

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, APRIL 30, 2019; 5:00 PM

CITY COUNCIL CHAMBERS CITY HALL 226 W 4TH STREET

I. New Business

- A. Case REZ19-06: Request of Jasveer Saini to rezone .56 acres, more or less, of property located at 4607 North Pine Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial District. [Ward 8]

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Authority

- A. Resolution for Case F19-02 being the request of Leslie Miller for a Final Plat of L. Miller First Addition, a 2-lot subdivision located northwest of the intersection of Rockingham Road and South Howell Street. [Ward 3] **ADOPTED 2019-148**

III. Secretary's Report

- A. Consideration of the April 16, 2019 Meeting Minutes

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business: None

B. New Business

- i. Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

VI. Subdivision Activity

A. Old Business: None

B. New Business: None

VII. Future Business

- A. Request F19-07 of Advance Homes, INC for final plat Candlelight Village on 4.01 acres, being a replat of Lot 1 Candlelight Square 1st Addition located at 5330 Gaines St. containing 1 lot zoned multiple-family (R-MF). [Ward 6]
- B. Case F19-08: Request of J+M Civil Design for a Final Plat for a 2 lot subdivision located north of E. Kimberly Road between Brady Street and Welcome Way. [Ward

VIII. Communications

IX. Other Business

A. Annual Meeting and Election of Officers

Current Officers:

Chair: Bob Inghram

Vice Chair: Jim Connell

Secretary: Dave Tallman

Bylaws are included for reference.

X. Adjourn

City of Davenport
Plan and Zoning Commission

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

Date
4/11/2019

Subject:

Case REZ19-06: Request of Jasveer Saini to rezone .56 acres, more or less, of property located at 4607 North Pine Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial District. [Ward 8]

Recommendation:

No recommendation at this time.

Background:

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

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

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

Zoning:

The property is currently zoned C-1 Neighborhood Commercial Zoning District.

Technical Review:

Streets.

The property is located east of North Pine Street and north of West 46th Street. No impacts to streets are proposed.

Storm Water.

Since the property is being redevelopment, the property will need to comply with the City's stormwater requirements.

Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the April 29, 2019 neighborhood meeting and the April 30, 2019 Plan and Zoning Commission Public Hearing.

To date, staff has received one letter of objection.

Staff will apprise the Commission of any additional correspondence at the April 30, 2019 Plan and Zoning Commission Public Hearing.

Discussion:

The petitioner is requesting a rezoning to C-2 Corridor Commercial District to facilitate redevelopment of the property for the same use (convenience store with gasoline sales). Currently, the property is developed with an 1,833 square foot convenience store and three fueling islands. The property would be redeveloped with a 4,999 square foot convenience store and an additional three fueling islands. The new building would be constructed behind the existing building. Once completed, the existing building would be demolished.

A gas station is listed as a special use in the C-1 Neighborhood Commercial Zoning District in the new Zoning Ordinance. A gas station was listed as a special use in the previous Zoning Ordinance. Section 17.01.040B.3 of the Davenport City Code (new Zoning Ordinance) reads,

If a structure or land is used in a manner that was classified as a permitted use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and now that use is classified as a special use as of the effective date of this Ordinance or any subsequent amendment to this Ordinance, that use is deemed a special use. Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Ordinance for special uses.

Section 17.14.050 of the Davenport City Code entitled Special Use deems a major modification an increase in the building footprint, gross floor area, or height. A major modification requires a new special use.

Notably, a gas station is listed as permitted use in the C-2 District.

Why is a zoning map amendment required?

The new Zoning Ordinance does not permit the retail alcohol sales in the C-1 district. Therefore, retail alcohol sales is a nonconforming use. Section 17.15.020 of the Davenport City Code entitled "Nonconforming Use" reads in part,

B. Expansion

A nonconforming use of a structure or land cannot be expanded, extended, enlarged, or increased in intensity. Such prohibited activity includes additions or enlargements of any structure devoted entirely to a nonconforming use, and any expansion, extension, or relocation of a nonconforming use to any other structure, any portion of the floor area, or any land area currently not occupied by such nonconforming use.

C. Relocation

A nonconforming use of a structure or land cannot be relocated, in whole or in part, to any other structure or location on the same lot. The nonconforming use may only be relocated to another structure or lot if the use conforms to all regulations of the zoning district where it is relocated.

Therefore, the zoning map amendment is being requested in order to expand and relocate the retail alcohol sales and allow a gas station as a permitted use.

Notably, the proposed development as depicted on the concept plan would require one or more variances from the Zoning Board of Adjustment.

Recommendation:

There is no recommendation at this time.

ATTACHMENTS:

Type	Description
▣ Backup Material	Aerial Map
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map
▣ Backup Material	Concept Plan
▣ Backup Material	Neighborhood Meeting Notice
▣ Backup Material	Plan and Zoning Commission Public Hearing Notice
▣ Backup Material	Notified Property Owners
▣ Backup Material	Letter of Objection

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	4/25/2019 - 2:20 PM



 Subject Property





 Subject Property





Residential General

W 46TH ST

W 46TH ST

Residential General

W 45TH ST

W 45TH ST

N PINE ST

 Subject Property



**NOTICE
NEIGHBORHOOD MEETING
MONDAY, APRIL 29, 2019 – 5:30 P.M.
4607 NORTH PINE STREET**

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

Case REZ19-06: Request of Jasveer Saini for a zoning map amendment on .56 acres, more or less, of property located at 4607 North Pine Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial District. [Ward 7]

The purpose of the request is to allow the property to be redevelopment with a larger store and additional gasoline pumps.

Please see map on the back for the meeting location.

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

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



Subject Property

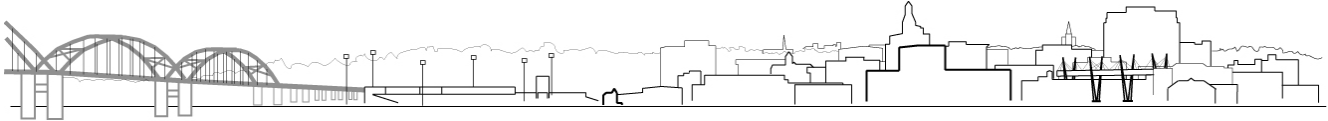


200 Foot Notification Radius

N



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



Public Hearing Details:

Date: 4/30/2019
Time: 5:00 PM
Location: 226 West 4th Street in City Hall Council Chambers.
Subject: Public hearing for a zoning map amendment.
Location: 4607 North Pine Street
Case #: REZ19-06

Ward: 7th

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

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a request for a zoning map amendment. The purpose of the request is to allow the property to be redevelopment with a larger store and additional gasoline pumps.

Request Description:

Case REZ19-06: Request of Jasveer Saini for a zoning map amendment on .56 acres, more or less, of property located at 4607 North Pine Street from C-1 Neighborhood Commercial Zoning District to C-2 Corridor Commercial District. [Ward 7]

What are the Next Steps after the Public Hearing?

The 4/30/2019 public hearing is the first step in the review/approval process. The Plan and Zoning Commission will meet on 5/14/2019 to vote (provide its recommendation) on the request. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment or Protest?

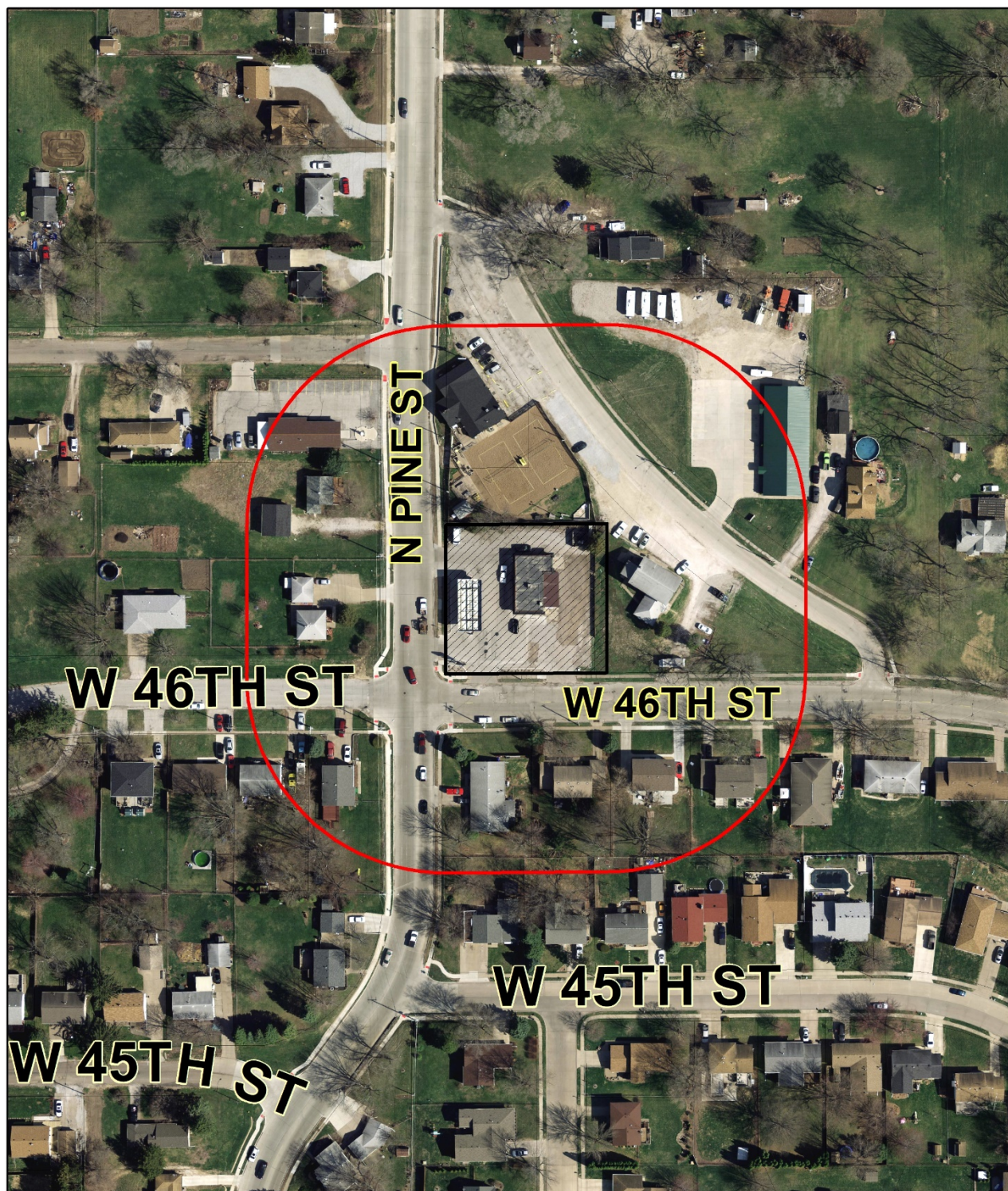
As a property owner within 200 feet of the subject property, you have the opportunity to officially comment or formally protest this request. These must be provided in writing.

