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**PLANNING AND ZONING COMMISSION  
CITY OF BETTENDORF  
OCTOBER 19, 2016 AT 5:30 PM  
CITY HALL COUNCIL CHAMBERS  
1609 STATE STREET**

1. Roll Call: Bennett \_\_\_\_, Bert \_\_\_\_, Kappeler \_\_\_\_, Peters \_\_\_\_, Rafferty \_\_\_\_, Stoltenberg \_\_\_\_, Wennlund \_\_\_\_
2. Approval of minutes of the meeting of September 21, 2016.
3. Review of Commission procedures.

**Final Plat**

4. Case 16-096; Bettendorf Industrial Park 2<sup>nd</sup> Addition, submitted by Kevin Koellner.

**Final Plat/Site Development Plan**

5. Case 16-072; The Fountains 6<sup>th</sup> Addition, submitted by Russell Construction. (Deferred to meeting of November 16, 2016)
6. Case 16-073; 3726 and 3728 Thunder Ridge Road, submitted by Russell Construction. (Deferred to meeting of November 16, 2016)

**Final Plat/Site Development Plan**

7. Case 16-082; Wyndham Town Center, submitted by AMF Real Estate, LLC.
8. Case 16-083; Southeast corner of Middle Road and Crow Creek Road, submitted by AMF Real Estate, LLC.

**Final Plat/Site Development Plan**

9. Case 16-097; Crowne Pointe Twelfth Addition, submitted by Clyde Mayfield and Julie Martens.
10. Case 16-098; North side of Middle Road between Towne Pointe Drive and Woodfield Drive, submitted by Clyde Mayfield and Julie Martens.

## **Final Plat/Site Development Plan**

11. Case 16-099; Interstate 74 Technology Park Fifth Addition, submitted by Tanglefoot Investors, LLC/Kevin Koellner.
12. Case 16-100; Lot 1 of proposed Interstate 74 Technology Park Fifth Addition, submitted by Build to Suit, Inc.

## **Other**

13. Case 16-101; Establishment of the Utica Ridge Overlay District (UROD).
14. 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 21, 2016  
5:30 P.M.**

The Planning and Zoning Commission meeting of September 21, 2016, was called to order by Wennlund at 5:30 p.m. in the City Hall Council Chambers, 1609 State Street.

1. Roll Call

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

MEMBERS ABSENT: Rafferty, Stoltenberg

STAFF PRESENT: Greg Beck, City Planner; Lisa Fuhrman, Secretary; Bill Connors, Community Development Director; Brian Fries, Assistant City Engineer; Jeff Reiter, Economic Development Director

2. Approval of the minutes of the meeting of August 17, 2016.

On motion by Kappeler, seconded by Bennett, that the minutes of the meeting of August 17, 2016 be approved as submitted.

ALL AYES

Motion carried.

3. Review of Commission procedures.

**Land Use Amendment/Rezoning**

4. Case 16-080; Lot 2, Creek View Second Addition, Medium-density Residential to High-density Residential, submitted by Build to Suit, Inc.

5. Case 16-081; Lot 2, Creek View Second Addition, R-3 Single- and Two-family Residence District to R-5 Multi-family Residence District, submitted by Build to Suit, Inc.

Beck reviewed the staff reports. He added that when the property was rezoned in 2006, the Commission imposed a condition that the surrounding properties would be protected by a 25-foot separation from the proposed development.

Kappeler asked for clarification of the difference between a floodway and a flood plain. Beck explained that nothing is allowed to be built in a floodway nor is fill allowed to be placed there. He added that the flood plain must be filled such that it is 2 feet above the base flood elevation for construction to occur and which requires approval of a flood zone development permit. Kappeler asked if this process is similar to what occurred at 2231 Kimberly Road. Beck confirmed this.

Gene Zager, 3548 Black Lion Circle, expressed concern about the location of the entry to the duplex units being placed directly opposite of Black Lion Circle. He explained that due to the limited visibility because of the hill, motorists traveling south on Devils Glen Road oftentimes speed which causes a safety hazard. Zager asked if a berm would be placed along Devils Glen Road similar to those placed in other developments in the area.

Zager asked who the developer is. Kappeler stated that Build to Suit, Inc. is the applicant but not the builder.

Connors explained that if the driveway is offset from Black Lion Circle, it would likely cause a turning movement problem. He indicated that he would encourage the developer to install a berm on Devils Glen Road. Wennlund commented that because the grade of the property is very low relative to street level, it would require a large amount of fill to make a functional berm.

Steve Wilger, 3123 Field Sike Drive, stated that it does not appear as though there is enough space for the number of units indicated given the required 25-foot buffer plus the 25-foot required rear yard setback. He stated that there would only be room for a 30-foot wide unit which would not be compliant with code requirements. Wilger stated that he believes that the code requires two entrances to a subdivision with that many units. He stated that when the neighbors agreed to allow the rezoning of the property several years ago, the plan called for a U-shaped entrance and greenspace in the flood plain area. Wilger stated that since he has lived in his home he has seen storm water rise halfway up the depth of that property. He stated that he does not believe that the city should be in favor of building more apartment units when there are already so many in the area. He stated that the apartment building would emit more light than Crow Creek Park at night. He stated that he is not opposed to the duplex units as long as they are code-compliant, adding that he is alarmed about the scope of the proposed high-density zoning. He expressed concern about the possibility that a hospital or medical

building would be allowed in the future if the rezoning is approved and the proposed concept is abandoned. He stated that in his opinion the proposed rezoning could be considered spot zoning, adding that it is not in the city's best interest to build multi-family housing even though it may be beneficial to the developer.

Wennlund asked if the required 25-foot buffer is a separate distance in addition to the required 25-foot setback. Connors stated that it is not. He explained that no structures are allowed to be built in the buffer yard, adding that the concept plan is not necessarily to scale.

Wennlund asked if Wilger understood the clarification that the required buffer and setback can overlap. Wilger stated that when the neighbors agreed to the R-3 zoning district, there was to have been a 25-foot buffer in addition to the 25-foot rear yard setback, a 3-foot high berm, and evergreen tree plantings along the property lines. Connors reiterated that the buffer zone can be a part of the lot and that no structures are allowed to be placed there.

Wilger asked if the city is going to allow duplexes to be built with no back yard. Wennlund explained that the structures would have a 25-foot rear yard. Wilger stated that this makes no sense to him.

Kappeler explained to Wilger that the only issues being considered by the Commission are the land use amendment and rezoning. She stated most of the issues that he raised would be addressed at a later date during platting and site development plan phases. Wilger stated that until today, he had been under the impression that a much smaller portion of the property would be rezoned to R-5. He added that the revised request does not conform to the concept plan. He expressed concern that the concept for the project would change.

Bert commented that Devils Glen Road is only two lanes and asked if it would eventually be widened. He expressed concern about the impact the increased density would have on the traffic in that area. Fries stated that the city has adequate right-of-way to widen the street as development occurs.

Mike Toom, 3373 Field Sike Drive, stated that he believes that his property value would be reduced by the proposed development. He stated that it does not seem fair that this type of development would be allowed. He explained that several years ago when Field Sike Drive was paved and a culvert installed, the water flow was changed to cross his property. He indicated that when there is more than 1 inch of rain, storm water floods the area. Fries explained that all developers are required to meet the city's storm water detention requirements during the site development plan stage.

Harold Wiatt, 3309 Field Sike Drive, stated that in 1990 the flood water reached Field Sike Drive and questioned the accuracy of the 100-year flood plain boundary indicated on the map. Connors stated that FEMA sets the flood boundaries. Fries explained that because of the direction of grade change from north to south, the proposed development would have no impact on Wiatt's property.

Mark Lewis, 3013 Field Sike Drive, stated that no matter how deep the detention pond is built, there is no way to store the storm water from the area. He questioned where the storm water would go when the valley floods. He stated that after the area where the apartment buildings are to be built is filled, the water must go somewhere. Lewis explained that the area where the apartments and detention pond are to be built is low-lying all the way to Field Sike Drive.

Fries reiterated that the developer will be required to submit a flood zone development permit and certify that enough storage capacity is provided for storm water above the flood elevation. He added that the detention pond would be built above the flood plain level.

Henry Stauffenberg, 3275 Field Sike Drive, stated that the detention pond across the street in the ValleyWynds subdivision does not work. He explained that it has never filled, adding that it is merely a place where weeds grow 4 feet high and that it becomes a mud hole where insects collect.

Stauffenberg stated that he does not believe that apartment buildings should be allowed near residential developments. He stated that when the property to the north was developed, the developer said that the homes were to be built on large lots similar to those already existing in the neighborhood. Stauffenberg explained that when the builders came, the houses were stacked up. He expressed concern that the development that has been proposed is not what will eventually be built.

Lewis stated that his impression is that the entire property is zoned R-3 and asked if that is correct. Connors confirmed this. Lewis stated that the developer plans to rezone a large portion of the property to R-5 so that the apartment buildings can be built. Connors commented that the developer had submitted a new rezoning exhibit. Lewis stated that it appears as though the area proposed to be zoned R-5 encroaches into the area where duplexes are indicated on the concept plan. Connors indicated that this is the case. Lewis questioned why the city would leave the door open to a larger area for R-5 when it doesn't even conform to the submitted concept plan.

Kevin Koellner, the applicant, explained that he is working with the owner and buyer of the property in question. He stated that the developer wishes to leave open the opportunity to build an additional apartment building if the market demand is there. He stated that there would still be a buffer zone of duplex units between the apartments and the single-family homes as required by city code.

Kappeler asked if there would be sufficient room for a separate street from Devils Glen Road for each zoning area and the same number of duplex units indicated on the concept plan according to the revised rezoning exhibit. Koellner explained that even if the developer chooses to build another apartment building there will still be a buffer of duplex units. He indicated that if necessary, the developer would be willing to shift the entrance south. He stated that the duplex units are allowed in the R-5 district and could be shifted south in order to allow for the separate street.

Kappeler asked if the entirety of the property has been zoned R-3 for 10 years. Beck confirmed this. Kappeler commented that from the neighborhood's perspective, the possibility of residential construction is not new.

Wennlund asked for a description of what types of uses are allowed in the R-3 and R-5 districts. Beck explained that R-3 allows single- and two-family dwellings while R-5 is a multi-family residence district. He added that such uses as a hospital could be allowed with a special use permit but that the topography is likely too difficult for anything other than a residential use. Koellner stated that the developer would not object to restricting development to residential only.

Bert asked if the property would eventually be required to be replatted in accordance with the eventual layout and distinct zoning classifications. Koellner stated that the lender would likely require a replat.

Wilger stated that when the property was rezoned 10 years ago, the 25-foot buffer yard and the additional 15 feet that was added to his rear yard was supposed to have been shown on a replat but that it never was completed. He indicated that he was told by Steve Van Dyke that the city would ensure that it was replatted, reiterating that it was never done. Connors stated that the County's website does show the additional property added to the rear of Wilger's lot with a separate parcel number. Wilger reiterated that it was never replatted. Wennlund commented that the city would not have been allowed to plat someone else's property.

Bert asked for clarification of the surrounding zoning district classifications. Beck stated that the surrounding properties are zoned R-2, R-3, R-5, C-1, C-2, C-5, PR-3, A-1, and A-

2. Wennlund commented that it seems very clear that the proposed classification would not constitute a spot zoning as had been indicated earlier by Wilger.

On motion by Kappeler, seconded by Bennett, that the land use amendment for Lot 2, Creek View Addition, Medium-density Residential to High-density Residential, be approved subject to staff recommendations. (16-080)

ALL AYES

Motions carried.

On motion by Kappeler, seconded by Bennett, that the rezoning of Lot 2, Creek View Addition, R-3 Single- and Two-family Residence District to R-5 Multi-family Residence District, be approved subject to staff recommendations and according to the revised rezoning exhibit. (16-081)

ALL AYES

Motions carried.

Wennlund commented that it might be helpful for the developer to hold a neighborhood meeting prior to the site development plan stage.

