

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) 344-4100.

The Planning and Zoning Commission meeting will be open to the public. The City of Bettendorf will broadcast this public meeting online at <http://www.bettendorf.org/live-meeting>

PLANNING AND ZONING COMMISSION

SPECIAL MEETING

CITY OF BETTENDORF

APRIL 5, 2023 AT 5:30 PM

CITY HALL COUNCIL CHAMBERS

1609 STATE STREET

1. Roll Call: Gannaway ____, Gibson ____, Kappeler ____, Ormsby ____, Satterfield ____, Stoltenberg ____, Wennlund ____
2. Review of Commission procedures.

Future Land Use Map Amendment/Rezoning

3. Case 23-013; SW corner of Devils Glen Road and Forest Grove Drive, Open Space and Parks to UMI Urban Medium-Intensity, submitted by E & A Enterprises, LLC. (Staff: Beswick)
4. Case 23-021; SW corner of Devils Glen Road and Forest Grove Drive, Open Space and Parks to ULI Urban Low-Intensity, submitted by E & A Enterprises, LLC. (Staff: Beswick)
5. Case 23-014; SW corner of Devils Glen Road and Forest Grove Drive, C-1 Neighborhood Commercial District to C-2 Community Commercial District (commercial), submitted by E & A Enterprises, LLC. (Staff: Beswick)
6. Case 23-022; SW corner of Devils Glen Road and Forest Grove Drive, C-1 Neighborhood Commercial District to C-2 Community Commercial District (townhomes), submitted by E & A Enterprises, LLC. (Staff: Beswick)
7. Case 23-017; SW corner of Devils Glen Road and Forest Grove Drive, C-1 Neighborhood Commercial District to R-1 Single-Family Residence District, submitted by E & A Enterprises, LLC. (Staff: Beswick)

8. Case 23-023; SW corner of Devils Glen Road and Forest Grove Drive, C-1 Neighborhood Commercial District to R-3 Mixed Residential District, submitted by E & A Enterprises, LLC. (Staff: Beswick)
9. Case 23-024; SW corner of Devils Glen Road and Forest Grove Drive, R-1 Single-Family Residence District to C-1 Neighborhood Commercial District, submitted by E & A Enterprises, LLC. (Staff: Beswick)
10. Case 23-015; SW corner of Devils Glen Road and Forest Grove Drive, R-1 Single-Family Residence District to C-2 Community Commercial District, submitted by E & A Enterprises, LLC. (Staff: Beswick) (Withdrawn)
11. Case 23-016; SW corner of Devils Glen Road and Forest Grove Drive, C-1 Neighborhood Commercial District to R-3 Medium-Density Multi-Family Residence District, submitted by E & A Enterprises, LLC. (Staff: Beswick) (Withdrawn)

Other

12. Commission Update.



The materials for the Planning and Zoning Commission meeting can be accessed by scanning the QR code.

STAFF REPORT

Subject: Future Land Use Amendment
Author: Taylor Beswick
Department: Community Development
Date: April 5, 2023



Case No.: 23-013 and 23-021

Request: Future Land Use Map amendment – Parks & Open Space to Urban Low Intensity (ULI) and Urban Medium Intensity (UMI).

Location: Southwest corner of Devils Glen Road and Forest Grove Drive

Legal Description: NE½SW¼ of Section 3, Township 78 N (Parcel #: [8403350031](#))

Applicant: E & A Enterprises, LLC

Owner: MCB Development Corporation

Current Future Land Use: Parks & Open Space

Proposed Land Use: Urban Low Intensity (ULI) and Urban Medium Intensity (UMI)

Background Information & Facts

E & A Enterprises, LCC is requesting an amendment to the Future Land Use Map for property located southwest of the intersection of Forest Grove Drive and Devils Glen Road ([see Aerial Map – Attachment A](#)). The area is currently designated as Parks & Open Space on the Future Land Use Map, and the applicant is proposing to change the designation to part Urban Low Intensity (ULI) and part Urban Medium Intensity (UMI) ([see Existing Future Land Use Map and Proposed Future Land Use Amendment – Attachment B](#)). The property is currently zoned C-1, Neighborhood Commercial, and pending the approval of this request, the applicant is requesting to rezone the property to a mix of R-1, R-3, C-1, and C-2 (see Case No. 23-014; 017; 022; 023; 024). Prior to 2017, the property was zoned part C-5 and part C-1. The C-5 zoning district was eliminated and folded into the C-1 district in 2017.

The site is currently in agricultural production, but from 1999 until recent years was the location of the Ball Park at Noel Farms, home of the Barnstormer Baseball Club. A site development plan was reviewed and approved by the City in 1999, and on this plan the baseball use is cited as temporary. In addition, the approved site plan contains the following note: “2. *The ball diamonds and proposed concession stand are temporary developments until the site becomes viable as a commercial development in accordance with the City’s long term land use plan.*” ([see Barnstormer Baseball Site Plan – Attachment C](#)).

Since the area in question was annexed into the City of Bettendorf in 1971, the corner of Forest Grove Drive and Devils Glen Road has consistently been designated as medium-density residential to mixed use commercial/residential future land uses. This can be seen on multiple iterations of the City’s Comprehensive Plan and Future Land Use Map ([see Historical Future Land Use Maps: 1973, 1984, 1994, 2002, 2010 – Attachment D](#)). Upon adoption of the most recently updated Comprehensive Plan and Future Land Use Map in 2017, the area was changed to Parks & Open Space. Staff cannot find any minutes or citations in

the record which explains the reasoning for the Future Land Use designation change from Office/Transitional and Commercial to Parks & Open Space.

Analysis

Having researched all available sources including minutes, associated plans, and other documents, it is the opinion of staff that the change to Parks & Open Space was in error in 2017. It appears the private baseball fields, which existed as a temporary use, were mistakenly classified as a permanent public park during the creation of the City's 2017 Comprehensive Land Use Plan. Furthermore, the land has never been contemplated as a park in multiple iterations of the Parks Master Plan, nor has the ground been contemplated for purchase in any City Council budget or strategic plans.

During the update of the 2017 Comprehensive Land Use Plan, the Urban Low, Medium, and High Intensity Future Land Uses were introduced as mixed use designations of varying densities and intensities of applicable zoning districts. A logical conversion of the 2010 Future Land Use designations for this corner into the new 2017 Future Land Use categories would be part Urban Low Intensity (ULI) and part Urban Medium Intensity (UMI). Currently, ULI designations exist west of the property in ValleyWynds 7th, 8th, and 9th Additions. ValleyWynds Sixth Addition, located south of the property, is designated as UMI. The UMI designation is consistent with the uses and products allowed in R-1, R-2, R-3, R-4, R-5, C-1, and C-2 Zoning Districts. The ULI designation is consistent with the uses and products allowed in R-1, R-2, R-3, and C-1 Zoning Districts. The mixed-use designations allow for zoning configurations of higher density or intensity located at the corner of Forest Grove Drive and Devils Glen Road and then surrounded and buffered by less dense and intense zoning districts which then transition into the existing low density single-family developments in ValleyWynds Additions. Furthermore, the UMI and ULI Future Land Use designations make use of the major road intersection at Forest Grove Drive and Devils Glen Road. These thoroughfares have been identified as major road corridors which have higher traffic counts since the area's annexation into the City of Bettendorf in 1971. Sound land use planning and economic development principles aim to preserve space for higher density and higher density development along highly-trafficked corridors such as this area.

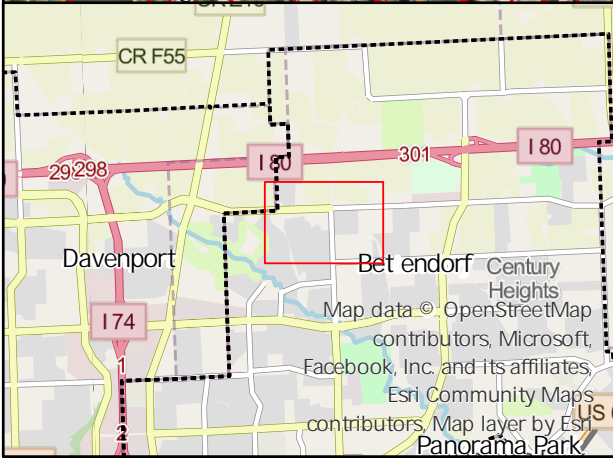
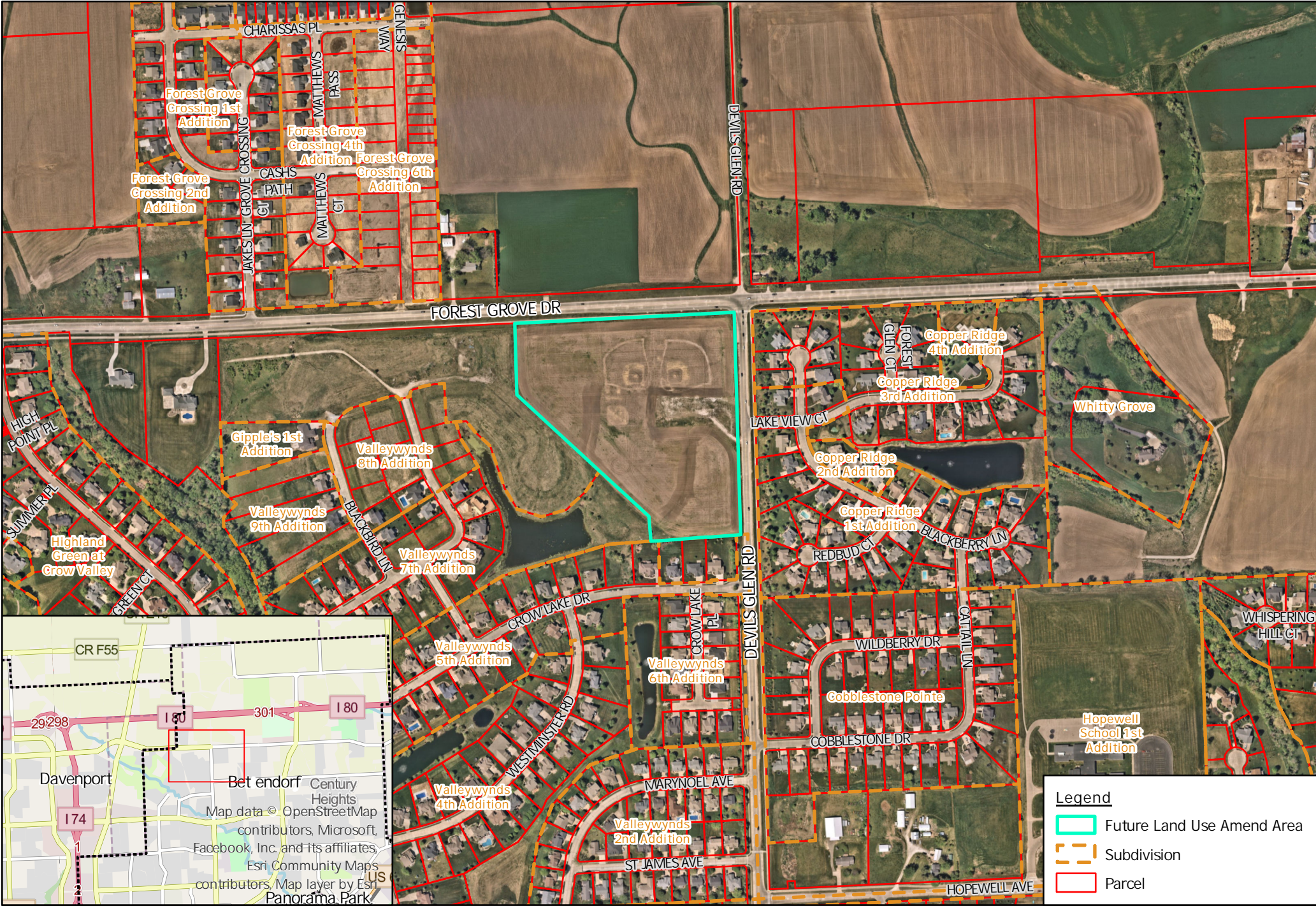
The proposed Future Land Use Map amendments for the southwest corner of Forest Grove Drive and Devils Glen Road are consistent with many of the Comprehensive Plan's goals and strategies for development in the City of Bettendorf, and the proposed amendments would have likely been adopted by the City in the 2017 if the private, temporary baseball fields were not errantly designated as Future Parks & Open Space.

Staff Recommendation

Given the evidence and reasons stated in the staff analysis of the request, staff recommends the Planning and Zoning Commission recommend approval of the proposed Future Land Use Map amendments from Parks & Open Space to part Urban Low Intensity (Case No. 23-021) and part Urban Medium Intensity (Case No. 23-013).