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

Do You Have Any Questions?

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

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



-  Subject Property
-  200 Foot Notification Radius



FID	OBJECTID	TAX_LINK	TAX_RECORD	Parcel	Address	Occupancy	Deed1_Name	Deed1_Addr	Deed1_CSZ
0	2874	M1049-31A	SINGLE	M1049-31A	4621 CHEYENNE AV		IV-P INVESTMENTS LLC	4440 CHEYENNE AVE	DAVENPORT IA 52806
1	2236	M1049-31B	SINGLE	M1049-31B	4619 CHEYENNE AV	Single-Family	JESSICA K WEBB	4619 CHEYENNE AV	DAVENPORT IA 52806
2	13461	M1049-46	SINGLE	M1049-46	4624 CHEYENNE AV	Three-Family Conversion	NO BOUNDRY LLC	4118 BRIARWOOD DR	COUNCIL BLUFFS IA 51503
3	4372	M1049-46A	SINGLE	M1049-46A	4607 N PINE ST		SAINI III LLC	4607 N PINE ST	DAVENPORT IA 52806-5035
4	8004	M1049-47	SINGLE	M1049-47	4646 CHEYENNE AV		BARRY TUCKER		
5	24514	M1501A01	SINGLE	M1501A01	4521 N PINE ST	Two-Family Duplex	PATRICIA TUCKER	4646 CHEYENNE AV	DAVENPORT IA 52806
6	21925	M1501A02	SINGLE	M1501A02	2245 W 46TH ST	Two-Family Duplex	BFS PROPERTIES LLC	1415 ANTLER CT	BETTENDORF IA 52722
7	17426	M1501A03	SINGLE	M1501A03	2239 W 46TH ST	Two-Family Duplex	BFS PROPERTIES LLC	1415 ANTLER CT	BETTENDORF IA 52722
8	17420	M1501A04	SINGLE	M1501A04	2227 W 46TH ST	Two-Family Duplex	FLYNN HOLDINGS CO LLC	904 GRANT ST	BETTENDORF IA 52722
9	17415	M1501A05	SINGLE	M1501A05	2223 W 46TH ST	Two-Family Duplex	MICHELLE NEWTON	2227 W 46TH ST	DAVENPORT IA 52806-4801
10	376	M1501A09	SINGLE	M1501A09	2254 W 45TH ST	Single-Family	TIM SOTHMANN		
11	2895	M1501A10	SINGLE	M1501A10	2246 W 45TH ST	Single-Family	GLORIA SOTHMANN	1460 W 40TH ST	DAVENPORT IA 52806
12	2891	M1501A11	SINGLE	M1501A11	2238 W 45TH ST	Single-Family	LORI LAKEY	2254 W 45TH ST	DAVENPORT IA 52806
13	13328	M1501A12	SINGLE	M1501A12	2232 W 45TH ST	Single-Family	KITTI EIKENBERRY	2246 W 45TH ST	DAVENPORT IA 52806
14	24521	O1607C01	SINGLE	O1607C01	4524 N PINE ST	Single-Family	AURELIANO VAZQUEZ		
15	24523	O1607C02	SINGLE	O1607C02	2311 W 46TH ST	Single-Family	PETRA VAZQUEZ	2238 W 45TH ST	DAVENPORT IA 52806
16	11261	U0955-01	SINGLE	U0955-01	4604 N PINE ST	Single-Family	MICHAEL CARNEY		
17	3913	U0955-02	SINGLE	U0955-02	4616 N PINE ST		DEBRA CARNEY	2232 W 45TH ST	DAVENPORT IA 52806
18	22041	U0955-03B	SINGLE	U0955-03B	4630 N PINE ST		MARIO MARTINEZ	4524 N PINE ST	DAVENPORT IA 52806
							RIOT RENOVATIONS LLC	1519 11TH AVE	MOLINE IL 61265-3141
							LEROY TRACY		
							ANNE TRACY	4604 N PINE ST	DAVENPORT IA 52806
							DAVENPORT BUDDHIST ASSC KIM TEMPLE INC		
							KIM CANG TEMPLE INCE	4630 N PINE ST	DAVENPORT IA 52806
							DAVENPORT BUDDHIST ASSC KIM TEMPLE INC		
							KIM CANG TEMPLE INCE	4630 N PINE ST	DAVENPORT IA 52806

Rusnak, Ryan

From: Lakey, Lori <lori-lakey@uiowa.edu>
Sent: Thursday, April 25, 2019 9:25 AM
To: Planning Division – CPED
Cc: Rusnak, Ryan
Subject: Case # REZ19-06

Importance: High

Good morning.

It has come to my attention per a letter from the City of Davenport, that Jasveer Saini is asking to be rezoned from a C-1 Neighborhood Commercial Zoning to a C-2 Corridor Commercial District. I feel this will be a detriment to our neighborhood and I am asking the commission to deny this request.

Since this business has existed in our neighborhood, our properties are nothing but a land dump for trash, such as small plastic bottles of booze, plastic bottles, cups, candy wrappers and other such trash. The business is bringing in “shady” characters that are doing drug deals and causing fights. If Mr. Saini is allowed to make a larger store, we are going to be increasing the crime rate, garbage, traffic, and noise around our neighborhood. This is a neighborhood, not a business district.

His current establishment is filthy and should be inspected more thoroughly as it probably would not pass health inspections. He doesn't maintain a clean property and he allows loitering around his business.

As a property owner and taxpayer in this area, I am asking the commission to deny this request.

Thank you for letting me voice my concerns.

Lori Lakey
2254 West 45th Street
Davenport, IA 52806

Phone 563-340-9825

Our lives are not determined by what happens to us, but how we react to what happens; not by what life brings to us, but by the attitude we bring to life. A positive attitude causes a chain reaction of positive thoughts, events and outcomes. It is a catalyst ... a spark that creates extraordinary results.

Notice: This e-mail (including attachments) is covered by the Electronics Communication Privacy Act, 18 U.S.C. 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

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immediately and delete or destroy all copies of the original message and attachments thereto. Email sent to or from UI Health Care may be retained as required by law or regulation. Thank you.

City of Davenport
Plan and Zoning Commission

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

Date
4/30/2019

Subject:

Resolution for Case F19-02 being the request of Leslie Miller for a Final Plat of L. Miller First Addition, a 2-lot subdivision located northwest of the intersection of Rockingham Road and South Howell Street. [Ward 3] **ADOPTED 2019-148**

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	4/25/2019 - 9:35 AM

City of Davenport
Plan and Zoning Commission

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

Date
4/30/2019

Subject:
Consideration of the April 16, 2019 Meeting Minutes

ATTACHMENTS:

Type	Description
▣ Exhibit	4-16-19 Minutes

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	4/25/2019 - 1:31 PM

MINUTES

PLAN AND ZONING COMMISSION

APRIL 16, 2019, 5:00 PM

CITY HALL COUNCIL CHAMBERS, 226 WEST 4TH STREET

PUBLIC HEARING AGENDA

New Business

Public Hearing for Case REZ19-02, request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street. [Ward 6]

Koops gave the staff report. Public Hearing was held. The petitioner explained the request. Four comments were received. The Public Hearing was closed.

Public Hearing for Case REZ19-05, request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

Melton gave the staff report. Public Hearing was held. The petitioner explained the request. No other comments were received. The Public Hearing was closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Lammers, Medd, Johnson, Tallman, Inghram, Connell, Hepner, Bransgard, Reinartz. Excused: Maness. Staff: Koops, Melton, Leabhart, Heyer.

II. Report of the City Council.

Nothing additional to report.

III. Secretary's Report

The April 2, 2019 Plan and Zoning Commission Minutes were approved following a motion by Tallman and a second by Connell.

IV. Report of the Comprehensive Plan Committee.

Nothing of note.

V. Zoning Activity

A. Old Business

1. Case REZ19-02, request of Jennifer Smith, SJ56, LLC/Russell, to rezone Lot 1 of Crow Valley Plaza 12th Addition from C-T Commercial Transitional District to C-OP Commercial Office Park; property contains 9.58 acres and is located on East 56th Street. [Ward 6]

Koops gave the staff report. The petitioner was present but did not speak.

MOTION TO AMEND by Lammers, seconded by Johnson, condition number two by removing the phrase “freestanding” from the prohibited list of uses preceding ‘restaurant’.

MOTION by Medd, seconded by Tallman, to accept the listed findings and forward Case REZ19-01 to the City Council for approval with the two listed conditions.

Findings:

1. The property is designated RG, Residential General, on the Comprehensive Plan future land use map.
2. RG allows for transitional uses along its edges.
3. The proposed C-OP zoning with conditions meets the intent of transitional uses under the RG Plan designation.
4. The proposed C-OP zoning with conditions adequately protects the adjoining residential property from adverse impacts.
5. There is existing C-OP zoning adjacent to the east and south; the proposed zoning is an expansion of an existing zoning district.
6. The petitioner claims that demand for office buildings of moderate scale but exceeding the current 5000 square feet maximum exists in the area.

Conditions:

1. Building height is limited to 35 feet.
2. The following uses are prohibited:
 - a. Free-standing restaurant
 - b. Vehicle dealership (indoor)
 - c. Hotel
 - d. Light industrial

Motion to approve was unanimous.

2. New Business

None.

VI. Subdivision Activity

Old Business

None

New Business

None

VII. Future Business

1. Preview for Case ROW19-01 request of Maveric Hendrick for the vacation of public right-of-way west of 914 South Elsie Avenue, containing 881 sq. ft. more or less. [Ward 1]
2. Case REZ19-06 Request of Jasveer Saini to rezone 0.56 acres more or less of property located 4607 North Pine Street from C-1 Neighborhood Commercial District to C-2 Corridor Commercial District [Ward 7]

VIII. Communications

None

IX. Other Business

None

X. Adjourn

The meeting adjourned at 5:56 pm.

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Brandon Melton 563.888.2221,
brandon.melton@ci.davenport.ia.us

Date
4/30/2019

Subject:

Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ19-05 to the City Council with a recommendation or approval.

