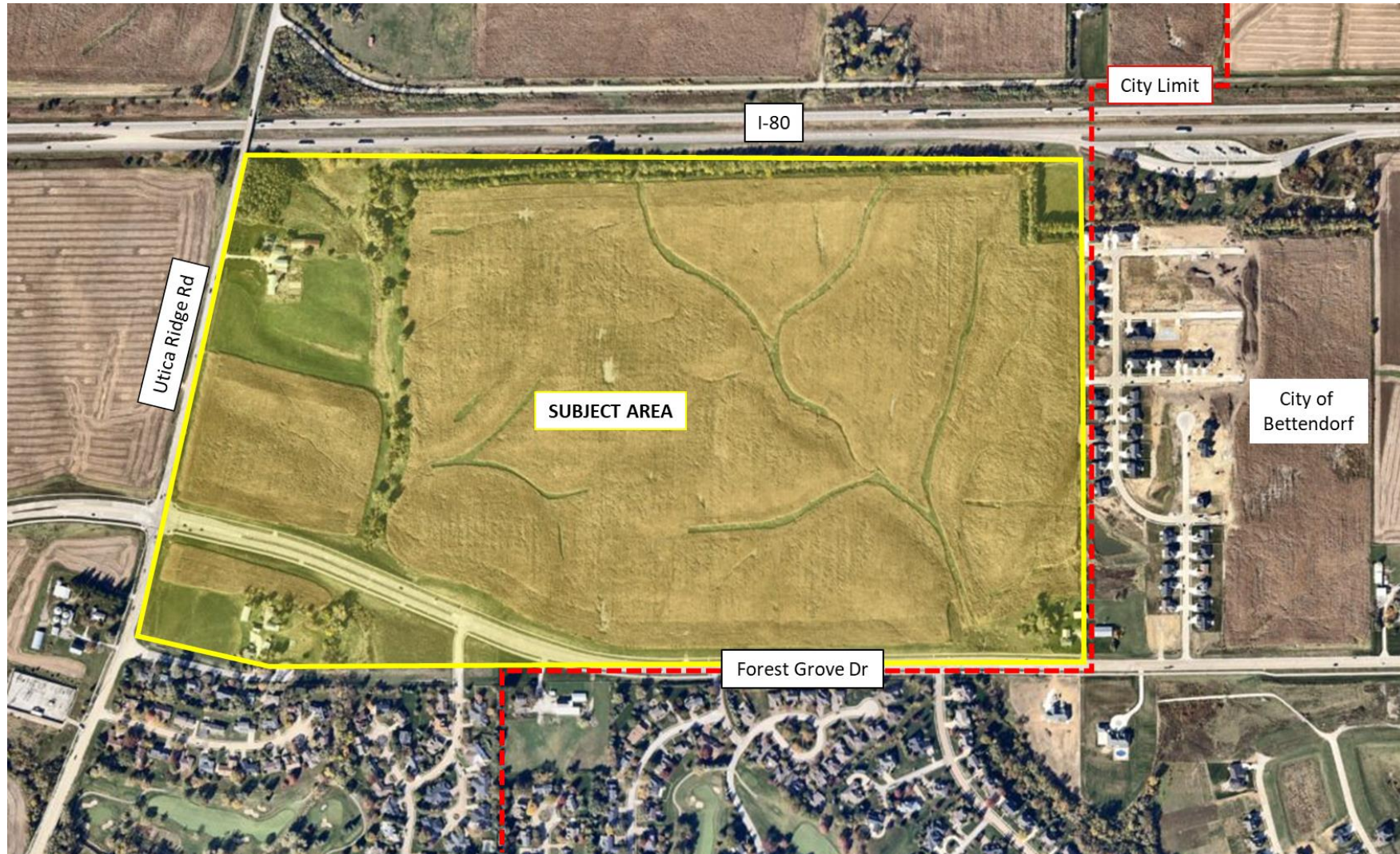


-  Residential General
-  Open Space & Public Land

-  Urban Service Boundary
-  Future Commercial Node

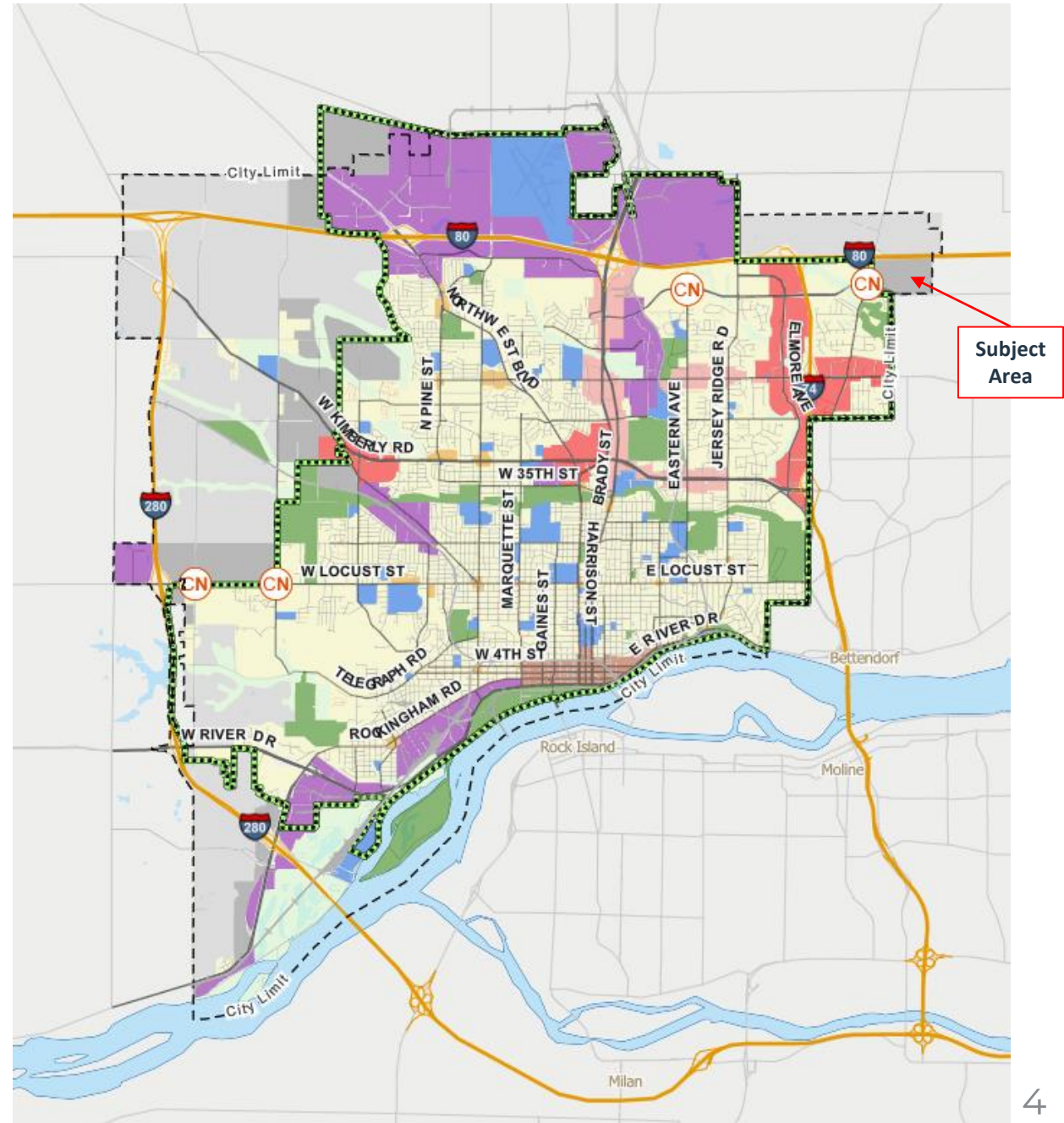
Vicinity Map

DAVENPORT
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Davenport +2035 Future Land Use Map