Respectfully submitted,

Taylor Beswick
City Planner

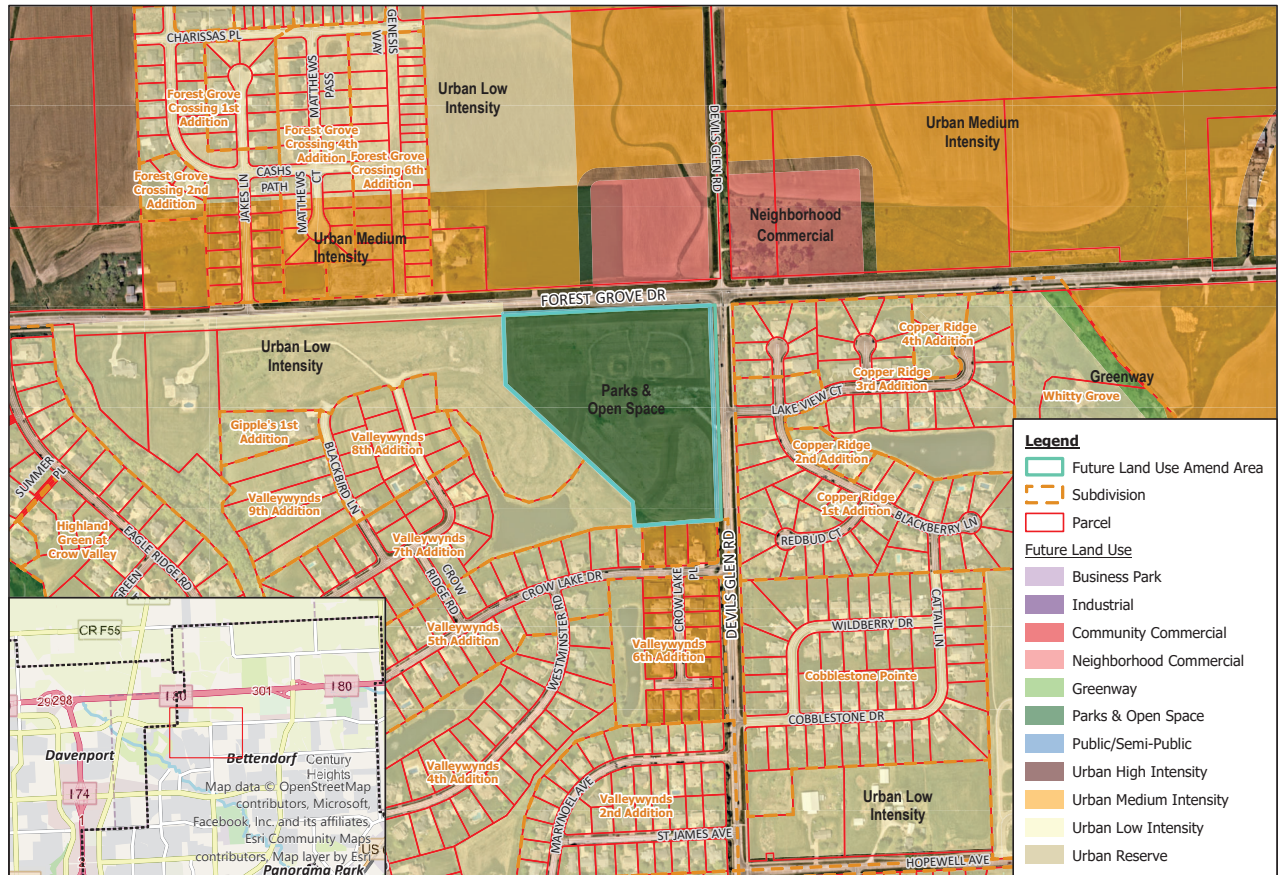


Legend

- Future Land Use Amend Area
- Subdivision
- Parcel

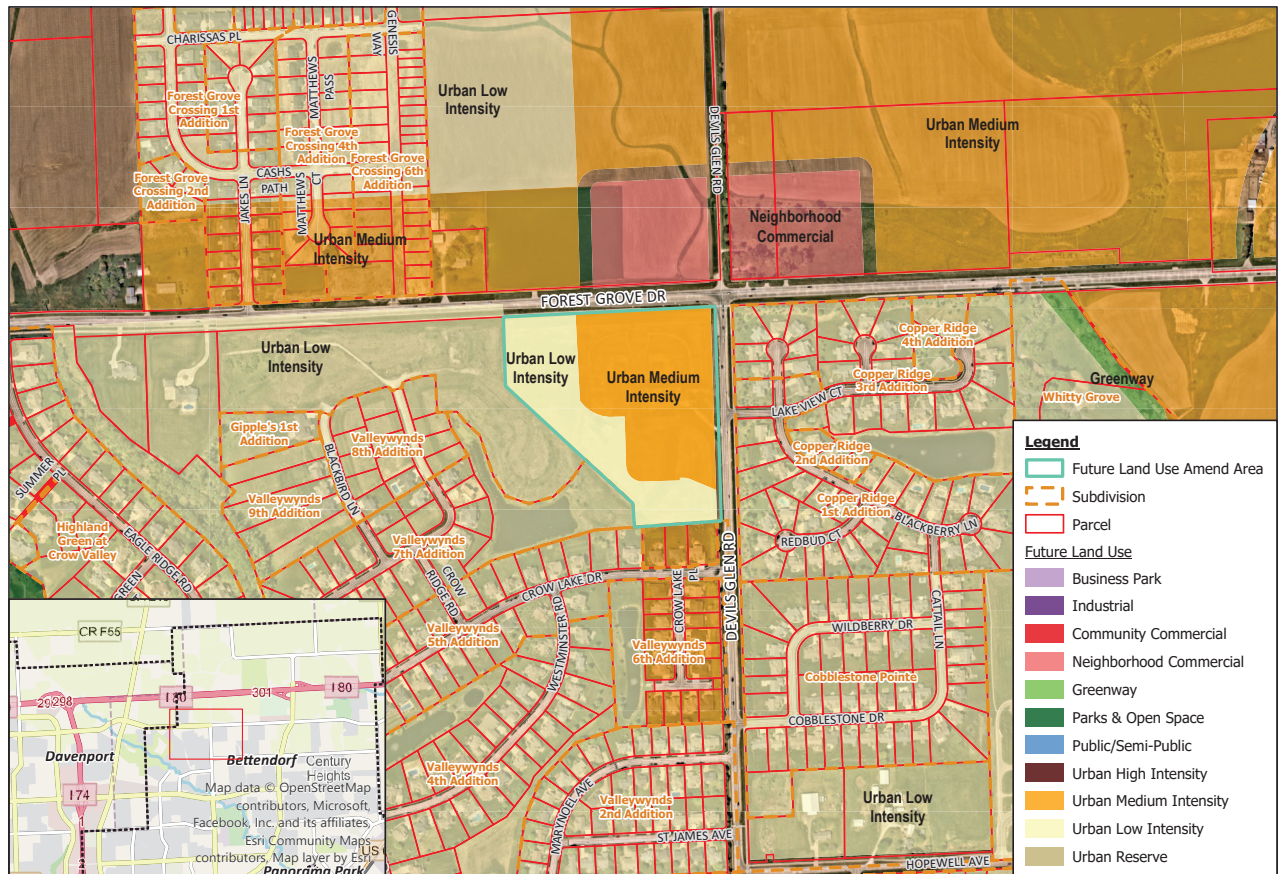
**Case 23-013, 021: SW of Devils Glen Rd. & Forest Grove Dr.
Future Land Use Amendments
Existing Future Land Uses**

1 Inch = 542 Feet
0 212.5 425 850 1,275 Feet

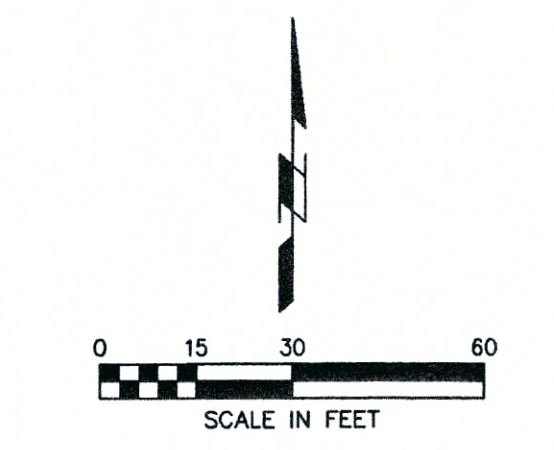
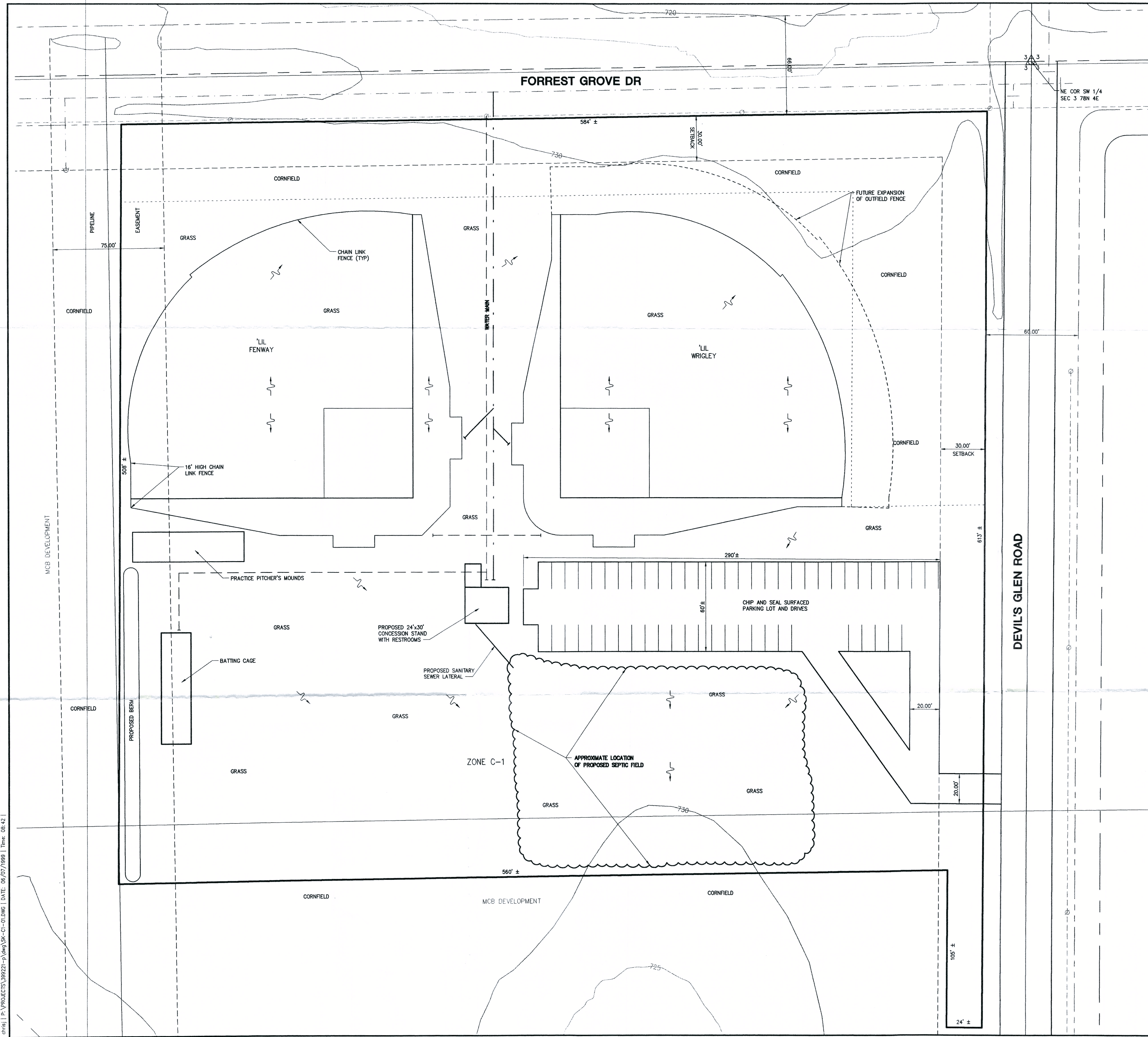


**Case 23-013, 021: SW of Devils Glen Rd. & Forest Grove Dr.
Future Land Use Amendments
Proposed Future Land Uses**

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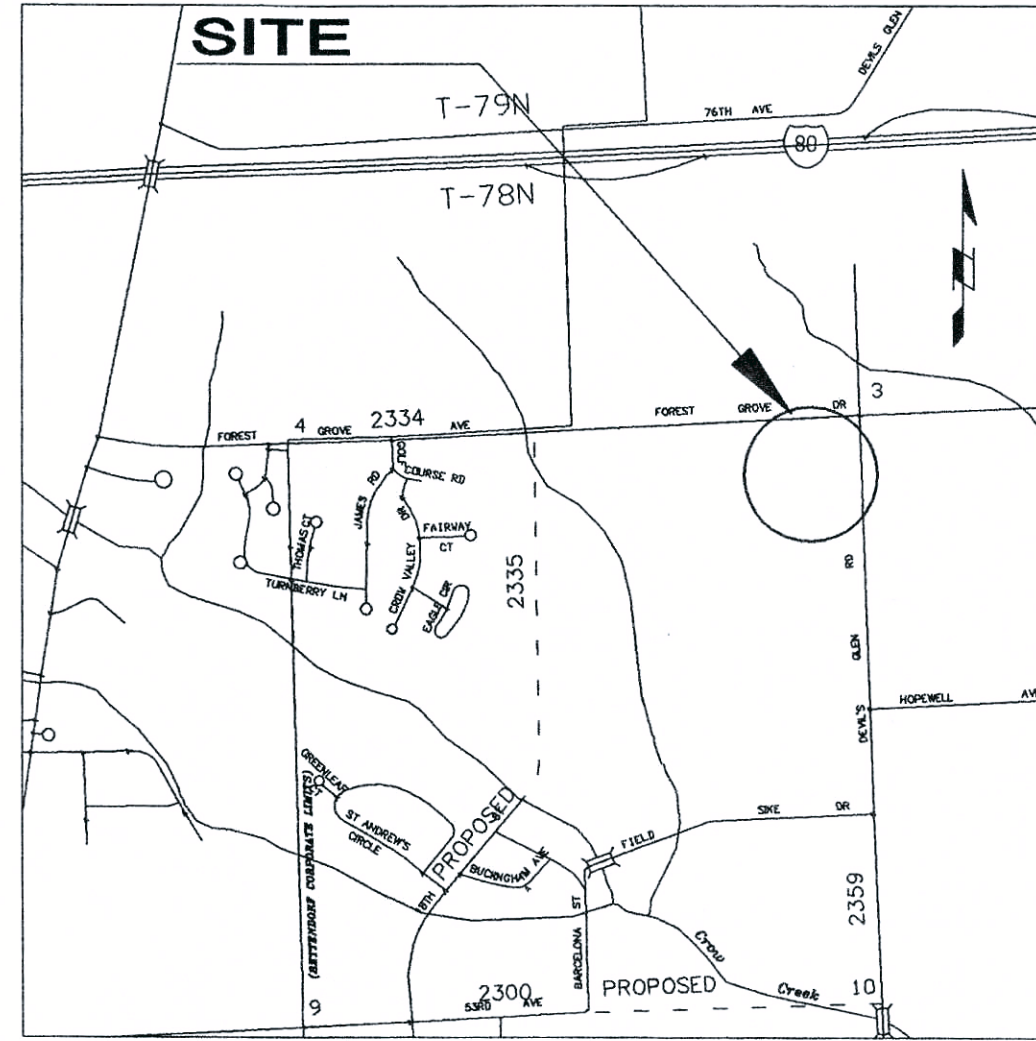
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User: JTS | Project: 399221-0 | Path: C:\Users\JTS\Documents\399221-0 | Title: 06/07/1999 | Time: 08:42 |



- LEGEND**
- UTILITY POLE
 - FIRE HYDRANT
 - WATER VALVE
 - FLOW DIRECTION
 - ELECTRIC LINE
 - WATER LINE
 - EASEMENT/SETBACK LINE

- NOTES:**
- THIS SITE IS CURRENTLY ZONED C-1. FRONT YARD SETBACK IS 30'. REAR AND SIDE YARD SETBACKS ARE NOT REQUIRED. BUILDING HEIGHT WILL BE LESS THAN 10 STORIES.
 - THE BALL DIAMONDS AND PROPOSED CONCESSION STAND ARE TEMPORARY DEVELOPMENTS UNTIL THE SITE BECOMES VIABLE AS A COMMERCIAL DEVELOPMENT IN ACCORDANCE WITH THE CITY'S LONG TERM LAND USE PLAN.
 - NO LIGHTING IS CURRENTLY PROPOSED FOR THE SITE.
 - THE PROPOSED CONCESSION STAND TO BE APPROXIMATELY 720 SQUARE FEET WITH A 100 SQUARE FOOT PATIO.
 - THE PROPOSED CHIP AND SEAL PARKING LOT WILL PROVIDE APPROXIMATELY 53 PARKING SPACES (9'x18' TYP).
 - THE PROPOSED SITE LOCATED ON A PORTION OF LOT 183 AS SHOWN ON THE PRELIMINARY PLAT OF CROW VALLEY EAST ST. ANDREWS ADDITION AND NOEL'S FARM ADDITION TO THE CITY OF BETTENDORF, IOWA.
 - THE AREA SURROUNDING THE CONCESSION STAND WILL BE LANDSCAPED WITH FLOWERS AND SMALL PLANTINGS. THE BALL DIAMONDS AND SURROUNDING AREAS TO BE SOODED. THE REMAINDER OF THE SITE WILL CONTINUE TO BE CORNFIELDS.
 - NO STORM SEWER IS CURRENTLY PROPOSED FOR THE SITE. RUNOFF WILL CONTINUE TO BE SURFACE DRAINED TO THE SOUTH SWALE AND THE NORTH DITCH ALONG FORREST GROVE DR.
 - THIS SITE CONTAINS APPROXIMATELY 6.87 ACRES.

APPROVED BY CITY OF BETTENDORF, IA
Hecker T. Roub MAYOR
DATE: 7-6-99 CLERK
APPROVED AS SPECIFIED IN
RESOLUTION # 249-99



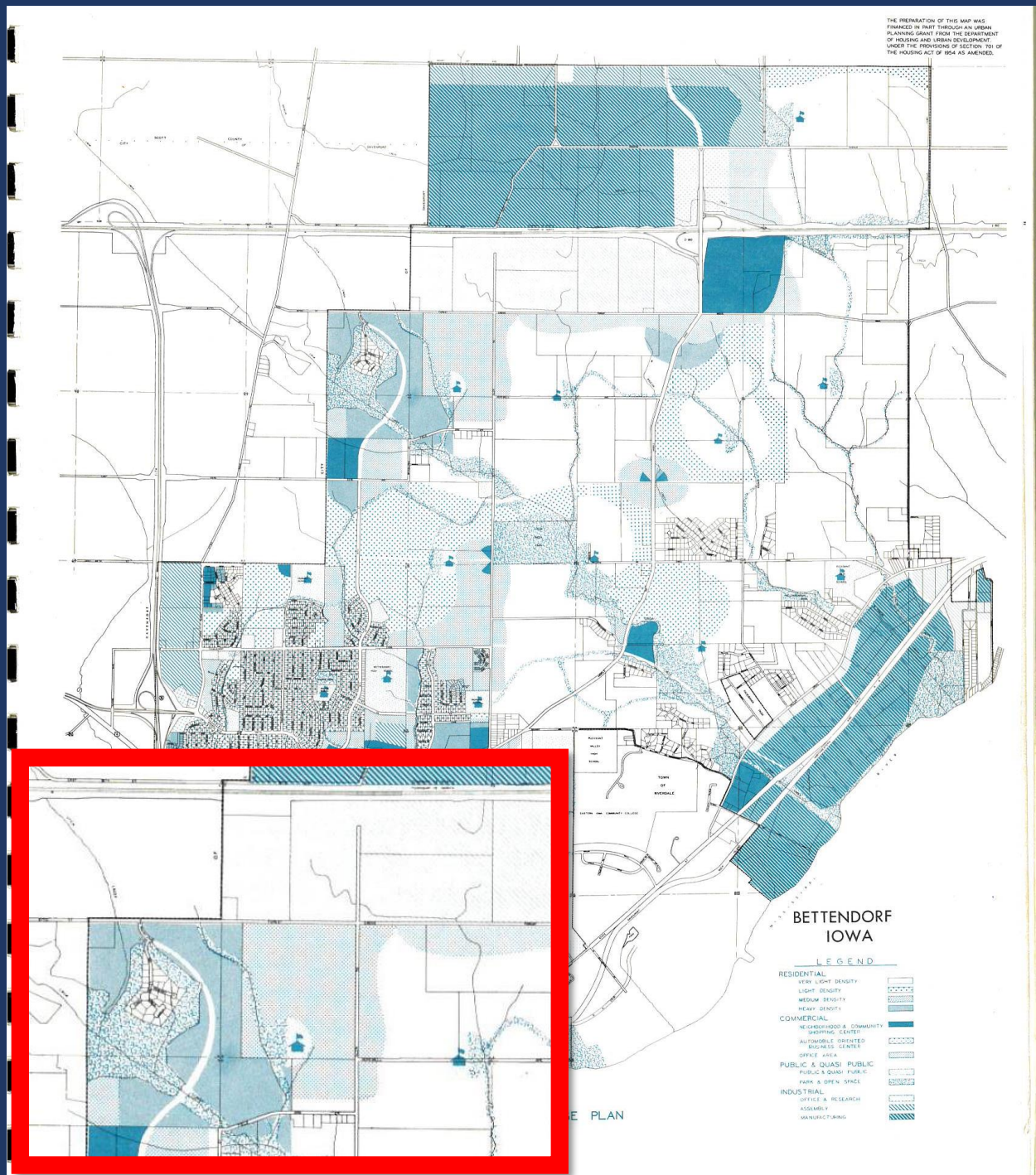
SHIVE HATTERY
Cedar Rapids, IA • Iowa City, IA • Des Moines, IA
Moline, IL • Bloomington, IL • Chicago, IL
SHIVE-HATTERY, INC. 1830 SIXTH AVENUE MOLINE, ILLINOIS 61265
PHONE (309) 764-7650 FAX (309) 764-8616