Findings:

1. The property has no designation on the Comprehensive Plan future land use map.
2. The property is adjacent to Residential General and Agricultural Reserve designations.
3. The proposed I-1 zoning adequately protects the adjoining residential property from adverse impacts.
4. There is existing I-1 zoning adjacent to the northwest; the proposed zoning is an expansion of an existing zoning district.
5. Prior to the January, 2019 Zoning Ordinance update, the property was zoned C-2 as were the four properties to the Northwest with frontage on W Kimberly Road.
6. The aforementioned properties to the Northwest were zoned I-1 in the updated Zoning Ordinance while the subject property was zoned residential per the existing use at the time.

Background:

Reason for Request:

To allow for the operation of business office for John Wolf's Septic which is expected to include a business sign and indoor storage for equipment on site.

Background:

Comprehensive Plan:

The property is outside the Urban Service Area.

The property does not currently have a land use plan designation.

Technical Review:

No specific concerns have been noted by the Technical Review Team.

Public Input:

A neighborhood meeting was held on April 9. Property owners within 200 feet were notified. Seven people attended the meeting.

A sign was posted on the property on March 28.

At the Plans and Zoning Commission Public Hearing on April 16, 2019, no one spoke in favor or opposition. One commissioner raised concerns regarding waste disposal. At the time of the public hearing the petitioner mistook the question to mean the external cleaning of his vehicles and responded to the questioning accordingly. In a follow up conversation with the petitioner, it was determined that waste from his business' septic trucks is properly discharged at licensed sewage treatment facilities in Davenport, Milan, and Muscatine. Any cleaning of vehicles on site is not expected to produce waste or runoff substantially different than washing a personal vehicle.

Discussion:

The new zoning ordinance includes approval standards for rezonings. Staff will be using these standards as part of the evaluation of rezoning requests.

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

Staff Comments:

Without a future land use designation, compatibility of the proposed zoning cannot be determined. The property is adjacent to Agricultural Reserve and Residential General. This area will be addressed as part of the six month review of the Zoning Ordinance.

b. The compatibility with the zoning of nearby property.

Staff Comments:

I-1 already exists to the northwest of the property. Rezoning from R-1 to I-1 would extend the existing district. It is staff's opinion that the proposed I-1 zoning, is compatible with the adjacent I-1 and R-1 Zoning in this particular case.

c. The compatibility with established neighborhood character.

Staff Comments:

The residential development to the south is rural in nature with minimal urban services. The properties to the Northwest are of a light industrial character. The proposed rezoning would allow for a small office and limited indoor storage while protecting the stability of the neighborhood.

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

Staff Comments:

The proposed I-1 zoning is consistent with existing vicinity uses. The petitioner has stated that the business intends properly discharge any waste to licensed sewage treatment facilities and will operate the business in a manner that promotes the health, safety and welfare of the neighborhood.

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

Staff Comments:

The property is not suited for development of the proposed business under the existing R-1 Zoning.

f. The extent to which the proposed amendment creates non-conformities.

Staff Comments:

The amendment will not create any non-conformities so long as the building is not used as a residence, which is not the intended use.

Conclusion:

Staff's opinion is that zoning this property I-1 is compatible with the existing character of the surrounding area.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ19-05 to the City Council with a recommendation for approval.

Findings:

1. The property has no designation on the Comprehensive Plan future land use map.
2. The property is adjacent to Residential General and Agricultural Reserve designations.
3. The proposed I-1 zoning adequately protects the adjoining residential property from adverse impacts.
4. There is existing I-1 zoning adjacent to the northwest; the proposed zoning is an expansion of an existing zoning district.
5. Prior to the January, 2019 Zoning Ordinance update, the property was zoned C-2 as were the four properties to the Northwest with frontage on W Kimberly Road.
6. The aforementioned properties to the Northwest were zoned I-1 in the updated Zoning Ordinance while the subject property was zoned residential per the existing use at the time.

ATTACHMENTS:

Type	Description
▢ Backup Material	Zoning Map
▢ Backup Material	Land Use Map
▢ Backup Material	Location Map
▢ Backup Material	Public Hearing - Neighborhood Meeting - and Property Owners Notified
▢ Backup Material	Application

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
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City Clerk

Melton, Brandon

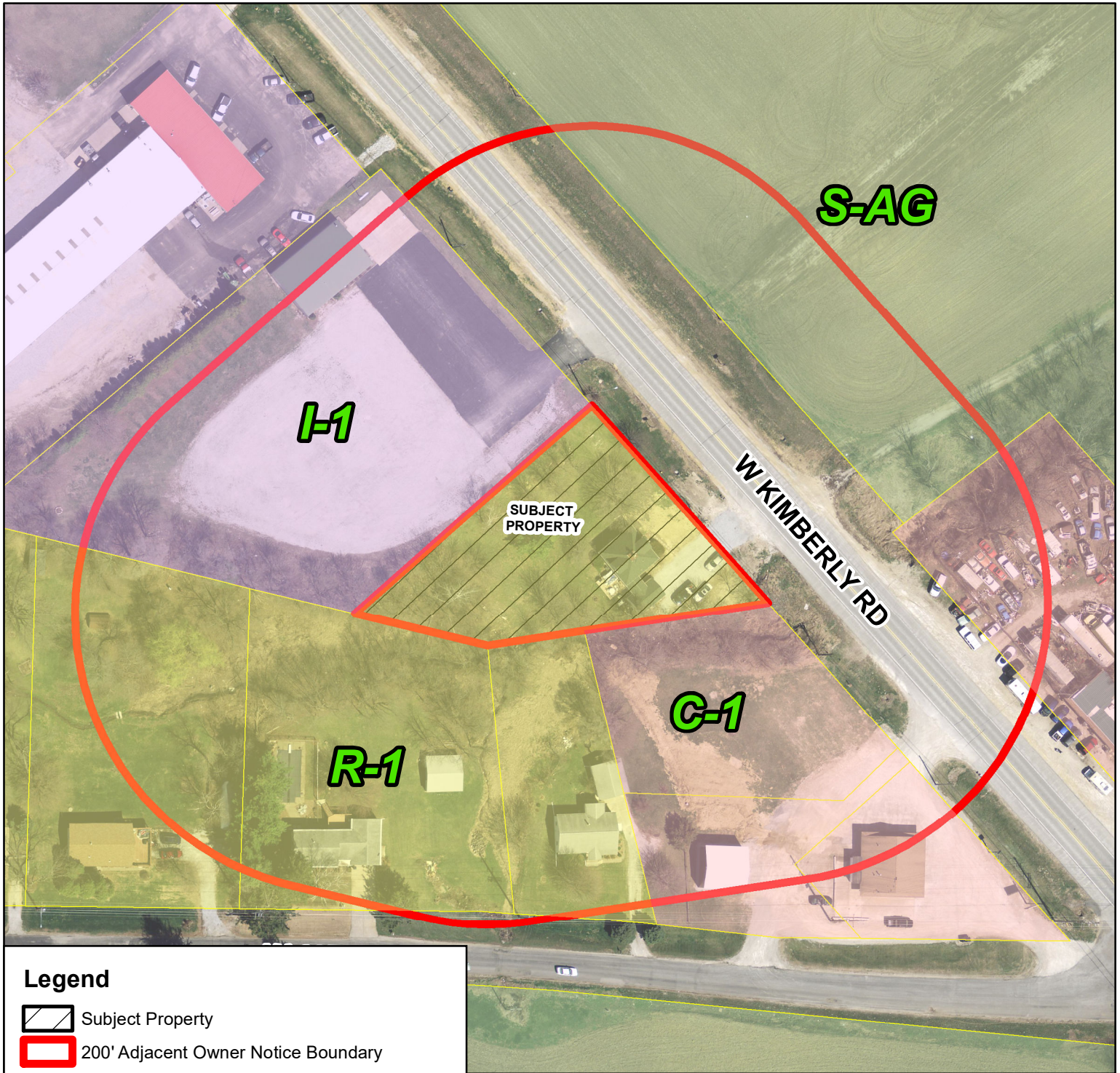
Approved

4/25/2019 - 8:37 AM

Request for a Zoning Map Amendment (Rezoning)

Current Zoning Map

6401 W Kimberly (R-1 to I-1)



Legend

- Subject Property
- 200' Adjacent Owner Notice Boundary

Zoning Districts

Residential Districts

- R-1 Single-Family Residential District

Commercial Districts

- C-1 Neighborhood Commercial Zoning District

Industrial Districts

- I-1 Light Industrial Zoning District

Special Purpose Districts

- S-AG Agricultural Zoning District

0 37.5 75 150 225 Feet
1 inch = 100 feet



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

Request for a Zoning Map Amendment (Rezoning)

Future Land Use Map (Davenport +2035)

6401 W Kimberly (R-1 to I-1)



Legend

-  Subject Property
-  200' Adjacent Owner Notice Boundary

Land Use+2035

Type

-  Residential General
-  Agricultural Reserve

0 37.5 75 150 225 Feet
1 inch = 100 feet



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6401 W Kimberly (R-1 to I-1)



1 inch = 500 feet



Legend



Subject Property

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



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



Public Hearing Details:

Date: 4/16/2019
Time: 5:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a rezoning request before the Plan and Zoning Commission
Case #: REZ19-05

Ward: **2nd**

To: All property owners within 200 feet of the subject property located at **6401 W Kimberly Rd.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request Description

Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]

What are the Next Steps after the Public Hearing?

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

Would You Like to Submit an Official Comment?

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the public hearing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Brandon Melton, the case planner assigned to this project at brandon.melton@ci.davenport.ia.us or 563-326-6172. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

**NOTICE
PUBLIC MEETING
Tuesday April 9, 5:30 PM
DAVENPORT PUBLIC LIBRARY, FAIRMOUNT BRANCH
3000 N FAIRMOUNT ST., DAVENPORT, IOWA 52804
Brooke Room**

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

Case REZ19-05: Request of John Wulf, to rezone 6401 West Kimberly Road from R-1 Single-Family Residential District to I-1 Light Industrial District; property contains 0.42 acres. [Ward 2]
(See map of the affected property on reverse side of this notice).

If successful, this rezoning could result in the establishment of a business office and an indoor storage structure on the property.