Land Use+2035



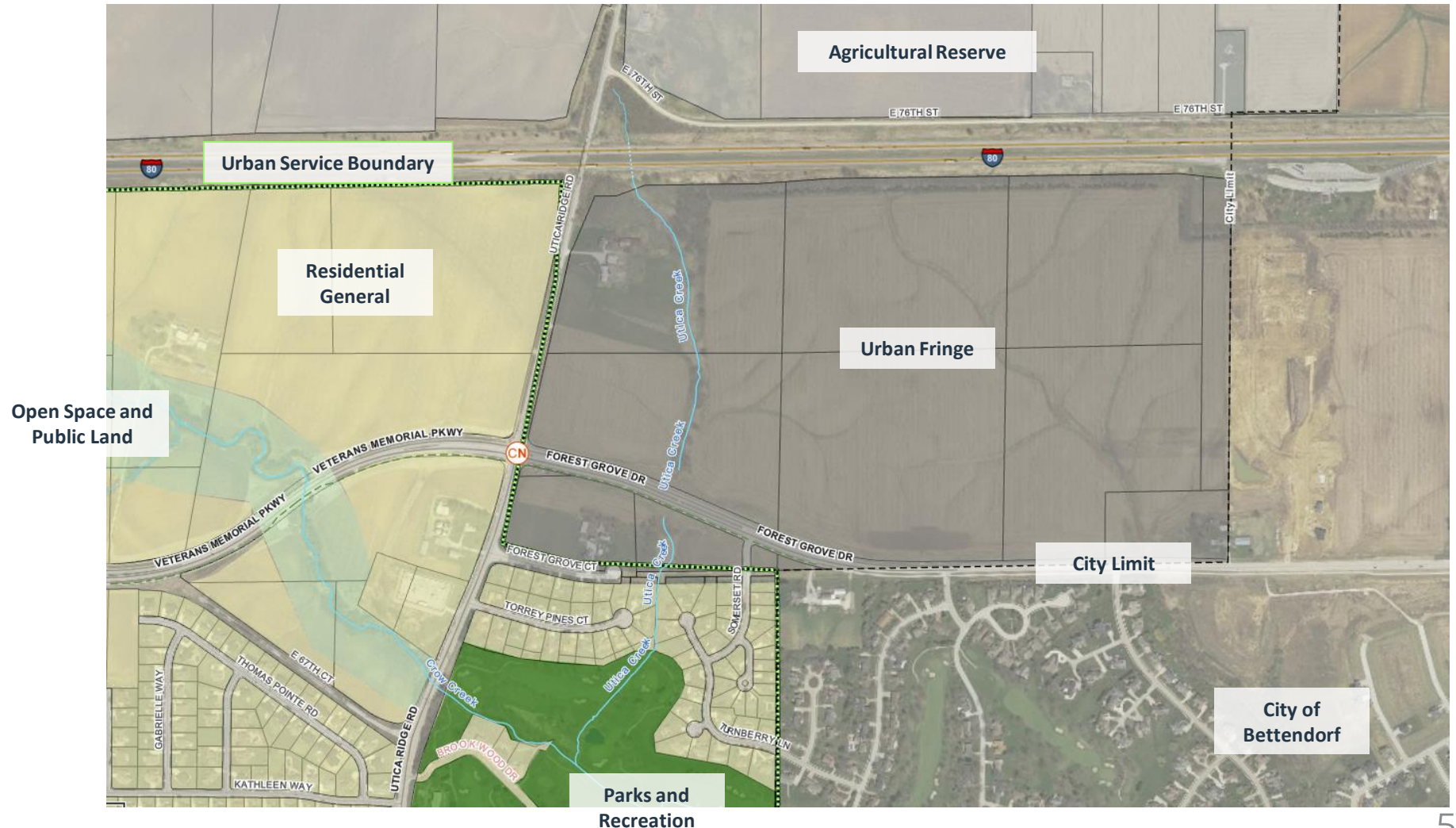
Davenport +2035

Future Land Use Map

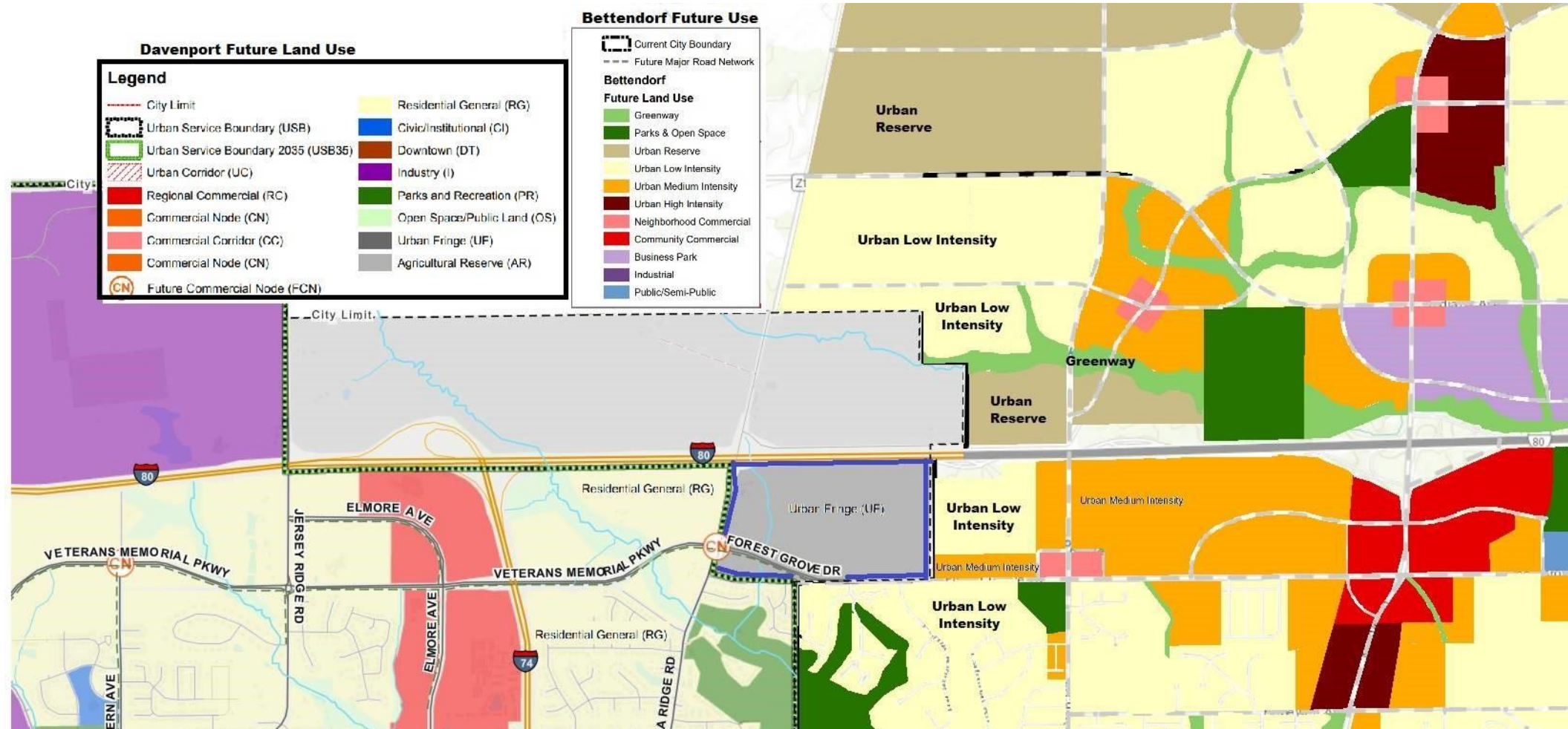
DAVENPORT
IOWA | USA

Existing Land Use:

Urban Fringe (UF) –
Areas that are currently outside the Urban Service Area but may be considered for inclusion later within the planning timeframe. Appropriate land use categories should be determined at that time.



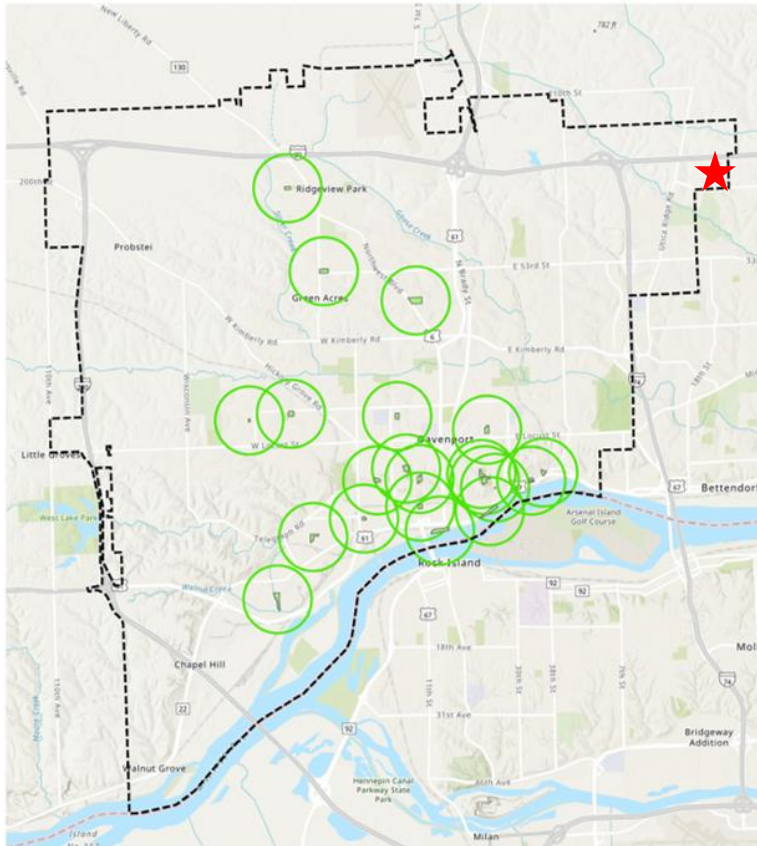
Davenport & Bettendorf Future Land Use Maps



Zoning Map

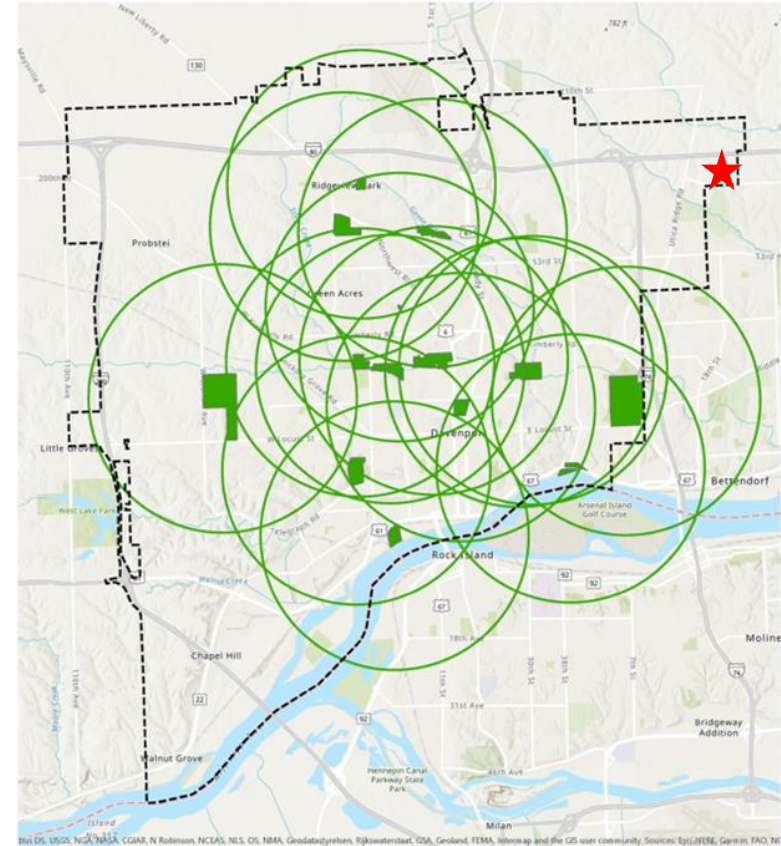


Parks & Recreation



LOS: NEIGHBORHOOD PARKS

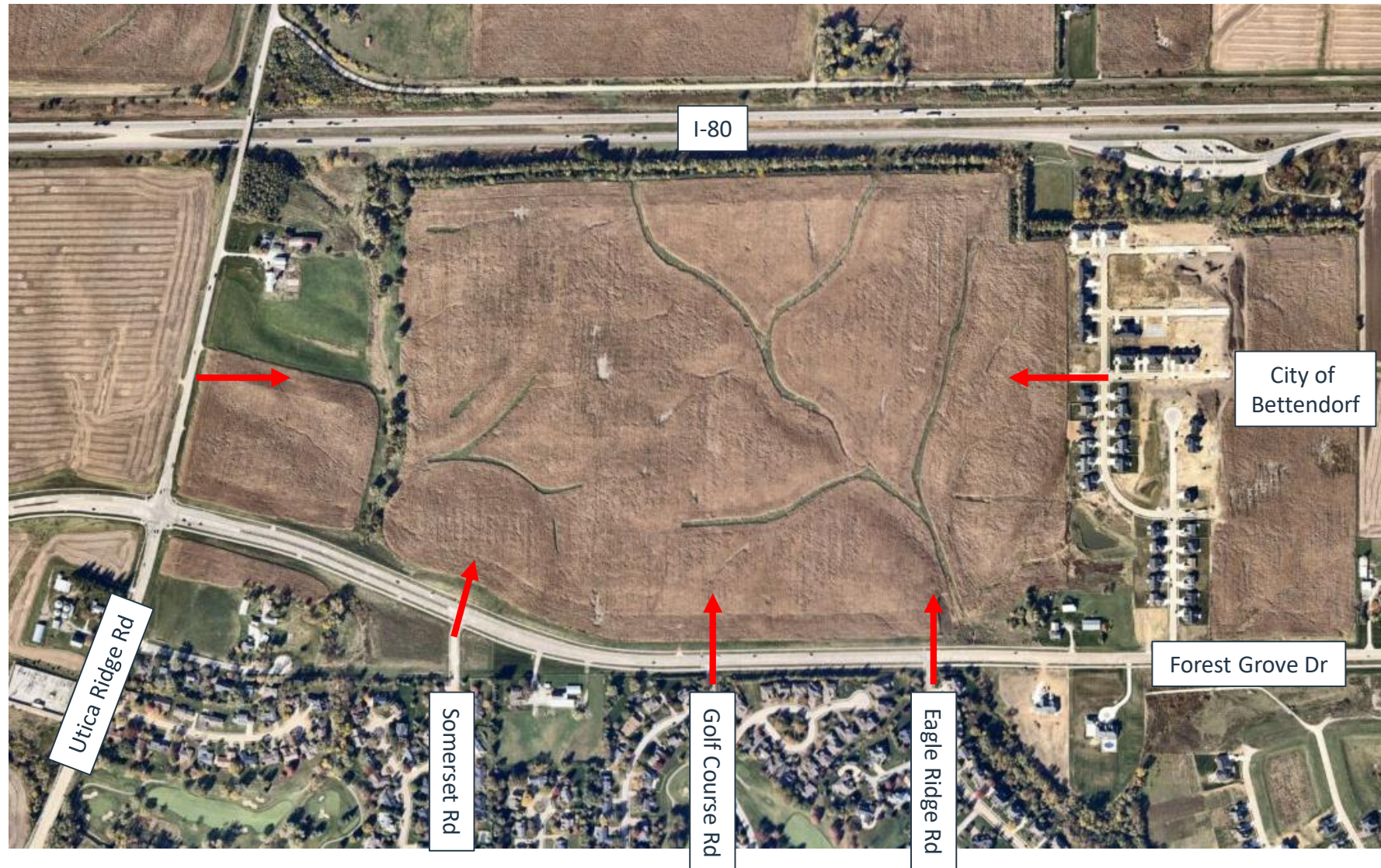
Neighborhood park distribution shows a concentration of neighborhood parks in the oldest neighborhoods with fewer parks in newer neighborhoods and undeveloped areas within the city limits. Service radius overlap in the older neighborhoods illustrates there is more than adequate facilities in those areas but the overall neighborhood service level is low elsewhere.



LOS: COMMUNITY PARKS

Community park distribution shows several community scale parks within the city limits with considerable overlap in their service radius. The Duck Creek corridor, running east and west, features five parks of significant size. This map illustrates a lack of community park facilities in the northwest, northeast and southwest corners of the city.

Street Connections



City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/31/2022

Subject:

Case F22-06: Request of Patrick Fennelly for a Final Plat of Fennelly's South Utah Addition located south of Telegraph Road and east of South Utah Avenue (The southwest 9.15 acres of Parcel #S3117-04). [Ward 1]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F22-06 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) would achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Provide utility easements.
4. Add a note stating, "No stormwater detention or water quality treatment will be required with this subdivision."

Background:

Discussion:

The petitioner owns approximately 59.15 acres of which 9.15 acres will be subdivided. The purpose of the final plat is to create two new single-family lots. The site is currently being used for farming and open space. The land also contains wooded areas and steep topography changes along the creek, making the eastern portion of the property difficult to navigate. The most developable area is the ground adjacent to South Utah Avenue.

The Plan and Zoning Commission reviewed Case REZ22-01 to rezone the western 9.15 acres from S-AG Agricultural District to R-1 Single-Family Residential District at its March 15, 2022 meeting date. The Commission made a recommendation for approval, subject to the following findings and condition.

Condition:

1. No more than two R-1 Single-Family Residential lots shall be platted on the 9.15 acre area.

Findings:

1. The proposed rezoning to R-1 Single-Family Residential District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character, which

- includes single-family dwellings, agriculture, and open space.
4. The proposed amendment promotes the public health, safety, and welfare of the City.
 5. Rezoning the property to R-1 Single-Family Residential District does not create any nonconformities.

City Council adopted Ordinance No. 2022-214 at their April 27, 2022 meeting, subject to the above condition.

-
Comprehensive Plan:

Within Existing Urban Service Area: No

Within Urban Service Area 2035: Yes

Future Land Use Designations:

The property is designated Agricultural Reserve (AR) and Open Space/Public Land (OS) in the Davenport +2035 Land Use Plan.

1. **Agricultural Reserve (AR)** - Areas located outside the Urban Service Area and unlikely to develop in the foreseeable future. Uses should be limited to agriculture and open space, with only limited residential development needing minimal urban services.
2. **Open Space/Public Land (OS)** - Includes undeveloped open space, natural areas, floodplains and wetlands that may be or may not be planned for future park and recreation development - This future land use is not associated with the subject property; however it is found of the remainder of the applicants land.