### **Land Use Amendment/Rezoning**

6. Case 16-086; 804, 834, 872 Tanglefoot Lane, Office/Research Campus to Commercial, submitted by Thomas J. Pastrnak.
7. Case 16-087; 804, 834, 872 Tanglefoot Lane, C-6 Office and Research Park District to C-3 General Business District, submitted by Thomas J. Pastrnak.

Beck reviewed the staff reports.

On motion by Bennett, seconded by Peters, that the land use amendment for 804, 834, and 872 Tanglefoot Lane, Office/Research Campus to Commercial, be approved subject to staff recommendations. (16-086)

ALL AYES

Motion carried.

On motion by Bennett, seconded by Peters, that the rezoning of 804, 834, and 872 Tanglefoot Lane, C-6 Office and Research Park District to C-3 General Business District, be approved subject to staff recommendations. (16-086)

ALL AYES

Motion carried.

**Amended Final Plat**

8. Case 12-056; Villas at Glengevlin Second Addition (amended), submitted by Towne & Country Bettendorf, LLC.
9. Case 14-010; Villas at Glengevlin Third Addition (amended), submitted by Towne & Country Bettendorf, LLC.
10. Case 14-076; Villas at Glengevlin Fourth Addition (amended), submitted by Towne & Country Bettendorf, LLC.

Beck reviewed the staff reports.

Bennett asked if the elevation values were missing on the previous plats. Beck explained that the low water entry values were inaccurate on the original plats. Bert asked why the elevations figures were wrong. Mike Janecek, engineer representing the applicant, explained that there were some typographical errors on the plats in addition to design changes made by the developer which necessitated regrading of ditches in order to meet the required low water entry elevations. He added that these changes and corrections had been made to all three of the subdivisions at once.

Wennlund asked if any of the changes had affected existing construction. Janecek confirmed this, adding that when some of the existing buildings had been surveyed it was discovered that the required low water entry level was not met. He indicated that the developer had regarded some of the ditches and rear yards so that the low water entry level conforms to the requirements and could be certified as such.

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

ALL AYES

Motion carried.

On motion by Kappeler, seconded by Bert, that the amended final plat of Villas at Glengevlin Third Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Kappeler, seconded by Bert, that the amended final plat of Villas at Glengevlin Fourth Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

### **Final Plat/Site Development Plan**

11. Case 16-072; The Fountains 6<sup>th</sup> Addition, submitted by Russell Construction.
12. Case 16-073; 3726 and 3728 Thunder Ridge Road, submitted Russell Construction.

Beck reviewed the staff reports.

Bennett asked for clarification of the internal traffic pattern. Beck explained that motorists will enter from Hopewell Avenue using the driveway, travel east and then south around the new building, and then west to the driveway exiting at Thunder Ridge Road. He indicated that previously motorists used the driveway from Hopewell Avenue and traveled directly south to the driveway connecting to Thunder Ridge Road. He added that because the construction of a bridge connecting the proposed and existing building will not allow traffic to pass under it.

Bennett asked how wide the proposed access driveway is. Beck explained that it is approximately 27 feet wide, adding that it meets the Fire Department's standards.

Kappeler asked if the traffic entering the site from Thunder Ridge Road would be affected. Beck stated that he does not believe that is the case as only the northern traffic pattern is changing.

Wennlund asked how Building C would be accessed if the driveway in front of it is closed. Rick Ockerlund, representing the applicant, explained that there is a connecting link between Building C and the new building. He indicated that a resident would walk through the new building, across the connecting link, and into Building C. Wennlund asked what the distance is from Building C to a location where a resident could be picked up. Ockerlund stated that there is an entrance to Building D at the southeast corner which leads to a common area which has access to the connecting link. He added that the width of the bridge is 60 feet long and 12 feet wide.

Kappeler asked if the bridge is at ground level. Ockerlund confirmed this.

Wennlund asked if the parking is adequate to accommodate a new building, especially during special events when many visitors are on the site. Ockerlund explained that The Fountains does not allow special events and parties such as weddings in their facilities. Wennlund commented that this must be a new policy.

Bennett asked if the only way emergency service personnel could reach Building C is to park in front of Building D, walk through Building D, walk across the bridge, and enter Building C. Ockerlund stated that even though the main entrance in the center of Building C will no longer be accessible after the bridge is connected to it, emergency personnel would still be able to walk through the Grand Lodge building to the south and use the connecting link to access Building C.

Bert asked if there is a place where an ambulance can park directly in front of Building C if need be so that emergency personnel do not have to use the tunnel. Ockerlund stated that Building C is for independent living, adding that the residents don't require much care. Bert acknowledged Ockerlund's point, and asked again where an ambulance could pull up to access Building C. Connors stated that there are egress points and stair towers at both the northeast and southeast corners of the building. Kappeler asked if those access points are for resident pickup or only for emergency use. Connors stated that technically they could be used for both purposes.

Donna Metzger, 5512 Cavan Crossing, stated that emergency vehicles are required at The Fountains on almost a daily basis. She stated that the complicated means one must use to access Building C doesn't seem very expedient especially in an emergency situation. She explained that a special event was held at The Fountains the previous Sunday, adding that the parking lot was so congested it would have been unlikely that

an emergency vehicle could have reached Building C at all. She expressed concern about the existing parking problem's being exacerbated by the proposed construction.

Wennlund explained that because the number of parking spaces proposed to be provided is code-compliant, the Commission cannot require more. Metzger asked if the Code takes into account special events and the additional spaces required for them and questioned when the Code was written. She suggested that perhaps the Code should be updated to better reflect current needs. Connors explained that there is no requirement for specific spaces to be allotted for infrequent events at a facility such as a school or gymnasium. He added that the Zoning Regulations were written in the early 1970s and are currently being updated. Metzger commented that staff's assertion that the parking spaces meet the code requirement is tantamount to a blow-off in her opinion. Wennlund commented that even if from a practical standpoint it appears as though the parking spaces may not seem adequate, the Commission has no other option but to use the current regulations as their guide. He added that even though the Zoning Regulations are being updated, the possibility exists that the requirements will remain the same with regard to parking spaces.

Dick Whistler, resident of The Fountains, stated that the two entrances referenced earlier at the northeast and southeast corners of Building C are only accessible with a key. He expressed concern about the difficulty emergency personnel may experience because of the additional keyed entrances that will be required. He explained that many of the residents use canes and/or wheelchairs, adding that the entrances referenced earlier have steps which would make access very difficult for them. Wennlund commented that the additional distance that must be traversed because of the proposed reconfiguration will pose a challenge for many who have difficulty walking.

Grant Lemen, 3660 Thunder Ridge Road, asked if there is a height limitation for the proposed building and questioned how many stories the building would be. Connors stated that he does not recall whether there was a height limitation. Lemen stated that the other buildings in the development are three stories, adding that the proposed building appears to be four stories. Connors stated that counting a level as a story is determined by how much of it is exposed. He added that if 50 percent of the foundation is below grade, it is considered to be a basement.

Kappeler asked if the proposed building has four stories of living units with an additional level of parking below. Wennlund commented that it appears as though there are four stories of apartments plus a garage level. Ockerlund stated that the building as proposed meets all of the city's height requirements and is code compliant. He added that there are four stories of apartments plus a level of underground parking.

Bennett asked for clarification of the purpose for the bridge. Ockerlund stated that there is a storm sewer and water easement between Building C and the proposed Building D and that no ground level construction can occur there because of them. He stated that the easements are public. Connors explained that the bridge could not be built at grade level because the city must be able to access the sewer if necessary. Connors stated that it had been his impression that the bridge would come in at the second level and asked for confirmation of that. Ockerlund stated that the bridge would be built approximately 2 ½ feet above ground level in order to leave an interstitial space below the bridge. He stated that the area between the two buildings would be grassy. He indicated that because of the easement, the bridge cannot be built at ground level.

Wennlund asked how high the bridge base would be above ground level. Ockerlund stated that it would be 2 ½ feet above ground level. Bennett asked if the bridge would be covered. Ockerlund explained that it would be enclosed and would have heat and lights. Bennett commented that it seems as though the structure would be better described as a tunnel.

Wennlund asked if 2 ½ feet would be enough space in order to access the sewer if necessary. Fries stated that he had also been under the impression that the bridge was to come from the second level of the building. He indicated that there is a sanitary sewer and a storm sewer running through the area. Connors stated that if in fact the bridge is to be built only 2 ½ feet above grade level, he has a problem with that. Fries concurred. Ockerlund stated that there is enough room to access the sewer to do repairs if necessary. Fries stated that the sanitary sewer would be deeper than a typical storm sewer at approximately 8 feet deep. Wennlund asked who had determined that 2 ½ feet of clearance is enough space to do sewer repairs if necessary. Ockerlund stated that the bridge is 12 feet wide, adding that a contractor could just dig it out and make the repairs. Wennlund asked again for clarification of how a contractor could make a repair in the center of the 12-foot span with only 2 ½ feet of clearance. Ockerlund stated that if a sanitary sewer is required, a contractor would have to remove most of the run to get to it.

Kappeler commented that her consideration of the site plan and staff's recommendation was based on the understanding that the bridge was to be located at the second level of the building. She suggested that the case be deferred until such time as further staff review and discussion can take place. Wennlund concurred.

Wennlund explained that the Commission does not feel as though a positive recommendation could be given and asked if the applicant would prefer that the case be deferred so as not to require a supermajority vote at the City Council level. Ockerlund stated that if the bridge is placed at the second level, it would hinder travel

from building to building and emergency personnel access. Connors stated that Code requires a grade level door which could be used by residents if necessary. Ockerlund stated that the bridge is the connecting link for the convenience of the residents.

Ockerlund stated that the case could be deferred, adding that when the design was originally submitted it was approved at staff level. He indicated that it has not changed. Fries reiterated that staff's impression was that the bridge was to be at the second level. He requested that Ockerlund show where on the plans an elevation of the bridge is indicated. Ockerlund stated that nothing has changed since the original submittal. Fries stated that he does not believe that the clearance proposed is enough to provide access to the sewer. Ockerlund stated that from an engineering and construction standpoint, there is enough clearance. Connors stated that staff would meet again with the developer to resolve these issues.

Jack Johnson, 5659 Cavan Crossing, expressed concern about whether the storm and sanitary sewers are sized adequately to accommodate the proposed developments in the area. He indicated that he feels that the proposed construction in the area would likely negatively impact the residents further downstream.

On motion by Kappeler, seconded by Bennett, that the final plat of The Fountains 6<sup>th</sup> Addition be deferred until such time as further discussions are held in order to resolve the issues noted.

ALL AYES

Motion carried.

On motion by Kappeler, seconded by Bennett, that the site development plan for 3726 and 3728 Thunder Ridge Road be deferred until such time as further discussions are held in order to resolve the issues noted

ALL AYES

Motion carried.

### **Final Plat/Site Development Plan**

13. Case 16-077; City Hall First Addition, submitted by Jason Holdorf/Missman, Inc.
14. Case 16-078; 1609 State Street, submitted Downing Architects.

Beck reviewed the staff reports.

Kappeler asked for clarification of how the traffic will flow when all of the road construction is complete. Beck explained that City Hall will be accessed from 16<sup>th</sup> Street, adding that a sidewalk will eventually be installed along the new southeasterly access from Grant Street which ends at George Thuenen Drive. Beck stated that the pavement will end in front of City Hall and will be blocked from the new access. He added that a new access point to City Hall will be added from the southeasterly access. Beck stated that the pavement will be removed under the I-74 bridge.

Kappeler asked how fire truck apparatus would gain access to the street. Beck explained that fire trucks would exit from the garage bay to 16<sup>th</sup> Street. Connors added that the plan to still have a traffic signal there, but in a slightly different location.

On motion by Bert, seconded by Peters, that the final plat of City Hall First Addition be approved subject to staff recommendations.

ALL AYES

Motion carried.

On motion by Bert, seconded by Peters, that the site development plan for 1609 State Street be approved subject to staff recommendations.

ALL AYES

Motion carried.

### **Final Plat**

15. Case 16-079; Crowne Pointe Eleventh Addition, submitted by Heartland Builders of the Quad Cities.

Beck reviewed the staff report.