**BALL PARK AT NOEL FARMS
BARNSTORMER BASEBALL CLUB
(TEMPORARY)
BETTENDORF, IOWA**

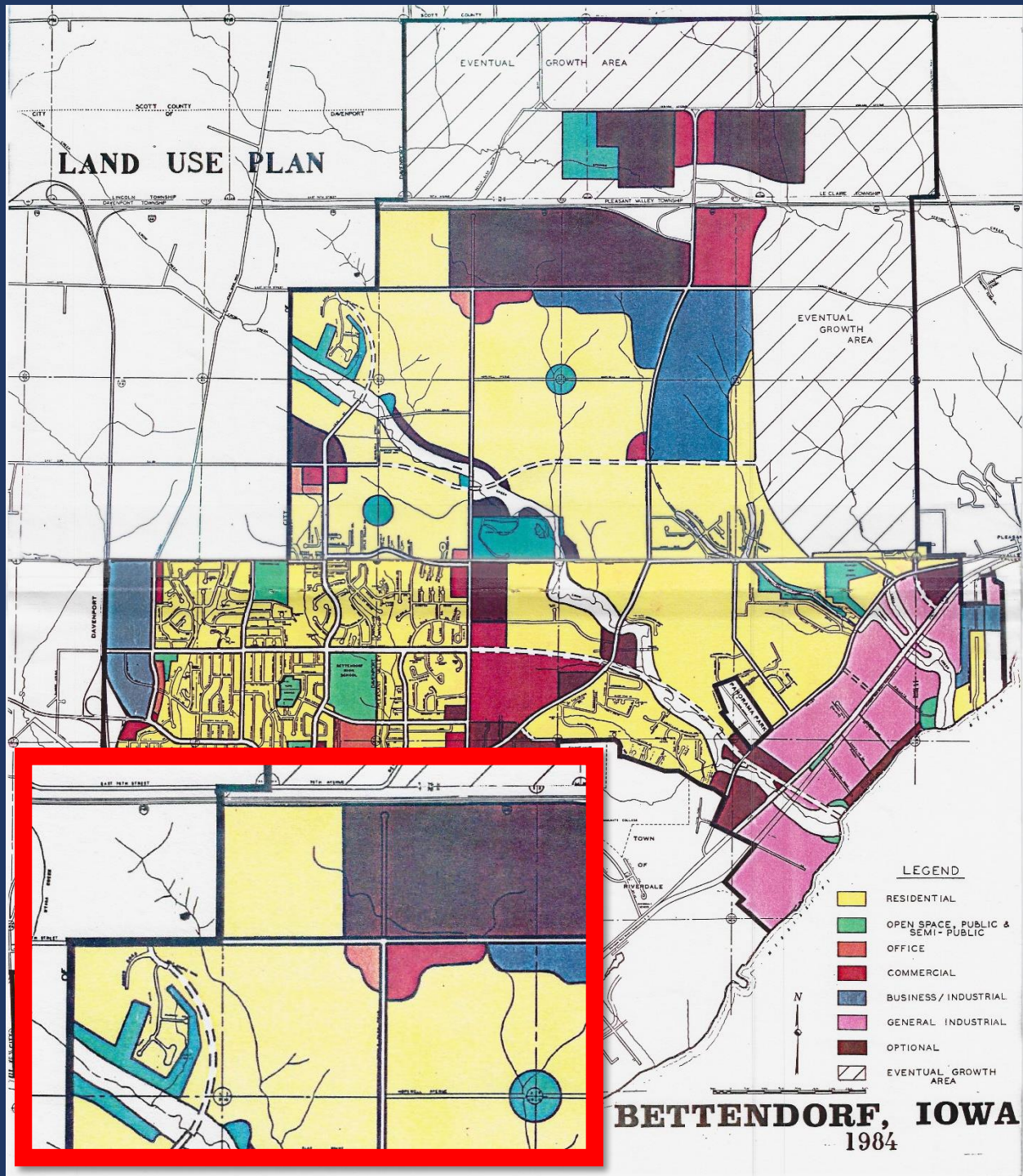
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APPROVED	DATE

SHEET NAME
**SITE
PLAN**
PROJECT NO. 399221-0
SHEET NO.
C1.1

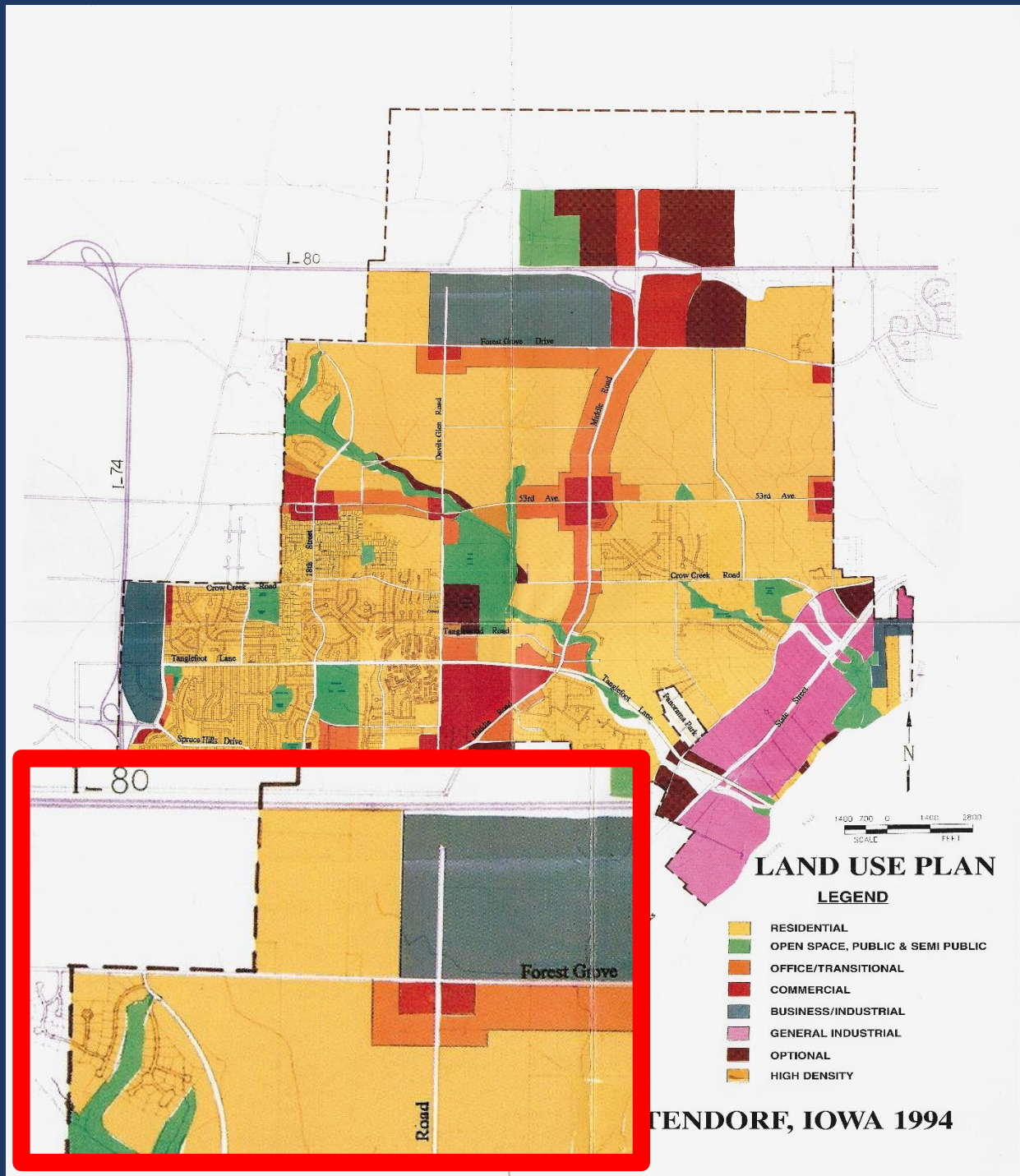
Future Land Use Map - 1973



Future Land Use Map - 1984

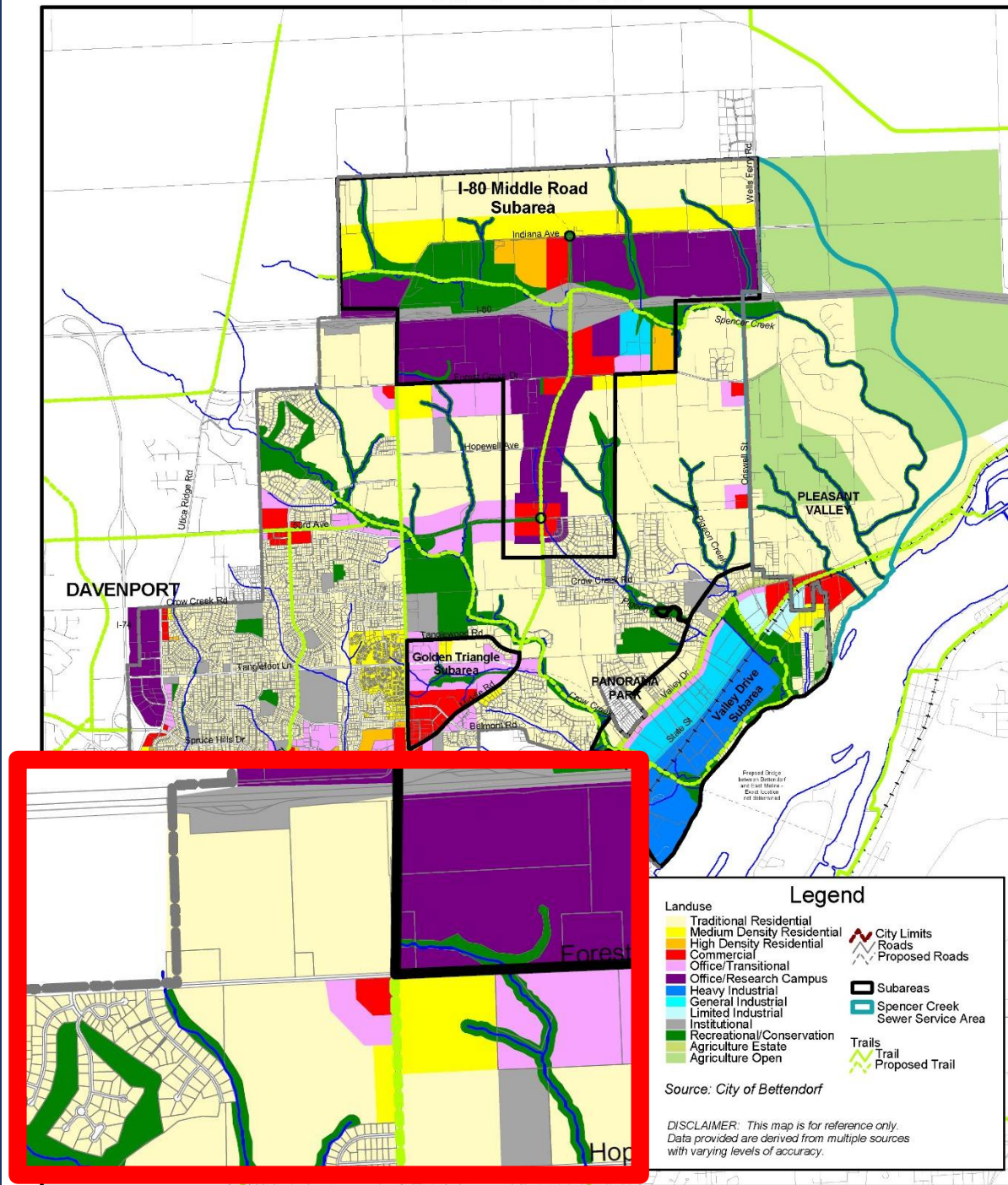


Future Land Use Map - 1994



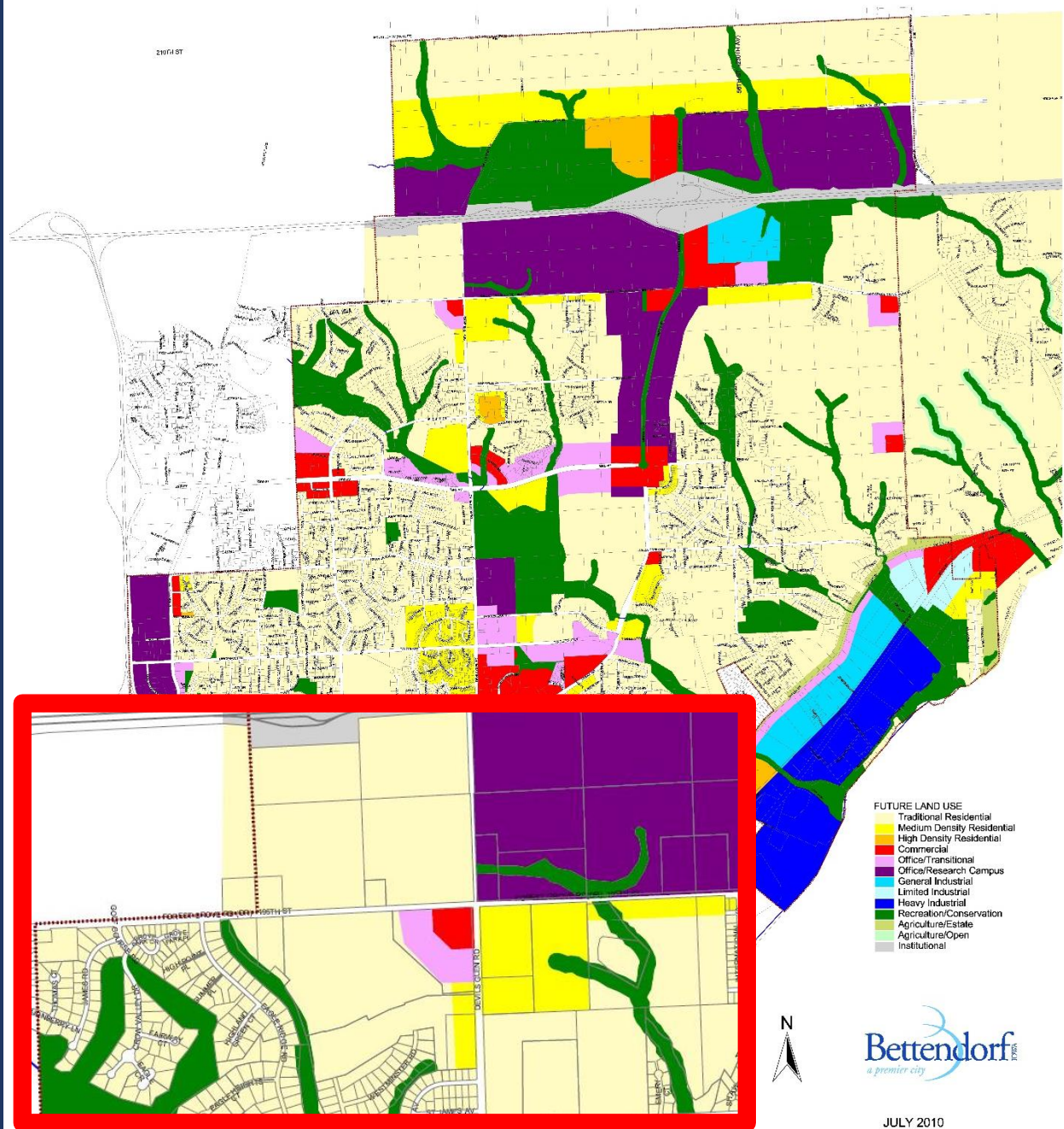
Future Land Use Map - 2002

MAP 22
Bettendorf, Iowa
Future Land Use



Future Land Use Map - 2010

CITY OF BETTENDORF FUTURE LAND USE



STAFF REPORT

Subject: FGD DGR Rezoning
Author: Taylor Beswick
Department: Community Development
Date: April 5, 2023



Case No.:	23-014; 23-017; 23-022; 23-023; 23-024
Request:	Rezone property located southwest of Forest Grove Drive and Devils Glen Road from C-1 to C-2 with commercial use restrictions (23-014), C-1 to R-1 (23-017), C-1 to C-2 restricted to townhome use only (23-022), C-1 to R-3 (23-023), and R-1 to C-1 (23-024).
Location:	Southwest corner of Devils Glen Road and Forest Grove Drive
Legal Description:	NE½SW¼ of Section 3, Township 78 N (Parcel #: 8403350031)
Applicant:	E & A Enterprises, LLC
Owner:	MCB Development Corporation
Future Land Use:	Parks & Open Space (*Pending Urban Low Intensity (ULI) and Urban Medium Intensity (UMI))
Current Zoning:	C-1, Neighborhood Commercial and R-1, Single-Family Residence

Background Information & Facts

E & A Enterprises, LLC is requesting multiple rezonings for property located southwest of the intersection of Forest Grove Drive and Devils Glen Road ([see Aerial Map – Attachment A](#)). The area is currently zoned C-1, Neighborhood Commercial, and the applicant is proposing to rezone the property a combination of R-1 Single Family, R-3 Mixed Residential, C-1 Neighborhood Commercial, C-2 Community Commercial with commercial use restrictions, C-2 Community Commercial with a townhouse use only restriction ([see Current Zoning and Proposed Zoning – Attachment B](#)). Some portions of the property will retain the existing C-1 zoning. Prior to 2017, the property was zoned part C-5 Office/Transitional and part C-1. The C-5 zoning district was eliminated and folded into the C-1 District in 2017. The property was zoned C-5 and C-1 in 1996 ([see Ordinance 29-96 and Ordinance 30-96 – Attachment C](#)).