Zoning:

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

-
Technical Review:

- **Zoning:** The two proposed single-family lots identified on the submitted subdivision plat satisfy the minimum lot area and width requirements. The R-1 Single-Family Residential District requires a minimum lot size of 20,000 square feet (.46 acres) and a minimum lot width of 100 feet. Lot 1 is 217,802 square feet (5 acres) and 231.03 feet in width. Lot 2 is 180,776 square feet (4.15 acres) and 231 feet in width. Per a condition of Ordinance No. 2022-214, only two single-family residential lots can be created.
- **Streets:** The property currently has access via South Utah Avenue. There are two existing agricultural driveway approaches to the site. The property owner has been working with Davenport's Public Works Department to determine the most appropriate connections to South Utah Avenue.
- **Storm Water:** Lots in the R-1 Single-Family Residential District are limited to a maximum impervious surface of 40%. No stormwater detention or water quality treatment will be required with this subdivision.
- **Sanitary Sewer:** Davenport's sanitary sewer system will not connect to this development. The property will be served by a septic system, which is approved by the Scott County Health Department.
- **Other Utilities:** Other normal utility services are available.

Public Input:

No public hearing is required for a Final Plat.

ATTACHMENTS:

Type	Description
▣ Backup Material	Final Plat-Fennelly's South Utah Addition
▣ Backup Material	Zoning & Future Land Use Map
▣ Backup Material	Application
▣ Backup Material	Ordinance No. 2022-214

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/27/2022 - 2:08 PM

21-398-IADA-B-FENNELLY

PLAT OF SUBDIVISION
FENNELLY'S SOUTH UTAH ADDITION TO THE CITY OF DAVENPORT, IOWA

PART OF THE NORTHWEST QUARTER, SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M.,
CITY OF DAVENPORT, SCOTT COUNTY. IOWA

Legal Description:
Part of the Northwest Quarter of Section 31, Township
78 North, Range 3 East of the 5th Principal Meridian,
City of Davenport, Scott County, Iowa, more particularly
described as follows:
Commencing at the West Quarter corner of said Section
31, per Corner Certificate 01803-96;
Thence North 01°30'35" West, along the west line of
the Northwest Quarter of said Section 31, a distance of
664.63 feet to the Point of Beginning;
Thence North 01°30'35" West, continuing along said
west line of said Northwest Quarter, a distance of
465.20 feet;
Thence North 88°03'42" East, a distance of 844.98 feet;
Thence South 01°39'49" East, a distance of 231.00 feet;
Thence North 88°02'25" East, a distance of 187.83 feet;
Thence South 02°07'02" East, a distance of 231.03 feet;
Thence South 87°52'58" West, a distance of 1035.90
feet to the Point of Beginning.
The above described real estate contains 10.28 acres,
more or less.
For the purpose of this description, the west line of the
Northwest Quarter of Section 31, has an observed
bearing of North 01°30'35" West.

THE FOLLOWING AS LISTED HAVE REVIEWED AND APPROVED
THIS FINAL PLAT AND FOUND THAT SAID PLAT DOES MEET
ALL THE MINIMUM UTILITY REQUIREMENTS.

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

BY: DATE:
IOWA-AMERICAN WATER COMPANY

BY: DATE:
CENTURYLINK

BY: DATE:
METRONET

BY: DATE:
MEDIACOM

PLANNING AND ZONING COMMISSION

BY: DATE:

DAVENPORT CITY COUNCIL

BY: DATE:

ATTEST: DATE:

ZONING & LOT INFORMATION:

CURRENT ZONING: AR
PROPOSED ZONING: RESIDENTIAL, R-1
TOTAL NUMBER OF LOTS: 2
TOTAL ACREAGE OF LOTS: 9.15
TOTAL R.O.W. ACREAGE: 1.13
TOTAL SITE ACREAGE: 10.28
FRONT YARD BUILDING SETBACK: 30'

LAND SURVEYOR

ABBITT SURVEY & DEVELOPMENT, PLLC
CONTACT: JIM ABBITT
4900 38TH AVENUE, SUITE 1
MOLINE, ILLINOIS 61265
309-524-3124

OWNER

Patrick Fennelly
2313 W. Lombard St.
Davenport, IA 52804
563-529-9916

ATTORNEY

VOLLERSTEN BRITT & GORSLINE
MIKE GORSLINE
5119 UTICA RIDGE ROAD
DAVENPORT, IA 52807
563-324-0441



ABBITT SURVEY & DEVELOPMENT, PLLC.
4900 38TH AVE. SUITE 1
MOLINE, ILLINOIS 61265
PH. 309-524-3124

DATE: 05-09-2022 SCALE: 1" = 300' DRAWN BY: SEM CHECKED BY: JWA

PREPARED FOR: PATRICK FENNELLY
2313 W. LOMBARD STREET
DAVENPORT, IA 52804

PAGE: 1 OF 1

DRAWING No.:

21-398-IADA-B-FENNELLY

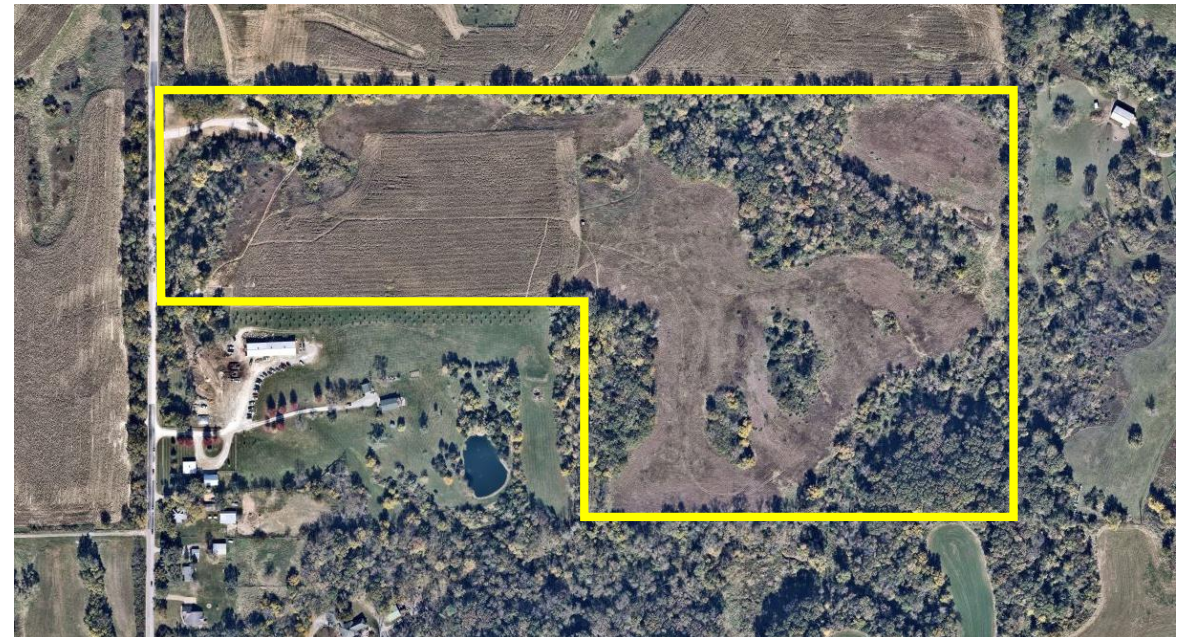
DRAWING TITLE: PLAT OF SUBDIVISION

Vicinity Map

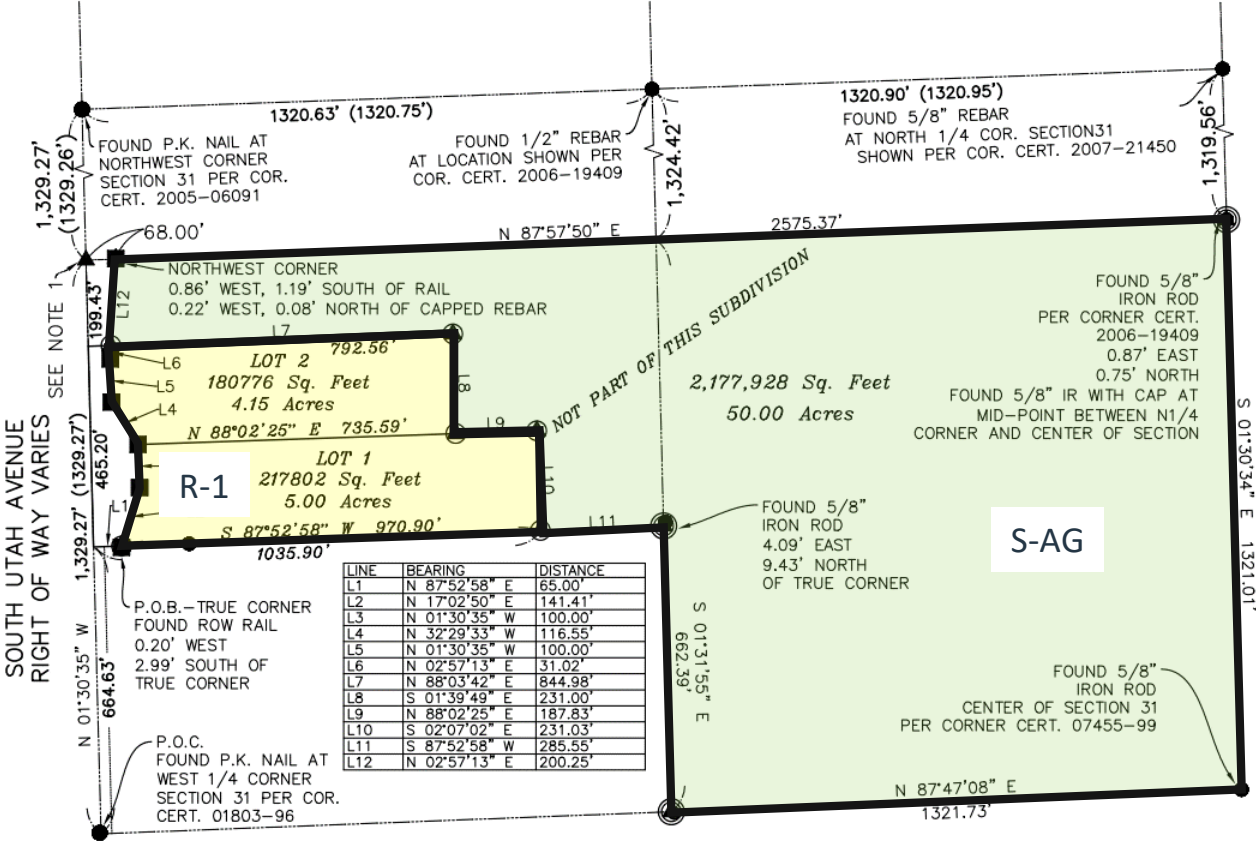
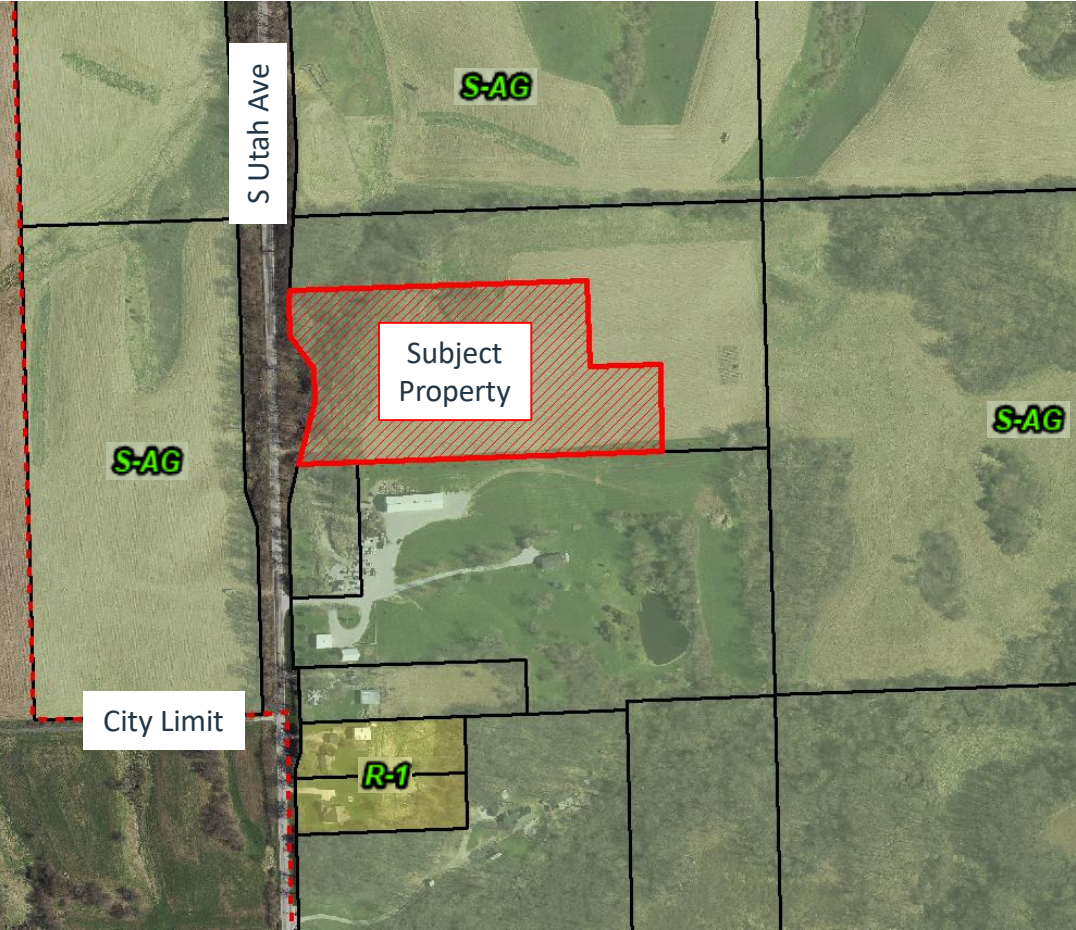
DAVENPORT
IOWA | USA



