NOTICE TO THE AUDIENCE: Please remember that if you are interested in matters on the agenda that will have subsequent meetings, it is your responsibility to note their dates, times, and places. No further letters or reminders will be sent. Of course, if you have any questions about any given matter, do not hesitate to contact the Planning Department in the City Hall Annex, 4403 Devils Glen Road, Bettendorf, Iowa 52722 or phone (563) 344-4071.

MEETING NOTICE PLANNING AND ZONING COMMISSION CITY OF BETTENDORF OCTOBER 24, 2012 AT 5:30 P.M. CITY HALL COUNCIL CHAMBERS 1609 STATE STREET

AGENDA

1.	Roll Call: Bennett, Bert, Kappeler, Peters, Rafferty, Stoltenberg, Wennlund	
2.	Approval of minutes of the meeting of September 19, 2012.	
3.	Review of Commission procedures.	
Land Use Amendment/Rezoning		
4.	Case 12-057; North side of the 4300 block of 53 rd Avenue, Office/transitional to Traditional Residential, submitted by Beaver Development.	
5.	Case 12-058; North side of the 4300 block of 53 rd Avenue, A-1, Agricultural district to R-1, Single-family Residence district, submitted by Beaver Development.	
6.	Case 12-059; North side of the 4300 block of 53 rd Avenue, A-1, Agricultural district to R-3, Single- and two-family Residence district, submitted by Beaver Development.	
Preliminary Plat		
7.	Case 12-060; ValleyWynds Addition - Phase II, submitted by McB Development.	
<u>Other</u>		
8.	Commission Update.	

The following are minutes of the Bettendorf Planning and Zoning Commission and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next meeting.

MINUTES PLANNING AND ZONING COMMISSION SEPTEMBER 19, 2012 5:30 P.M.

The Planning and Zoning Commission meeting of September 19, 2012, was called to order by Wennlund at 5:35 p.m. at the City Hall Council Chambers, 1609 State Street.

1. Roll Call

MEMBERS PRESENT: Bennett, Bert, Kappeler, Peters, Stoltenberg, Wennlund

MEMBERS ABSENT: Rafferty

STAFF PRESENT: Greg Beck, City Planner; Bill Connors, Community Development

Director, John Soenksen, City Planner; Brian Fries, Assistant City Engineer; Steve Knorrek, Fire Captain; Lisa Fuhrman, Community

Development Secretary

2. Approval of the minutes of the meeting of August 15, 2012.

On motion by Bennett, seconded by Stoltenberg, that the minutes of the meeting of August 15, 2012 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

Rezoning/Final Plat

- 4. Case 12-054; 17853 244th Avenue, A-1 Agricultural District to I-2 General Industrial District, submitted by Aceno Granite.
- 5. Case 12-055; Guhin's First Addition, submitted by John Guhin.

Beck reviewed the staff reports. Connors explained that when property is annexed to the city it is automatically assigned a zoning classification of A-1, Agricultural District.

Joanne Traicoff, 3675 West Harbor Drive, expressed opposition to the rezoning request on behalf of the residents of Pleasant Harbor subdivision located to the south. She explained that the private road leading to the subdivision is owned and maintained by the homeowner's association and is directly adjacent to the property under consideration for rezoning. She added that the employees and customers of Terrell Landscaping which is located south of the applicant's business uses the private road for access and that the business owner pays dues to the homeowner's association. She indicated that Aceno Granite has another entrance but has at times used the private road to enter the property but does

not pay those dues. Traicoff stated that the proposed rezoning would invite future expansion with businesses that are not compatible with their residential neighborhood. She stated that while Aceno Granite has been a quiet, considerate neighbor, she is concerned about noise, increased traffic, further unauthorized use of the private road, trespassing, and possible groundwater contamination that may result from any additional businesses activities that may take place in the area in the future.

Beck reviewed the individual zoning district classifications of the surrounding properties. Wennlund asked if the residential area of Pleasant Harbor is surrounded by properties with various industrial zoning district classifications. Beck confirmed this. Traicoff stated that while she understands that the surrounding properties are zoned industrial, they are used for agricultural purposes.

Bert asked how long Aceno Granite has been in business at the current location. John Guhin, the applicant, explained that he has been in business for 9 years at that location. He added that he leased the building at first, but has since purchased it. He stated that before the annexation of the property to the City of Bettendorf, the county zoning classification was industrial. Guhin explained that the purpose of the annexation and the subsequent platting is to facilitate the sale of the portion of the property on which the landscaping business is currently located.