The rezoning concept proposes uses that include retail commercial, restaurant commercial, single-family attached townhomes, and detached single-family residential ([see Rezoning Concept Overhead Aerial – Attachment D](#)). The portion of C-2 Commercial is proposed to have use restrictions which are similar to use restrictions which exist in Bettendorf's Downtown Overlay District ([see C-2 Commercial Use Restriction List – Attachment E](#)). In addition, the residential portion of the proposed C-2 district shown includes an agreement which restricts all uses except residential townhomes ([see C-2 Residential Restriction – Attachment F](#)).

The site is currently in agricultural production, but from 1999 until recent years was the location of the Ball Park at Noel Farms, home of the Barnstormer Baseball Club. A site development plan was reviewed and approved by the City in 1999, and on this plan the baseball use is cited as temporary. In addition, the

approved site plan contains the following note: “2. *The ball diamonds and proposed concession stand are temporary developments until the site becomes viable as a commercial development in accordance with the City’s long term land use plan.*”

Since the area in question was annexed into the City of Bettendorf in 1971, the corner of Forest Grove Drive and Devils Glen Road has consistently been designated as medium density residential to mixed use commercial/residential future land uses. This can be seen on multiple iterations of the City’s Comprehensive Plan and Future Land Use Map (see Historical Future Land Use Maps: 1973, 1984, 1994, 2002, 2010 – Attachment G). Upon adoption of the most recently updated Comprehensive Plan and Future Land Use Map in 2017 the area was changed to Parks & Open Space. Staff cannot find any minutes or citations in the record which explains the reasoning for the Future Land Use designation change from Office/Transitional and Commercial to Parks & Open Space. Case No. 23-013 and 23-021 proposes amendments to the Future Land Use Map to Urban Low Intensity (ULI) and Urban Medium Intensity (UMI) (see Current and Proposed Future Land Use – Attachment H).

Comprehensive Plan Analysis

The configuration of the rezoning requests are anticipated and allowed districts in the Future Land Use Map per Development Character Area (DCA) and Applicable Zoning Districts Table located in the preamble of Title 11, Zoning Regulations.

The proposal is also consistent with multiple goals across a variety of categories identified in the Comprehensive Plan including:

Growth: Land Use & Transportation

Goal A: Develop New Land and Streets

- Development of in-fill properties to encourage City growth while also providing multi-modal street connections.

Housing

Goal D: Provide Housing Options and Reinvest in Existing Neighborhoods

- Construction of housing option types which are underserved in the community.

Quality of Life

Goal E: Enhance Community Design and Character

- Improving the area’s neighborhood character while also enhancing connections between the City’s built environment and its natural spaces.

Zoning Compliance Analysis

The rezoning proposal includes a mixture of C-1, C-2, R-1, and R-3 zoning districts (see Townsend Engineering Rezoning Concepts – Attachment I).

Residential Use Components

The proposed residential components of the development include single-family detached homes located in the R-1 district, which will be combined with the unfinished portions of the ValleyWynds additions. The densities proposed for the R-1 meet the requirements of the zoning code. Pending approval of the Future

Land Use Map Amendments and Rezoning requests related to this site, the R-1 single-family areas will only require subdivision plat reviews and approval prior to construction.

The single-family attached townhomes are proposed to be located in both the R-3 and C-2 zoning districts. The R-3 area is proposed to be in a ULI Future Land Use designated area. The C-2 area is proposed to be in a UMI Future Land Use designated area. Both zoning districts are consistent with each respective future land use designation.

A total of 38 townhome lots are currently proposed in the development. The C-2 area for the townhomes includes a clause limiting the potential future uses to only residential townhomes. Townhomes are a permitted use in both the R-3 and C-2 Districts. One difference in bulk regulations for the two districts are the required front yard/rear yard setbacks. In the R-3 district, a 25-foot front yard and rear yard setback is required while in the C-2 district a 20-foot setback is required. One reason cited for utilizing the different zoning districts and setback for the townhomes is the existence of a 75-foot pipeline easement which runs north/south through the proposed development. Given the constraints of the easement and right-of-way areas, configuring lots is possible with a 20-foot setback. This is acceptable and meets the zoning requirements.

Of the 38 townhome lots proposed, 22 lots are shown in the C-2 district and 16 are shown in the R-3 district. The resulting density calculations for each area are 4 dwelling units per acre for the R-3 area and 7.75 dwelling units per acre for the C-2 area. Each density is above the minimum site area per housing unit required in the zoning code, and each density calculation is consistent with the Comprehensive Plan's residential guidelines for the ULI Future Land Use designation (2-7 dwelling units per acre) and the UMI Future Land Use designation (7-12 dwelling units per acre). All future developments in the townhome use areas of the proposal will require subdivision platting approval and subsequent site development plan approval prior to construction.

Commercial Use Components

The C-2 commercial zoning area proposes retail and restaurants which could be over 10,000 square feet in size that would not be permitted in the C-1 district. The applicant is proposing to restrict the potential uses in the C-2 commercial district which include banning gas stations, vape shops, and tattoo parlors among other uses cited in the attached restriction list. The proposed conceptual building layouts and proposed uses for the C-2 commercial area meet the zoning requirements specified. A buffer area of C-1 commercial area is located on the northwest corner of the property and is proposed to contain retail. All future developments in the commercial use areas of the proposal will require subdivision platting approval and subsequent site development plan approval prior to construction.

The layout and configuration of the proposed zoning districts and uses are a prototypical layout which is encouraged in the Comprehensive Plan. Such a layout includes a commercial center buffered by denser and/or lighter intensity commercial with light density residential along two major thoroughfare corridors.

Utility Connections and Easements

The proposed rezoning area has access to Iowa American Water, City sewer, and other required utilities. An existing 75-foot pipeline easement is shown and appropriately contemplated in the rezoning concepts. No

structures can be located on this pipeline easement. It will be the developer's responsibility to acquire any needed easement on adjacent private property for connecting to utilities and/or sewer.

Thoroughfare Plan and Pedestrian Access

The rezoning concept proposes a public interior road system which is accessible via two intersections, one on Forest Grove Drive and one on Devils Glen Road. The Devils Glen Road intersection will align with Lake View Court which provides access to the Copper Ridge Additions east of Devils Glen Road. No development currently exists north of the proposed Forest Grove Drive intersection, but alignment will be desired for future development in this area. A majority of the proposed townhome lots are to be accessed via a cul-de-sac street.

The proposal considers existing adjacent trail and sidewalk infrastructure and proposes connections while also adding additional interior pedestrian amenities to developments located in the proposal area.

Stormwater

The rezoning concept reserves an area for stormwater detention located on the southern boundary of the development. Stormwater detention requirements and calculations will require Engineering staff approval during platting and site development phases.

Design Characteristics Review

The proposed rezoning is not located in a Development Character Area zoning district or an overlay district which requires specific architectural design elements by the city. However, the applicant has submitted renderings of the proposed development which previews the intended look and feel of both the commercial use areas and the residential townhomes (see Design Renderings – Attachment J).

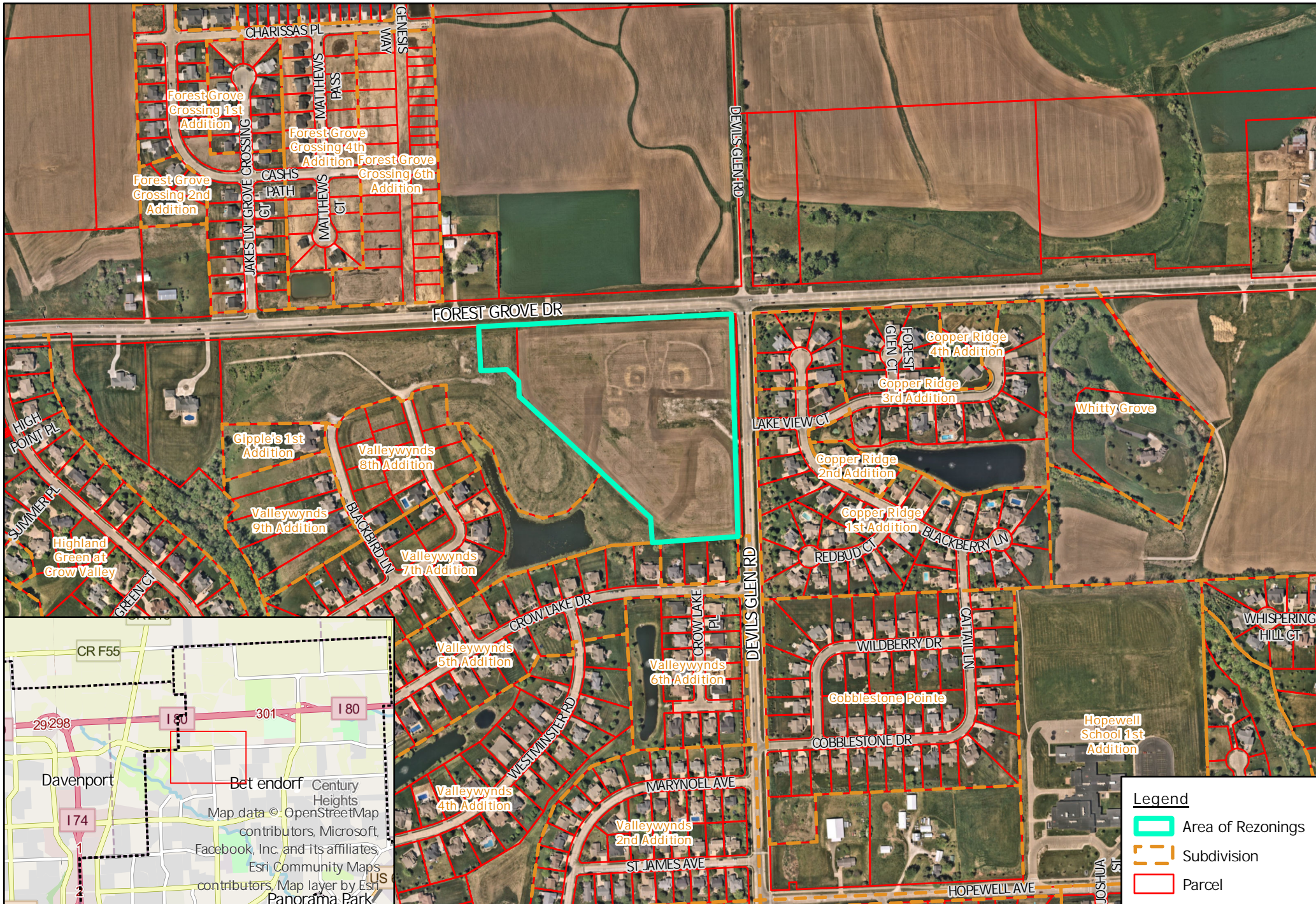
Staff Recommendation

Given the evidence and reasons stated in the staff analysis of the request, staff recommends the Planning and Zoning Commission recommend approval of the proposed rezoning requests:

- Case No. 23-014: C-1 Neighborhood Commercial District to C-2 Community Commercial District (commercial use) with the following condition:
 - o Acceptance of the proposed commercial use restriction list.
- Case No. 23-017: C-1 Neighborhood Commercial District to R-1 Single-Family Residence District
- Case No. 23-022: C-1 Neighborhood Commercial District to C-2 Community Commercial District (townhome use) with the following condition:
 - o Acceptance of the proposed residential use restrictions.
- Case No. 23-023: C-1 Neighborhood Commercial District to R-3 Mixed Residential District
- Case No. 23-024: R-1 Single-Family Residence to C-1 Neighborhood Commercial District