Purpose: Create two new single-family residential lots



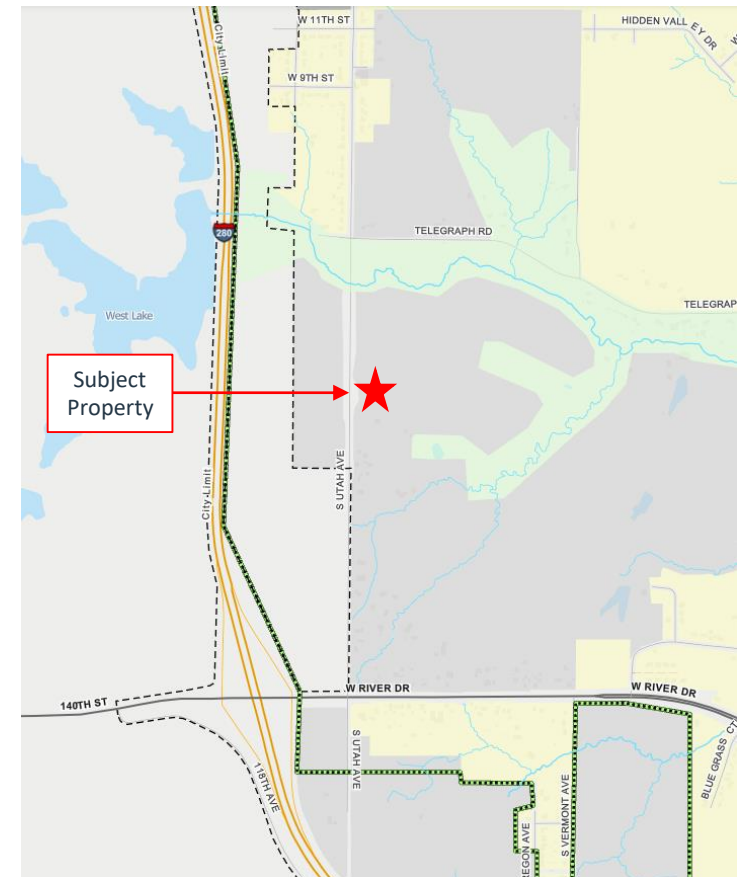
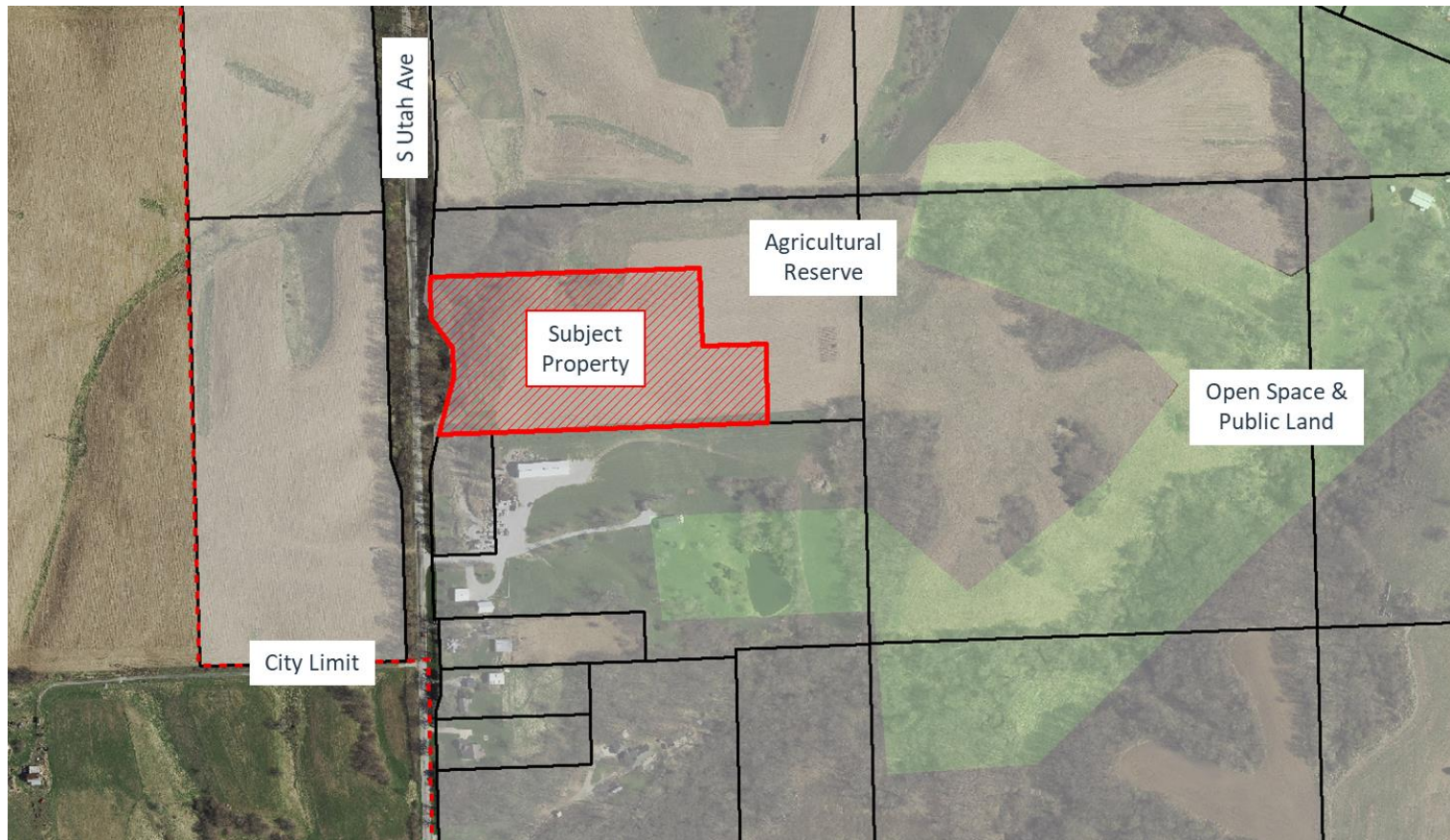
Zoning Map

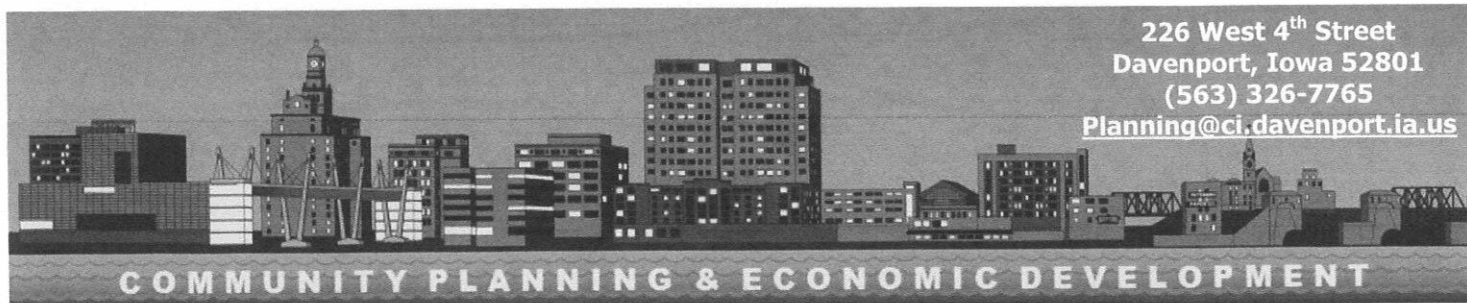


City Council Approved a rezoning to R-1 Single-Family Residential District on April 27, 2022
Condition: No more than two R-1 Single-Family Residential lots shall be platted on the 9.15 acre area.

Future Land Use Map

Agricultural Reserve (AR) - Areas located outside the Urban Service Area and unlikely to develop in the foreseeable future. Uses should be limited to agriculture and open space, with only limited residential development needing minimal urban services.





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

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

Property Address*

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

Applicant (Primary Contact)

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

Owner (if different from Applicant)

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

~~**Engineer**~~ (if applicable) **SURVEYOR**

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

Architect (if applicable)

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

Attorney (if applicable)

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

Application Form Type:

Plan and Zoning Commission

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

Zoning Board of Adjustment

- Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Design Review Board

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

- Administrative Exception ☐
Health Services and Congregate Living Permit ☐

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

Property Location:

Total Land Area: Acres

Total Number of Lots:

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

Submittal Requirements:

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

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

Property Location:

Part of the NW 1/4. SECTION 31, T78N, R3E OF 5TH PM, CITY OF DAVENPORT. PARCEL ID NO. S3117-04 LEGAL DESCRIPTION IS ATTACHED ON A SEPARATE SHEET
--

Total Land Area: Acres

Total Number of Lots:

Linear Feet of Streets Added:

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

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot. \$450
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

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

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

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

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

Petitioner:

Date:

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

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, _____
authorize _____
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Signature(s)

State of _____
County of _____
Sworn and subscribed to before me

This _____ day of _____ 20____

Form of Identification

Notary Public

My Commission Expires:

Ordinance No. 2022-214

An ORDINANCE for Case REZ22-01 being the request of Patrick Fennelly to rezone property located south of Telegraph Road and east of South Utah Avenue (the southwest 9.15 acres of Parcel #S3117-04) from S-AG Agricultural District to R-1 Single-Family Residential District.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "R-1 Single-Family Residential District."

Part of the Northwest Quarter of Section 31, Township 78 North, Range 3 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa, more particularly described as follows:

Commencing at the West Quarter corner of said Section 31, per Corner Certificate 01803-96; Thence North $01^{\circ}30'35''$ West, along the west line of the Northwest Quarter of said Section 31, a distance of 664.63 feet to the Point of Beginning; Thence North $01^{\circ}30'35''$ West, continuing along said west line of said Northwest Quarter, a distance of 465.20 feet; Thence North $88^{\circ}03'42''$ East, a distance of 844.98 feet; Thence South $01^{\circ}39'49''$ East, a distance of 231.00 feet; Thence North $88^{\circ}02'25''$ East, a distance of 187.83 feet; Thence South $02^{\circ}07'02''$ East, a distance of 1035.90 feet to the Point of Beginning. The above described real estate contains 10.28 acres, more or less. For the purpose of this description, the west line of the Northwest Quarter of Section 31, has an observed bearing of North $01^{\circ}30'35''$ West.

Section 2. That the following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The proposed rezoning to R-1 Single-Family Residential District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character, which includes single-family dwellings, agriculture, and open space.
4. The proposed amendment promotes the public health, safety, and welfare of the City.
5. Rezoning the property to R-1 Single-Family Residential District does not create any nonconformities.

Condition: No more than two R-1 Single-Family Residential lots shall be platted on the 9.15 acre area.

Section 3. At its March 15, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-01 to the City Council with a recommendation for approval subject to the listed findings and condition.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

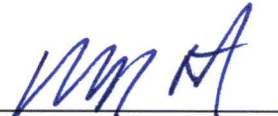
EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration April 13, 2022

Second Consideration April 27, 2022

Approved April 27, 2022

Published in the *Quad City Times* on May 5, 2022


Mike Matson
Mayor




Brian Krup
Deputy City Clerk

City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
5/31/2022

Subject:

Case F22-07: Request of Civil Engineering Consultants, Inc. on behalf of MidAmerican Energy Company for a Final Plat of Subdivision 78 located at 6702 and 6652 North Division Street. [Ward 8]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F22-07 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 (with conditions recommended by City Staff) would achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add an approval signature line for Metronet.
4. Provide a minimum 15 foot wide utility easement along street right-of-way.
5. Provide a minimum 10 foot wide utility easement along all adjacent properties.
6. Add a note stating, "Stormwater detention and water quality treatment will be required with this subdivision and shall be owned and maintained by the property owner."

Background:

Discussion:

Mid American Energy Company owns the 14.56 acre tract of property bounded by North Division Street, West 68th Street, Northwest Boulevard, and West 66th Street. The purpose of the final plat is to facilitate the sale of Lot 2.

There is an existing electric substation on the eastern portion of the site. The remainder of the property is open greenspace with overhead power lines.

Pacific Street and Wilkes Avenue stub into the property at the northern lot line. However, the property is unlikely to develop due to the overhead and underground electric, sanitary sewer, communications, and public utility easements that span significant portions of the site.

There are two residential neighborhoods abutting the open greenspace to the north and south. Overtime, homeowners have encroached within the site by placing gardens, trampolines, play sets, vehicles, and various other accessory structures on the Mid American Energy property.

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designations:

The property is designated Residential General (RG) and Commercial Node (CN) in the Davenport +2035 Land Use Plan.

1. **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.
2. **Commercial Node (CN)** - Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN should serve a population of about 5000 people within 1/2 mile. Ideally, CN areas should be architecturally integrated, and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.

Zoning:

The the subject area is zoned both R-1 Single-Family Residential District and R-4 Single-Family and Two-Family Residential District.