Wennlund asked what the original intent for Outlot B had been. Beck stated that he is unsure of the original intent, adding that the area currently serves as a greenspace. Carey Nowack, the applicant, explained that not all of the outlots will be used for garages. He explained that the homeowner's association approached him with a request that ownership of Outlot C which contains the irrigation main be transferred to

them. He stated that he sold it to them for \$1 with the understanding that they would replat it accordingly and maintain the property.

He added that at one time he had anticipated further development to the east but that it had proven to be cost-prohibitive. He added that he plans to retain ownership of Outlot A to provide room for an access to that property in case it ever is available for sale at a more reasonable price. He indicated that the condominium units have only 2-car garages and that many of the residents have indicated a desire for a third stall. He stated that he anticipates building 4 storage garages with a 28-foot depth on Outlot B to be made available to the residents. He stated that if in the future the garages are built, that outlot would then be turned over to the association as well.

Wennlund asked if the property in question is deep enough to provide access. Nowack stated that there are 15 ½ acres available for development to the east and that the outlot would merely be used to gain access to the property.

On motion by Bennett, seconded by Kappeler, that the final plat of Crowne Pointe Eleventh Addition be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

### **Site Development Plan**

16. Case 16-084; 3048 Victoria Street, submitted by Natural Health Improvement Center.

Beck reviewed the staff report.

Dr. Tara Pratt, the applicant, asked for clarification of how many trees would be required to be placed on the property in order for her to be compliant with the landscape ordinance. Beck explained that 8 trees would be required as a buffer between the proposed building and the residential area to the east, 2 trees would be required in the vehicular use area, and 6 trees would be required along the street frontage.

Pratt stated that the number of trees required would block the view of the office from the street. Beck explained that the required trees are allowed to be placed anywhere on the property as long as the total number of trees required is met.

Kappeler commented that there are trees planted along the street in front of the office building next door and asked if this is the case all along Victoria Street. Beck explained that each development must comply with the landscape ordinance, reiterating that there are already trees planted at the rear of some of the properties on Victoria Street. He added that if it is not possible to plant all of the required trees in the required yard areas, they can be spaced throughout the site.

Bert stated that he understands why trees would be required along the rear of the property to buffer the use from the residential areas, but asked why trees are required along the street. Beck explained that according to the landscape ordinance trees are required to be placed in the streetscape area and the vehicular use areas. He stated that compliance with the landscape plan is evaluated for every proposed site development plan.

Connors commented that during the neighborhood meeting some of the neighbors had indicated that they do not wish for trees to be placed on the west side of the property as they don't want leaves in their pools. He stated that typically residents wish for heavier landscaping to be installed, adding that this is not the case for this neighborhood. He indicated that staff would work with the developer and property owners to ensure compliance with the landscape ordinance while attempting to be flexible with the location of the trees.

Pratt expressed concern about her ability to place 16 trees on a 1-acre lot. She stated that once the building is constructed and the parking areas paved, there won't be a lot of greenspace available. Peters asked if the trees could be a small caliper. Pratt stated that she had been told that the trees must be 3 inches in diameter. She stated that she had not planned on spending \$20,000 on trees in an area where she had planned to plant only some bushes and hostas. Pratt explained that she treats many elderly patients who could slip on leaves in the parking lot if it is wet. She expressed concern that trees could fall onto her building in a high wind if they are placed close to it. Wennlund stated that the development must be compliant with the landscape ordinance. Connors reiterated that staff would meet with the developer in order to ensure compliance while providing some flexibility for location of trees.

Steve Brethauer, 2317 Southview Drive, stated that he sees no need for so many trees to be placed on the site. He indicated that he would prefer to have a privacy fence similar to the one on the adjacent lot instead of trees and which would be cheaper than landscaping. He indicated that he has spoken with Dr. Chip Irwin who owns the adjacent property and had indicated that he had been required to place a privacy fence on his rear property line. Brethauer asked why a privacy fence is not to be installed as a part of this development. Connors stated that he cannot recall if a neighborhood meeting was

held when the dentist's office was built, adding that oftentimes a compromise can be reached at that time. Wennlund asked if there is any code requirement for a fence. Connors stated that there is no such requirement.

Pratt asked what the purpose of the privacy fence would be and if it would be allowed to be chain link. She questioned whether the fence would have to surround the entire property. Wennlund explained that because there is no code requirement for a fence, the Commission cannot negotiate to reduce the number of trees required.

Brethauer asked why Dr. Irwin had been required to place a privacy fence on the rear property line. Beck stated that a developer has the option to install an opaque privacy fence in order to reduce the depth of the required yard.

Susan Brethauer, 2317 Southview Drive, stated that Dr. Irwin had told her today that the city required that the fence be installed. She commented that if 8 trees are required to be placed in the rear yard they could interfere with the electrical power lines along the property line. She stated that further up the street there are trees that have had to be trimmed very severely so as not to touch the power lines. She stated that she would prefer not to have 8 trees along her property line.

Wennlund stated that it appears as though there is enough space to plant trees while keeping them away from the power lines.

On motion by Bert, seconded by Bennett, that the site development plan for 3048 Victoria Street be recommended for approval subject to staff recommendations with the understanding that staff will work to reach a code-compliant resolution with regard to the landscaping design and the concerns of the neighbors.

ALL AYES

Motion carried.

17. Case 16-089; 879 – 40<sup>th</sup> Avenue, submitted by 40<sup>th</sup> Avenue Investors, LLC.

Beck reviewed the staff report.

Wennlund asked what type of use would be located in the building. Beck stated that there would be contractor condos located there.

Wennlund asked where the trash enclosure is located. Koellner explained that the dumpster would be placed behind the proposed building at the southwest corner and would be screened.

Kappeler asked how the existing building would affect truck loading access to the new building. Connors stated that the trucks would enter from 40<sup>th</sup> Avenue, travel around Building 2, enter the loading bay, and back up into the drive.

On motion by Bennett, seconded by Kappeler, that the site development plan for 879 – 40<sup>th</sup> Avenue be recommended for approval subject to staff recommendations.

ALL AYES

Motion carried.

Kappeler commented that Koellner's development is a nice addition to that area and fits well with the character of the neighborhood. Koellner stated that the landscaping will be installed before winter which will further improve the appearance of the development. He added that given the market demand he has experienced, this type of use was needed in the area.

### **Other**

18. Commission update.

Connors stated that staff had had discussions with Dale Grunwald regarding the concept plan he had submitted from property near I-80 and Middle Road after the Commission presentation at which many good suggestions were made for revisions. He commented that not much progress has been made since that meeting. Wennlund commented that the plan that was presented to the Commission at the last meeting was not much different from what has been presented several times in the past.

Connors stated that subsequent to the last Planning and Zoning Commission meeting the preliminary plat of Bettendorf Industrial Park 2<sup>nd</sup> Addition, the preliminary and final plats of Sunset West, the amended final plats of The Settlement at Pigeon Creek Eighth Addition, Everest Summit 2<sup>nd</sup> Addition, and Spencer Hollow 2<sup>nd</sup> Addition, the site development plan for the I-80 eastbound rest area, and the site development plan for 3255 Fields Drive were approved.

There being no further business, the meeting adjourned at approximately 7:30 p.m.

These minutes approved

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Gregory W. Beck, City Planner



## COMMUNITY DEVELOPMENT

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

October 19, 2016

Staff Report

### **Case No. 16-096**

**Subdivision Name:** Bettendorf Industrial Park 2<sup>nd</sup> Addition – Final Plat

**Location:** Southeast of the Crow Creek and Valley Drive and north of US 67

**Applicant:** Kevin Koellner

**Current Land Use Designation:** General Industrial

### **Background Information and Facts**

Kevin Koellner has submitted the final plat of Bettendorf Industrial Park 2<sup>nd</sup> Addition (see Aerial Photo and Preliminary Plat, Attachments A and B). The site is located south of Valley Drive and north of the intersection of 62<sup>nd</sup> Avenue Court and US 67. This area has been filled to raise the lots 2 feet above the 100 year flood plain and currently has a floodplain development permit to fill the site. The western portion of the proposed preliminary plat was previously platted as Lot 2, Keefe's Addition (Keefe's Plat, Attachment C). The preliminary plat contains 14 lots. The subdivision concept is established to incorporate industrial sites (see Final Plat Attachment D).

### **Land Use**

The land use designation for the site is Office/transitional (north 20%) and General Industrial (south 80%). The land use designations of the surrounding properties are Traditional Residential (northeast), Agricultural Estate, and General Industrial (east, south, and west). Industrial processes and buildings containing those uses are permitted on this parcel due to the I-2, General Industrial zoning classification.

### **Utilities**

Utilities for the site will come along Valley Drive and US 67. Sanitary sewer is available from the north side of US 67. Water also comes from the north side of US 67. Electrical power is available along the south side of Valley Drive. The developer will provide all utility connections to the site. A natural gas main exists along the south side of Valley Drive.

### **Thoroughfare Plan/Access**

Access to the site is anticipated from US 67 up the right-of-way. No direct access onto Valley Drive from an adjoining lot will be permitted. An adjoining access to Bear Tooth Court may occur at a future date. A 31-foot wide street with paving depth required for industrial streets. Right-of way width is 52 feet. Outlot C is intended to act as a holding area for the potential extension of 62<sup>nd</sup> Street Court to Lot 11, Fields Development First Addition.

No paving of Outlot C or replatting as right-of-way may occur until proof of purchase has been demonstrated for Lot 11, Fields Development First Addition.

**Storm Water Detention**

Storm water detention will be required for the site. Outlot B contains the detention area as shown for the subdivision. Storm water calculations are awaiting the approval of the City Engineer. All drainageways shall be removed of debris and reconstructed to facilitate water flow on the west and east boundaries. The storm water detention basin is to be created as an outlot separate from a wetland on the west side shown as Outlot A.

**Recommended Action**

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

1. Approval of the final plat does not waive any applicable city, state, or federal requirements.
2. Any development of this site will require City Council approval of a final plat and site development plan.
3. All storm water calculations and detention basin designs shall be approved by the City Engineer prior to City Council approval of any final plat.
4. Fire hydrant locations shall be determined by the Fire Department prior to approval of any site development plan.
5. Prior to the City Council consideration of any site development plan for the subdivision, proof that all of Bettendorf Industrial Park 2<sup>nd</sup> Addition has been removed from the 100 year flood plain must be furnished to the City.

Respectfully submitted,

Greg Beck  
City Planner



EVERGREEN PK

DUKES DR

MOENUS RD

KERROS LN

FERNWAY

VALLEY DR

BEAR TOOTH CT

STATE ST

62ND STREET CT

BETTENDORF INDUSTRIAL PARK 2nd ADDITION
PART OF THE NORTHWEST QUARTER OF SECTION 24 AND PART OF THE
SOUTHWEST QUARTER OF SECTION 13, ALL IN TOWNSHIP 78 NORTH,
RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN,
IN THE CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA,
35.54 Acres±

AUG - 9 2016

OWNER / SUBDIVIDER
Build to Suit
1805 State Street, Suite 101
Bettendorf, Iowa 52722
Attn: Kevin Koellner
Phone (563) 355-7806



VICINITY MAP
(NOT TO SCALE)

LEGEND

- REBAR, FOUND
CHISELED "X" IN CONCRETE, FOUND
REBAR WITH CAP #, FOUND
5/8" REBAR WITH CAP #13581 SET
1/2" SQ. PIN, FOUND
P.K. NAIL, FOUND
PIPE, FOUND
CONCRETE MONUMENT, FOUND
SECTION CORNER
MEASURED DIMENSION
RECORDED DIMENSION
LINE CONTINUATION
SUBDIVISION BOUNDARY
EXISTING LOT LINE
PROPOSED LOT LINE
CENTERLINE
UNDERLYING DEED LINE
EXISTING EASEMENT LINE
PROPOSED EASEMENT LINE
SECTION LINE
EXISTING R.O.W. LINE
PROPOSED R.O.W. LINE
SETBACK LINE
FLOODWAY LIMITS PER FIRM MAP
LIMITS OF AREA 1 FT. ABOVE B.F.
LOW ENTRY ELEVATION
STORM INLET
FLARED END SECTION
SANITARY MANHOLE
SANITARY SEWER
STORM SEWER
WATER LINE

ABBREVIATIONS

- AC ACRES
CL CENTERLINE
L LENGTH
R RADIUS
SF SQUARE FEET
BSL BUILDING SETBACK LINE
PL PROPERTY LINE
POB POINT OF BEGINNING
POC POINT OF COMMENCING
ROW RIGHT OF WAY
UE UTILITY EASEMENT



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.