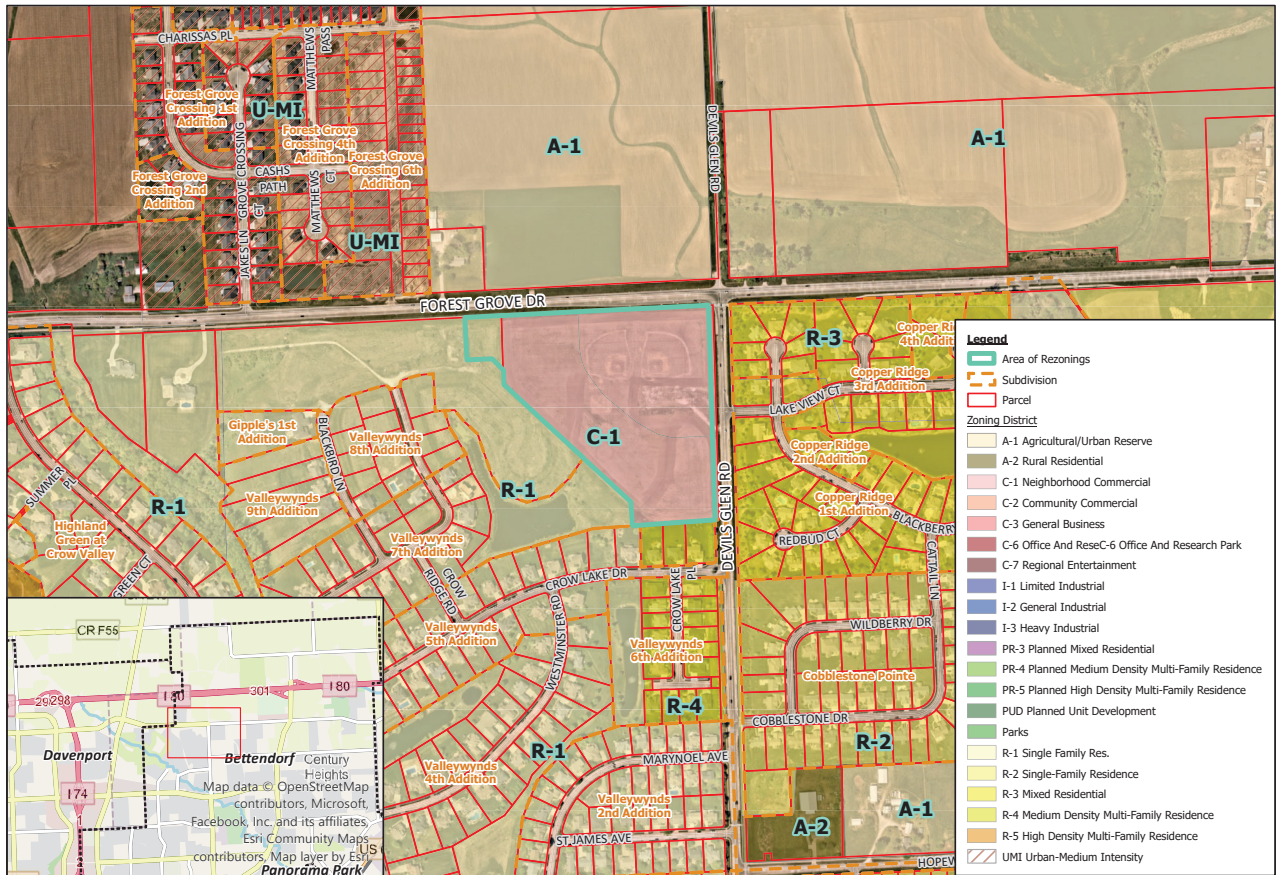
Respectfully submitted,

Taylor Beswick
City Planner



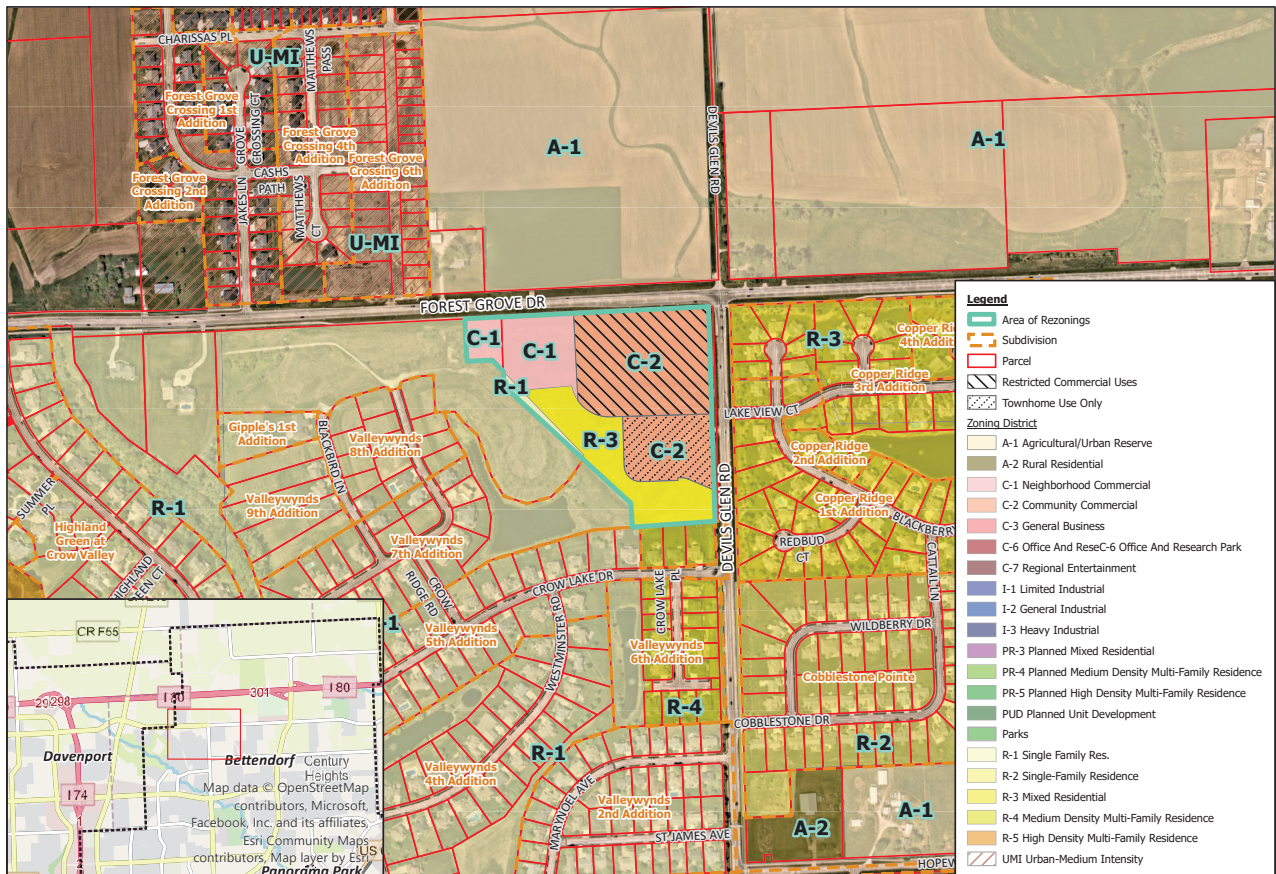
Case 23-014, 017, 022, 023, 024: SW of Devils Glen Rd. & Forest Grove Dr.
Rezoning
Current Zoning

1 Inch = 542 Feet
0 212.5 425 850 1,275



Case 23-014, 017, 022, 023, 024: SW of Devils Glen Rd. & Forest Grove Dr.
Rezoning
Proposed Zoning

1 Inch = 542 Feet
0 212.5 425 850 1,275



11906-96

MAY 13 AM 10:43

FEE 16.00 paid

RECORDED OF DEEDS
COUNTY OF IOWA

ORDINANCE NO. 30 -96

AN ORDINANCE AMENDING AN ORDINANCE
ENTITLED "ZONING ORDINANCE OF THE
CITY OF BETTENDORF" AND ALL
AMENDMENTS THERETO BY AMENDING THE
BETTENDORF, IOWA, ZONE MAP OF SAID
ORDINANCE, FOR PROPERTY LOCATED SOUTHWEST
OF INTERSECTION OF DEVILS GLEN ROAD AND FOREST GROVE DRIVE
SUBMITTED BY MCB DEVELOPMENT CORPORATION
FROM A-1 TO C-1

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF,
IOWA,

Section 1. That the Bettendorf, Iowa, Zone Map referred to in
Section 4 and being a part of the Zoning Ordinance of the City of
Bettendorf, Iowa, 1959, insofar as the said map pertains to the area
known and described as follows:

See Exhibit A

and which is now zoned A-1 Agricultural District, is hereby
repealed and said described land shall hereinafter be zoned C-1 Local
Shopping District, and the following Zone Map, which is attached hereto
and incorporated herewith and made a part thereof, as the same pertains
to said area, is enacted as a substitute and in lieu of said District
Map;

Section 2. Severability of Provisions. If any section,
subsection, sentence, clause, phrase or portion of this ordinance be held
invalid or unconstitutional by any court of competent jurisdiction, such
portion shall be deemed a separate, distinct and independent provision,
and such holding shall not affect the validity of the remaining portion
hereof.

Section 3. Full Force and Effect. This ordinance shall be in full
force and effect from the date of passage and publication as required by
law.

Section 4. Repealer. This ordinance shall be construed to repeal
any prior ordinance inconsistent herewith.

Section 5. Municipal Infraction. Any person, persons, firm,
partnerships, or corporations, whether acting alone or in concert with any
other, who violates this ordinance shall be guilty of a municipal
infraction, and shall be penalized as set forth in Section 1-9 of the
Municipal Code of the City of Bettendorf, Iowa.

PASSED, APPROVED AND ADOPTED this 7th day of May,

1996.

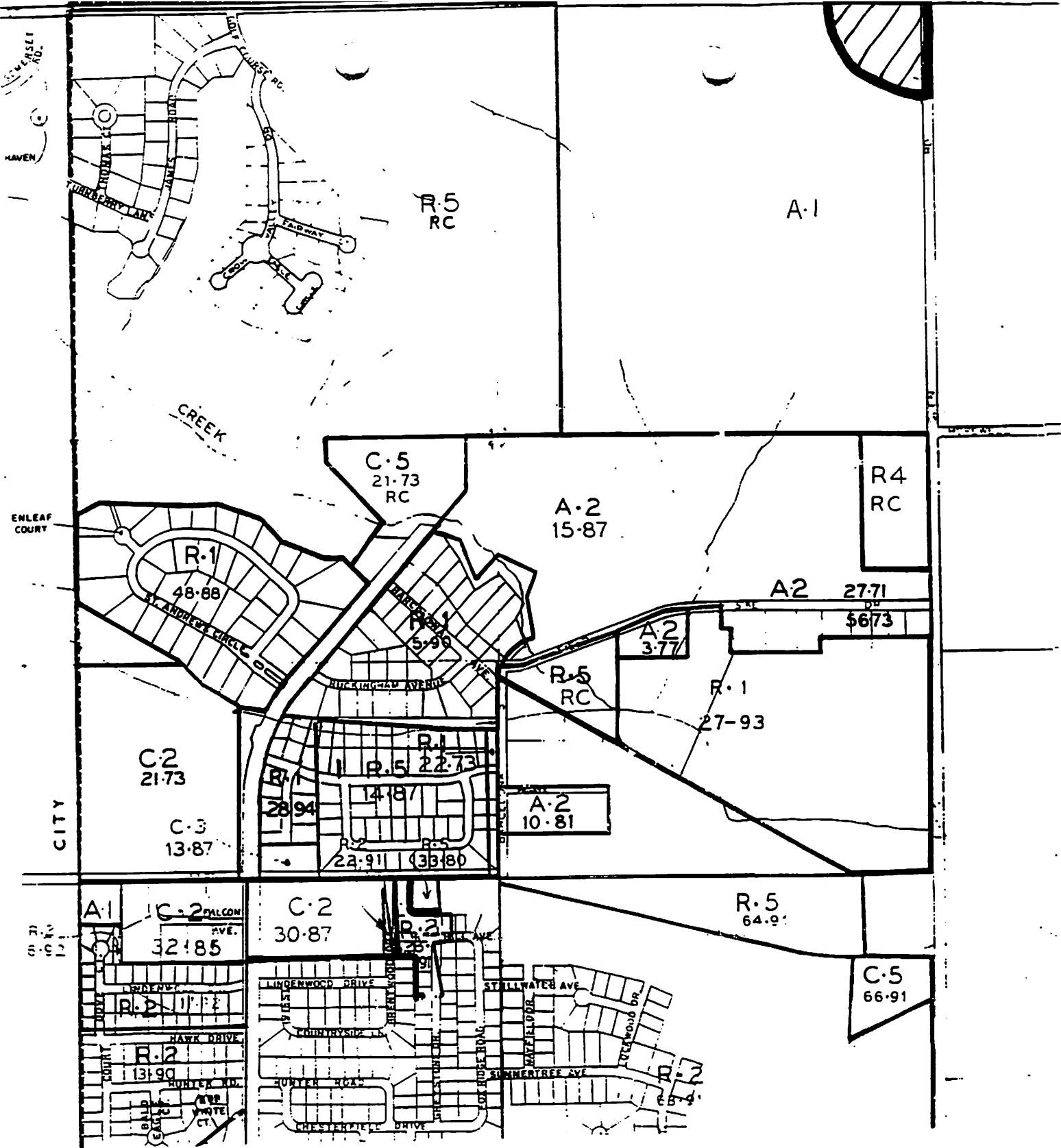


Mayor
Ann Hutchison

ATTEST:



City Clerk
Decker P. Ploehn



CITY OF BETTENDORF, IOWA

 = PARCEL TO BE REZONED

ZONING CHANGE: A-1 Agricultural to
C-1 Local Shopping

LOCATION: Southwest of intersection
of Devils Glen Road & Forest Grove Dr.

PETITIONER'S NAME: McB Development Corporation

11905-96

MAY 13 AM 10:43

FEE 16.00 paid

RECORDED OF DEEDS
CITY OF BETTENDORF, IOWA

ORDINANCE NO. 29 - 96

AN ORDINANCE AMENDING AN ORDINANCE
ENTITLED "ZONING ORDINANCE OF THE
CITY OF BETTENDORF" AND ALL
AMENDMENTS THERETO BY AMENDING THE
BETTENDORF, IOWA, ZONE MAP OF SAID
ORDINANCE, FOR PROPERTY LOCATED SOUTHWEST
OF INTERSECTION OF FOREST GROVE DRIVE AND DEVILS GLEN ROAD
SUBMITTED BY MCB DEVELOPMENT CORPORATION
FROM A-1 TO C-5

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF,
IOWA,

Section 1. That the Bettendorf, Iowa, Zone Map referred to in
Section 4 and being a part of the Zoning Ordinance of the City of
Bettendorf, Iowa, 1959, insofar as the said map pertains to the area
known and described as follows:

See Exhibit A

and which is now zoned A-1 Agricultural District, is hereby
repealed and said described land shall hereinafter be zoned C-5
Office/Transitional District, and the following Zone Map, which is
attached hereto and incorporated herewith and made a part thereof, as
the same pertains to said area, is enacted as a substitute and in lieu
of said District Map;

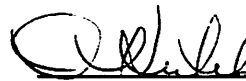
Section 2. Severability of Provisions. If any section,
subsection, sentence, clause, phrase or portion of this ordinance be
held invalid or unconstitutional by any court of competent
jurisdiction, such portion shall be deemed a separate, distinct and
independent provision, and such holding shall not affect the validity
of the remaining portion hereof.

Section 3. Full Force and Effect. This ordinance shall be in
full force and effect from the date of passage and publication as
required by law.

Section 4. Repealer. This ordinance shall be construed to
repeal any prior ordinance inconsistent herewith.

Section 5. Municipal Infraction. Any person, persons, firm,
partnerships, or corporations, whether acting alone or in concert with
any other, who violates this ordinance shall be guilty of a municipal
infraction, and shall be penalized as set forth in Section 1-9 of the
Municipal Code of the City of Bettendorf, Iowa.

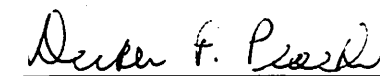
PASSED, APPROVED AND ADOPTED this 7th day of May,
1996.



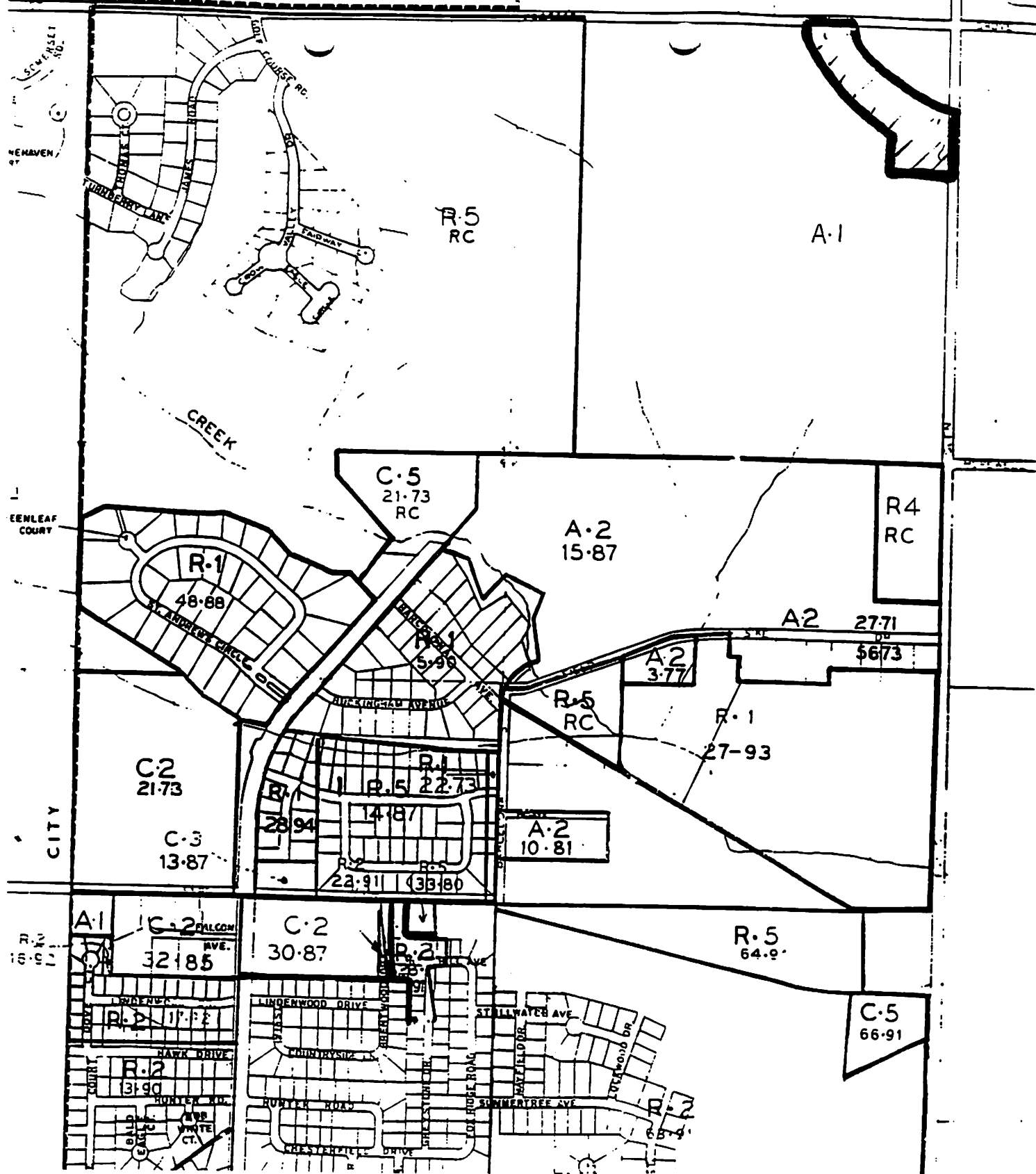
Mayor

Ann Hutchison

ATTEST:



City Clerk
Decker P. Ploehn



CITY OF BETTENDORF, IOWA



= PARCEL TO
BE REZONED

ZONING CHANGE: A-1 Agricultural

C-5 Office/Transitional

LOCATION: Southwest of intersection of PETITIONER'S

Forest Grove Drive & Devils Glen Road

NAME:

McB Development Corporation



Re: Conditions to proposed rezoning, Case 23-014

The undersigned, as owner of the ground subject to rezoning from C-1 to C-2 (Bettendorf case no. 23-014) and pursuant to Iowa Code 414.5, hereby agrees that as a condition of approval of the rezoning, the following restrictions on uses shall be placed upon the ground:

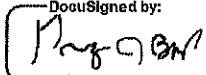
1. No convenience food sales with Gas Sales (limited or unlimited)
2. No general food sales with Gas pumps
3. No Auto services use which includes Gas sales as a portion of such business.
4. No other business use which is intended to sell gasoline on site.