A public meeting will be held to discuss the proposal at the time and place listed above. A formal public hearing will be held on the matter by the Plan and Zoning Commission on Tuesday, April 16, 2019, 5:00 pm at Davenport City Hall. You will receive an additional notice prior to this meeting.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-05

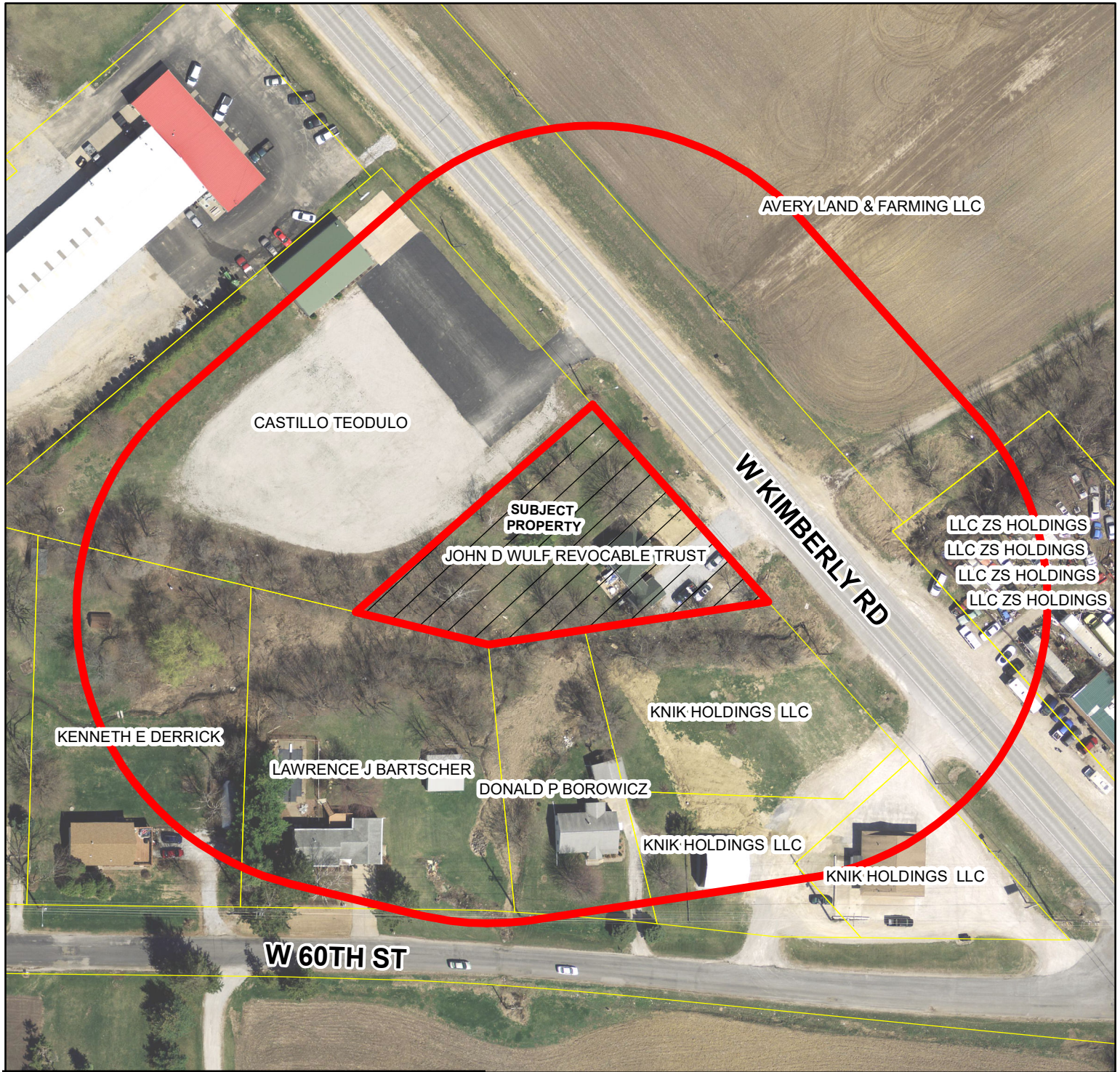
EMAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

Request for a Zoning Map Amendment (Rezoning)

Adjacent Property Owner Notice Area

6401 W Kimberly (R-1 to I-1)



Legend

-  Subject Property
-  200' Adjacent Owner Notice Boundary

0 37.575 150 225 Feet
1 inch = 100 feet



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

<u>PARCEL #</u>	<u>PROPERTY ADDRESS</u>	<u>Owner Name</u>	<u>OWNER ADDRESS</u>	<u>OWNERCITY/STATE/ZIP</u>
V0649-01		AVERY LAND & FARMING LLC	PO BOX 639	WALCOTT IA 52773
V0649-02A	6425 W KIMBERLY RD	CASTILLO TEODULO	6425 W KIMBERLY RD	DAVENPORT IA 52806-6610
V0649-10	6510 W 60TH ST	KENNETH E DERRICK	6510 W 60TH ST	DAVENPORT IA 52806
V0649-11	6430 W 60TH ST	LAWRENCE J BARTSCHER	6430 W 60TH ST	DAVENPORT IA 52806-6630
V0649-12	6410 W 60TH ST	DONALD P BOROWICZ	6410 W 60TH ST	DAVENPORT IA 52806
V0649-13	6315 W KIMBERLY RD	KNIK HOLDINGS LLC	7708 NEW LINERTY RD	WALCOTT IA 52773
V0649-14	6333 W KIMBERLY RD	KNIK HOLDINGS LLC	7708 NEW LIBERTY RD	WALCOTT IA 52773
V0649-22	6315 W KIMBERLY RD	KNIK HOLDINGS LLC	7708 NEW LIBERTY RD	WALCOTT IA 52773
V0651-17	6306 W KIMBERLY RD	LLC ZS HOLDINGS	2523 W 47TH ST	DAVENPORT IA 52806



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

Property Address* 6401 W Kimberly Rd

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

Applicant (Primary Contact)**

Name: John Wulf
Company: John Wulf Septic
Address: 6401 W. Kimberly Rd
City/State/Zip: Davenport IA 52804
Phone: 563-329-3030
Email: WULFSEPTIC@Netins.net

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

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 ☐

Engineer (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

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

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

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

Request:Existing Zoning: R 1Proposed Zoning Map Amendment: CT Z-1

Purpose of the Request:

Ann
~~Don~~ Want to ~~put~~ John Wolf Septic office out of this location.
and put a business sign in the front yard.

Total Land Area: 0.42 Please SelectDoes the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☐ No**Submittal Requirements:**

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

Formal Procedure:

(1) Application:

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

(2) Plan and Zoning Commission public hearing:

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

(3) Plan and Zoning Commission's consideration of the request:

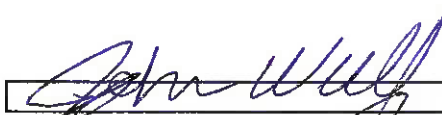
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request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

Formal Procedure (continued):

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

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

Applicant:



Date:

3-7-2019

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

City of Davenport
Plan and Zoning Commission

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

Date
4/30/2019

Subject:

Request F19-07 of Advance Homes, INC for final plat Candlelight Village on 4.01 acres, being a replat of Lot 1 Candlelight Square 1st Addition located at 5330 Gaines St. containing 1 lot zoned multiple-family (R-MF). [Ward 6]

Recommendation:

None.

Background:

Comprehensive Plan:

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

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.

Technical Review:

Streets. No new streets are proposed with this request.

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

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

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

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

PUBLIC INPUT This is a subdivision plat. No notification is required.

DISCUSSION

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

STAFF RECOMMENDATION

This is a preview report. No recommendation is made at this time.

Prepared by:

Scott Koops, AICP – Planner II

Community Planning

ATTACHMENTS:

Type	Description
▣ Exhibit	Exhibits
▣ Exhibit	Plat F19-07 PRJ1026
▣ Exhibit	Application F19-07

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	4/24/2019 - 1:09 PM



City of Davenport
Community Planning & Economic Development Department
PREVIEW REPORT

PLAN AND ZONING COMMISSION

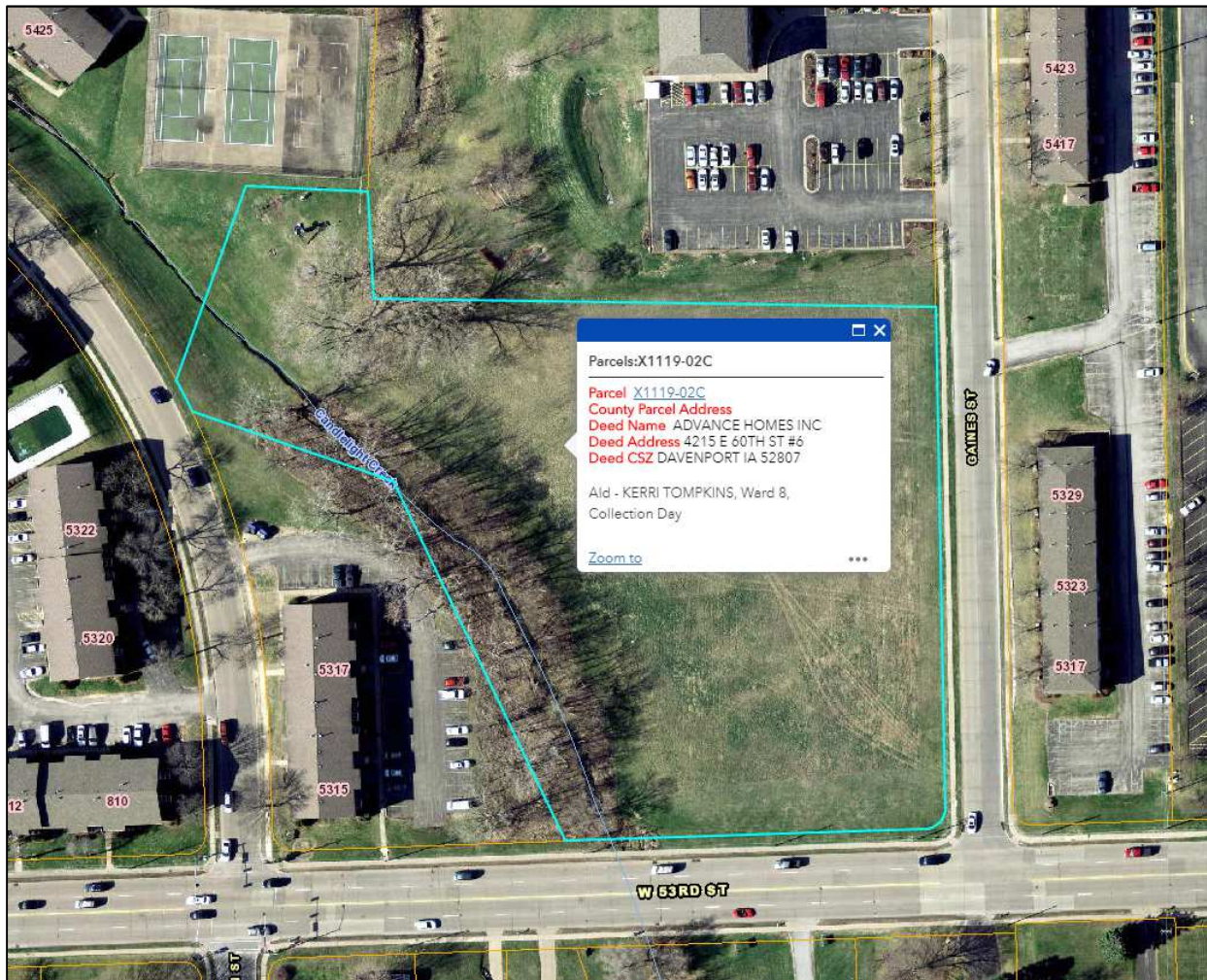
Date: April 30, 2019
Request: F19-07 Final Plat – Candlelight Village
Address: 5330 Gaines Street
Applicant: Advance Homes, INC

DESCRIPTION

Request F19-07 of Advance Homes, INC for final plat Candlelight Village on 4.01 acres, being a replat of Lot 1 Candlelight Square 1st Addition located at 5330 Gaines St. containing 1 lot zoned multiple-family (R-MF). [Ward 6]

Recommendation: This is a preview report. No recommendation is made at this time.