On motion by Kappeler, seconded by Bert, that the rezoning of 17853 - 244th Avenue, A-1 to I-2, be recommended for approval subject to staff comments.

ALL AYES

Motion carried.

On motion by Bennett, seconded by Kappeler, that the final plat of Guhin's First Addition be recommended for approval subject to staff comments.

Wennlund commented that while he recognizes the possible future concerns the residents may have, he does not believe that the proposed plat diminishes their position because even though the surrounding properties are used for agricultural purposes, they have industrial district zoning classifications and could at any time be developed as such. Bennett commented that any future development would likely require site development plan approval.

ROLL CALL ON MOTION

ALL AYES

Motion carried.

Final Plat

6. Case 12-056; Villas at Glengevlin Second Addition, submitted by Towne & Country Bettendorf, LC.

Beck reviewed the staff report.

Kappeler asked if the plat is substantially the same as the preliminary plat. Beck confirmed this, adding that the only change is that Outlot A is now a flag lot which will not be owned by any individual lot owner. He indicated that storm water will be allowed to flow along Outlot A and on to the regional detention area. Connors explained that when drainageway easements are owned by individual lot owners, those residents tend to want to use them in ways that could block drainage. Kappeler asked if the outlot would be separated from the individual lots by some physical means. Connors explained that the boundary would be the property stake. Bert asked if separate ownership would prevent a structure from ever being built on the outlot and if it would merely serve as a collection and drainage area. Connors confirmed this, adding that it would belong to the association. Peters commented that an outlot would have a separate tax bill that would be paid by the association.

Kappeler asked how the water would be conveyed to Outlot A. Beck explained that it would flow through a pipe, adding that if there is too much volume the water would travel over the surface along the flag portion of Outlot A. Kappeler asked if there is a detention basin on Outlot A. Connors stated that the detention basin is located adjacent to Outlot A in the adjoining subdivision.

Kappeler asked how the flag lot would appear any different from a homeowner's perspective than an easement. Connors explained that it is easier to require a homeowner to remove any type of improvement they may have constructed on a drainageway on a lot that is not under their ownership.

On motion by Kappeler, seconded by Stoltenberg, that the final plat of Villas at Glengevlin Second Addition be recommended for approval subject to staff comments.

ALL AYES

Motion carried.

7. Commission Update.

Connors stated that the final plat of Bettendorf Rx Addition was approved at the August 21 City Council meeting and that the preliminary plat of Villas at Glengevlin Phase II and the site development plan for 3260 and 3290 Ridge Pointe were approved at the September 4 City Council meeting.

There being no further busir	ness, the meeting adjourned at approximately 5:55 p.m.
These minutes approved	
	Gregory W. Beck City Planner



City Hall Annex $\,\lambda$ 4403 Devils Glen Road, Bettendorf, Iowa 52722 $\,\lambda$ (563) 344-4071

October 17, 2012

Staff Report

Case No. 12-057

Location: North of 53rd Avenue, east of Devils Glen Road, and west of Middle Road – Land

Use Amendment

Applicant: Beaver Development

Current Land Use Designation: Office/transitional

Requested Land Use Designation: Traditional Residential **Current Zoning Classification:** A-1, Agricultural District

Background Information and Facts

Beaver Development has submitted an application requesting a land use amendment for property located east of Devils Glen Road, north of 53rd Avenue, and west of Middle Road (see Aerial Photo, Attachment A). The applicant proposed to change the land use designation of this area from Office/transitional to Traditional Residential (see Land Use Map and Parcel Map, Attachments B and C). The zoning district classifications of the surrounding parcels is a mixture of C-5, Office/transitional district, R-1, Single-family Residence District, A-1, Agricultural District, and R-2, Single-family Residence District (see Zoning Aerial, Attachment D). The boundaries for the proposed land use amendment encompass over 35 acres of land. The developer anticipates constructing 15 single-family detached condominium structures in the area proposed to be rezoned to R-3 and 63 single family homes in the area zoned R-1 (see Concept Plan, Attachment E).

Land Use

The land use designation for the site is a mix of Office/transitional and Traditional Residential. Surrounding land uses are Commercial, Office/transitional, and Traditional Residential.

Utilities

Utilities for the site will come along 53rd Avenue. Water will have to come from the north side of 53rd Avenue. Sanitary sewer will need to be extended from the south near 53rd Avenue. The developer will provide all utility connections to the site. Electrical service will also come from the west.