In further consideration of approval of the rezoning, the owner agrees to the following additional restrictions upon the use of the ground:

1. Tobacco, vape shops, and/or CBD shops
2. Tattoo/piercing parlors
3. Storage units
4. Automotive sales
5. Automotive services and body repair
6. Pawn shops
7. Title loan or "quick cash" operations
8. Storage/staging yards or service vehicle parking of any type
9. Adult entertainment venues.
10. Permanent buildings in which fifty percent (50%) or more of the retailer's retail floor space is allocated to the sale or display of consumer fireworks, or in which fifty percent (50%) or more of annual retail sales are from the sale of consumer fireworks.

Dated this 23rd day of March, 2023.

DocuSigned by:



MCB Development Corporation

(Signature)

By: Greg Bush CEO, authorized to sign on behalf of owner and title)

(Identity of Owner if not single person owner)

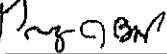
Re: Conditions to proposed rezoning, Case 23-022

The undersigned, as owner of the ground subject to rezoning from C-1 to C-2 (Bettendorf case no. 23-022) and pursuant to Iowa Code 414.5, hereby agrees that as a condition of approval of the rezoning, the following restrictions on uses shall be placed upon the ground:

1. That the only permitted use under such rezoning shall be for residential townhouses in a configuration substantially similar to that on the attached Exhibit labeled E & A Enterprises, LLC, dated Feb. 27, 2023, and attached hereto.

Dated this 23rd day of March, 2023.

DocuSigned by:



MCB Development Corporation

(Signature)

By: Greg Bush

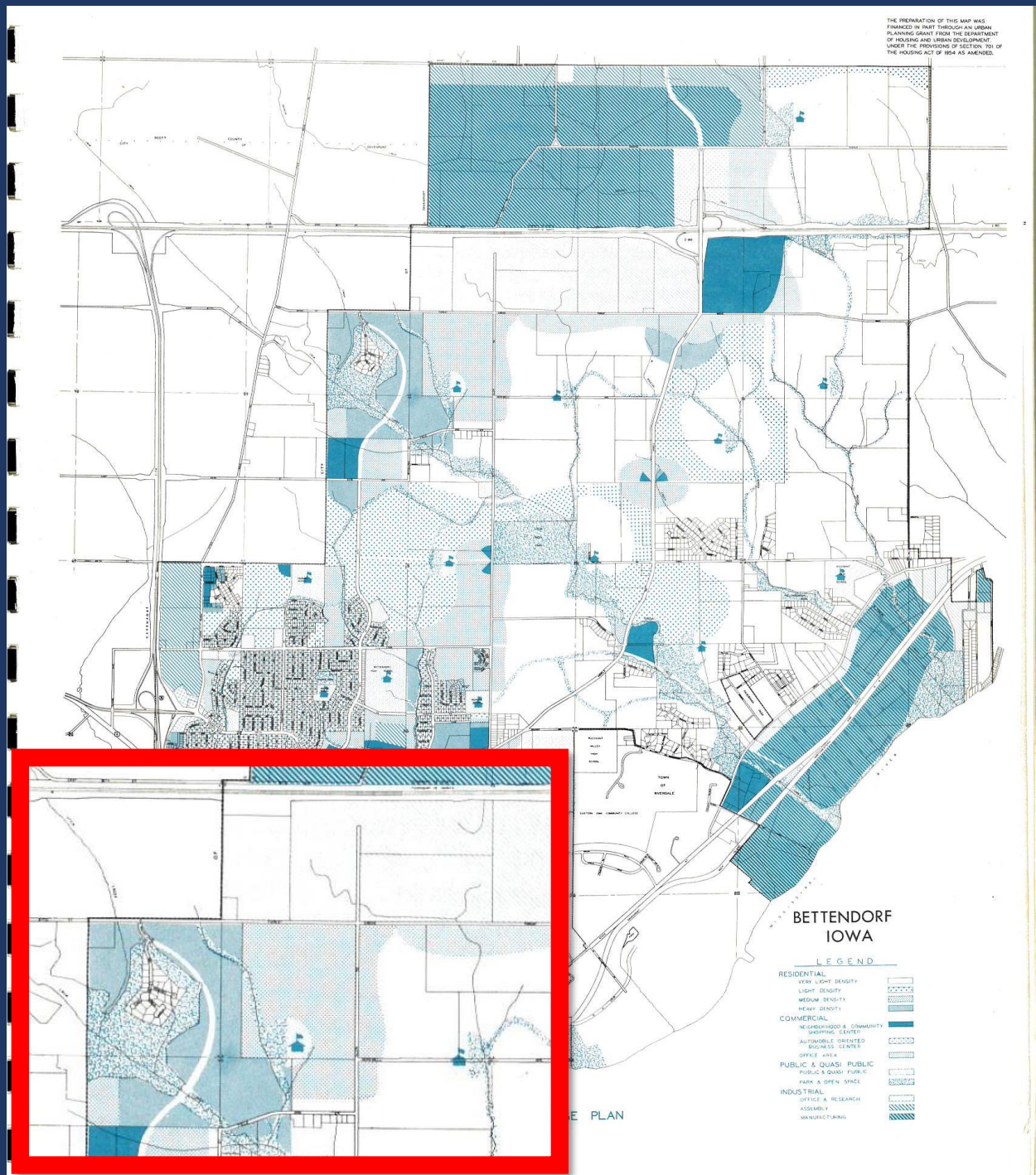
CEO

Person authorized to sign on

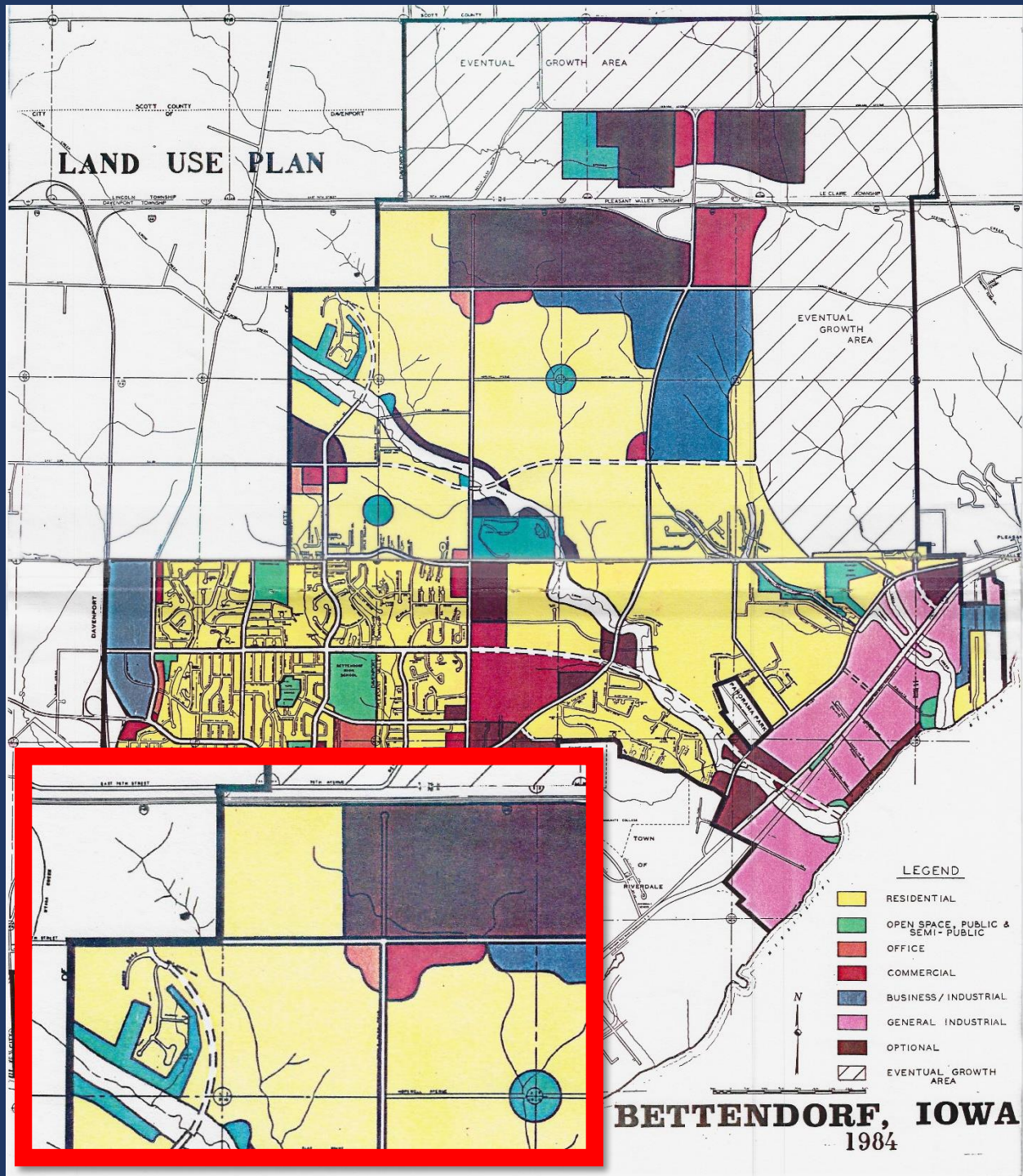
behalf of owner and title)

(Identity of Owner if not single person owner)