Aerial Photo:

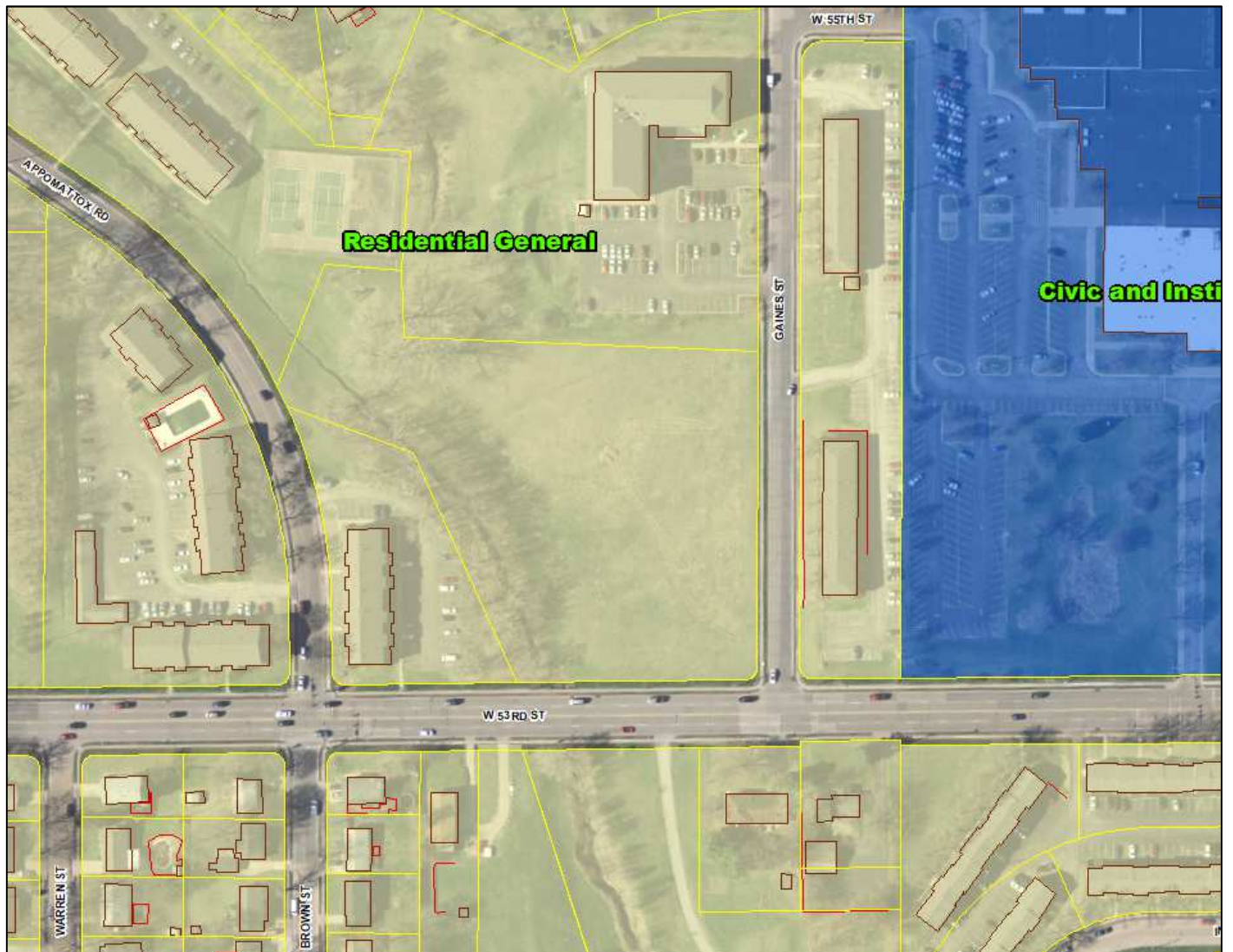


Zoning

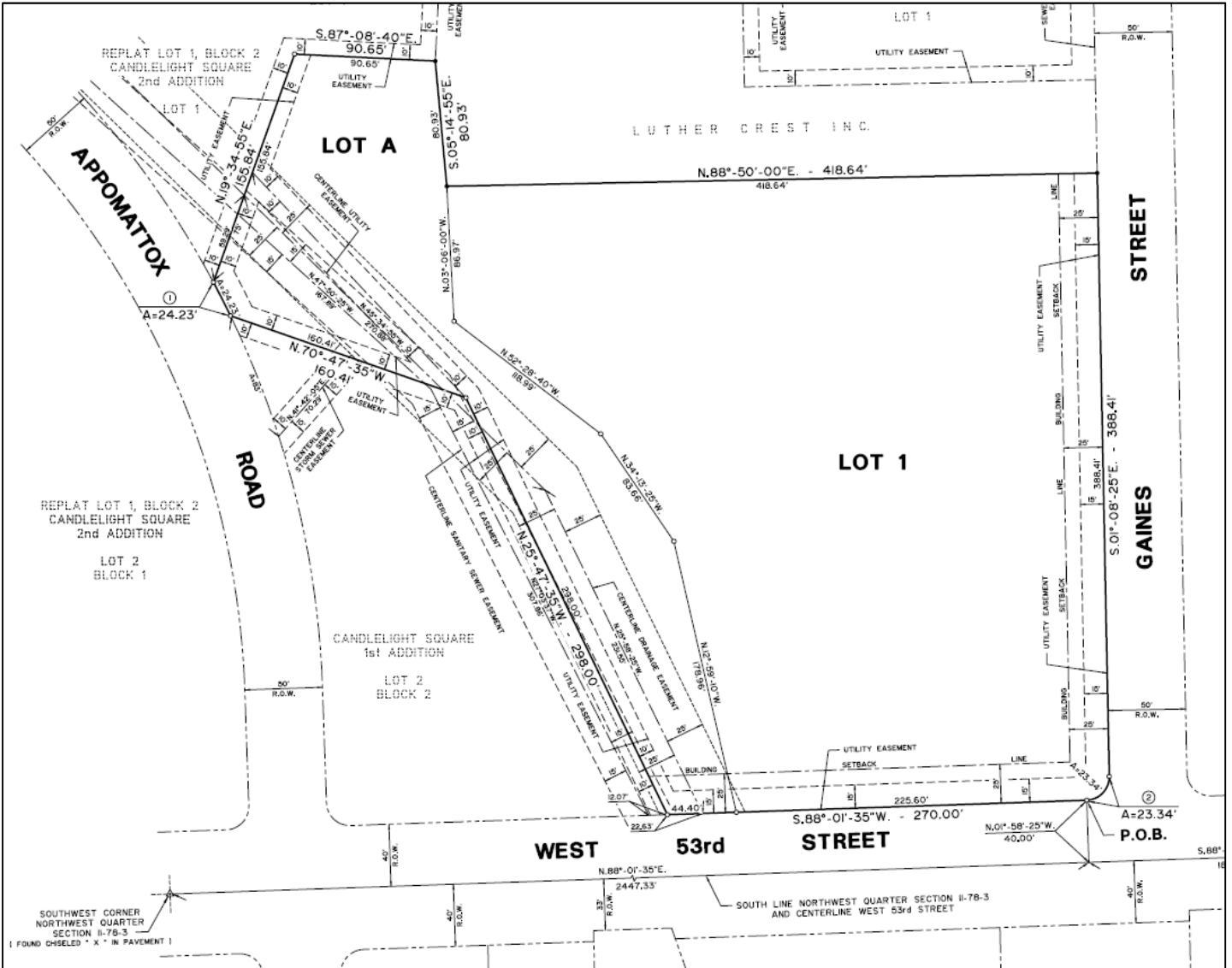
("R-MF" Multiple Family, "R-3" One & Two Family Residential, "R-1" Single Family, and "S-IC" Institutional Campus)



Land Use 2035
(Residential General & Civic/Institutional)



Plat



COLUMB NUMBER	NAUTICS	CM. TA	ANC	CHORD	COLOR MEASUREMENT	TALLOMET
1	00.14	37-47-50"	0.43	0.43	4.01-49-50%.	0.7
2	0.07	07-47-50"	0.37	0.37	5.47-48-50%.	0.7