Thoroughfare Plan/Access

Access to the site is anticipated from 53rd Avenue and eventually from the subdivisions to the east and north.

Storm Water Detention

Storm water detention will not be required for the site. It is anticipated that the storm water from subdivisions in the area will be served by a regional detention area located to the west of the property.

Recommended Action

Staff recommends the Planning and Zoning Commission support approval of the land use amendment subject to the following conditions:

- 1. Approval of the land use amendment does not waive any applicable city, state, or federal requirements.
- 2. Any development of this site will require City Council approval of a preliminary plat and final plat .
- 3. The developer will be responsible for arranging utility connections through adjoining properties.
- 4. Any street improvements required as part of this development will be addressed at the platting stage.

Respectfully submitted,



City Hall Annex $\,\lambda$ 4403 Devils Glen Road, Bettendorf, Iowa 52722 $\,\lambda$ (563) 344-4071

October 17, 2012

Staff Report

Case No. 12-058

Location: North of 53rd Avenue, east of Devils Glen Road, and west of Middle Road -

Rezoning

Applicant: Beaver Development

Current Zoning Classification: A-1, Agricultural District

Requested Zoning Classification: R-1, Single-family Residence District

Current Land Use Designation: Office/transitional and Traditional Residential

Background Information and Facts

Beaver Development has submitted an application requesting rezoning of property located east of Devils Glen Road, north of 53rd Avenue, and west of Middle Road from A-1, Agricultural District to R-1, Single-family Residence District (see Aerial Photo, Attachment A). The land use designation of the property proposed to be rezoned to R-1 is currently Office/Transitional and Traditional Residential. The applicant has also submitted a request to change the land use designation to Traditional Residential (see Land Use Map and Parcel Map, Attachments B and C). The zoning district classifications of the surrounding parcels is a mixture of C-5, Office/transitional, R-1, Single-family Residence District, A-1, Agricultural District. and R-2, Single-family Residence District (see Zoning Aerial, Attachment D). The boundaries for the proposed rezoning encompass over 35 acres of land. The developer anticipates constructing 15 single-family condominium detached structures in the area proposed to be zoned R-3 and 63 single-family homes in the area zoned R-1 (see Concept Plan, Attachment E).

Land Use

The land use designation for the site is a mix of Office/transitional (proposed for change) and Traditional Residential. R-1, Single-family Residence District is permitted under the Traditional Residential land use designation.

Utilities

Utilities for the site will come along 53rd Avenue. Water will have to come from the north side of 53rd Avenue. Sanitary sewer will need to be extended from the south near 53rd Avenue. The developer will provide all utility connections to the site. Electrical service will also come from the west.

Thoroughfare Plan/Access

Access to the site is anticipated from 53rd Avenue and eventually from the subdivisions to the east and north.

Storm Water Detention

Storm water detention will not be required for the site. It is anticipated that the storm water from subdivisions in the area will be served by a regional detention area located to the west of the property proposed to be rezoned.

Recommended Action

Staff recommends the Planning and Zoning Commission support approval of the rezoning subject to the following conditions:

- 1. Approval of the rezoning does not waive any applicable city, state, or federal requirements.
- 2. Any development of the site will require City Council approval of a preliminary plat and final plat .
- 3. The developer will be responsible for arranging utility connections through adjoining properties.
- 4. Any street improvements required as part of this development will be addressed at the platting stage.

Respectfully submitted,



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October 17, 2012

Staff Report

Case No. 12-059

Location: North of 53rd Avenue, east of Devils Glen Road, and west of Middle Road -

Rezoning

Applicant: Beaver Development

Current Zoning Classification: A-1, Agricultural District

Requested Zoning Classification: R-3, Single-Family and Two-Family Residence District

Current Land Use Designation: Office Transitional

Background Information and Facts

Beaver Development has submitted an application requesting rezoning of property located east of Devils Glen Road, north of 53rd Avenue, and west of Middle Road from A-1, Agricultural District to R-3, Single-family and Two-Family Residence District (see Aerial Photo, Attachment A). The land use designation of the property proposed to be rezoned to R-3 is currently Office/transitional. The applicant has also submitted request to change the land use designation to Traditional Residential (see Land Use Map and Parcel Map, Attachments B and C). The zoning district classifications of the surrounding parcels is a mixture of C-5, Office/transitional district, R-1, Single-family Residence District, A-1, Agricultural District, and R-2, Single-family Residence District (see Zoning Aerial, Attachment D). The boundaries for the proposed rezoning encompass over 35 acres of land. The developer anticipates constructing 15 single-family detached condominium structures in the area proposed to be rezoned to R-3 zone and 63 single family homes in the area zoned R-1 (see Concept Plan, Attachment E).