1. **R-1 Single-Family Residential District:** This district is intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards.
2. **R-4 Single-Family and Two-Family Residential Zoning District:** This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a dense urban development pattern. The R-4 District may also serve as a transitional district between Davenport's single-family and two-family neighborhoods and more intense uses within the City. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4 District.

Technical Review:

- **Zoning:** The subject area is split zoned. The property at 6652 North Division Street is zoned R-1 Single-Family Residential District, which is consist with the large lot west of North Division Street. The remainder of the site, including the utility substation and vacant greenspace, is zoned R-4 Single-Family and Two-Family Residential District. This is compatible with the surrounding neighborhoods abutting the subject site.
- **Streets:** Lot 1 will maintain frontage and access along North Division Street. In addition, Wilkes Avenue has a stub along the north property line. It is unlikely Wilkes Avenue will be extended given the existing utility substation. Access to Lot 2 is provided by Pacific Street, which dead ends at the northern property line.
- **Storm Water:** The development of the property will need to comply with the City's stormwater requirements.
- **Sanitary Sewer:** Should development occur at the site, sanitary sewers can be extended from existing infrastructure to serve this subdivision. Additional storm and sanitary sewer

easements shall be required based on preliminary engineering of conceptual plans at the time of development.

- **Other Utilities:** Mid American Energy Company has established their easement needs. Other normal utility services are available.

Public Input:

No public hearing is required for a Final Plat.

ATTACHMENTS:

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

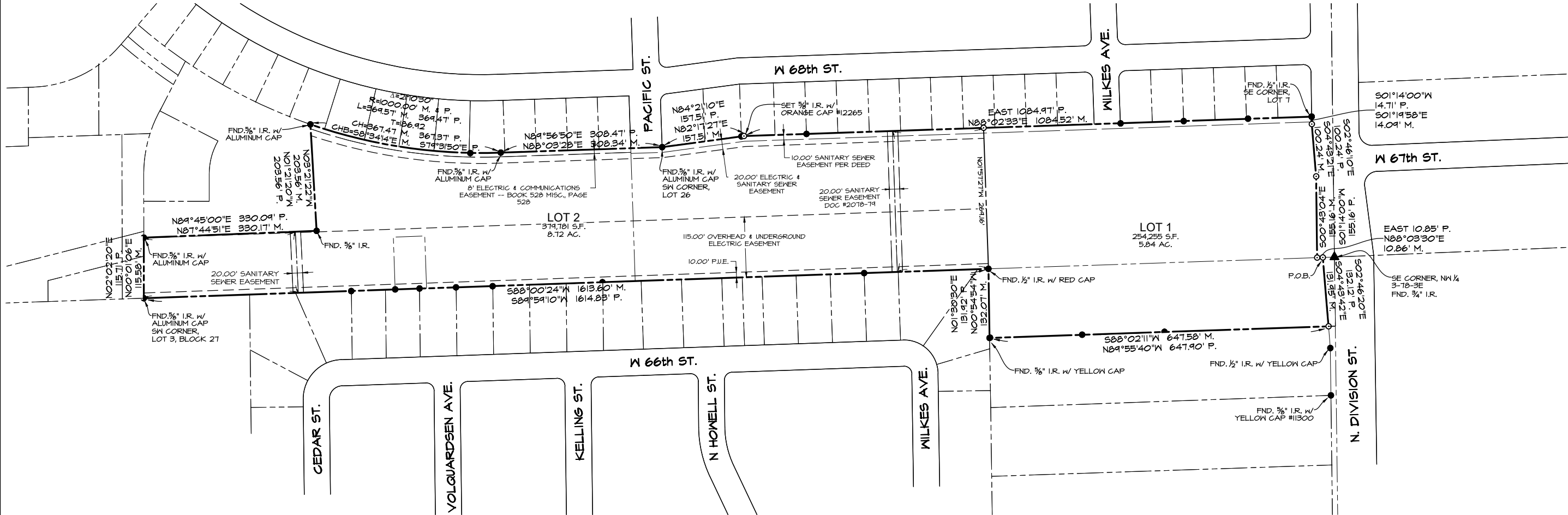
Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/27/2022 - 2:22 PM

Q:\E-FILES\E-8000\E8713\ C3D Drawings\Plats\E8713 Final Plat.dwg, 4/19/2022 3:31:30 PM, mdostatik, 1:2

FINAL PLAT
SUBDIVISION 78
AN OFFICIAL PLAT IN THE
CITY OF DAVENPORT,
SCOTT COUNTY, IOWA

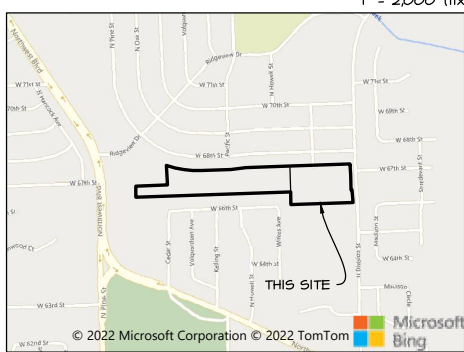


LEGAL DESCRIPTION

A PARCEL OF LAND IN LOT 2 AND PART OF LOT 3 IN BLOCK 27 OF THE REPLAT OF A PORTION OF RIDGEVIEW PARK, AN OFFICIAL PLAT AND IN THE NW 1/4 AND IN THE SW 1/4 OF SECTION 3, T-18N, R-3E OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AS A POINT OF REFERENCE AT THE SE CORNER OF THE NW 1/4 OF SAID SECTION 3; THENCE S88°03'30"W, 22.15 FEET ALONG THE SOUTH LINE OF SAID NW 1/4 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF N. DIVISION STREET AS IT NOW EXISTS AND BEING THE POINT OF BEGINNING; THENCE S04°43'42"E, 131.95 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT; THENCE S88°02'11"W, 647.58 FEET TO A POINT ON THE EAST LINE OF CEDAR RIDGE 3RD ADDITION, AN OFFICIAL PLAT; THENCE N01°30'30"E, 131.92 FEET ALONG SAID EAST LINE TO THE NE CORNER OF SAID PLAT; THENCE S88°00'24"W, 1613.60 FEET ALONG THE NORTH LINE OF THE FOLLOWING OFFICIAL PLATS, CEDAR RIDGE 3RD ADDITION, CEDAR RIDGE SECOND ADDITION, SMARTI'S FIRST ADDITION, PINEVIEW THIRD ADDITION, PINEVIEW 2ND ADDITION, AND PINEVIEW FIRST ADDITION AND BEING THE SOUTH LINE OF THE NW 1/4, AND THE SOUTH LINE OF LOTS 2 & 3, BLOCK 27 OF THE REPLAT OF A PORTION OF RIDGEVIEW PARK, TO THE SW CORNER OF SAID LOT 3; THENCE N00°01'06"E, 115.58 FEET ALONG THE WEST LINE OF SAID LOT 3 TO A POINT; THENCE N87°44'51"E, 330.17 FEET TO A POINT; THENCE N03°21'22"W, 203.56 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3 AND SAID POINT ALSO BEING ON THE SOUTH LINE OF BLOCK 26 IN SAID REPLAT OF A PORTION OF RIDGEVIEW PARK; THENCE EASTERLY ALONG SAID NORTH AND SOUTH LINES ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1000.00 FEET, A CHORD BEARING OF S81°34'14"E, AN ARC LENGTH OF 364.51 FEET TO A POINT; THENCE N88°03'28"E, 308.34 FEET ALONG SAID LINES AND SAID LINES EXTENDED TO THE SW CORNER OF LOT 26, CRESTVIEW MANOR 4TH ADDITION, AN OFFICIAL PLAT; THENCE N82°11'21"E, 151.51 FEET ALONG THE SOUTH LINE OF SAID PLAT TO A POINT; THENCE N88°02'33"E, 1084.52 FEET ALONG THE SOUTH LINE OF SAID PLAT AND THE SOUTH LINE OF CRESTVIEW MANOR 6TH ADDITION, AN OFFICIAL PLAT TO THE SE CORNER OF LOT 7 OF SAID CRESTVIEW MANOR 6TH ADDITION AND BEING THE WEST RIGHT-OF-WAY LINE OF N. DIVISION STREET AS IT NOW EXISTS; THENCE S01°14'58"W, 14.09 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT; THENCE S04°43'21"E, 100.24 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT; THENCE S00°43'04"E, 155.16 FEET TO A POINT ON THE SOUTH LINE OF SAID NW 1/4; THENCE N88°03'30"E, 10.86 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 14.56 ACRES, MORE OR LESS.

VICINITY SKETCH



1" = 1,000' (22x34)
1" = 2,000' (11x17)

LEGEND

- PROPERTY BOUNDARY
- ADJACENT LOT LINES
- BUILDING SETBACK LINE (B.S.L.)
- EASEMENT LINE
- FOUND SECTION CORNER
- FOUND CORNER AS NOTED
- SET CORNER NW 5/8" I.R. w/ ORANGE CAP #12265
- I.R. IRON ROD
- G.P. GAS PIPE
- M. MEASURED DISTANCE
- P. PREVIOUSLY RECORDED DISTANCE
- P.U.E. PUBLIC UTILITY EASEMENT
- P.O.B. POINT OF BEGINNING
- B.S.L. BUILDING SETBACK LINE
- ADDRESS

OWNER/APPLICANT

MIDAMERICAN ENERGY COMPANY
P.O. BOX 657
DES MOINES, IOWA 50306-0657
563-333-8150
dmcarlson@midamerican.com

ZONING

R-1 & R-4

BUILDING SETBACKS

FRONT YARD 25 FEET
REAR YARD 50 FEET
SIDE YARD 10 FEET, WITH SUM OF SIDE YARDS = 25 FEET

APPROVAL SIGNATURES

MAYOR _____ DATE _____
CITY CLERK _____ DATE _____
PLANNING & ZONING COMMISSION _____ DATE _____
MIDAMERICAN ENERGY COMPANY _____ DATE _____
CENTURYLINK _____ DATE _____
MEDIACOM _____ DATE _____
IOWA-AMERICAN WATER COMPANY _____ DATE _____



SCALE: 1"=200' (11"x17")
SCALE: 1"=100' (22"x34")



INDEX LEGEND	
COUNTY:	SCOTT
CITY:	DAVENPORT
SUBDIVISION:	REPLAT OF A PORTION OF RIDGEVIEW PARK
BLOCK:	27
LOTS:	2 & 3
SECTION:	SW 1/4 & NW 1/4, SEC. 3-T8-3E
PROPRIETOR (S):	MIDAMERICAN ENERGY COMPANY P.O. BOX 657 DES MOINES, IOWA 50306-0657 563-333-8150 dmcarlson@midamerican.com
REQUESTED BY:	MIDAMERICAN ENERGY COMPANY
PROFESSIONAL LAND SURVEYOR:	PATRICK J. SHEPARD, PLS
RETURN TO COMPANY:	CIVIL ENGINEERING CONSULTANTS, INC ATTN: PATRICK J. SHEPARD, PLS 2400 86TH STREET, SUITE 12 DES MOINES, IA 50322 PHONE: 515-276-4884

CERTIFICATION

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

PATRICK J. SHEPARD, IOWA LICENSE NO. 12265 DATE MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023
PAGES OR SHEETS COVERED BY THIS SEAL:

SHEET 1-3 OF 3

PRELIMINARY FOR REVIEW ONLY

Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884, mail@cecinc.com



DATE: 04-19-2022
DATE OF SURVEY: MMD
DESIGNED BY: MMD
DRAWN BY: MMD

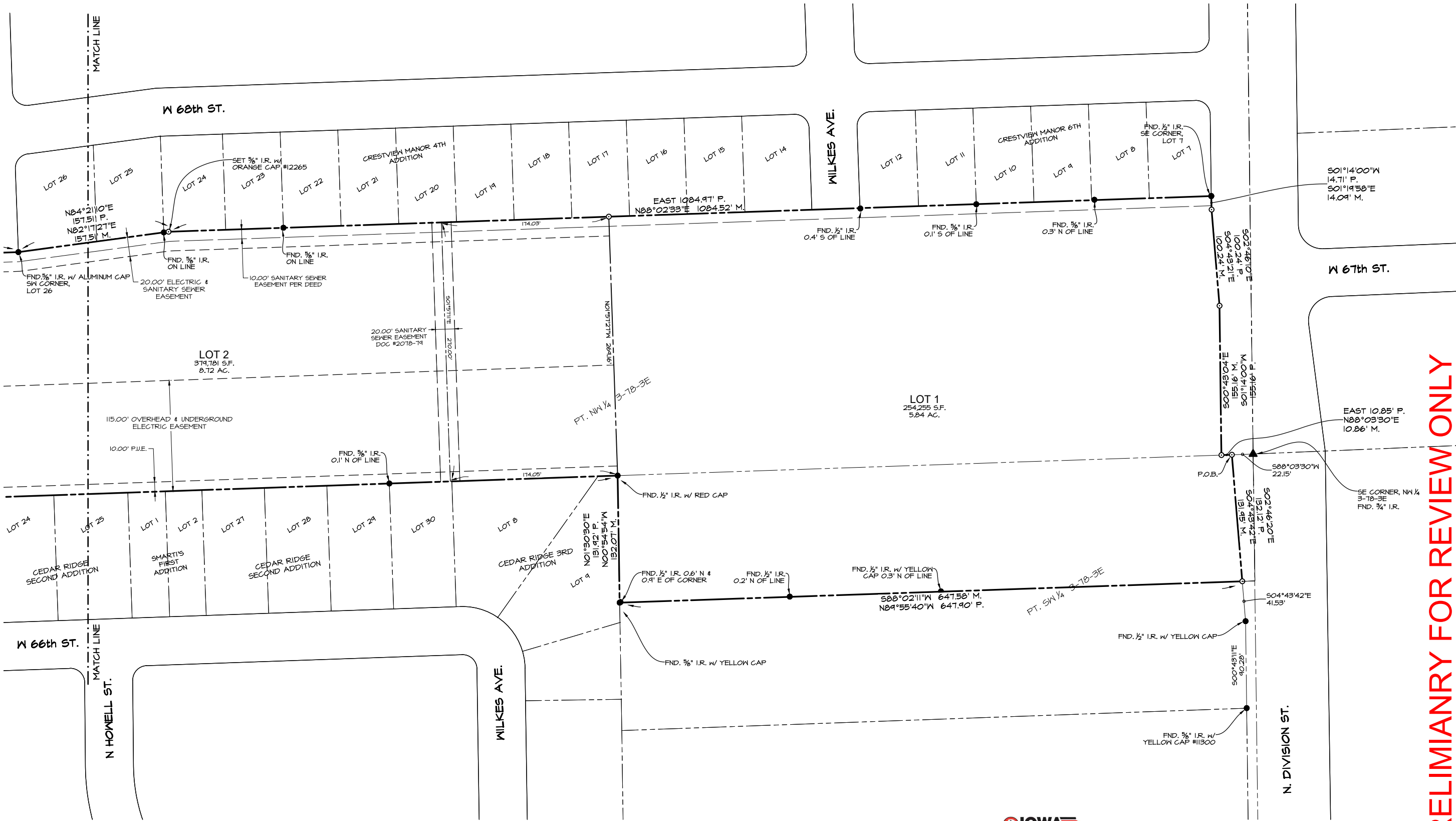
SUBDIVISION 78
AN OFFICIAL PLAT IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA

FINAL PLAT

SHEET 1
OF 3
E-8713

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FINAL PLAT
SUBDIVISION 78
AN OFFICIAL PLAT IN THE
CITY OF DAVENPORT,
SCOTT COUNTY, IOWA



SCALE: 1"=50'



PRELIMINARY FOR REVIEW ONLY

Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884, mail@ceclac.com

DATE:	04-19-2022
DATE OF SURVEY:	
DESIGNED BY:	MMD
DRAWN BY:	MMD

SUBDIVISION 78
AN OFFICIAL PLAT IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA

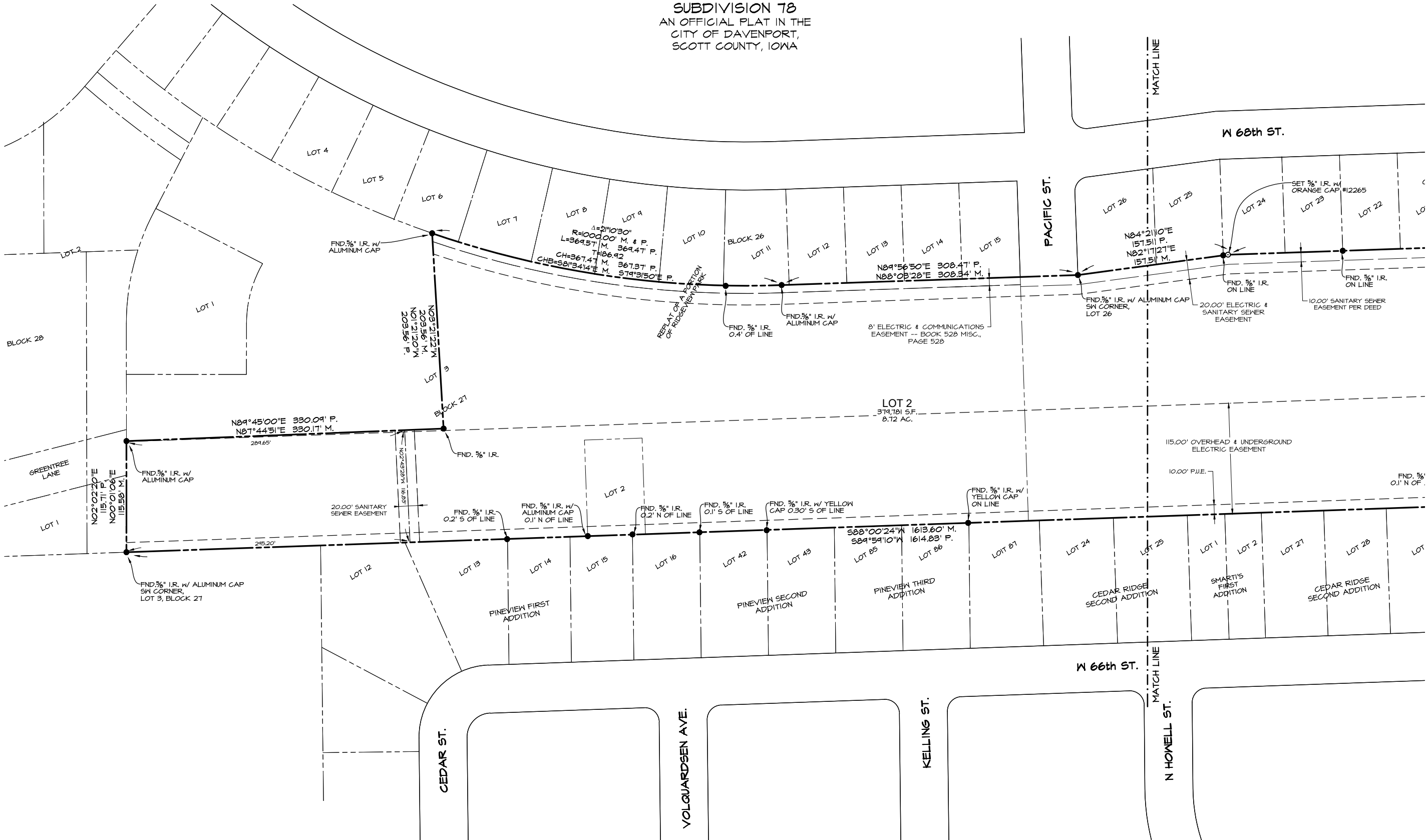
FINAL PLAT

SHEET
2
OF 3

E-8713

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FINAL PLAT
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AN OFFICIAL PLAT IN THE
CITY OF DAVENPORT,
SCOTT COUNTY, IOWA



PRELIMINARY FOR REVIEW ONLY



SCALE: 1"=50'



Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884, mail@cecinc.com



DATE:	04-19-2022
DATE OF SURVEY:	MMD
DESIGNED BY:	MMD
DRAWN BY:	MMD

SUBDIVISION 78
AN OFFICIAL PLAT IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA
FINAL PLAT

SHEET
OF 3
E-8713



Complete application can be emailed to planning@davenportiowa.com

Property Address*

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

Applicant (Primary Contact)

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal
Special Use
Hardship Variance

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

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

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

Property Location:

Total Land Area:

Total Number of Lots:

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

Submittal Requirements:

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

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

Property Location:

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

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

Submittal Requirements:

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

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

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

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

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

Petitioner:

Date:

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

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

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

Authorization to Act as Applicant

See attached sheet for authorization signature.

I, _____ authorize
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council for
the property located at _____

Signature(s)

State of _____ ,
County of _____ .
Sworn and subscribed to before me

This _____ day of _____ 20_____

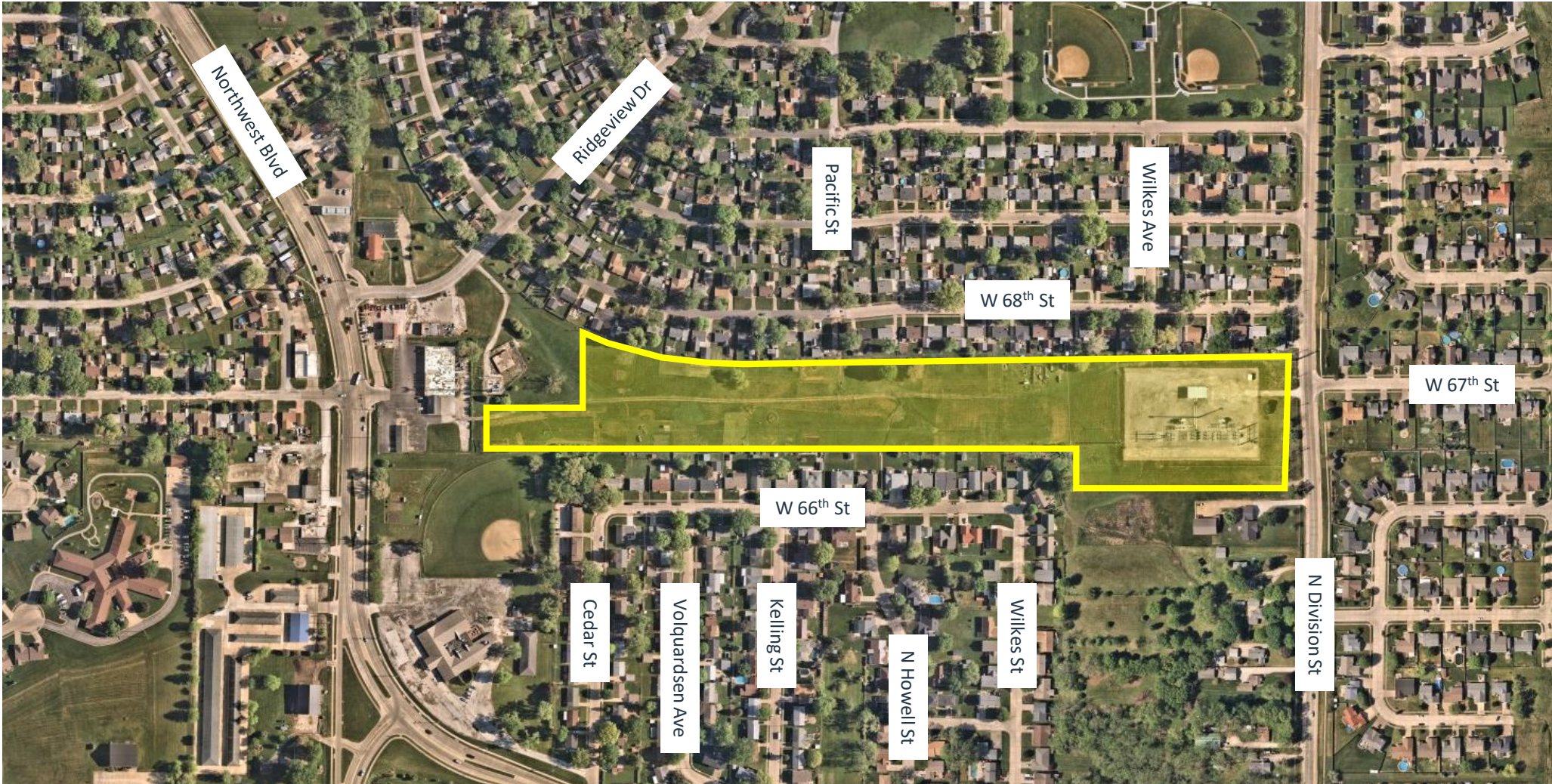
Form of Identification

Notary Public

My Commission Expires:

Vicinity Map

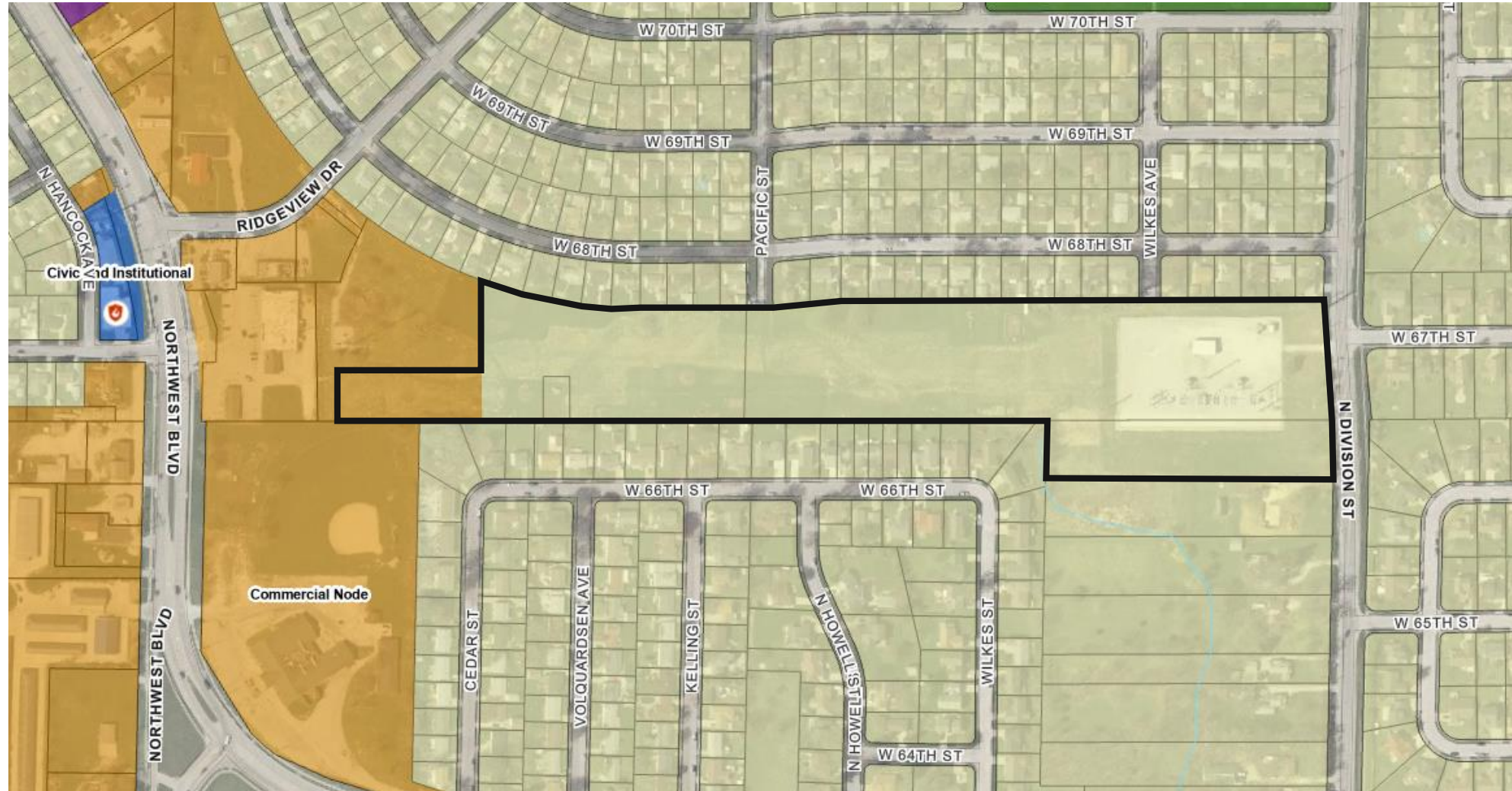
DAVENPORT
IOWA | USA



Zoning Map



Future Land Use Map



City of Davenport
Plan and Zoning Commission

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Date
5/31/2022

Subject:
Review of Plan and Zoning Commission Bylaws

Recommendation:
Adopt the Bylaws.