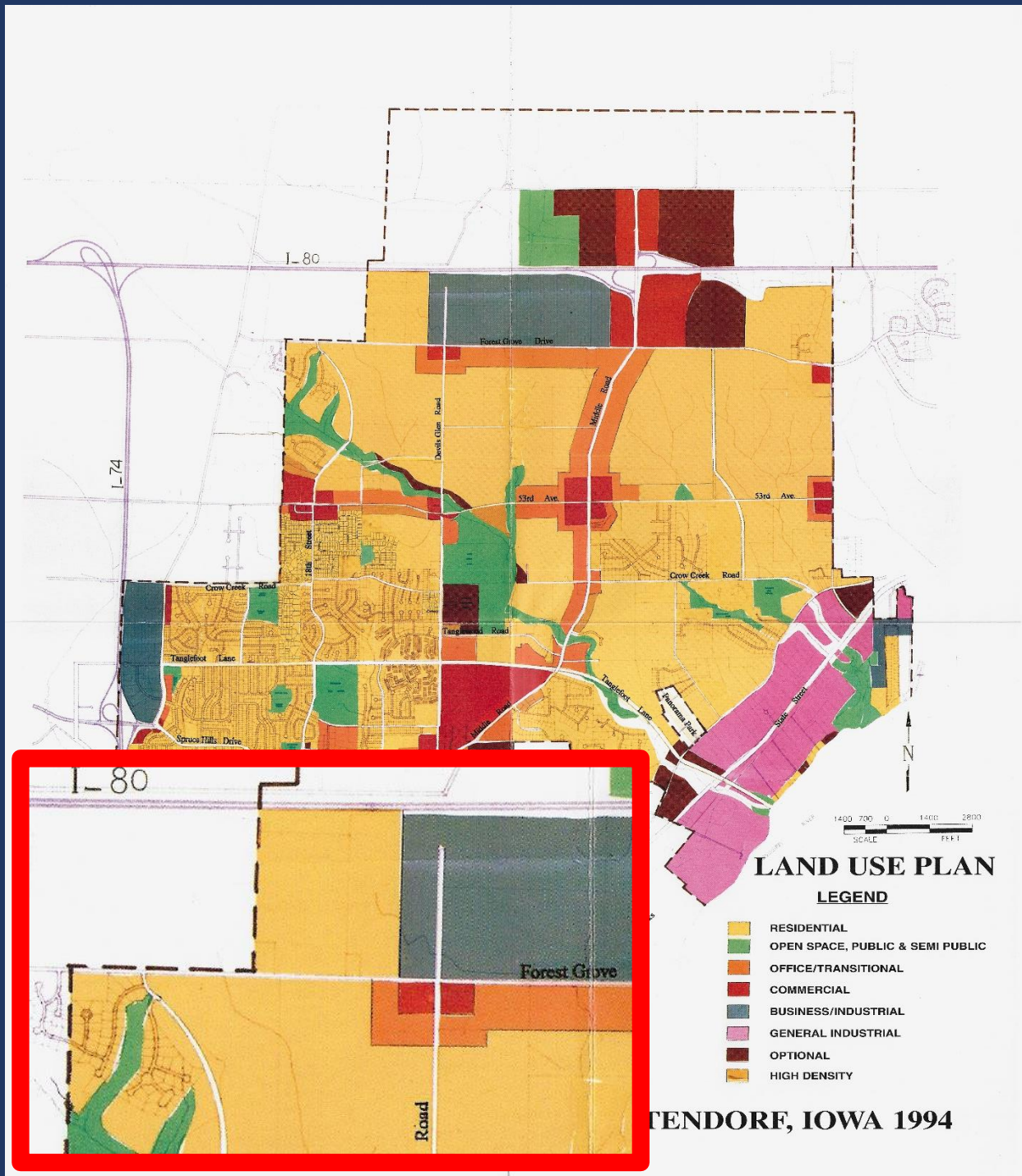
Future Land Use Map - 1973



Future Land Use Map - 1984

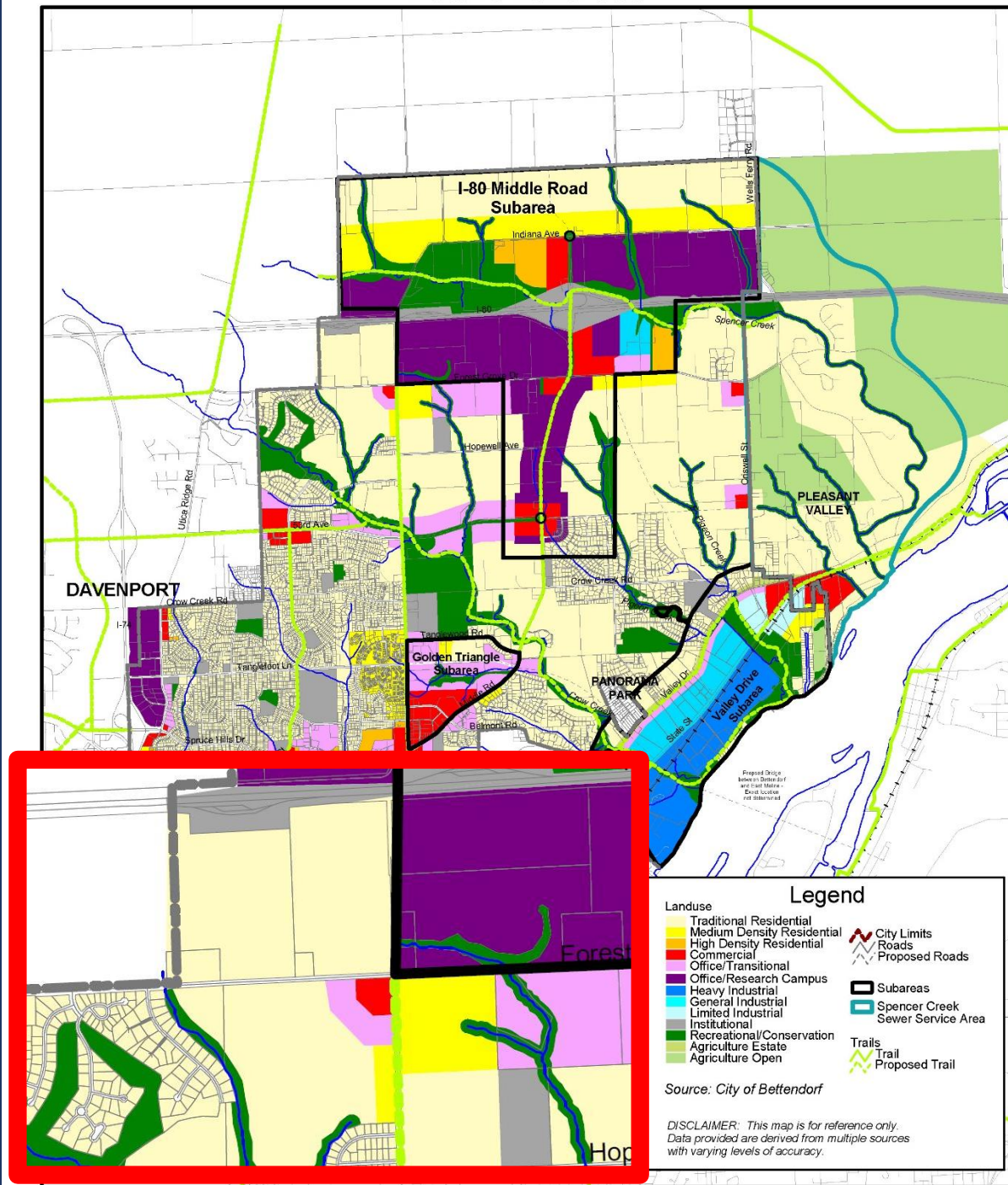


Future Land Use Map - 1994



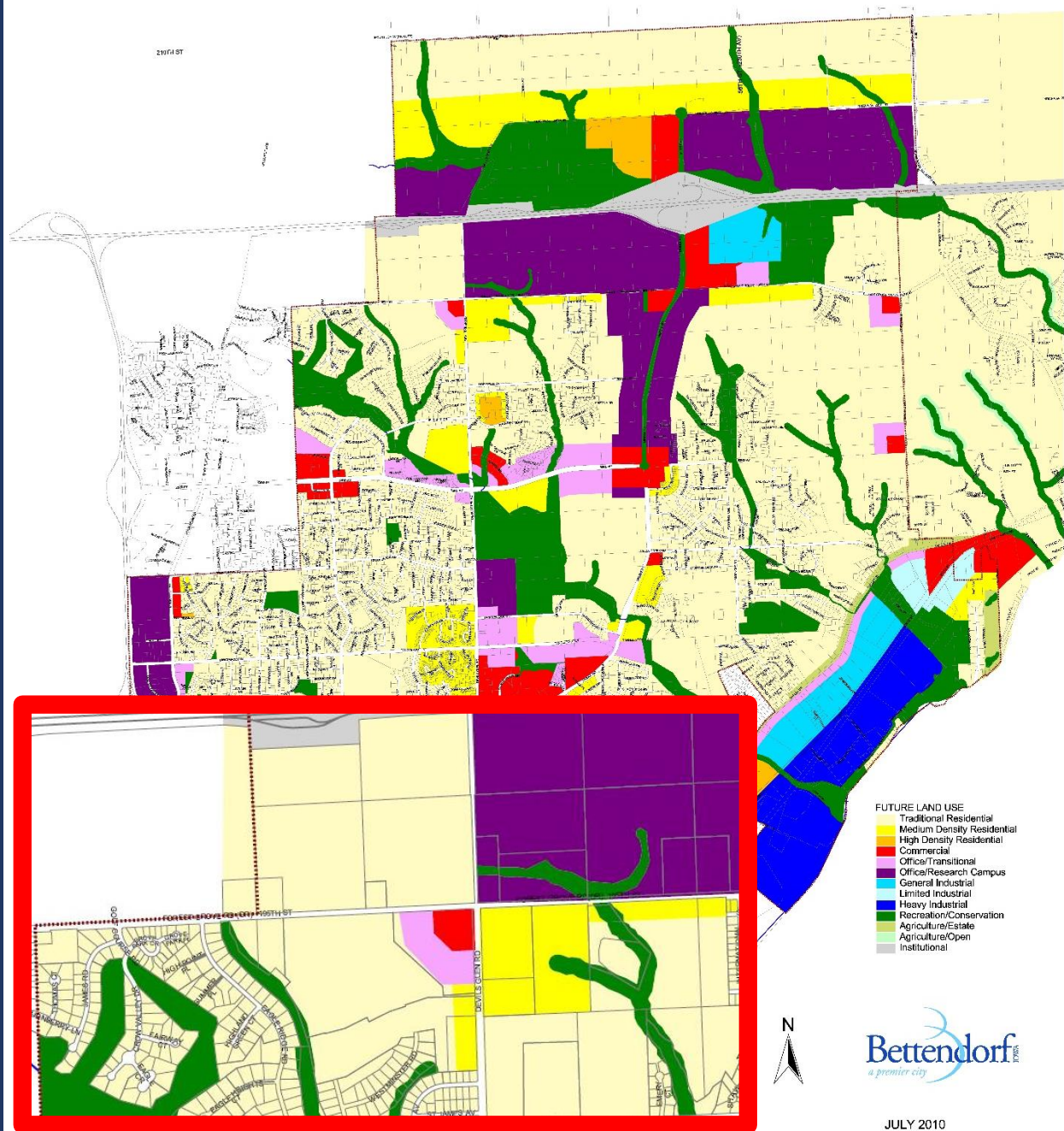
Future Land Use Map - 2002

MAP 22
Bettendorf, Iowa
Future Land Use



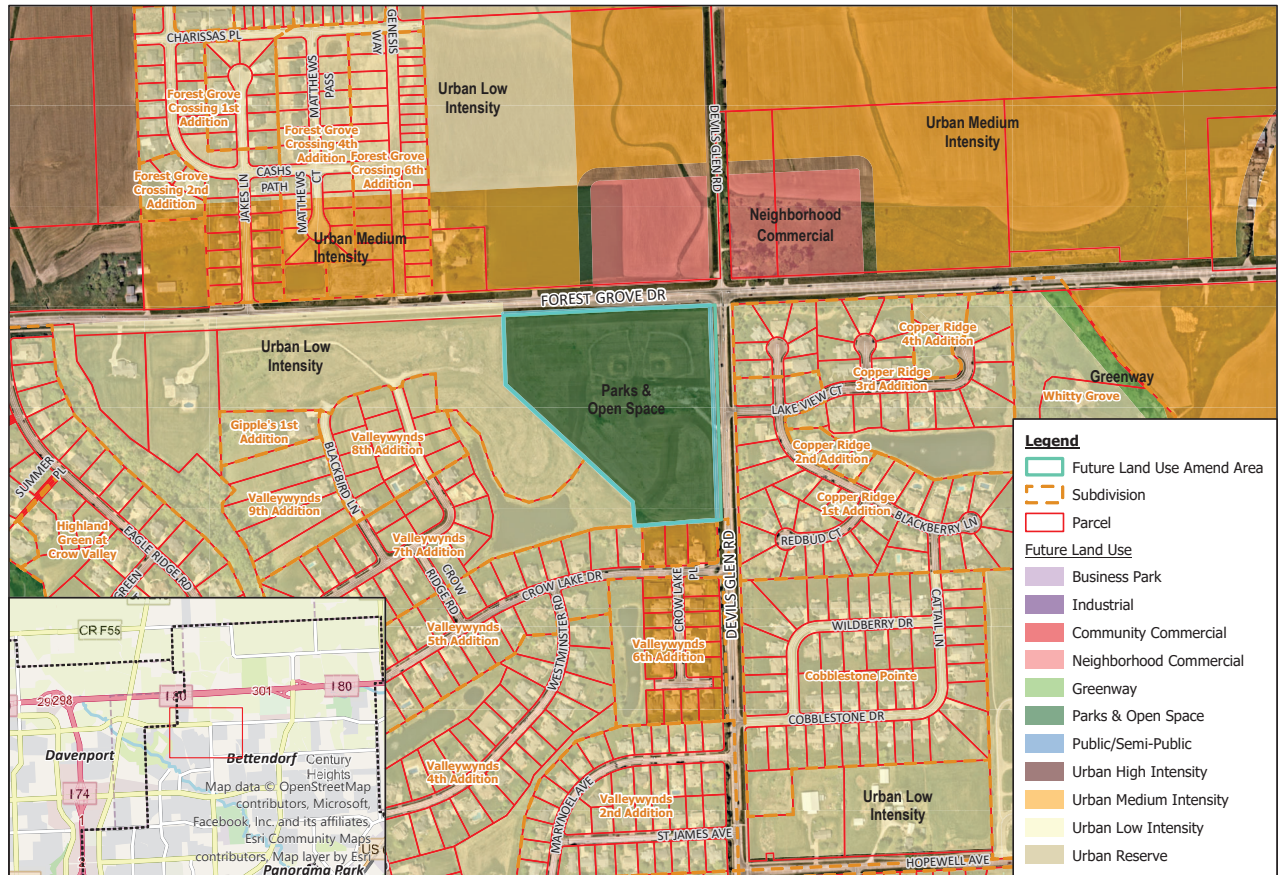
Future Land Use Map - 2010

CITY OF BETTENDORF FUTURE LAND USE



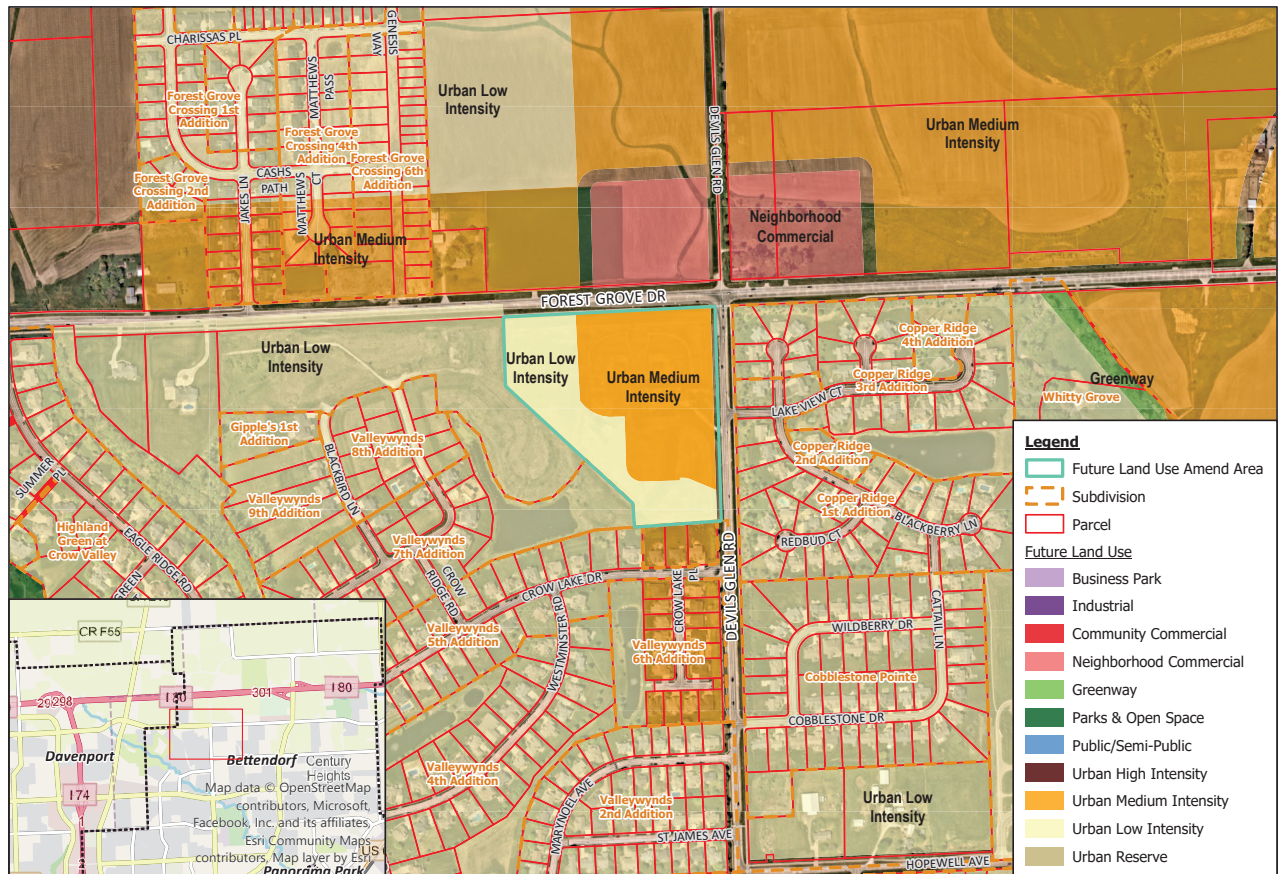
**Case 23-013, 021: SW of Devils Glen Rd. & Forest Grove Dr.
Future Land Use Amendments
Existing Future Land Uses**

1 Inch = 542 Feet
0 212.5 425 850 1,275 Feet



**Case 23-013, 021: SW of Devils Glen Rd. & Forest Grove Dr.
Future Land Use Amendments
Proposed Future Land Uses**

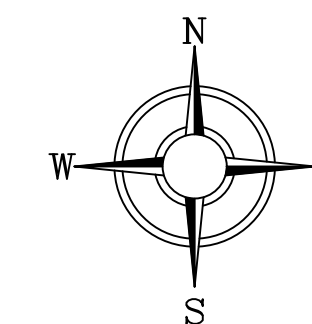
1 Inch = 542 Feet
0 212.5 425 850 1,275 Feet



E&A ENTERPRISES, LLC

FG-DEVILS GLEN

TO THE CITY OF BETTENDORF, IA



GRAPHIC SCALE

60 0 30 60

(IN FEET)

1" = 60' (24x36)

CASE 23-013
APPROXIMATELY 9.65 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BECOME FUTURE USE
-URBAN MEDIUM INTENSITY

CASE 23-021
APPROXIMATELY 6.88 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BECOME FUTURE USE
-URBAN LOW INTENSITY

38 LOTS
Townhomes

OUTLOT B
DETENTION

GREEN SPACE /
PARK

(75') PERMANENT UTILITY EASEMENT

(75') PERMANENT
75' UTILITY EASEMENT

ENTRANCE

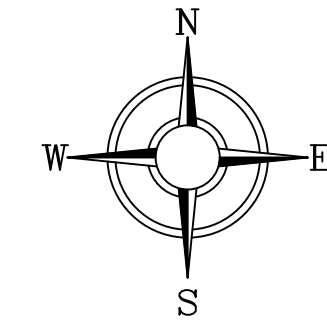
FOREST GROVE DRIVE

DEVILS GLEN ROAD

NO.	REVISIONS:	DATE
	DESCRIPTION	

Case 23-014

TO THE CITY OF BETTENDORF, IA



GRAPHIC SCALE

(IN FEET)
1" = 60' (24x36)

- a. No convenience food sales with Gas Sales (limited or unlimited)
- b. No general food sales with Gas pumps
- c. No Auto services use which includes Gas sales as a portion of such business.
- d. No other business use which is intended to sell gasoline on site.
- e. Tobacco, vape shops, and/or CBD shops
- f. Tattoo/piercing parlors
- g. Storage units
- h. Automotive sales
- i. Automotive services and body repair
- j. Pawn shops
- k. Title loan or "quick cash" operations
- l. Storage/staging yards or service vehicle parking of any type
- m. Adult entertainment venues.
- n. Permanent buildings in which fifty percent (50%) or more of the retailer's retail floor space is allocated to the sale or display of consumer fireworks, or in which fifty percent (50%) or more of annual retail sales are from the sale of consumer fireworks.

CASE 23-014
APPROXIMATELY 6.80 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED C-2 WITH RESTRICTIONS

DATE: 3/21/2023

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

DRAWN BY:
BJB

CHECKED BY:
CRT

DRAWING LOCATION

C:\Users\benjamin\AppData\Local\Temp\AcPublish_17396\

	REVISIONS:	
NO.	DESCRIPTION	DATE

PROJECT

T SITE PLAN
FG-DEVILS GLEN
FOREST GROVE DRIVE &
DEVILS GLEN ROAD

DEVELOPER

E&A ENTERPRISES, LLC
423 17TH ST., STE. 103
ROCK ISLAND, IL 61201-8742

SHEET NO.