Land Use

The land use designation for the site is a mix of Office/transitional and Traditional Residential. Traditional Residential land use facilitates the rezoning to R-3 Single-family and Two-family Residence District. The petitioner may apply for the R-3 zoning concurrently with the proposed land use change.

Utilities

Utilities for the site will come along 53rd Avenue. Water will have to come from the north side of 53rd Avenue. Sanitary sewer will need to be extended from the south near 53rd Avenue. The developer will provide all utility connections to the site. Electrical service will also come from the west.

Thoroughfare Plan/Access

Access to the site is anticipated from 53rd Avenue and eventually from the subdivisions to the east and north.

Storm Water Detention

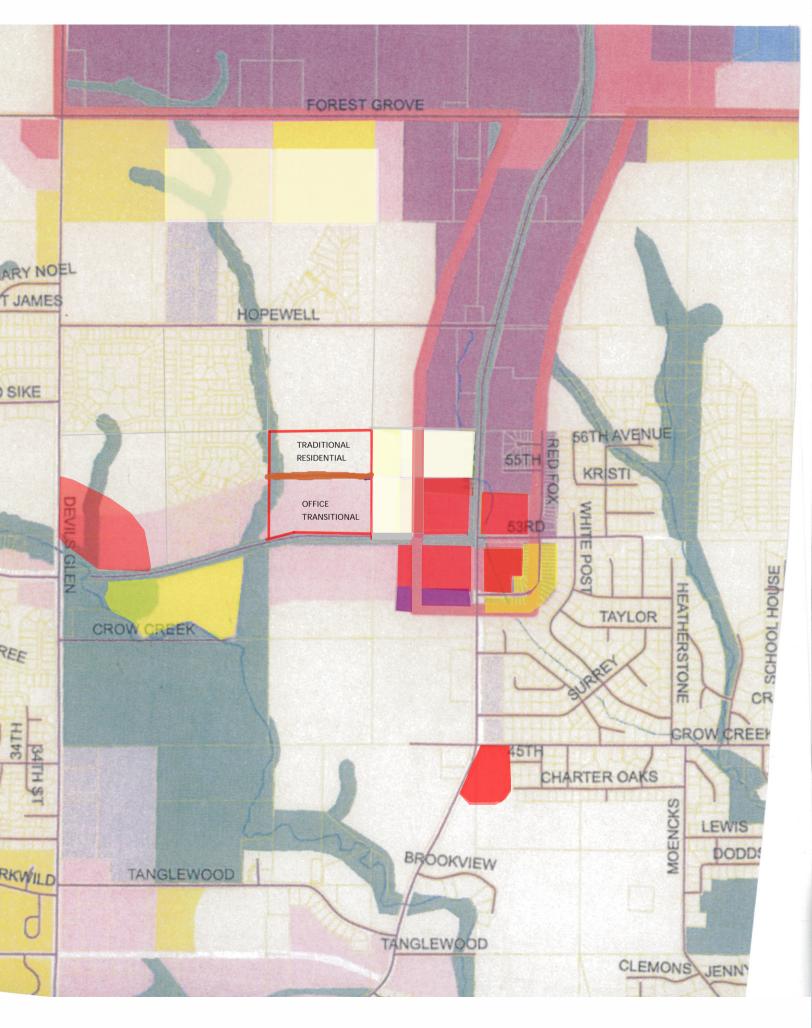
Storm water detention will not be required for the site. West of the rezoning area, a detention area purchased by the City that contains the boundaries of a 100 year flood of Hopewell Creek is anticipated to be used by subdivisions bordering that area.