Background:
The current bylaws were updated and adopted on July 19, 2016. The executive committee met with staff to review the bylaws. The proposed amendments provide additional clarity and better align with city policies and code changes.

ATTACHMENTS:

Type	Description
▣ Backup Material	Proposed Bylaws Amendment 5-31-22
▣ Backup Material	Current Bylaws 7-19-16

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	5/27/2022 - 2:30 PM

**BYLAWS AND RULES OF
PROCEDURE CITY PLAN AND
ZONING COMMISSION
DAVENPORT, IOWA**

**UPDATED AND ADOPTED JULY
19, 2016**

DRAFT CHANGES 5-31-22

1 Officers

1.1 Officers

1.1.a Chairperson

- 1) The position of Chairperson is hereby established.
- 2) The Chairperson shall preside at all meetings of the Commission.
- 3) The Chairperson shall have general charge of the business of the Commission.
- 4) The Chairperson shall appoint all committees.
- 5) The Chairperson shall perform such other duties as are usually exercised by the Chairperson of a Commission or as specifically authorized by the Commission.

1.1.b Vice-Chairperson

- 1) The position of Vice-Chairperson is hereby established.
- 2) The Vice-Chairperson shall act in the capacity of Chairperson in the absence of the Chairperson.
- 3) In the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Commission shall elect a successor to the office of Vice-Chairperson for the unexpired term.

1.1.c Secretary

- 1) The position of Secretary is hereby established.
- 2) The Secretary shall attend all regular and special meetings and public hearings and shall call the roll of those members present.
- 3) The Secretary shall present a record of those meetings to the Commission.
- 4) The Secretary shall act in the capacity of Chairperson in the absence of the Chairperson and the Vice-Chairperson.

1.2 Election of Officers and Appointment of Committees

1.2.a Officers of the Commission shall be elected at the first regularly scheduled meeting of the Commission in July and shall hold office for one year or until their successors are elected.

1.2.b Any vacancy of a position may be filled at any Regular or Special Meeting after such vacancy.

1.2.c As needed, the Chairperson shall appoint committees and the chairperson of each.

2 Public Hearings

- 2.1 The Commission shall hold public hearings before consideration of Comprehensive Plan amendments, Zoning Ordinance text amendments, Zoning Maps amendments, or the vacation of Right-of-Way.
- 2.2 Notice of the time and place of the hearing will be given not less than 4 and no more than 20 days prior to such hearing by one publication in a newspaper of general circulation.
- 2.3 The notice procedures outlined in Section 17.14.020 of the Zoning Code shall be followed.
- 2.4 The public will be allowed to speak to any of the open petitions on the public hearing, with a maximum of five (5) minutes at the discretion of the Chair.

3 Meetings

3.1 Regular Meetings

- 3.1.a The monthly meetings of the Commission shall be held on the Tuesday preceding the first and third Wednesday of the month at 5:00 p.m.
- 3.1.b All Regular Meetings shall be held at City Hall unless otherwise specified.
- 3.1.c In the event that all elected officers should be absent or unable to attend to the duties of their office, the members of the Commission may, at any Meeting, appoint a Chairperson pro-tempore or a Secretary pro-tempore, who shall attend to all the duties of such office until such officer shall return or be able to attend to their duties.

3.2 Special Meetings

- 3.2.a Special Meetings of the Commission may be called by the Chairperson and held at any time or place fixed in the call with proper notice.
- 3.2.b Any three or more members of the Commission may request in writing to staff to call a Special Meeting.

3.3 Notice of Meetings

- 3.3.a The Staff shall file with the Deputy City Clerk the time and place of all Commission meetings, together with a copy of the Agenda and previous meeting minutes at least twenty-four hours in advance of the meeting.

- 3.3.b A copy of the agenda and minutes together with such additional material as the Staff deems appropriate shall be given to each member of the Commission.

3.4 Quorum

- 3.4.a Roll call of members shall start each Commission meeting.
- 3.4.b Fifty percent of the appointed membership shall constitute a quorum for the transaction of business at all Commission meetings.
- 3.4.c Without a quorum, no business will be transacted and no official action on any matter will take place.

3.5 Order of Business

Agenda

Public Hearing

- 1) Roll Call by Secretary
- 2) Report of Old Business
- 3) Report of New Business
- 4) Adjournment

Regular Meeting

- 1) Roll Call by Secretary
- 2) Report of City Council Activity
- 3) Secretary's Report
- 4) Comprehensive Plan Report
- 5) Zoning Activity Report
- 6) Subdivision Activity Report
- 7) Other Business
- 8) Future Business
- 9) Communications
- 10) Adjournment

3.6 Voting

- 3.6.a Voting will be roll call, called by the Secretary, and will be recorded by yeas and nays or present. A vote of Present will have the effect of a nay vote.
- 3.6.b Every member of the Commission, excluding the Chairperson, is required to cast a vote upon each motion. The Chairperson may vote upon a motion in the case of a tie occurs or to cause a tie to occur. If a tie occurs following the vote of the Chairperson, a negative

recommendation will be forwarded to the City Council.

3.6.c A member may abstain only if the member believe there is a conflict of interest as provided in Subsection 3.7.

3.6.d Members shall be physically present at the meeting in order to exercise their vote. Proxy voting, mail voting or telephone voting are prohibited. If deemed necessary (i.e. declared pandemic, health, etc.) the Chairperson may permit a virtual attendance and virtual voting on a temporary basis.

3.6.e The affirmative vote of a majority of those members voting shall be required for the exercise of powers or functions conferred or imposed upon the Commission, but less than a quorum of the members may meet and adjourn from time to time until a quorum is present.

3.7 Conflict of Interest

3.7.a A member of the Commission must abstain from participating in a matter before the Commission when the member has a conflict of interest or an appearance of impropriety.

3.7.b Conflict of interest shall mean a direct and personal interest in the outcome of the proceedings. An appearance of impropriety shall mean an apparent conflict of interest based on objective standards.

3.7.c A member of the Commission shall declare their conflict or appearance of impropriety as soon as the matter comes before the Commission for discussion or as soon thereafter as the member becomes aware of the appearance of impropriety or conflict. Thereafter, the member shall take no part in the discussion or vote on the matter.

4 **Meeting Attendance**

4.1 Commission members are expected to attend all regular and special Committee and Commission meetings and public hearings of the Commission.

4.2 Prior to any scheduled Meeting, members shall notify the appropriate city Staff regarding any excused or anticipated absences.

4.3 Failure to attend meetings as outlined in Section 2.64.070 of the City Code may be subject to forfeiture of appointment.

5 **Communications**

5.1 Only the Chairperson shall speak, make statements, comment on social meeting, or issue news releases on behalf of the entire Commission pertaining to its

actions, attitudes and/or actions. Any member of the Commission may express their personal opinion on matters not before the Commission, provided their expressly state their comments are as a private citizen and not as a member of the Commission.

- 5.2 It is the policy of the Commission that members not attend private meetings whose principal purpose is to discuss business that is before the Commission, unless such attendance is approved by the Commission prior to the meeting.
- 5.3 Ex Parte means communication between one or more Commission members and a party or third person outside of the duly scheduled meetings on an issue pending before the Commission. Ex Parte communications should be avoided because they raise the issue of due process and fairness. In the event a situation arises where they occur, the member(s) shall place on the public record the sum and substance of the communication to enable interested persons to rebut the communications.
- 5.4 Any written communication to a Commission member(s) shall be reported and presented to the entire Commission and shall be included in the public record.

6 Duties

- 6.1 The duties of the Commission include:
 - 6.1.a Review, advise, and make recommendations regarding revisions to the Comprehensive Plan.
 - 6.1.b Review and make recommendations on subdivision plans and other development proposals to ensure that they are in conformance with the Comprehensive Plan of the City of Davenport and that the provisions of the Subdivision ordinance are fulfilled.
 - 6.1.c Review and make recommendations to the City Council on the vacation of public rights-of-way of streets and alleys.
 - 6.1.d Review and make recommendations to the City Council on proposed changes to the Zoning Ordinance, altering the map or text, in conformance with the Comprehensive Plan and City Code.

7 Committees

- 7.1 Executive Committee
 - 7.1.a The Executive Committee is a standing committee of the Commission which consists of the Chairperson, Vice-Chairperson and Secretary.

7.1.b The duties of the Executive Committee are:

- 1) Annual review of the bylaws and make recommendations of any possible changes to the full Commission for consideration.
- 2) Consideration of items to be brought to the Commission as a whole which are not considered by any other committee in existence or appointed by the Chairperson.

7.2 Comprehensive Plan Committee

7.2.a The Comprehensive Plan Committee, being the whole Commission, is tasked with supporting the maintenance and implementation of the Comprehensive Plan of the City of Davenport.

7.2.b The Chairperson may appoint subcommittees to study particular issues if they choose to do so.

7.3 Special Committees

7.3.a Special Committees as may be deemed necessary or advisable by the Commission may be created from time to time by resolution of the Commission at any Meeting called for that purpose.

7.3.b The Chairperson of the Commission shall appoint one member of each Committee the Chairperson thereof, and the Committee shall meet at such times and places as directed by the Chairperson of the committee or at the regularly scheduled time and place of a particular committee meeting.

7.3.c The members of the Committees shall serve for one year or until their successors are appointed or in the case of Special Committees, until their work is completed. Any vacancy in a Committee shall be filled by the Chairperson of the Commission.

8 Staff

8.1 The Director of Development & Neighborhood Services or the designated representative shall serve as staff to the Commission.

8.2 The Staff shall be responsible for preparation of the Agenda and for the provision of all staff support and reports to the Commission and its Committees. The Staff shall provide to the Commission all reports pending on its upcoming agenda at least 24 hours prior to the scheduled meeting. Action may be deferred on any agenda item not meeting this requirement.

8.3 The Staff shall be responsible for the maintenance of all records, reports and correspondence.

9 New Commissioner Orientation and Training

9.1 Orientation

9.1.a Following appointment to the Commission and as soon as possible, new Commissioners shall attend an orientation session with the Commission Chair and Staff. At this meeting the following topics shall be among those covered.

- Duties of the Commission
- The Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and Flood Damage Prevention Ordinance
- Meeting attendance
- Commission bylaws, including conflict of interest and ex-parte contact
- Commissioner decorum

9.1.b Staff will provide new Commissioners with links to relevant documents and training materials, or provide hard copies upon request.

9.2 Training

9.2.a Commissioners shall be offered the opportunity for training through invitations to webinars hosted by the Bi-State Regional Commission and other sources. The costs of attendance shall be the responsibility of the individual Commissioner, or through full or partial reimbursement by the City if funds are available.

10 Rules of Order

10.1 Parliamentary Procedure

10.1.a Roberts Rules of Order, Revised, will serve as a guide for the Commission meetings in all cases where these rules do not provide for the procedures to be followed.

10.2 Amendments

10.2.a The foregoing bylaws, or any part thereof, may be amended at Meeting of the Commission where not less than three days' notice has been given to all members of the Commission and a copy of the proposed amendment sent with the notice, providing, however, its shall require an affirmative vote by the majority of the Commissioners present to make any amendment or change in the bylaws.

10.3 Delays in Processing

- 10.3.a Issues brought before the Commission for recommendation shall be considered in a timely manner. Any issue under consideration by the Commission or one of its Committees, which has been tabled, postponed or returned for additional supporting information shall be returned to the agenda of the appropriate body on or before its sixth meeting following the tabling, postponing or returning for additional information.
- 10.3.b Should the requested information not be submitted in the amount of time provided for above, the Commission or Committee may make a recommendation based on the information available or it may return the petition, request, etc. to the part submitting it for future resubmission after making a determination that the petition, request, etc. is incomplete and after listing the requisite information to complete it.