E2

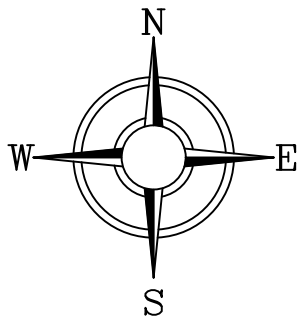
PROPOSED REZONING

Case 23-017

E&A ENTERPRISES, LLC

FG-DEVILS GLEN

TO THE CITY OF BETTENDORF, IA



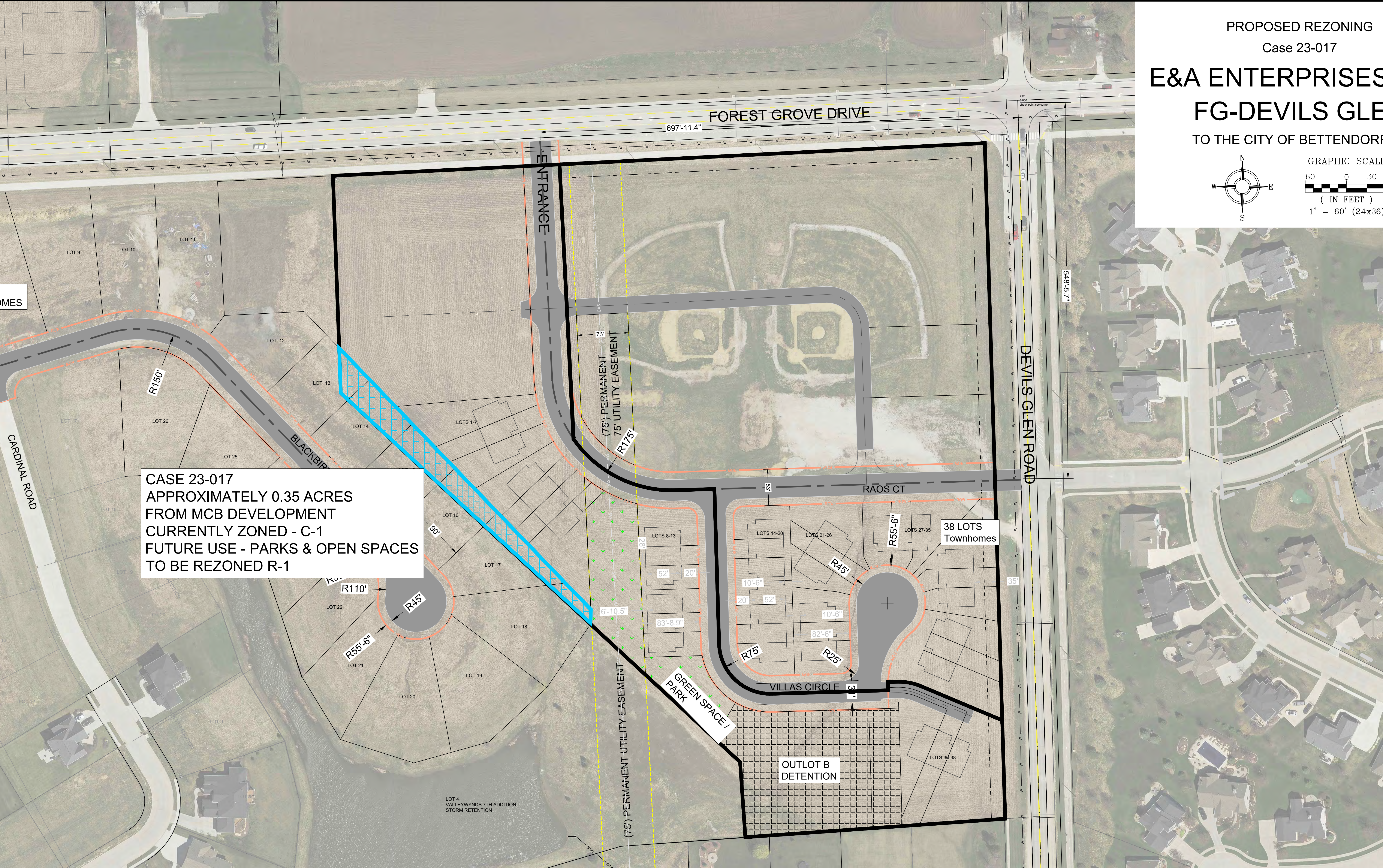
GRAPHIC SCALE

60 0 30 60

(IN FEET)

1" = 60' (24x36)

CASE 23-017
APPROXIMATELY 0.35 ACRES
FROM MCB DEVELOPMENT
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED R-1



NO.	REVISIONS:	DATE
	DESCRIPTION	

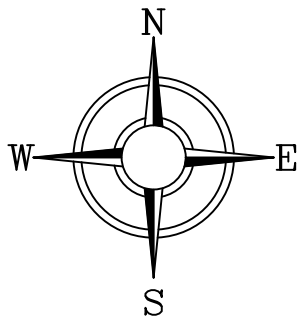
PROPOSED REZONING

Case 23-022

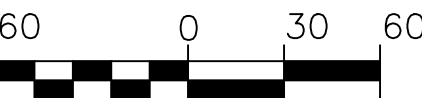
E&A ENTERPRISES, LLC

FG-DEVILS GLEN

TO THE CITY OF BETTENDORF, IA



GRAPHIC SCALE

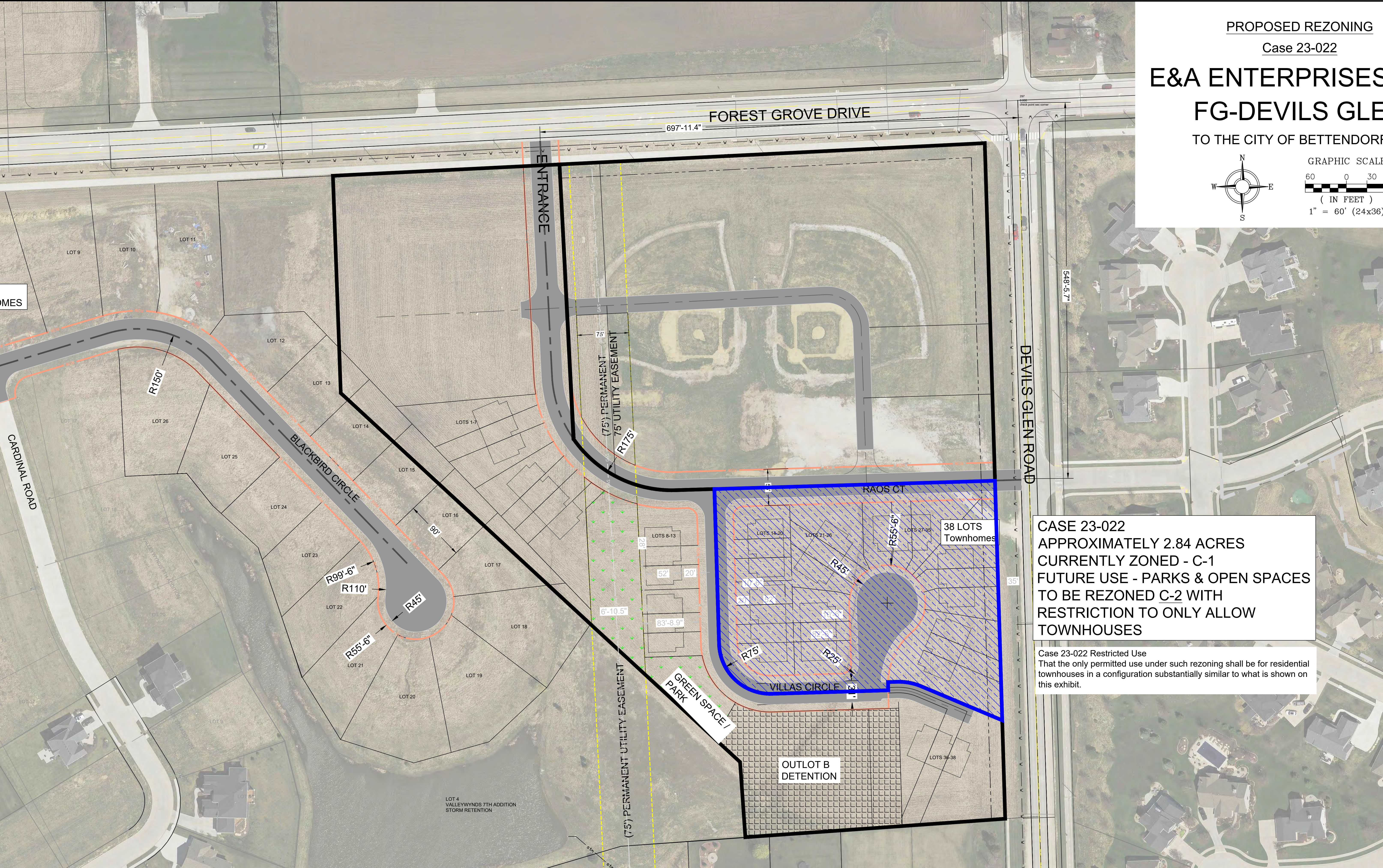


(IN FEET)

1" = 60' (24x36)

CASE 23-022
APPROXIMATELY 2.84 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED C-2 WITH
RESTRICTION TO ONLY ALLOW
TOWNHOUSES

Case 23-022 Restricted Use
That the only permitted use under such rezoning shall be for residential townhouses in a configuration substantially similar to what is shown on this exhibit.



REVISIONS:		
NO.	DESCRIPTION	DATE

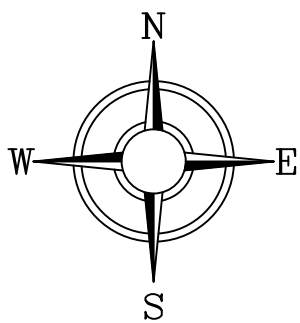
PROPOSED REZONING

Case 23-023

E&A ENTERPRISES, LLC

FG-DEVILS GLEN

TO THE CITY OF BETTENDORF, IA

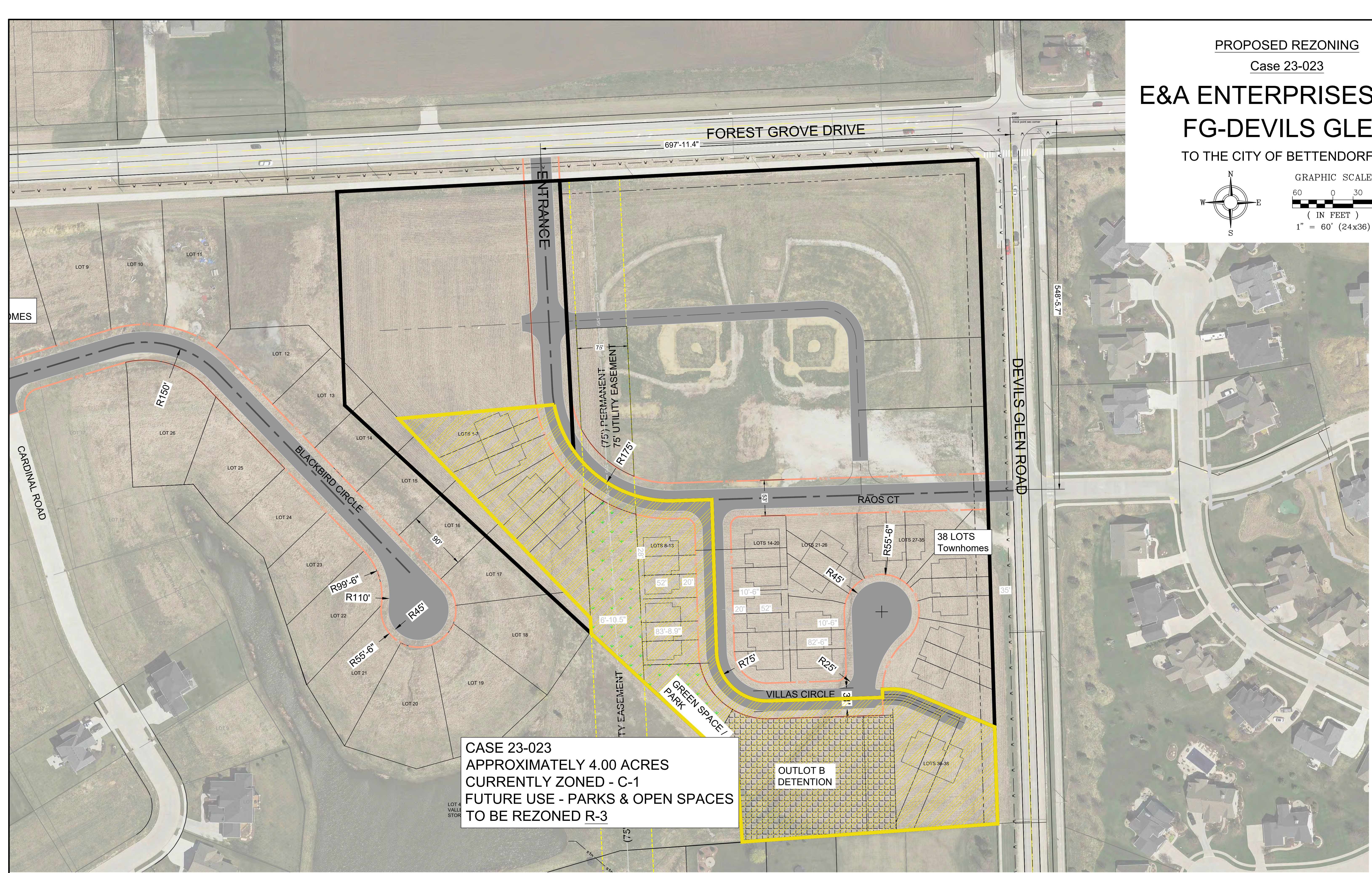


GRAPHIC SCALE

60 0 30 60

(IN FEET)

1" = 60' (24x36)



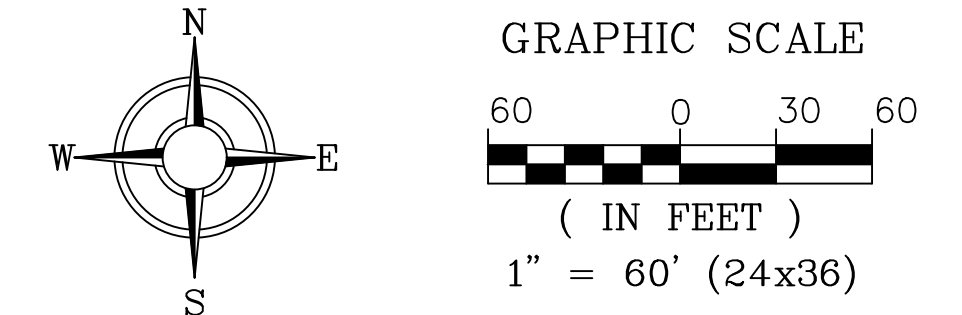
CASE 23-023
APPROXIMATELY 4.00 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED R-3

NO.	REVISIONS:	DATE
	DESCRIPTION	

PROJECT	SITE PLAN
	FG-DEVILS GLEN
	FOREST GROVE DRIVE &
	DEVILS GLEN ROAD

DEVELOPER	E&A ENTERPRISES, LLC 423 17TH ST., STE. 103 ROCK ISLAND, IL 61201-8742
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PROPOSED REZONING
Case 23-014, 017, 022, 023, & 024
E&A ENTERPRISES, LLC
FG-DEVILS GLEN
TO THE CITY OF BETTENDORF, IA



- Case 23-014 Prohibited Uses:
- a. No convenience food sales with Gas Sales (limited or unlimited)
 - b. No general food sales with Gas pumps
 - c. No Auto services use which includes Gas sales as a portion of such business.
 - d. No other business use which is intended to sell gasoline on site.
 - e. Tobacco, vape shops, and/or CBD shops
 - f. Tattoo/piercing parlors
 - g. Storage units
 - h. Automotive sales
 - i. Automotive services and body repair
 - j. Pawn shops
 - k. Title loan or "quick cash" operations
 - l. Storage/staging yards or service vehicle parking of any type
 - m. Adult entertainment venues.
 - n. Permanent buildings in which fifty percent (50%) or more of the retailer's retail floor space is allocated to the sale or display of consumer fireworks, or in which fifty percent (50%) or more of annual retail sales are from the sale of consumer fireworks.

CASE 23-024
APPROXIMATELY 0.78 ACRES
FROM HIGHLAND GREEN
CURRENTLY ZONED R-1
TO BECOME ZONED C-1

CASE 23-014
APPROXIMATELY 6.80 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED C-2 WITH RESTRICTIONS

CASE 23-017
APPROXIMATELY 0.35 ACRES
FROM MCB DEVELOPMENT
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED R-1

CASE 23-022
APPROXIMATELY 2.84 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED C-2 WITH
RESTRICTION TO ONLY ALLOW
TOWNHOUSES

Case 23-022 Restricted Use
That the only permitted use under such rezoning shall be for residential townhouses in a configuration substantially similar to what is shown on this exhibit.

CASE 23-023
APPROXIMATELY 4.00 ACRES
CURRENTLY ZONED - C-1
FUTURE USE - PARKS & OPEN SPACES
TO BE REZONED R-3

NO.	REVISIONS:	DATE
	DESCRIPTION	



COFFEE SHOP



CONVENIENT STORE



DRIVE THRU RESTAURANT



RETAIL



DEVILS GLEN STREET VIEW



AERIAL VIEW



TOWN HOMES VIEW