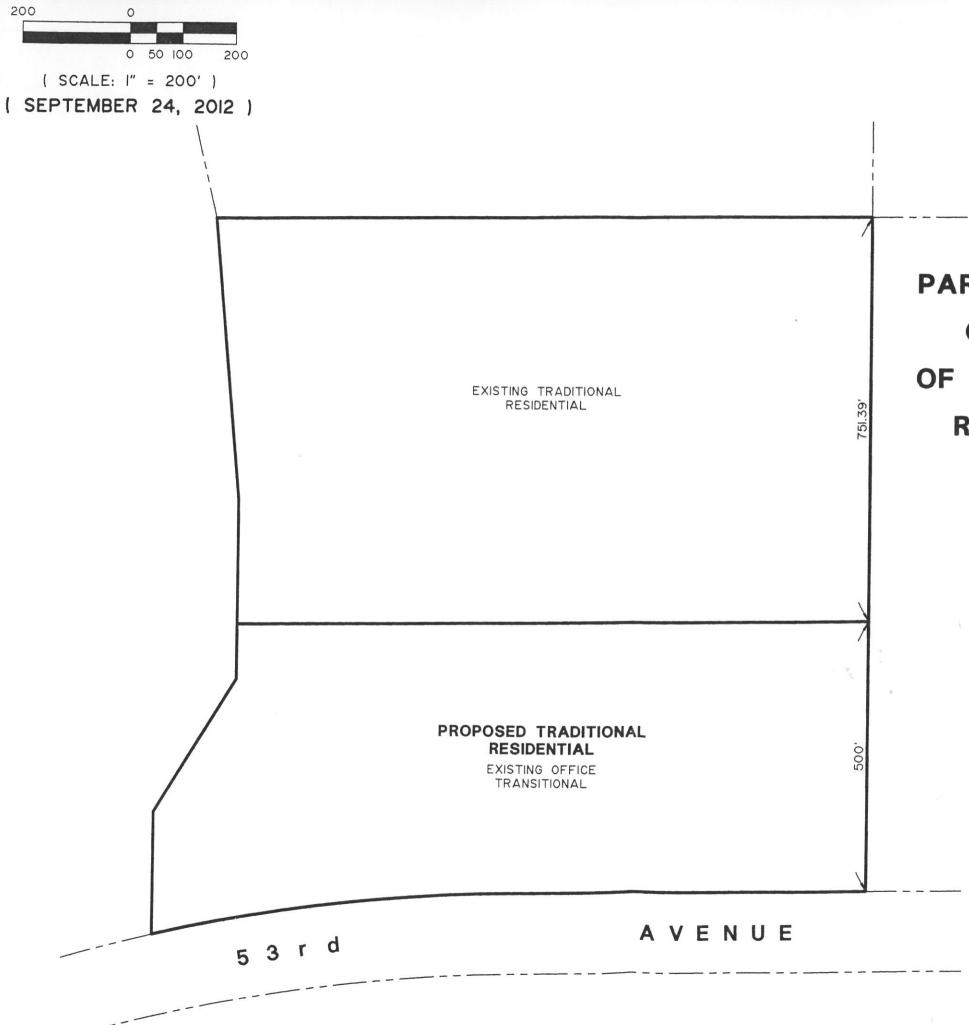
Recommended Action

Staff recommends the Planning and Zoning Commission support approval of the rezoning subject to the following conditions:

- 1. Approval of the rezoning does not waive any applicable city, state, or federal requirements.
- 2. Any development of the site will require City Council approval of a preliminary plat and final plat.
- 3. The developer will be responsible for arranging utility connections through adjoining properties.
- 4. Any street improvements required as part of this development will be addressed at the platting stage.

Respectfully submitted,





563) 359-1348

PART OF THE SOUTHWEST QUARTER
OF THE NORTHWEST QUARTER
OF SECTION 11, TOWNSHIP 78 NORTH
RANGE 4 EAST OF THE 5th P.M.

BETTENDORF, IOWA

PREPARED BY

VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.