Daryl A. Brickner, PLS No. 13581
My license renewal date is December 31, 2017
No. of sheets covered by this set: \_\_\_\_\_

It should be noted that in the performance of this re-survey, the courses and distances of the re-survey may vary from recorded calls, based on the existence of found monumentation, occupation, or other controlling calls or conditions that have occurred in the re-survey of this property.

This property is subject to any and all easements and roadways of record.

No investigation concerning environmental and subsurface conditions, or for the existence of underground containers, structures or facilities which may affect the use or development of this property was made as a part of this survey.

No investigation was made as a part of this survey to determine or show data concerning existence, size, depth, condition, capacity, or location of any utilities or municipal facilities, except as noted. Call Iowa One-Call at 1-800-292-8989 for information regarding these utilities or facilities.

Part of this subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19163C0387F with an Effective Date February 18, 2011. The map was used to show the limits of the Floodway. Data from these maps along with FEMA's Flood Insurance Study for Scott County, Iowa and existing ground contours were used to show the Limits of the Area 1 Foot Above Base Flood Elevation. The Low Entry Elevations shown on the drawing are 1 Foot Above Base Flood Elevation. These Elevations are based on based on NGVD29.

Distances are listed in feet and decimal part of a foot.

GENERAL NOTES

General plat notes establish requirements for how a subdivision will develop. However, the city reserves the right in its sole discretion to alter or amend any plat note, or to sell or vacate any right of way or utility dedicated within the plat. Further the city reserves the right upon request of the owner to relocate any easement, alter lot boundaries or allow ground to be replanted.

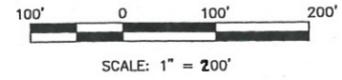
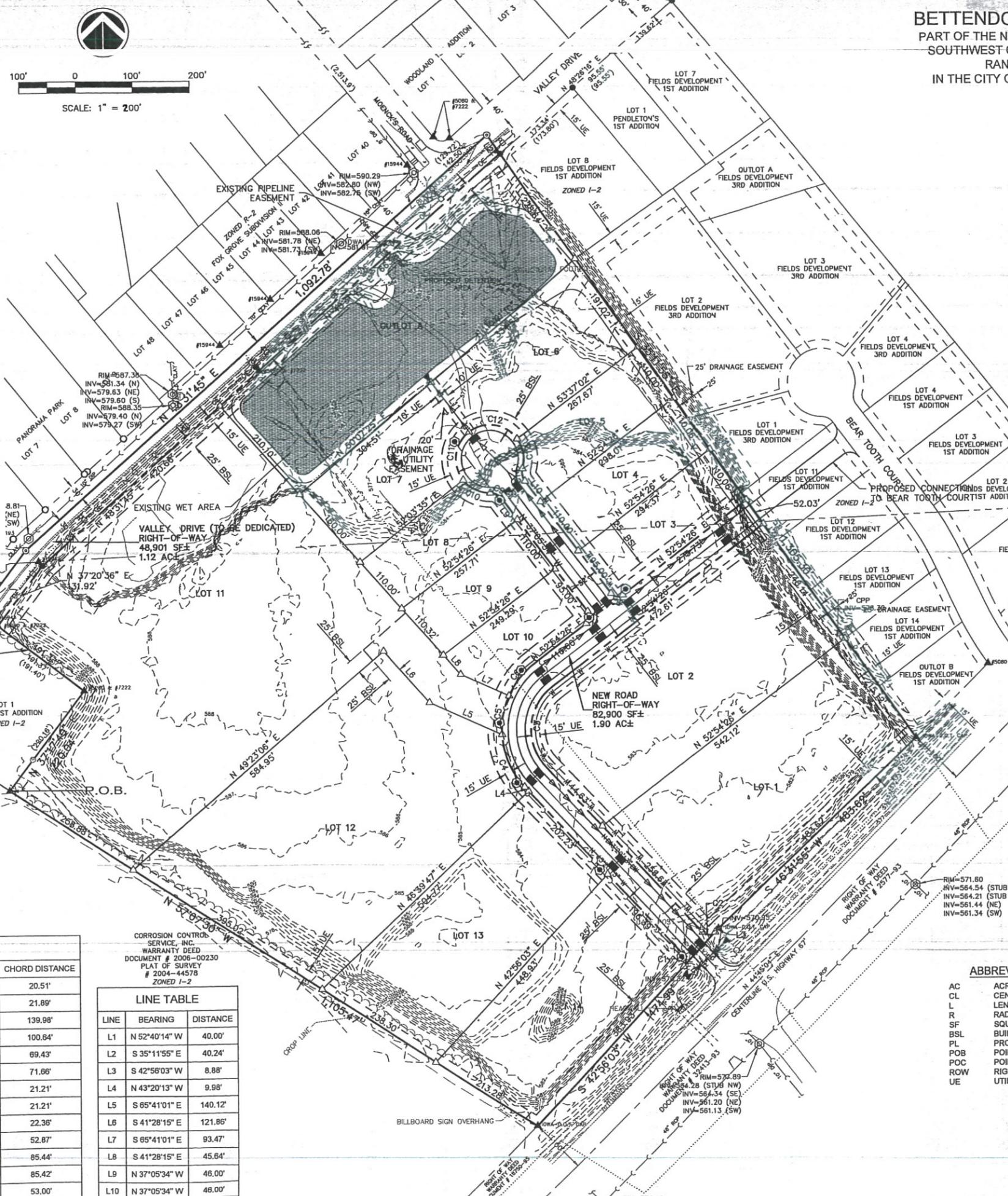
Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cable, gas service, water service, sewer laterals, telephone service, and cable T.V. to individual structures and street lights.

Zoning setback lines are based on Zoning requirements as of the date of City Council approval. In case of conflict between lines shown and future code requirements the code requirements shall govern.

This subdivision is currently zoned S.A. or Suburban Agricultural

All improvements shall be installed in accordance with the latest Standard Specifications of the City of Bettendorf, Iowa.

Current Zoning - I-2. Zoning setback lines are based on Zoning requirements as of the date of City Council approval. In case of conflict between lines shown and future code requirements the future code requirements shall govern.



SCALE: 1" = 200'

AREA TABLE

Table with 2 columns: LOT and AREA S.F.±. Lists areas for lots 1 through 14, a new road, and outlot A.

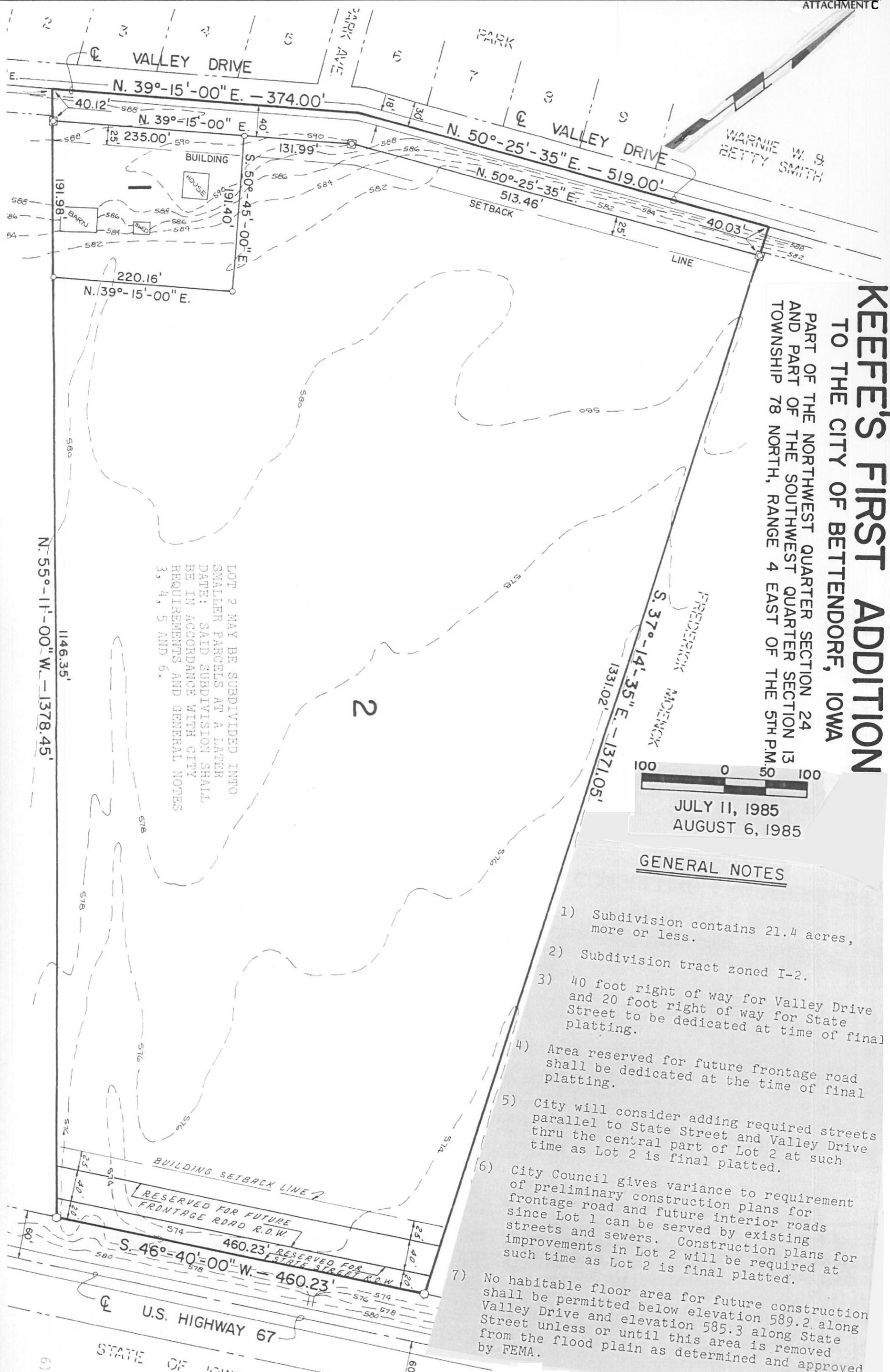
CURVE TABLE

Table with 5 columns: CURVE, LENGTH, RADIUS, CHORD BEARING, CHORD DISTANCE. Lists curve data for curves C1 through C14.

LINE TABLE

Table with 3 columns: LINE, BEARING, DISTANCE. Lists line data for lines L1 through L11.

CORROSION CONTROL SERVICE, INC.
WARRANTY DEED
DOCUMENT # 2006-00230
PLAT OF SURVEY
# 2004-44578
ZONED I-2

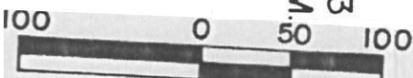


# KEEFE'S FIRST ADDITION TO THE CITY OF BETTENDORF, IOWA

PART OF THE NORTHWEST QUARTER SECTION 24  
AND PART OF THE SOUTHWEST QUARTER SECTION 13  
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M.

WARNIE W. &  
BETTY SMITH

LOT 2 MAY BE SUBDIVIDED INTO  
SMALLER PARCELS AT A LATER  
DATE; SAID SUBDIVISION SHALL  
BE IN ACCORDANCE WITH CITY  
REQUIREMENTS AND GENERAL NOTES  
3, 4, 5 AND 6.