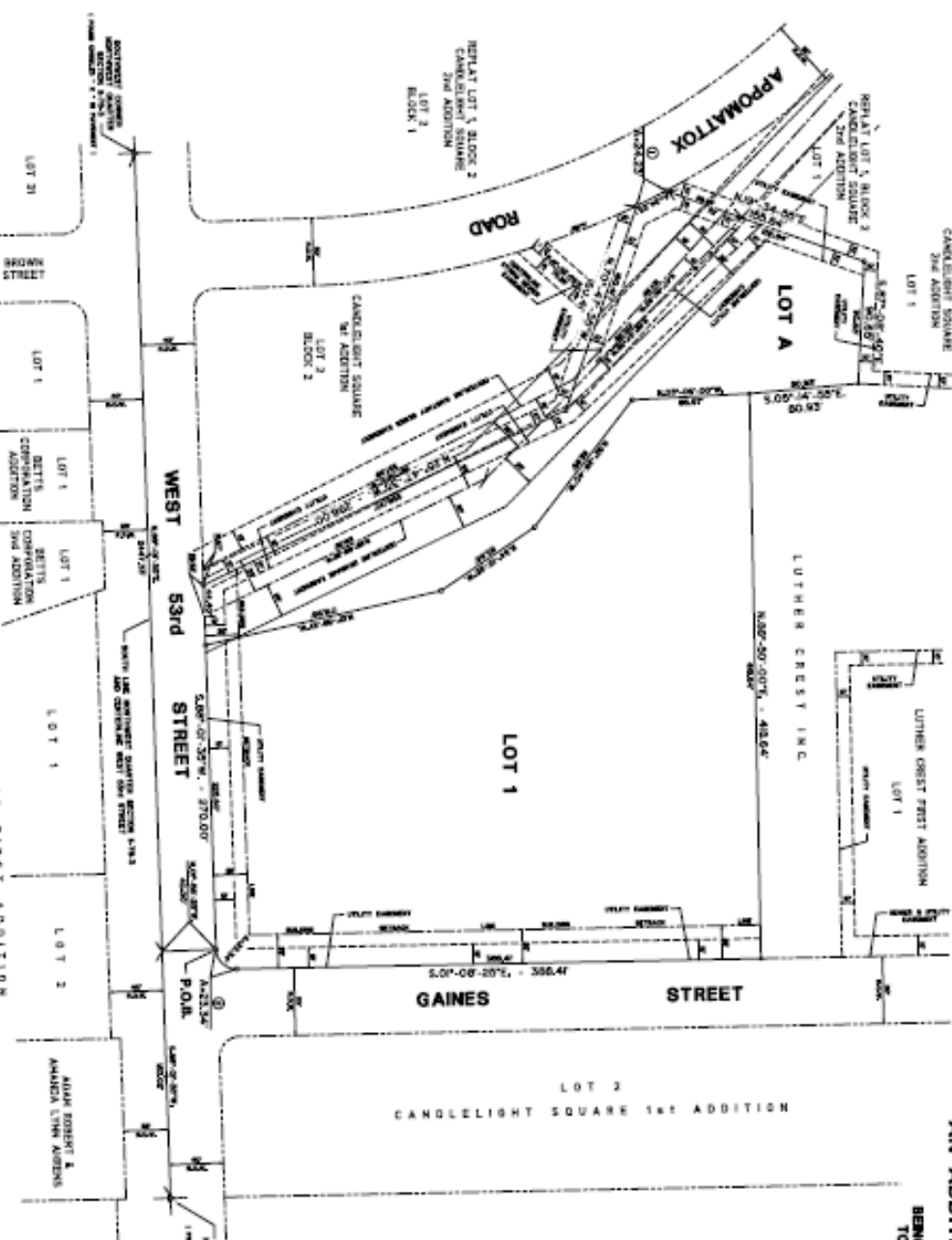
CANDLELIGHT VILLAGE

BING PART OF THE NORTHWEST QUARTER OF SECTION 11
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 6th P.M.
AND BEING A REPLAT OF PART OF LOT 1,
CANDLELIGHT SQUARE 1st ADDITION

ATTN: ADAM SULTZ

NON MOVEMENTS FOUND SHOWN THAT ——— 1 5/8" NON FIN
NON MOVEMENTS SET SHOWN THIS ——— 1 5/8" NON FIN
ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
UNDERVISION CONTAINS 40' ADERS, MORE OR LESS.

BLANKET WRITING AND OVERHEAD EXEMPTIONS GRANTED WITHIN THE MUNICIPALITY OF SEDON. PROVISIONS OF CHAPTER 17-45 OF THE ORDINANCES OF THE CITY OF DAVENPORT, IOWA, ALONG WITH THE ZONING ORDINANCES OF THE CITY OF DAVENPORT, IOWA, FOR THE LOT LOTS OF EACH LOT PERKINS FOR ALL PERSONS AND ELECTRICAL INSTALLATIONS, PLUMBING, CABLE, GAS SERVICE, WATER SERVICE, TRANSDUCERS, TELEPHONE SERVICE, CABLE TV, AND STREET LIGHTS. SUBDIVISION IS ZONED R-34 IN MEDIAN DENSITY DWELLING DISTRICT 1. RESIDUES SHOULD ALSO BE USED IN THE IOWA STATE PLANNING AND DEVELOPMENT ZONING MAP NO. 83 IN 2001.



VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.
437 EAST 90th STREET
BALTIMORE, MARY 21207
PHONE: (410) 526-1546



BACKGROUND

Comprehensive Plan:

Within Urban Service Area (USB35): Yes

Future Land Use Designation: RG

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.

Technical Review:

Streets. No new streets are proposed with this request.

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

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

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

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

PUBLIC INPUT This is a subdivision plat. No notification is required.

DISCUSSION

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

STAFF RECOMMENDATION

This is a preview report. No recommendation is made at this time.

Prepared by:



Scott Koops, AICP – Planner II
Community Planning

FINAL PLAT OF
CANDLELIGHT VILLAGE
AN ADDITION TO THE CITY OF DAVENPORT, IOWA

BEING PART OF THE NORTHWEST QUARTER OF SECTION 11
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5th P.M.
AND BEING A REPLAT OF PART OF LOT 1,
CANDLELIGHT SQUARE 1st ADDITION

OWNER - DEVELOPER

ADVANCE HOMES INC.

4215 EAST 60th STREET

DAVENPORT, IOWA

ATTN: ADAM SEITZ

GENERAL NOTES

IRON MONUMENTS FOUND SHOWN THUS (5/8"Ø IRON PIN)

IRON MONUMENTS SET SHOWN THUS (5/8"Ø IRON PIN)

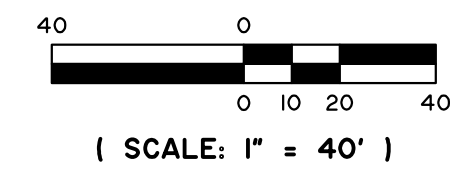
ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

SUBDIVISION CONTAINS 4.01 ACRES, MORE OR LESS.

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

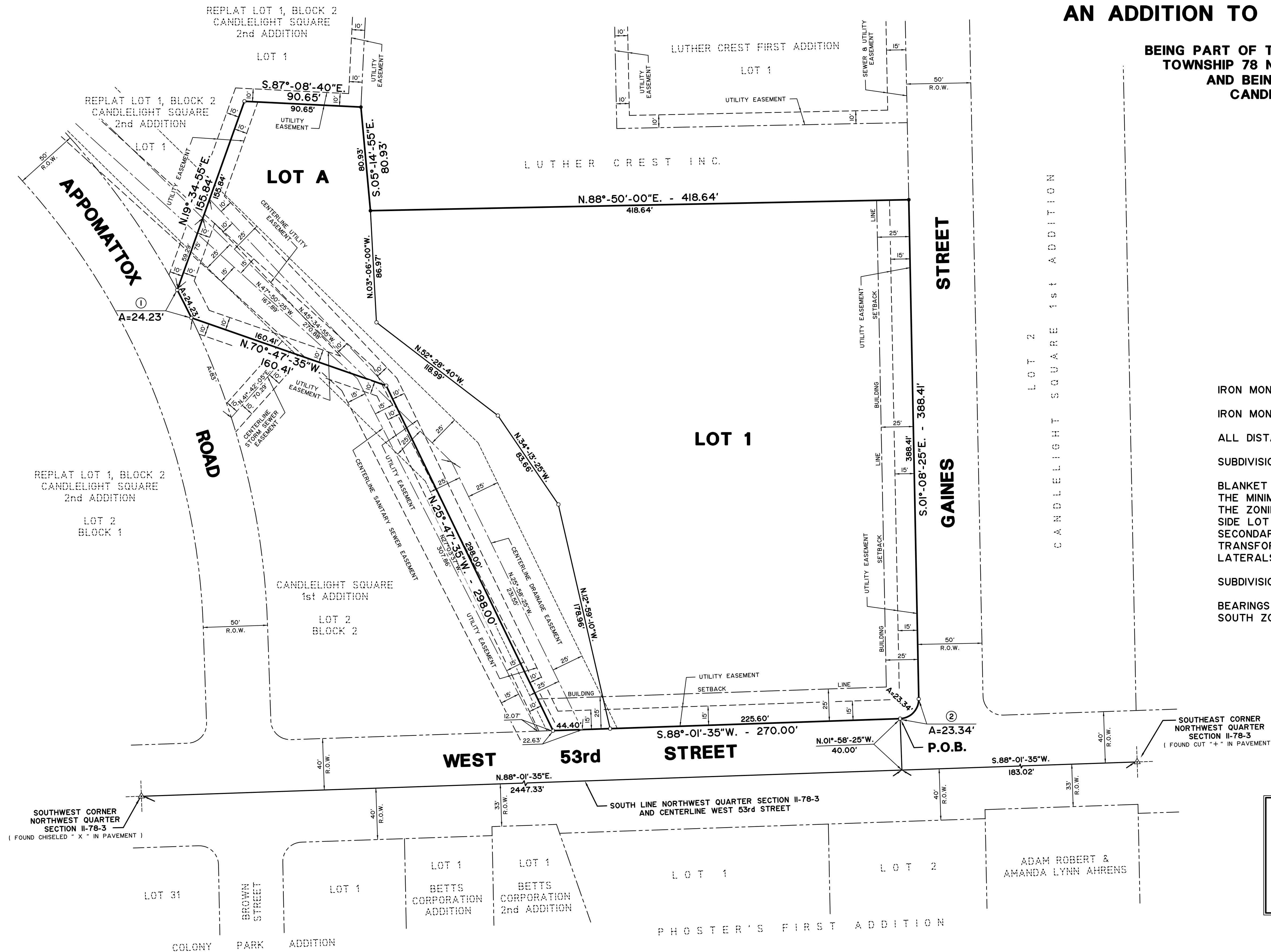
SUBDIVISION IS ZONED R-5M (MEDIUM DENSITY DWELLING DISTRICT).

BEARINGS SHOWN ARE BASED ON THE IOWA STATE PLANE COORDINATE SOUTH ZONE, NAD 83 (2011).