**BYLAWS AND RULES OF PROCEDURE
CITY PLAN AND ZONING COMMISSION
DAVENPORT, IOWA**

UPDATED AND ADOPTED JULY 19, 2016

Section 1.0

Officers.

1.1

Officers.

1.1.a Chairperson

- 1) The position of Chairperson is hereby established.
- 2) The Chairperson shall preside at all meetings of the Commission.
- 3) The Chairperson shall have general charge of the business of the Commission.
- 4) The Chairperson shall appoint all committees.
- 5) The Chairperson shall perform such other duties as are usually exercised by the Chairperson of a Commission or as specifically authorized by the Commission.

1.1.b Vice-Chairperson

- 1) The position of Vice-Chairperson is hereby established.
- 2) The Vice-Chairperson shall act in the capacity of Chairperson in the absence of the Chairperson.
- 3) In the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Commission shall elect a successor to the office of Vice-Chairperson for the unexpired term.

1.1.c Secretary

- 1) The position of Secretary is hereby established.
- 2) The Secretary shall attend all regular and special meetings and public hearings and shall call the roll of those members present.

- 3) The Secretary shall present a record of those meetings to the Commission.
- 4) The Secretary shall act in the capacity of Chairperson in the absence of the Chairperson and the Vice-Chairperson.

1.2 Election of Officers and appointment of Committees.

- 1.2.a The Chairperson of the Commission shall be elected at the Annual meeting of the Commission and shall hold office for one year or until his/her successor is elected.
- 1.2.b The Vice-Chairperson shall be elected at the Annual Meeting of the Commission immediately after the election of the Chairperson and shall hold office for one year or until his/her successor is elected.
- 1.2.c The Secretary shall be elected at the Annual Meeting of the Commission immediately after the election of the Vice-Chairperson and shall hold office for one year or until his/her successor is elected.
- 1.2.d Any vacancy in the office of Chairperson, or Vice-Chairperson or Secretary of the Commission may be filled at any Regular or Special Meeting after such vacancy.
- 1.2.e As needed, the Chairperson shall appoint his/her committees and the chairperson of each.

Section 2.0 Public Hearings.

- 2.1 Before the adoption of an amendment of any part of the Comprehensive Plan, or recommending approval of an amendment to the text of the Zoning Ordinance or an amendment to the official Zoning Map or recommending the vacation of a public right-of-way to the City Council, the Commission will hold a public hearing on the matter.
The Committee of the Whole shall hold public hearings with proper notice with regard to proposed changes to the zoning ordinance, alterations to the zoning map in conformance with Comprehensive Plan and the vacation of streets and alleys.
- 2.2 Notice of the time and place of the hearing will be given, not less than 4 nor more than 20 days prior to such hearing by one publication in a newspaper of general circulation.

- 2.3 Special notice of a proposed rezoning will be given by mail to all owners of property within 200 feet of the boundaries of the premises under consideration.

Section 3.0 Meetings.

3.1 Regular Meetings.

- 3.1.a The Annual Meeting for the election of Officers of the Commission shall be held at the April Commission meeting each year.
- 3.1.b The monthly meetings of the Commission shall be held on the Tuesday preceding the first and third Wednesday of the month at 5:00 p.m.
- 3.1.c Adjourned Annual Meetings or adjourned Monthly Meetings of the Commission may be held at such time and place as may be fixed in the resolution of adjournment or notice of Special Meetings. If no other place is fixed in the resolution, the meeting shall be held at the regular meeting place of the Commission.
- 3.1.d All Regular Meetings shall be held at City Hall unless otherwise specified.
- 3.1.e In the event that the Chairperson and the Vice-Chairperson and the Secretary of the Commission should be absent or unable for any reason to attend to the duties of their office, the members of the Commission may at any Regular Meeting or Special Meeting called for that purpose, appoint a Chairperson pro-tempore or a Secretary pro-tempore, as the case may be, who shall attend to all the duties of such officer until such officer shall return or be able to attend to his/her Meetings.
- 3.2.a Special Meetings of the Commission may be called by the Chairperson and held at any time or place fixed in the call.
- 3.2.b The Chairperson shall call a Special Meeting of the Commission at the request, in writing, of any three or more members of the Commission and if the Chairperson shall

fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

- 3.2.c Adjourned Special Meetings of the Commission may be held at such time and as may be fixed in the Resolution of Adjournment. If no other place is fixed in the Resolution, the meeting shall be held at the regular meeting place of the Commission.

3.3 Notices of Meetings.

- 3.3.a The Staff shall file with the Deputy City Clerk the time and place of all Commission meetings, together with a copy of the Agenda and previous minutes at least twenty-four hours in advance of the meeting. A copy of the agenda and minutes together with such additional material as the Staff deems appropriate, shall be given to each member of the Commission.

- 3.3.b Notice of Special Meetings shall name the time and place and business to be transacted and shall be mailed to each member of the Commission at the address given the Commission. At least twenty-four hours before, notice shall be given each member to attend any special meeting.

3.4 Quorum.

- 3.4.a Roll call of members shall start each Commission meeting.
- 3.4.b Fifty percent of the appointed membership, exclusive of vacancies, shall constitute a quorum for the transaction of business at Commission, Public Hearing, or Committee meetings.
- 3.4.c Without a quorum, no business will be transacted and no official action on any matter will take place.

3.5 Order of Business:

Agenda

Public Hearing

- 1) Roll call by the Secretary

- 2) Report of Old Business
- 3) Report of New Business
- 4) Adjournment

Regular Meeting

- 1) Roll Call by Secretary
- 2) Report of City Council Activity
- 3) Secretary's Report
- 4) Comprehensive Plan Report
- 5) Zoning Activity Report(s)
- 6) Subdivision Activity Report(s)
- 7) Other Business
- 8) Future Business
- 9) Communications
- 10) Adjournment

3.6 Voting.

- 3.6.a Voting will be by voice roll call, called by the Secretary, and will be recorded by yeas and nays or present. Present will have the effect of a nay vote.
- 3.6.b Every member of the Commission, excluding the Chairperson, is required to cast a vote upon each motion. The Chairperson may vote upon a motion in the case that a tie occurs or to cause a tie to occur. If a tie occurs following the vote of the chairperson, a negative recommendation will be forwarded to the City Council.
- 3.6.c A member may abstain, only if the member believes there is a conflict of interest, as provided for in Subsection 3.7

3.6.d Members shall be physically present at the meeting in order to exercise their vote. Proxy voting, mail voting or telephone voting are prohibited.

3.6.e The affirmative vote of a majority of those members voting shall be required for the exercise of powers or functions conferred or imposed on the Commission, but less than a quorum of the members may meet and adjourn from time to time until a quorum is present

3.7 Conflict of Interest.

A member of the Commission must abstain from participating in a matter before the Commission when the member has a conflict of interest or an appearance of impropriety. Conflict of interest shall mean a direct and personal interest in the outcome of the proceedings. An appearance of impropriety shall mean an apparent conflict of interest based on objective standards. A member of the Commission shall declare their conflict or appearance of impropriety as soon as the matter comes before the Commission for discussion or as soon thereafter as the member becomes aware of the appearance of impropriety or conflict. Thereafter, the member shall take no part in the discussion or vote on the matter.

Section 4.0 Meeting Attendance.

4.1 Commission members are expected to attend all regular and special Committee and Commission meetings and public hearings of the Commission.

4.2 Prior to any scheduled Commission meeting, Committee meeting or public hearing, members shall notify the appropriate city Staff regarding the excused or anticipated absences. Any Commission member who shall be absent from three consecutive Commission meetings, Committee meetings or public hearings without just cause or who shall be absent from a total combination of six Commission meetings, Committee meetings and public hearings in any calendar year without just cause shall no longer be a member of this Commission. Just cause shall include, but not be limited to, death, illness or being out of the city. The Executive Committee shall determine in closed session in each case whether or not just cause exists for the absence.

Section 5.0

Communications.

- 5.1 Only the Chairperson shall speak, make statements, comment on social media, or issue news releases on behalf of the entire Commission pertaining to its actions, attitudes and/or actions. Any member of the Commission may express his/her personal opinion on matters not before the Commission, provided he/she expressly states they are commenting as a private citizen and not as a member of the Commission.
- 5.2 It is the policy of the City Plan and Zoning Commission that members not attend private meetings whose principal purpose is to discuss business that is before the Commission, unless such attendance is approved by the Commission prior to the meeting.
- 5.3 Ex Parte means communication between a Commission member(s) and a party or third person outside of duly scheduled meetings on an issue pending before the Commission. Ex Parte communications should be avoided because they raise the issue of due process fairness. In the event a situation arises where they occur, the member shall place on the public record the sum and substance of the communication to enable interested persons to rebut the communications.
- 5.4 Any written communication to a Commission member will be reported and presented to the entire Commission and shall be included in the public record.

Section 6.0

Duties

- 6.1 The duties of this Commission include:
 - 6.1.a Review, advise, and make recommendations regarding the development of public projects to be considered by the City Council, including existing or proposed projects under consideration in the Capital Improvements Program (CIP);
 - 6.1.b Review subdivision plans and other development proposals to ensure that they are in conformance with the Comprehensive Plan of the City of Davenport and that the provisions of the Subdivision Ordinance are fulfilled. In addition, following a public hearing,

makes recommendations to the City Council on the vacation of public rights-of-way of streets and alleys.

- 6.1.c Review proposed changes to the Zoning Ordinance, altering the map or text, in conformance with the Comprehensive Plan and the City Code.

7.0 Committees.

7.1 Executive Committee

- 7.1.a The Executive Committee is a standing committee of the Commission, which consists of the Chairperson, Vice-Chairperson and Secretary, which meets at times determined by the Committee or Chairperson, with proper notice.

- 7.1.b The duties of the Committee consist of:

1. Each year after the Annual Meeting, the first meeting of April, the Committee will review the Bylaws and present possible changes to the Commission for discussion.
2. The Committee shall consider items to be brought before the Commission as a whole which are not considered by any other committee in existence or appointed by the Chairperson.

7.2 Comprehensive Plan Committee

- 7.2.a The Comprehensive Plan Committee is tasked with supporting the maintenance and implementation of the Comprehensive Plan of the City of Davenport and shall be comprised of the entire Commission. The Chairperson may appoint subcommittees to study particular issues if he/she chooses to do so.

7.3 Special Committees

- 7.3.a Special Committees as may be deemed necessary or advisable by the Commission may be created from time to time by resolution of the Commission at any regular meeting or special meeting called for that purpose.

- 7.3.b The Chairperson of the Commission shall appoint one member of each Committee the Chairperson thereof, and the Committee shall meet at such times and places as directed by the Chairperson of the committee or at the regularly scheduled time and place of a particular committee meeting.
- 7.3.c The members of the Committees shall serve for one year or until their successors are appointed or in the case of Special Committees, until their work is completed. Any vacancy in a Committee shall be filled by the Chairperson of the Commission.

Section 8.0 Staff.

- 8.1 The Director of Community Planning and Economic Development or the designated representative shall serve as staff to the Commission.
- 8.2 The Staff shall be responsible for preparation of the Agenda and for the provision of all staff support and reports to the Commission and its Committees. The Staff shall provide to the Commission all reports pending on its upcoming agenda and the same shall be posted at least 24 hours (state law) prior to the scheduled meeting. Action may be deferred on any agenda item not meeting this requirement.
- 8.3 The Staff shall be responsible for the maintenance of all records, reports and correspondence.

Section 9.0 New Commissioner Orientation and Training

9.1 Orientation

Following appointment to the Commission and as soon as possible, new Commissioners shall attend an orientation session with the Commission Chair and Staff. At this meeting the following topics shall be among those covered:

- Duties of the Commission
- The Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and Flood Protection Ordinance
- Meeting attendance
- Commission by-laws, including conflict of interest and ex-parte contact
- Commissioner decorum

Staff will provide new Commissioners links to relevant documents and training materials, or provide hard copies upon request.

9.2 Training

Commissioners shall be offered the opportunity for training through invitations to webinars hosted by the Bi-State Regional Commission and other sources. The cost of attendance shall be the responsibility of the individual Commissioner, or through full or partial reimbursement by the City if funds are available.

Section 10.0 Rules of Order.

10.1 Parliamentary Procedure.

Roberts Rules of Order, Revised, will serve as a guide for the Commission meetings in all cases where these rules do not provide for the procedures to be followed.

10.2 Amendments.

The foregoing bylaws, or any part thereof, may be amended at any Regular Meeting of the Commission, or at any special meeting of the Commission where not less than three days' notice has been given to all members of the Commission and a copy of the proposed amendment sent with the notice, providing, however, it shall require an affirmative vote by the majority of Commissioners present to make any amendment or change in these bylaws.

10.3 Delays in processing.

Issues brought before the Commission for recommendation shall be considered in a timely manner. Any issue under consideration by the Commission or one of its Committees, which has been tabled, postponed or returned for additional supporting information, shall be returned to the agenda of the appropriate body on or before its sixth meeting following the tabling, postponing or returning for additional information (approximately 90 days). Should the requested information not be submitted in the amount of time provided for above, the Commission or Committee may make a recommendation based on the information available or it may return the petition, request, etc. to the party submitting it for future resubmission after making a determination that the petition, request, etc. is incomplete and after listing the requisite information to complete it.