JULY 11, 1985  
AUGUST 6, 1985

### GENERAL NOTES

- 1) Subdivision contains 21.4 acres, more or less.
- 2) Subdivision tract zoned I-2.
- 3) 40 foot right of way for Valley Drive and 20 foot right of way for State Street to be dedicated at time of final platting.
- 4) Area reserved for future frontage road shall be dedicated at the time of final platting.
- 5) City will consider adding required streets parallel to State Street and Valley Drive thru the central part of Lot 2 at such time as Lot 2 is final platted.
- 6) City Council gives variance to requirement of preliminary construction plans for frontage road and future interior roads since Lot 1 can be served by existing streets and sewers. Construction plans for improvements in Lot 2 will be required at such time as Lot 2 is final platted.
- 7) No habitable floor area for future construction shall be permitted below elevation 589.2 along Valley Drive and elevation 585.3 along State Street unless or until this area is removed from the flood plain as determined and approved by FEMA.

U.S. HIGHWAY 67  
STATE OF IOWA

It should be noted that in the performance of this re-survey, the courses and distances of the re-survey may vary from recorded calls, based on the existence of found monumentation, occupation, or other controlling calls or conditions that have occurred in the re-survey of this property.

This property is subject to any and all easements and roadways of record.

No investigation concerning environmental and subsurface conditions, or for the existence of underground containers, structures or facilities which may affect the use or development of this property was made as a part of this survey.

No investigation was made as apart of this survey to determine or show data concerning existence, size, depth, condition, capacity, or location of any utilities or municipal facilities, except as noted. Call Iowa One-Call at 1-800-292-8889 for information regarding these utilities or facilities.

Part of this subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19163CD387F with an Effective Date February 18, 2011. All numbered lots will be graded to provide an area 2 feet above the Base Flood Elevation for future buildings.

Distances are listed in feet and decimal part of a foot.

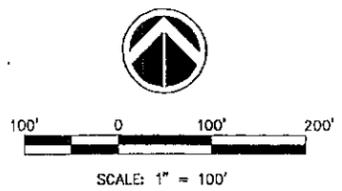
All monuments have been found or set as shown on this plat.

Plat notes establish requirements for how a subdivision will develop. However, the city reserves the right in its sole discretion to alter or amend any plat note, or to sell or vacate any right of way or utility dedicated within the plat. Further the city reserves the right upon request of the owner to relocate any easement, alter lot boundaries or allow ground to be replatted.

Lot A: No impacts to jurisdictional wetland areas shall be permitted, which includes discharge of fill material. Wetland areas shall be protected during construction activities and until all upland areas are stabilized. All Federal and State regulations shall apply to the treatment of wetland areas.

Lot B will be owned and maintained by the Owner to provide a detention basin for this subdivision.

Lot C will be dedicated as public right of way for 62nd Street when the owner acquires Lot 11 of Fields Development 1st Addition and extends the road east to Bear Tooth Court.



DATE \_\_\_\_\_ BY \_\_\_\_\_  
 MEDIACOM CITY OF BETTENDORF  
 BY \_\_\_\_\_ ATTEST \_\_\_\_\_  
 DATE \_\_\_\_\_ DATE \_\_\_\_\_  
 CENTURYLINK PLANNING AND ZONING  
 BY \_\_\_\_\_ BY \_\_\_\_\_  
 DATE \_\_\_\_\_ DATE \_\_\_\_\_

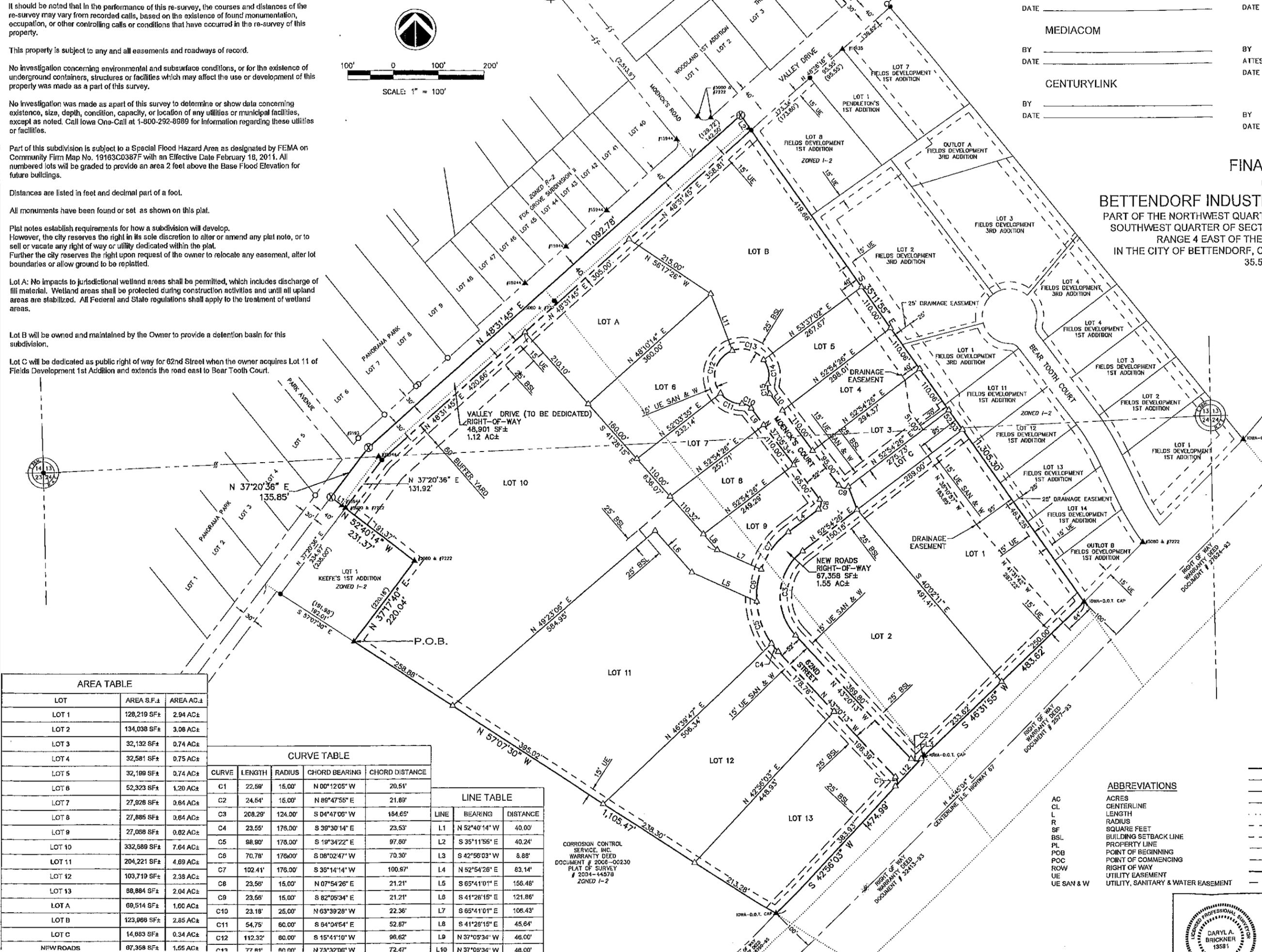
**FINAL PLAT  
 OF  
 BETTENDORF INDUSTRIAL PARK 2nd ADDITION**  
 PART OF THE NORTHWEST QUARTER OF SECTION 24 AND PART OF THE  
 SOUTHWEST QUARTER OF SECTION 13, ALL IN TOWNSHIP 78 NORTH,  
 RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN,  
 IN THE CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA,  
 35.54 Acres±

OWNER / SUBDIVIDER

Miller Holdings, LLC  
 3303 John Deere Road  
 Silvis, Illinois 61282

Build to Suit  
 1805 State Street, Suite 101  
 Bettendorf, Iowa 52722  
 Attn: Kevin Koelner  
 Phone (563) 355-7806

**OCT 11 2016**



- LEGEND**
- REBAR, FOUND
  - ⊗ CHISELED "X" IN CONCRETE, FOUND
  - ⊗ CHISELED "X" IN CONCRETE, SET
  - ▲ REBAR WITH CAP # \_\_\_\_\_, FOUND
  - △ 5/8" REBAR WITH CAP #13581 SET
  - 1/2" SQ. PIN, FOUND
  - ⊙ P.K. NAIL, FOUND
  - ⊙ P.K. NAIL, SET
  - PIPE, FOUND
  - ⊠ CONCRETE MONUMENT, FOUND

- SECTION CORNER**
- 100.00' (100.00')
  - MEASURED DIMENSION
  - RECORDED DIMENSION
  - LINE CONTINUATION
  - SUBDIVISION BOUNDARY
  - EXISTING LOT LINE
  - PROPOSED LOT LINE
  - CENTERLINE
  - UNDERLYING DEED LINE
  - EXISTING EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - SECTION LINE
  - EXISTING R.O.W. LINE
  - PROPOSED R.O.W. LINE
  - UTILITY EASEMENT
  - UTILITY, SANITARY & WATER EASEMENT
  - SETBACK LINE

**ABBREVIATIONS**

AC ACRES  
 CL CENTERLINE  
 L LENGTH  
 R RADIUS  
 SF SQUARE FEET  
 BSL BUILDING SETBACK LINE  
 PL PROPERTY LINE  
 POB POINT OF BEGINNING  
 POC POINT OF COMMENCING  
 ROW RIGHT OF WAY  
 UE UTILITY EASEMENT  
 UE SAN & W UTILITY, SANITARY & WATER EASEMENT

**AREA TABLE**

LOT	AREA S.F.±	AREA AC.±
LOT 1	128,219 SF±	2.94 AC±
LOT 2	134,038 SF±	3.08 AC±
LOT 3	32,132 SF±	0.74 AC±
LOT 4	32,581 SF±	0.75 AC±
LOT 5	32,189 SF±	0.74 AC±
LOT 6	52,323 SF±	1.20 AC±
LOT 7	27,928 SF±	0.64 AC±
LOT 8	27,885 SF±	0.64 AC±
LOT 9	27,068 SF±	0.62 AC±
LOT 10	332,689 SF±	7.64 AC±
LOT 11	204,221 SF±	4.69 AC±
LOT 12	103,719 SF±	2.38 AC±
LOT 13	88,884 SF±	2.04 AC±
LOT A	69,514 SF±	1.60 AC±
LOT B	123,968 SF±	2.85 AC±
LOT C	14,683 SF±	0.34 AC±
NEW ROADS	67,358 SF±	1.55 AC±

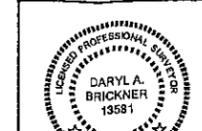
**CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	22.59'	15.00'	N 00°12'05" W	20.51'
C2	24.54'	15.00'	N 89°47'55" E	21.89'
C3	208.29'	124.00'	S 04°47'06" W	184.65'
C4	23.55'	178.00'	S 39°30'14" E	23.53'
C5	98.90'	178.00'	S 19°34'22" E	97.89'
C6	70.78'	176.00'	S 08°02'47" W	70.30'
C7	102.41'	176.00'	S 36°14'14" W	100.87'
C8	23.56'	15.00'	N 07°54'26" E	21.21'
C9	23.66'	15.00'	S 82°05'34" E	21.21'
C10	23.18'	25.00'	N 63°39'28" W	22.36'
C11	54.75'	60.00'	S 64°04'54" E	52.87'
C12	112.32'	80.00'	S 15°41'10" W	96.62'
C13	77.81'	60.00'	N 73°32'06" W	72.47'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 52°40'14" W	40.00'
L2	S 35°11'55" E	40.24'
L3	S 42°56'03" W	8.88'
L4	N 52°54'26" E	83.14'
L5	S 65°41'01" E	156.48'
L6	S 41°28'18" E	121.86'
L7	S 65°41'01" E	108.43'
L8	S 41°28'18" E	45.64'
L9	N 37°05'34" W	46.00'
L10	N 37°05'34" W	48.00'

CORROSION CONTROL SERVICE, INC.  
 WARRANTY DEED  
 DOCUMENT # 2006-00230  
 PLAT OF SURVEY  
 # 2004-14579  
 ZONED I-2



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.