LOT AREAS			
NO.	SQUARE FEET	NO.	ACRES
I	129,615	I	2.98
A	45,135	A	1.03

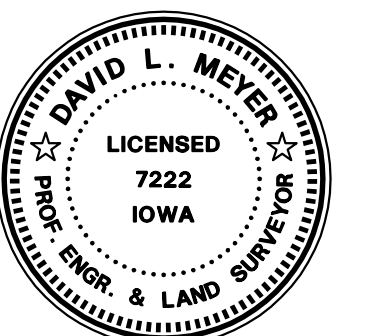
CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	596.62'	02°-19'-35"	24.23'	24.22'	N.26°-58'-55"W.	12.11'
2	15.00'	89°-10'-00"	23.34'	21.06'	N.43°-26'-35"E.	14.78'



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

Signature: David L. Meyer, P.E. & L.S., License Number 7222
Date: APRIL 22, 2019
My license renewal date is December 31, 2020

THIS SHEET ONLY
Pages or sheets covered by this seal:



PREPARED BY

VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.

4111 EAST 60th STREET
DAVENPORT, IOWA 52807
PHONE NUMBER: (563) 359 - 1348

VMCE 19139

CENTURYLINK

BY

DATE

MIDAMERICAN ENERGY COMPANY

BY

DATE

APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY
MIDAMERICAN ENERGY COMPANY

IOWA-AMERICAN WATER CO.

BY

DATE

MEDIACOM

BY

DATE

PLAN & ZONE COMMISSION

BY

DATE

CITY OF DAVENPORT, IOWA

BY

ATTEST

DATE

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

PRELIM / **FINAL** / PUD (circle the appropriate designation)

SUBDIVISION NAME: CANDLELIGHT VILLAGE

LOCATION: Northwest corner 53rd & Gaines Streets

DEVELOPER: Name: Advance Homes, Inc. (Adam Seitz)
Address: 4215 East 60th Street, Davenport, IA 52807
Phone: 563-359-0309 FAX: _____
Mobile Phone: 563-940-4030 Email: adamseitz@advancehomesinc.com

ENGINEER: Name: Verbeke-Meyer Consulting Engineers, P.C.
Address: 4111 East 60th Street, Davenport, IA 52807
Phone: 563-359-1348 FAX: 563-359-3295
Mobile Phone: _____ Email: d1m@verbeke-meyer.com

ATTORNEY: Name: Samuel J. Skorepa
Address: Lane & Waterman, 200 North Main Street, Davenport, IA 52801
Phone: 563-333-6646 FAX: _____
Mobile Phone: _____ Email: sskorepa@l-wlaw.com

OWNER: Name: Same as Developer
Address: _____
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

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

STREETS ADDED: - 0 - LINEAR FEET

Does the plat contain a drainage way or floodplain area: * Yes ___ No

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

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

City of Davenport
Plan and Zoning Commission

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

Date
4/30/2019

Subject:

Case F19-08: Request of J+M Civil Design for a Final Plat for a 2 lot subdivision located north of E. Kimberly Road between Brady Street and Welcome Way. [Ward 7]

Recommendation:

There is no recommendation at this time.

Background:

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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.

Zoning:

The property is currently zoned C-3 General Commercial Zoning District.

Technical Review:

A request for technical review has been distributed. Findings will be included at the regular meeting on 5/17/19

Public Input:

No public hearing is required for a Final Plat.

Discussion:

The request is for a Final Plat for a 2 lot subdivision located north of E. Kimberly Road between Brady Street and Welcome Way.

Recommendation:

There is no recommendation at this time.

ATTACHMENTS:

Type	Description
Backup Material	Final Plat
Backup Material	FLU Map
Backup Material	Zoning Map

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Melton, Brandon	Approved	4/24/2019 - 2:45 PM

INDEX LEGEND

LOCATION: PT OF NW1/4 SEC 13, T78N, R3E
REQUESTOR: UNIV. OF IA COMM. CREDIT UNION
PROPRIETOR: UNIV. OF IA COMM. CREDIT UNION
SURVEYOR: DAN J. KUEHL - IA PLS#19959
SURVEYOR COMPANY: XCEL CONSULTANTS, INC.
8300 42ND STREET WEST
ROCK ISLAND, IL 61201
RETURN TO: XCEL@XCELCONSULTANTSINC.COM

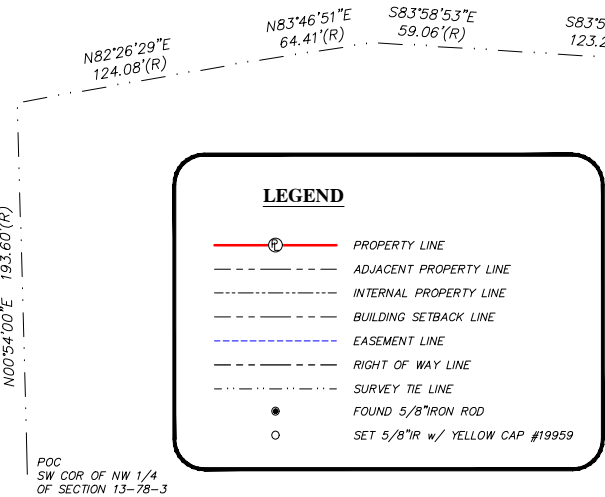
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN SCOTT COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING, AS A POINT OF REFERENCE, AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 00 DEGREES 54 MINUTES 00 SECONDS EAST (ASSUMED BEARING) 193.60 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 TO THE NORTH RIGHT-OF-WAY LINE OF KIMBERLY ROAD (U.S. HIGHWAY 6) AS NOW ESTABLISHED; THENCE NORTH 82 DEGREES 26 MINUTES 29 SECONDS EAST 124.08 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE NORTH 83 DEGREES 46 MINUTES 51 SECONDS EAST 64.41 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE SOUTH 83 DEGREES 58 MINUTES 53 SECONDS EAST, 59.06 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE SOUTH 83 DEGREES 50 MINUTES 19 SECONDS EAST 123.25 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE SOUTH 89 DEGREES 25 MINUTES 49 SECONDS EAST 91.64 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD TO A POINT LOCATED 31.91 FEET NORMALLY DISTANCE WESTERLY FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 61 SOUTHBOUND AS NOW ESTABLISHED, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE NORTH 00 DEGREES 54 MINUTES 00 SECONDS EAST. 322.55 FEET ALONG A LINE PARALLEL WITH AND 31.91 FEET NORMALLY DISTANCE WESTERLY FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 61 SOUTHBOUND TO THE SOUTH LINE OF PROPERLY CONVEYED TO CHRYSLER REALTY CORP. BY WARRANTY DEED RECORDED IN BOOK 325 DEEDS AT PAGE 590 IN THE OFFICE OF THE RECORDER OF SCOTT COUNTY, IOWA; THENCE SOUTH 89 DEGREES 58 MINUTES 29 SECONDS EAST, 31.91 FEET ALONG THE SOUTH LINE OF SAID CHRYSLER REALTY CORP. PROPERTY TO THE PRESENT EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 61 SOUTHBOUND; THENCE SOUTH 89 DEGREES 48 MINUTES 54 SECONDS EAST 441.79 FEET ALONG THE SOUTH LINE OF SAID CHRYSLER REALTY CORP. PROPERTY TO THE WEST RIGHT-OF-WAY LINE OF BRADY STREET (U.S. HIGHWAY 61 NORTHBOUND) AS NOW ESTABLISHED; THENCE SOUTH 06 DEGREES 10 MINUTES 41 SECONDS WEST 160.95 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SAID BRADY STREET; THENCE SOUTH 05 DEGREES 26 MINUTES 39 SECONDS EAST 59.43 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SAID BRADY STREET; THENCE SOUTH 06 DEGREES 12 MINUTES 38 SECONDS WEST 128.98 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SAID BRADY STREET; THENCE SOUTH 57 DEGREES 28 MINUTES 13 SECONDS WEST 29.80 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SAID BRADY STREET TO THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE NORTH 86 DEGREES 28 MINUTES 54 SECONDS WEST 106.95 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE NORTH 88 DEGREES 14 MINUTES 36 SECONDS WEST 289.69 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID KIMBERLY ROAD; THENCE NORTH 88 DEGREES 13 MINUTES 30 SECONDS WEST 32.12 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 00 SECONDS EAST 25.96 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE EASEMENTS AS SET FORTH IN THAT CERTAIN ROADWAY AND UNDERGROUND UTILITY EASEMENT BY EASEMENT DATED FEBRUARY 7, 1950, RECORDED FEBRUARY 7, 1950. IN BOOK 51 AT PAGE 380.

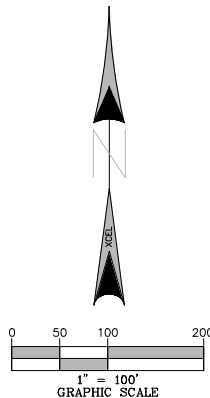
WELCOME WAY (US 61 SOUTH)
VARIOUS WIDTH PUBLIC RIGHT OF WAY



FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 19163C0370F, WHICH BEARS AN EFFECTIVE DATE OF FEBRUARY 18, 2011 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



LOT 2
123,518 SQ. FT.
OR 2.84 ACRES

LOT 1
40,752 SQ. FT.
OR 0.93 ACRES

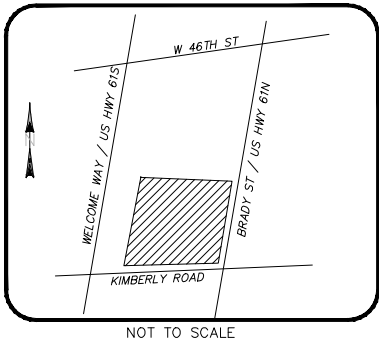
KIMBERLY ROAD

VARIOUS WIDTH PUBLIC RIGHT OF WAY

FINAL PLAT
OF
GREENSTATE CREDIT UNION
FIRST ADDITION

TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA

VICINITY MAP



RECORDER INFORMATION

PRELIMINARY
NOT FOR RECORDING

MEDIACOM COMMUNICATIONS

BY: _____

DATE: _____

MIDAMERICAN ENERGY

BY: _____

DATE: _____

MIDAMERICAN GAS

BY: _____

DATE: _____

CENTURYLINK

BY: _____

DATE: _____

GENERAL NOTES

- THE PROPERTY HAS PHYSICAL ACCESS TO BRADY STREET AND KIMBERLY ROAD, BOTH DEDICATED PUBLIC RIGHT OF WAYS.
- THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES; THERE ARE NOT VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY OR UPON ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AND WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF IOWA.
- THE PREMISES IS MADE UP OF A SINGLE TAX PARCEL NUMBER (P1308-07A) THAT COVERS THE PROPERTY IN ITS ENTIRETY.
- THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK AND BUILDING DEMOLITION WITHIN RECENT MONTHS.
- NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES COMPLETED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION AND NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON THE SUBJECT PROPERTY AT THE TIME OF SURVEY.
- ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS; ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
- THE SUBJECT PROPERTY IS ZONED "C - COMMEERCIAL" PER THE CITY OF DAVENPORT COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT.
- THE ENTIRE SUBDIVISION CONTAINS 164,270 SQUARE FEET OR 3.77 ACRES.
- TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS SHOWN ON DRAWING.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLES, GAS SERVICE, GAS MAIN, UTILITY POLES, MANHOLES, WATER SERVICE, SEWER LATERAL, TELEPHONE SERVICE AND CABLE T.V. SERVICE TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.