4111 EAST 60th STREET

DAVENPORT, IOWA 52807

PHONE NUMBER: (563) 359 - 1348

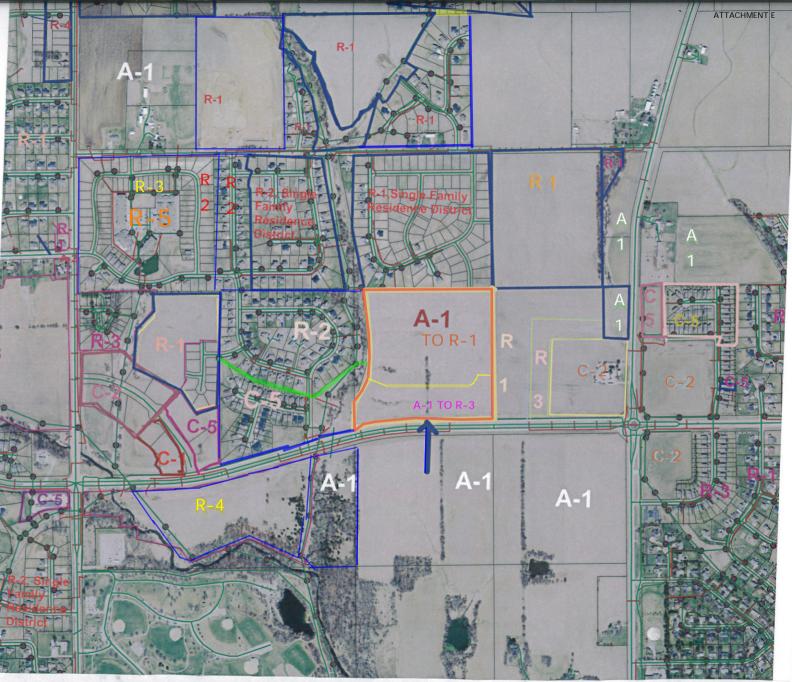


SEP 2 8 2012

PREPARED BY

VERBEKE - MEYER
CONSULTING ENGINEERS, P.C.

4111 EAST 60th STREET DAVENPORT, IOWA 52807





City Hall Annex $\,\lambda$ 4403 Devils Glen Road, Bettendorf, Iowa 52722 $\,\lambda$ (563) 344-4071

October 17, 2012

Staff Report

Case No. 12-060

Subdivision Name: ValleyWynds Addition - Phase II – Preliminary Plat

Location: West of Devils Glen Road, south of Forest Grove Drive, and north of Crow

Lake Drive

Applicant: McB Development

Land Use Designation: Traditional Residential

Background Information and Facts

McB Development has submitted the preliminary plat of ValleyWynds Addition - Phase II (see Aerial Photo, Attachment A). The site is located south of Forest Grove Drive, north of Crow Lake Drive, and west of Devils Glen Road (see Preliminary Plat, Attachments B and C). The developers wish to replace the original preliminary plat with a new configuration for the northernmost section (see Highland Green and ValleyWynds Preliminary Plat, Attachment D). The original preliminary plat showed 94 residential lots in this area, and the proposed preliminary plat shows 44 lots intended for single-family housing (Original Preliminary Plat, Attachment D). Outlot C takes the place of 14 lots that were intended for single-family housing on the original preliminary plat and will likely be the location of condominium units.

Land Use

The land use designation is Traditional Residential, and the zoning classification is R-1, Single-family Residence District. Front yard setbacks shall be shown on the final plat according to the requirements for the R-1 zoning district.

Utilities

Utilities are already available for the site. The developer will have the responsibility to connect to the utilities. All existing utilities from nearby ValleyWynds subdivisions will be available for connecting service.

Thoroughfare Plan/Pedestrian Access

The street network will connect to Cardinal Road, and Crow Ridge Road will approach from the south. Entry may be made from Forest Grove Drive by a street segment that leads into Cardinal Road and eventually into Blackbird Lane. For street addressing purposes, Lots 25-31 will require one street segment be named something other than Blackbird Lane or Cardinal Road. This segment would have one name and exit onto Forest Grove Drive. Lots 16-24 will be addressed from Blackbird Circle. Sidewalk placement along Forest Grove Drive will require a 6-foot wide sidewalk on the south side.

Storm Water Detention

Storm water detention will be accomplished by the use of Outlot A in ValleyWynds Fourth Addition and Outlot A in ValleyWynds Sixth Addition. Another storage area for water would include the retention pond which would assist in some extra storm water detention shown in the southeast corner of Phase II of this preliminary plat. All outlots will be planted and maintained by the developer and later the homeowner's association. An overflow easement runs along the rear yards of Lots 1-7 to facilitate water leaving the retention pond during periods of overflow.

Staff Recommendation

Staff recommends approval of the preliminary plat of ValleyWynds Addition Phase II with the following conditions:

- 1. Street segment for Lots 25-31 will require one street segment name other than Blackbird Lane or Cardinal Road. This segment would have one name and exit onto Forest Grove Drive. Lots 16-24 will be addressed from Blackbird Circle.
- 2. All outlots are considered unbuildable for anything other than storm water detention mechanisms.
- 3. All drainageways feeding into the detention basins must be stabilized.
- 4. Approval of the preliminary plat does not waive any applicable local, state, or federal provisions as required by law.
- 5. Acquisition of an easement to permit water flow over the pipeline easement is required prior to the start of any storm water or water feature infrastructure construction.
- 6. Show all lowest entry levels for lots adjoining any drainage easements or water features.

Respectfully submitted,