Daryl A. Brickner PLS No. 13581 Date \_\_\_\_\_

REVISIONS



## COMMUNITY DEVELOPMENT

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4100

October 19, 2016

Staff Report

### **Case No. 16-082**

**Location:** Wyndham Town Center – Final Plat

**Applicant:** AMF Real Estate

**Zoning Classification:** C-1, Local Shopping District

**Land Use Designation:** Commercial

### **Background Information and Facts**

AMF Real Estate has submitted a final plat for a site located at the southeast intersection of Crow Creek Road and Middle Road (see Aerial Photo, Preliminary Plat and Final Plat; Attachments A, B, and C). The site is the last unplatted lot in the Wyndham West subdivisions (see Site Photo, Attachment D). The applicant plans to construct restaurant, retail, and office space on the lot (see Site Plan, Attachment E). The landscape plan shows the required number of trees along the boundary perimeter except for three trees required abutting the residential property to the southwest (see Landscape Plan, Attachment E). Arborvitae shall be used on a berm to screen Wyndham Drive from the development. The four buildings will contain restaurants, retail, and office uses (see Elevations, Attachment F).

### **Land Use**

The land use designation for the site is Commercial. The property is zoned C-1, Local Shopping District. A restaurant, retail space, and office space are permitted uses in this zoning district.

### **Utilities**

Utilities are available to the site with electrical service to the north, sanitary sewer to the south, and water to the east and north. Utility connections will be the developer's responsibility.

### **Thoroughfare Plan/Access**

One entry to the site comes from Wyndham Drive. A 4-foot wide sidewalk will be installed along Wyndham Drive. The total number of parking spaces provided is 154; the required number is 153. An agreement on shared parking and access will be required to be recorded as part of the site plan process prior to City Council consideration of the

project. The petitioner received a special use permit for two drive-up windows from the Board of Adjustment.

**Storm Water Detention**

Storm water detention will be located offsite with an infiltration pond located on the east side of the development to slowly release the water. Calculations verifying storm water capacity require City Engineer prior approval prior to City Council approval of the project.

**Recommended Action**

Staff recommends the Planning and Zoning Commission support approval of the final plat subject to the conditions listed below:

1. Approval of the final plat does not waive any applicable city, state, or federal provisions as required by law.
2. An agreement on shared parking and access will be required to be recorded as part of the platting process prior to City Council consideration of the project.

Respectfully submitted,

Greg Beck  
City Planner



## COMMUNITY DEVELOPMENT

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4100

October 19, 2016

Staff Report

### **Case No. 16-083**

**Location:** Southeast corner of Crow Creek Road and Middle Road Intersection - Site Development Plan

**Applicant:** AMF Real Estate, LLC

**Zoning Classification:** C-1, Local Shopping District

**Land Use Designation:** Commercial

### **Background Information and Facts**

AMF Real Estate has submitted a site development plan for a site located at the southeast intersection of Crow Creek Road and Middle Road (Lot 1, Wyndham Town Center) (see Aerial Photo, Preliminary Plat, and Final Plat; Attachments A, B, and C). This site is the last unplatted lot in the Wyndham West subdivisions (see Site Photo, Attachment D). The applicant plans to construct restaurant, retail, and office space on the lot (see Site Plan, Attachment E). The landscape plan shows the required number of trees along the boundary perimeter except for three trees required abutting the residential property to the southwest (see Landscape Plan, Attachment E). Arborvitae shall be used on a berm to screen Wyndham Drive from the development. The four buildings will contain restaurants, retail, and office uses (see Elevations, Attachment F).

### **Land Use**

The land use designation for the site is Commercial. The property is zoned C-1, Local Shopping District. A restaurant, retail space, and office space are permitted uses in this zoning district.

### **Utilities**

Utilities are available to the site with electrical service to the north, sanitary sewer to the south, and water to the east and north. Utility connections will be the developer's responsibility.

### **Thoroughfare Plan/Access**

One entry to the site comes from Wyndham Drive. A 4-foot wide sidewalk will be installed along Wyndham Drive. The total number of parking spaces provided is 154; the required number is 153. An agreement on shared parking and access will be required to be recorded as part of the site plan process prior to City Council consideration of the project. The petitioner received a special use permit for two drive-up windows from the Board of Adjustment.

### **Storm Water Detention**

Storm water detention will be located offsite with an infiltration pond located on the east side of the development to slowly release part of the development. Calculations verifying storm water capacity require City Engineer prior approval to City Council approval of the project.

### **Recommended Action**

Staff recommends the Planning and Zoning Commission support approval of the site development plan subject to the conditions listed below:

1. Approval of the site development plan does not waive any applicable city, state, or federal provisions as required by law.
2. All landscaping shall be installed and maintained according to the approved landscape plan submitted and approved as part of the site development plan. If all plantings cannot be installed by the time the certificate of occupancy is requested, then a bond shall be posted equal to 150% of the cost of materials and labor for completion of the planting. All landscaping will be planted outside of utility easement areas.
3. All storm water detention on site will be privately owned and maintained.
4. All detention designs and calculations must be approved by the City Engineer, prior to City Council consideration of the project.
5. All on-site utilities and driveway area to be privately owned and maintained.
6. An agreement on shared parking, access, storm water detention and dumpster provisions shall be recorded as part of the platting materials on file in the Scott County Recorder's Office.
7. An agreement on shared parking and access will be required to be recorded as part of the site plan process prior to City Council consideration of the project.
8. Show recreation trail as per Parks Department design prior to City Council consideration of the site development plan.

Respectfully submitted,

Greg Beck  
City Planner



5TH AVE

MASON RUN

EMILY RD

MIDDLE RD

55TH AVE

TRANQUILITY TRL

53RD AVE

RAVEN DR

55TH AVE

KRISTEN LN

54TH AVE

WILLOW DR

PANDIT DR

53RD AVE BIKE PATH

TANGLEWOOD DR

GRAYHAWK CT

TANGLEFOOT LN

PRESTWICK CT

MURFIELD CT

MURFIELD RD BIKE PATH

MURFIELD RD

5TH AVE

WILLOW DR

5TH AVE

WILLOW DR

5TH AVE

WILLOW DR

5TH AVE

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WILLOW DR

5TH AVE

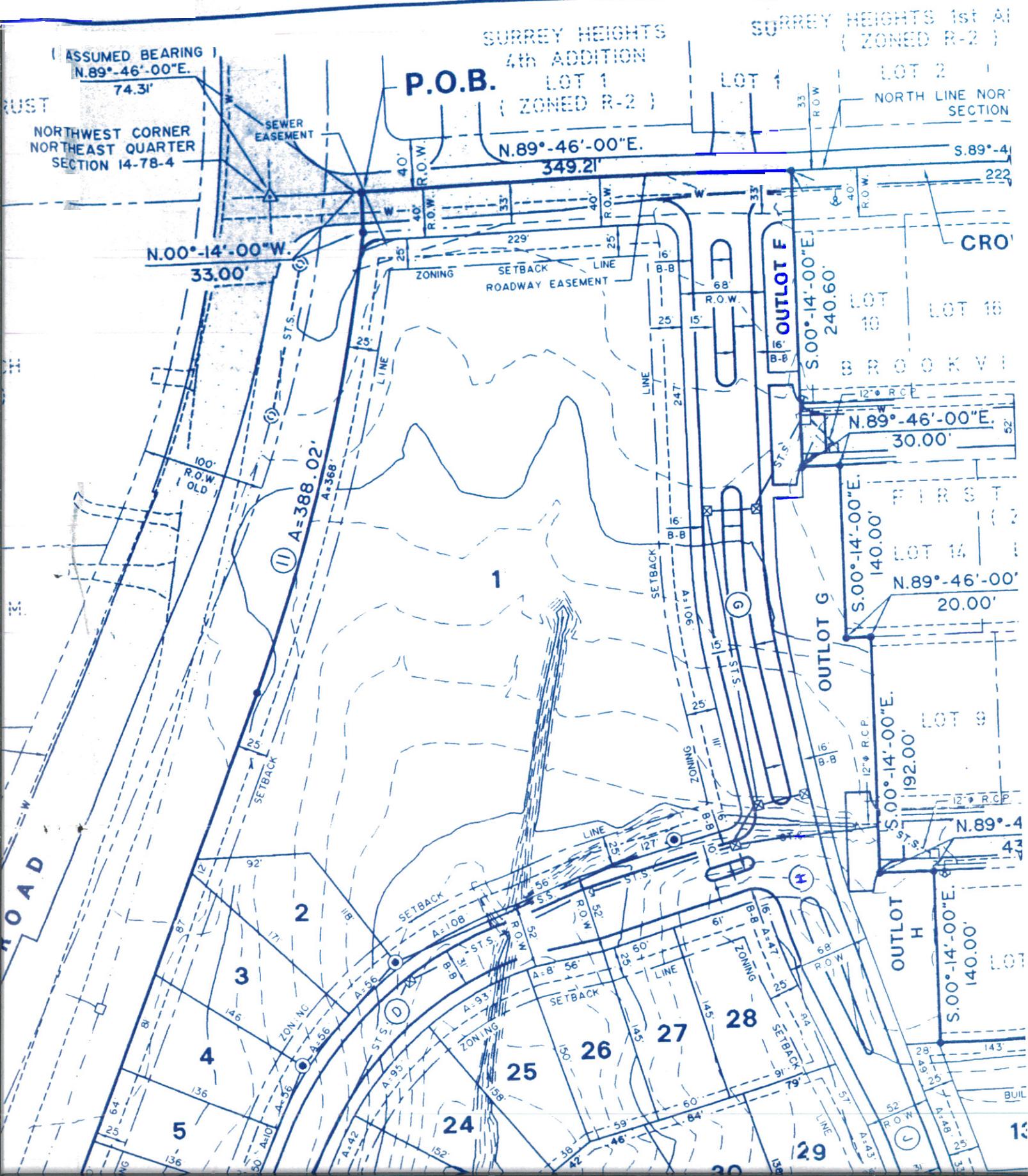
WILLOW DR

5TH AVE

WILLOW DR

WILLOW DR

WILLOW DR



FINAL PLAT OF WYNDHAM TOWN CENTER

BEING PART OF THE NORTHEAST QUARTER OF SECTION 14 TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, IN THE CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, 4.27 Acres±

BASIS OF BEARING IOWA STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 83 (2011 ADJUSTMENT)



SCALE: 1" = 40'

OWNER / SUBDIVIDER AMF REAL ESTATE LLC. 4215 East 60th Street Davenport, Iowa Attn: Adam Seitz

ABBREVIATIONS

- AC ACRES
- CL CENTERLINE
- L LENGTH
- R RADIUS
- SF SQUARE FEET
- BSL BUILDING SETBACK LINE
- PL PROPERTY LINE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- ROW RIGHT OF WAY
- UE UTILITY EASEMENT

LEGEND

- ⊕ RAILROAD SPIKE, FOUND
- REBAR, FOUND
- ⊗ CHISELED "X" IN CONCRETE, FOUND
- ⊗ CHISELED "X" IN CONCRETE, SET
- ▲ REBAR WITH CAP #\_\_\_\_, FOUND
- △ 5/8" REBAR WITH CAP #35-\_\_\_\_, SET
- 1/2" SQ. PIN, FOUND
- ⊙ P.K. NAIL, FOUND
- ⊙ P.K. NAIL, SET
- PIPE, FOUND
- CONCRETE MONUMENT, FOUND
- 100.00' MEASURED DIMENSION
- (100.00') RECORDED DIMENSION
- LINE CONTINUATION
- SUBDIVISION BOUNDARY
- PROPERTY LINE
- HISTORICAL LINE - AS NOTED
- PROPOSED EASEMENT LINE
- SECTION LINE
- R.O.W. LINE
- SETBACK LINE

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	388.00'	1,560.00'	N 12°20'36" E	387.00'
C2	23.56'	15.00'	S 47°31'52" E	21.21'
C3	105.60'	534.00'	S 08°11'47" E	105.43'
C4	22.33'	15.00'	S 28°46'38" W	20.32'
C5	107.84'	312.75'	S 61°37'33" W	107.31'
C6	380.94'	1,560.00'	S 12°28'23" W	379.99'
C7	7.07'	1,560.00'	S 05°20'52" W	7.07'

SURVEYOR'S NOTES

This Final Plat was prepared at the request of, and for the exclusive use of AMF Real Estate LLC.