DAVENPORT CITY COUNCIL

BY: _____

DATE: _____

PLANNING AND ZONING COMMISSION

BY: _____

DATE: _____

SURVEYOR CERTIFICATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY IOWA PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. I FURTHER CERTIFY THAT THIS PLAT COMPLIES WITH CHAPTER 114A, CODE OF IOWA.

PRELIMINARY

APRIL 22, 2018

DAN J. KUEHL
PROFESSIONAL LAND SURVEYOR
IOWA LAND SURVEYOR NUMBER 19959
EXPIRES: DECEMBER 31, 2019
8301 42ND STREET WEST
ROCK ISLAND, IL 61201
TELEPHONE: 309-787-9988



CHK BY:

BCH

APV BY:

DJK

XCEL JOB NUMBER:

191948

DRAWING NUMBER:

1 OF 1

OWNER INFORMATION

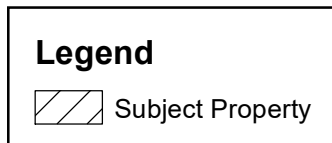
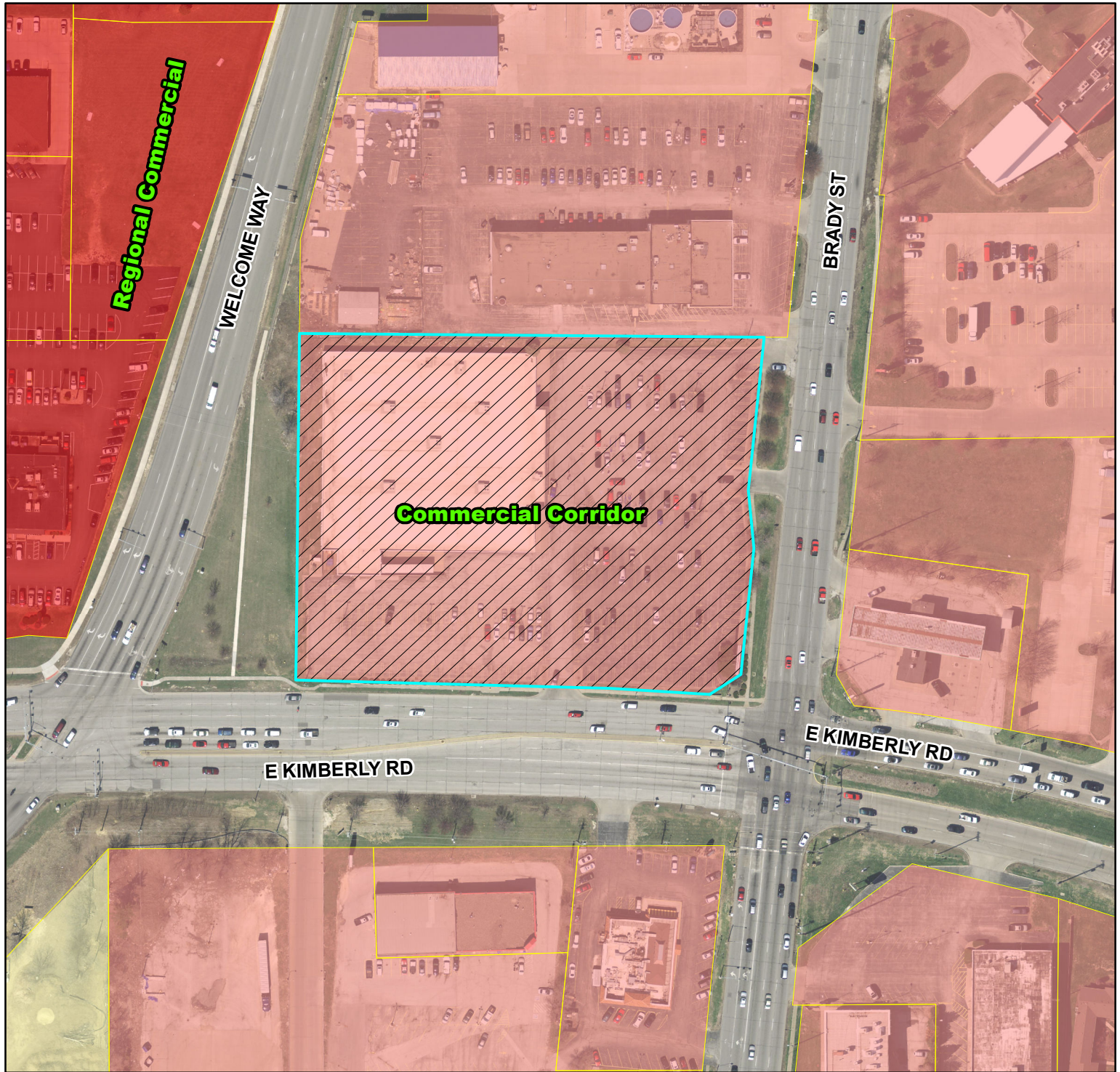
UNIVERSITY OF IOWA COMMUNITY CREDIT UNION
2355 LANDON ROAD
PO BOX 800
NORTH LIBERTY, IOWA



REVISIONS	
DATE	DESCRIPTION

8300 42ND STREET WEST
ROCK ISLAND, IL 61201
(O) 309-787-9988
(F) 309-756-5540
(E) XCEL@XCELCONSULTANTSINC.COM

Future Land Use Map (Davenport +2035)

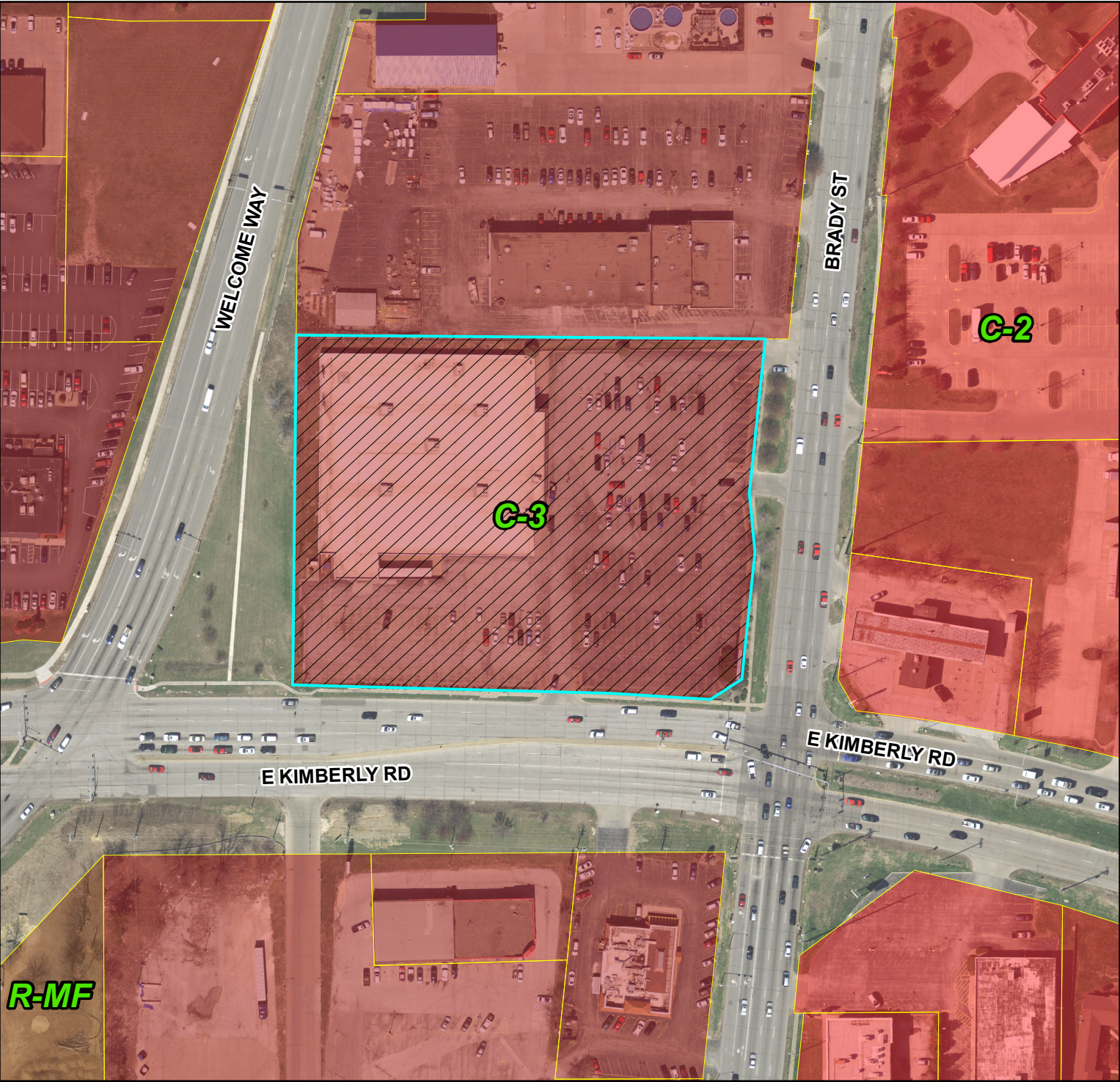


0 55 110 220 330 Feet
1 inch = 142 feet



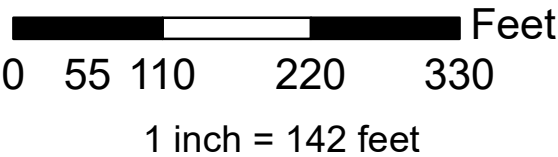
Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

Current Zoning Map



Legend

 Subject Property



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

City of Davenport
Plan and Zoning Commission

Department: CPED
Contact Info: Matt Flynn, 563-888-2286

Date
4/30/2019

Subject:
Annual Meeting and Election of Officers

Current Officers:

Chair: Bob Inghram
Vice Chair: Jim Connell
Secretary: Dave Tallman

Bylaws are included for reference.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bylaws

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Flynn, Matt	Approved	4/24/2019 - 4:21 PM

**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.