It should be noted that in the performance of this re-survey, the courses and distances of the re-survey may vary from recorded calls, based on the existence of found monumentation, occupation, or other controlling calls or conditions that have occurred in the re-survey of this property.

This property is subject to any and all easements and roadways of record.

No investigation concerning environmental and subsurface conditions, or for the existence of underground containers, structures or facilities which may affect the use or development of this property was made as a part of this survey.

No investigation was made as apart of this survey to determine or show data concerning existence, size, depth, condition, capacity, or location of any utilities or municipal facilities, except as noted. Call Iowa One-Call at 1-800-292-8989 for information regarding these utilities or facilities.

No part of this subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19163C0369G with an Effective Date June 9, 2014.

Distances are listed in feet and decimal part of a foot.

All monuments have been found or set as shown on this plat.

Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cable, gas service, water service, sewer laterals, telephone service, and cable T.V. to individual structures and street lights.

Plat notes establish requirements for how a subdivision will develop. However, the city reserves the right in its sole discretion to alter or amend any plat note, or to sell or vacate any right of way or utility dedicated within the plat. Further the city reserves the right upon request of the owner to relocate any easement, alter lot boundaries or allow ground to be replatted.

MID AMERICAN ENERGY CO.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 MEDIACOM  
 \_\_\_\_\_  
 \_\_\_\_\_  
 CENTURYLINK  
 \_\_\_\_\_  
 \_\_\_\_\_  
 IOWA - AMERICAN WATER CO.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 CITY OF BETTENDORF  
 \_\_\_\_\_  
 \_\_\_\_\_  
 BY \_\_\_\_\_  
 ATTEST \_\_\_\_\_  
 DATE \_\_\_\_\_  
 PLANNING AND ZONING  
 \_\_\_\_\_  
 \_\_\_\_\_  
 BY \_\_\_\_\_  
 DATE \_\_\_\_\_

NO.	REVISIONS DESCRIPTION	DATE

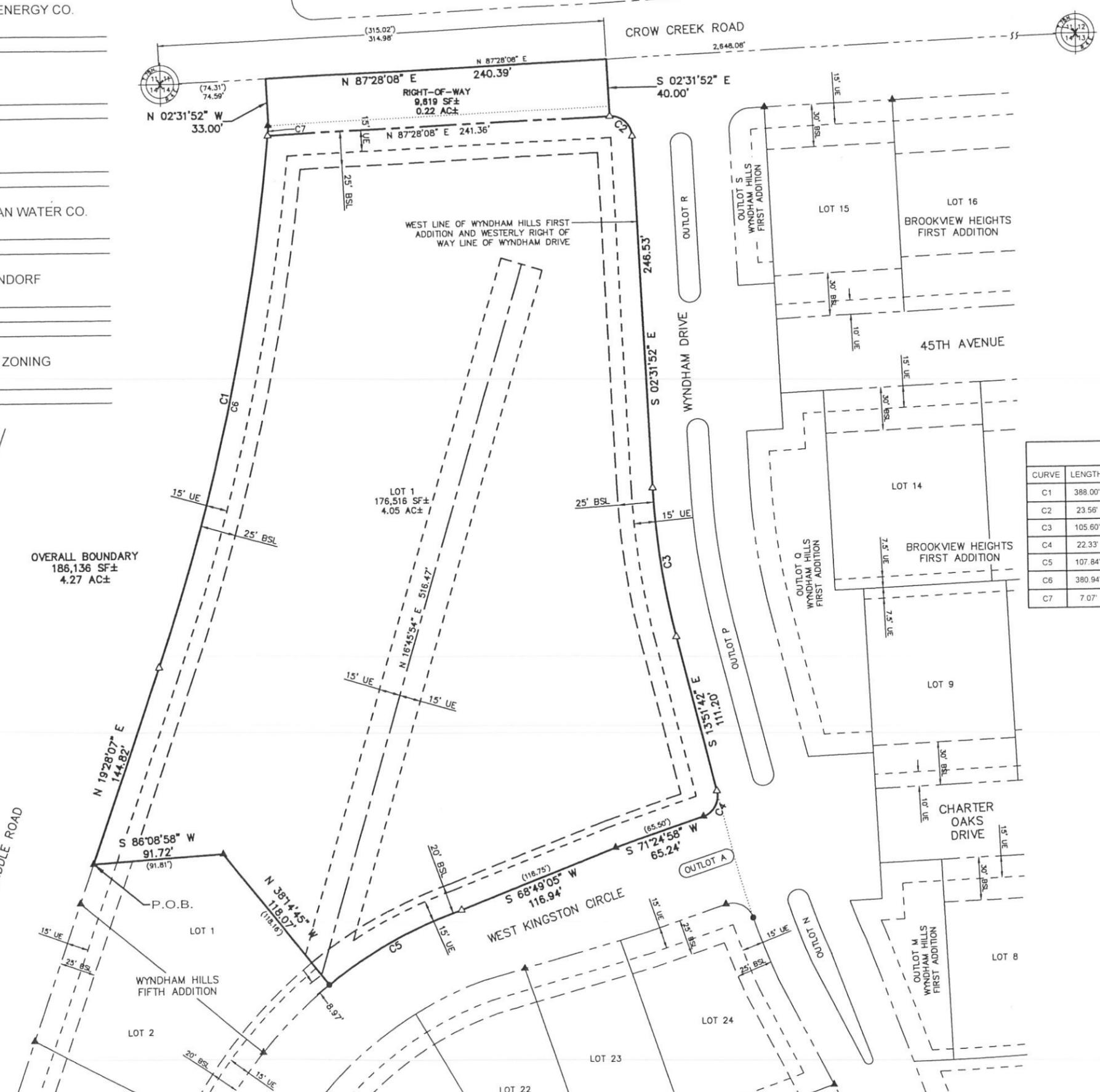


WYNDHAM TOWN CENTER  
 BETTENDORF, IOWA

Missman Proj  
 C16L036

File Name:  
 c16L036-Property.dwg  
 © COPYRIGHT 20  
 ALL RIGHTS RESE  
 Field Book No

Drawn By: D/  
 Checked By:





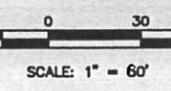
LOOKING SOUTHWEST FROM CROW CREEK ROAD AND WYNDHAM DRIVE



WYNDHAM DRIVE VIEW LOOKING NORTHWEST



Know what's below.  
 Call before you dig.



**LEGAL DESCRIPTION**  
 BEING PART OF THE NORTHEAST QUARTER OF SECTION 14 TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, IN THE CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA.

**OWNER & DEVELOPER**

AMF REAL ESTATE LLC.  
 4215 EAST 80TH STREET  
 DAVENPORT, IOWA  
 ATTN: ADAM SEITZ

**ARCHITECT**

STUDIO 483  
 201 W 2ND ST #608  
 DAVENPORT, IA 52801  
 563-328-2555  
 ATTN: GREG GOWEY

**CONTRACTOR**

BUSH CONSTRUCTION  
 5401 VICTORIA AVENUE  
 DAVENPORT, IOWA 52807  
 563-344-3791  
 ATTN: JEROD ENGLER

**SITE INFORMATION**

ZONING DISTRICT:	C-1 GENERAL BUSINESS
SITE LOCATION:	MIDDLE & CROW CREEK, BETTENDORF, IOWA
SITE AREA	178,516 S.F. ±
	4.05 ACRES ±
FRONT YARD REQUIRED	25'
SIDE YARD REQUIRED	N/A
REAR YARD REQUIRED	25'
TOTAL BUILDING AREA	30,000 S.F.
REQUIRED PARKING	153 SPACES
PROVIDED	154 (INCLUDING 8 HANDICAPPED)
TOTAL VEHICULAR USE AREA (V.U.A.)	72,337 S.F. ±
<b>CONSTRUCTION ACTIVITY DESCRIPTION:</b> The construction involves 4 proposed retail building, utility services & 154 parking stall parking lot.	

**Trees Per City Requirements:**

- Crow Creek Road - Deciduous Overstory Tree 7
- Wyndham Drive - Deciduous Understory Tree 22
- Middle Road - Deciduous Overstory Tree 20
- West Kingston Circle - Deciduous Overstory Tree 12
- Residential Property Line - Evergreen Tree 6
- Vehicular Use Area/Parking - Deciduous Understory Tree 16

**GENERAL NOTES**

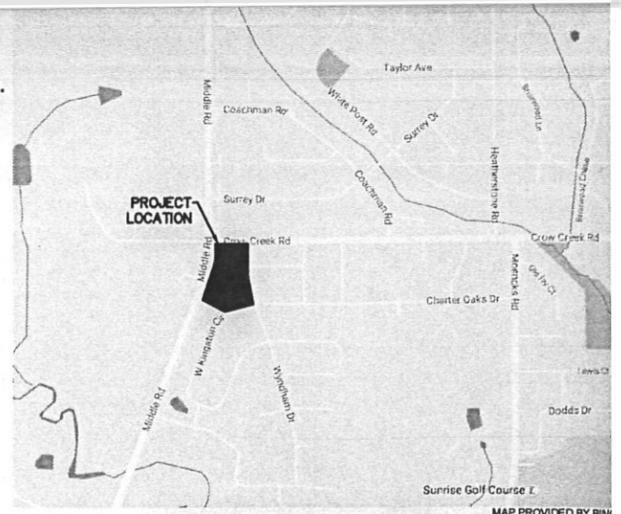
- ALL IMPROVEMENTS SHOWN ON THESE ENGINEERING PLANS SHALL COMPLY WITH THE CITY OF BETTENDORF DESIGN AND SPECIFICATIONS, LATEST EDITION, AND THE STANDARDS OF THE IOWA DEPARTMENT OF NATURAL RESOURCES, LATEST EDITION.
- UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS, AND FIELD INVESTIGATION. THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THERE TO.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES AND PAVED STREETS, INCLUDING ANY NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF ANY CONFLICTS WITH THE DRAWINGS OCCUR. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY TRENCHING AND GRADING OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- PROVIDE POSITIVE DRAINAGE AT ALL TIMES WITHIN THE CONSTRUCTION AREAS. DO NOT ALLOW WATER TO POND ONTO ADJOINING PROPERTY OR PUBLIC RIGHT-OF-WAY.
- ALL DEBRIS RESULTING FROM CONSTRUCTION OPERATIONS SHALL BE PROPERLY DISPOSED OF OFF-SITE.
- THE CONTRACTOR SHALL EXERCISE PROPER CAUTION TO PROTECT THE EXISTING IMPROVEMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE.
- ALL EROSION CONTROL MEASURES MUST BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY EARTH DISTURBING OPERATIONS. THE REMAINING EROSION CONTROL MEASURES SHALL BE INSTALLED AS SOON AS REASONABLY POSSIBLE AFTER GRADING OPERATIONS BEGIN. WHERE THE PRESENCE OF SILT FENCE WILL INTERFERE WITH ACTIVITIES, DIVERSION DITCHES AND SMALL TEMPORARY SEDIMENT TRAPS SHALL BE UTILIZED UNTIL SILT FENCE OR OTHER MEASURES MAY BE INSTALLED AND VEGETATION ESTABLISHED.
- BUILDING CONSTRUCTION TYPE IS ANTICIPATED TO BE TYPE "B" PER THE 2009 INTERNATIONAL BUILDING CODE.
- OCCUPANCY TYPE IN THIS BUILDING WILL BE GROUP "M" OCCUPANCY PER THE 2009 INTERNATIONAL BUILDING CODE.
- PROPOSED BUILDING ADDITION IS NOT REQUIRED TO BE EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM.

**CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	388.00'	1,560.00'	N 12°20'36" E	387.00'
C2	23.56'	15.00'	S 47°31'52" E	21.21'
C3	105.60'	534.00'	S 08°11'47" E	105.43'
C4	22.33'	15.00'	S 28°46'38" W	20.32'
C5	107.84'	312.75'	S 61°37'33" W	107.31'
C6	380.94'	1,560.00'	S 12°28'23" W	379.99'
C7	7.07'	1,560.00'	S 05°20'52" W	7.07'

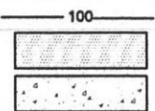
**VICINITY MAP**

NOT TO SCALE



**LEGEND**

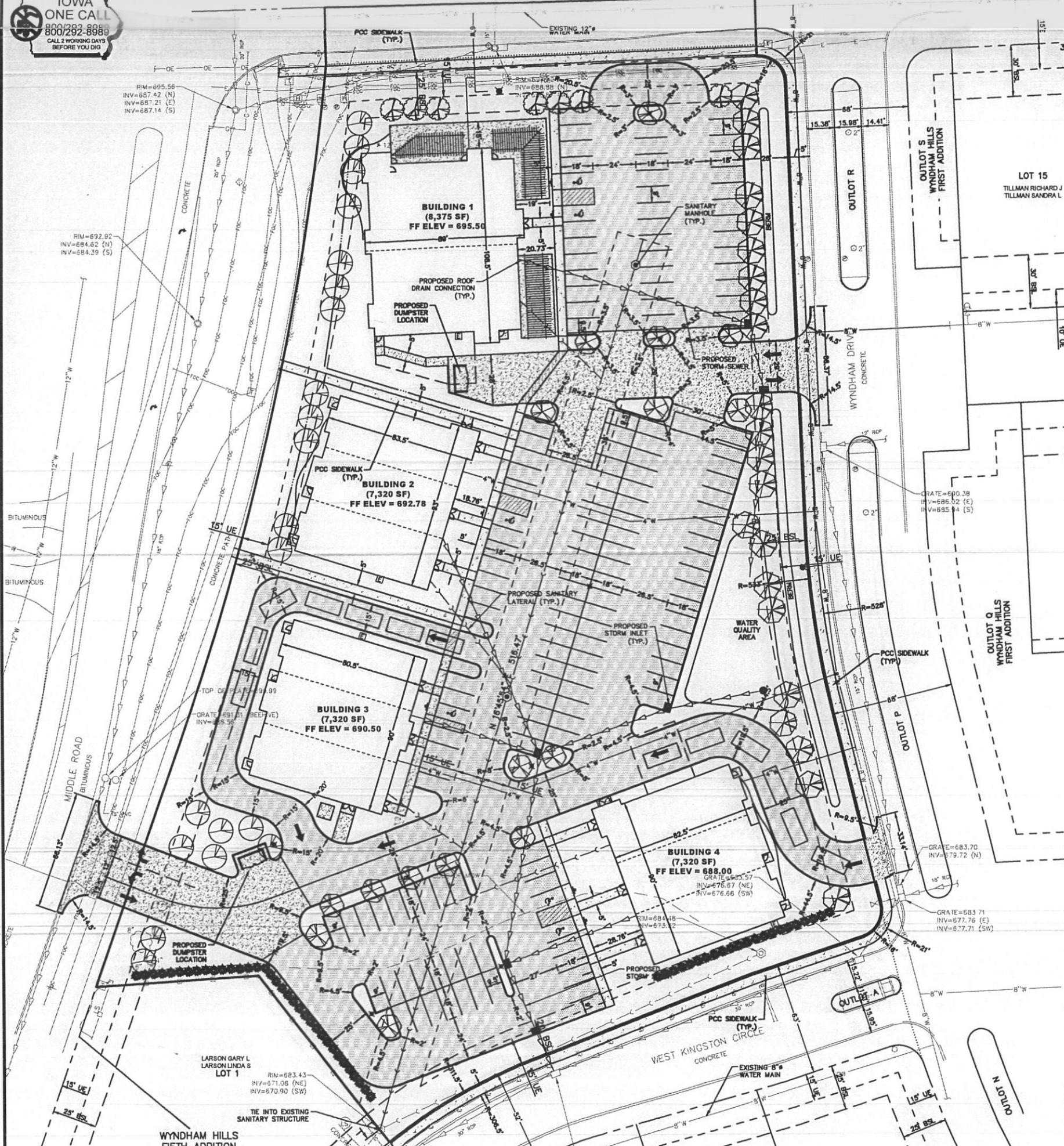
PROPOSED	EXISTING	DESCRIPTION
●	○	STORM MANHOLE
■	○	STORM INLET
●	○	STORM INLET
■	○	DOWNSPOUT
■	○	SANITARY MANHOLE
■	○	SANITARY/STORM CLEANOUT
■	○	WATER VALVE
■	○	HYDRANT
■	○	WATER SERVICE
■	○	POWER POLE W/ METER
■	○	GUY WIRE
■	○	GUY POLE
■	○	ELECTRIC MANHOLE
■	○	ELECTRIC PEDESTAL/TRANSFORMER
■	○	ELECTRIC METER
■	○	TELEPHONE POLE
■	○	TELEPHONE MANHOLE
■	○	TELEPHONE PEDESTAL
■	○	CABLE TV PEDESTAL
■	○	UTILITY MANHOLE
■	○	GAS VALVE
■	○	GAS METER
■	○	LIGHT POLE
---	---	PROPERTY LINE
---	---	CENTERLINE
---	---	EASEMENT LINE
---	---	SECTION LINE
---	---	R.O.W. LINE
---	---	SETBACK LINE
---	---	SANITARY SEWER
---	---	STORM SEWER
---	---	PIPE UNDERDRAIN
---	---	WATER LINE
---	---	OVERHEAD ELECTRIC
---	---	UNDERGROUND ELECTRIC
---	---	GAS LINE
---	---	CONTOUR
---	---	P.C.C PAVEMENT
---	---	SIDEWALK



I hereby certify that this plan was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

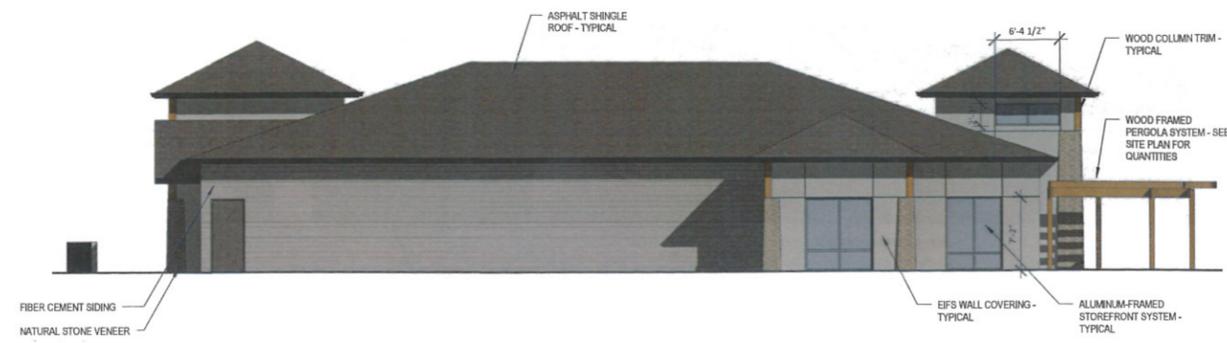
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Kristin E. Crawford  
 License No. 19664  
 My license renewal date is December 31, 2017  
 Pages or sheets covered by this seal: \_\_\_\_\_

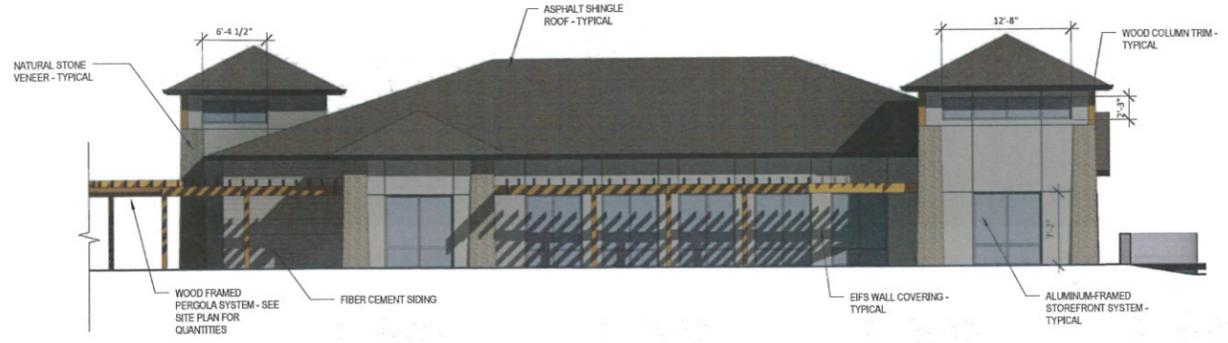




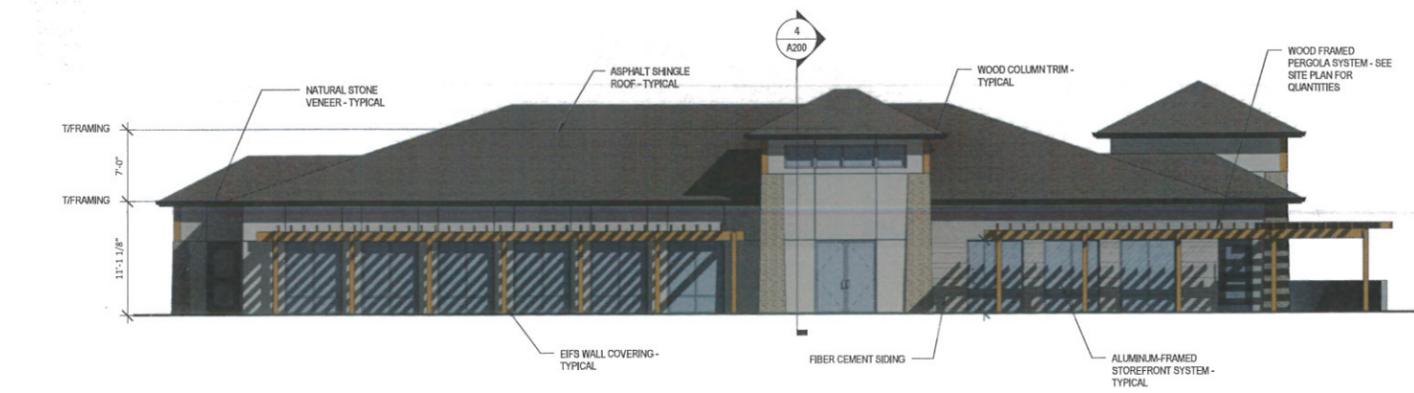
Building on a foundation of Integrity™  
 5401 VICTORIA AVENUE  
 DAVENPORT, IOWA 52807  
 PHONE: 563-344-3791  
 FAX: 563-344-3792



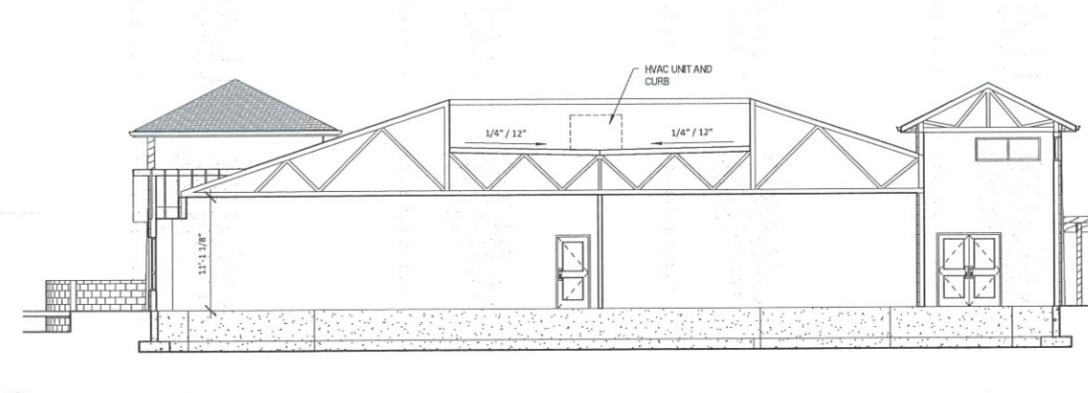
1 SOUTH ELEVATION - BUILDING 1  
 1/8" = 1'-0"



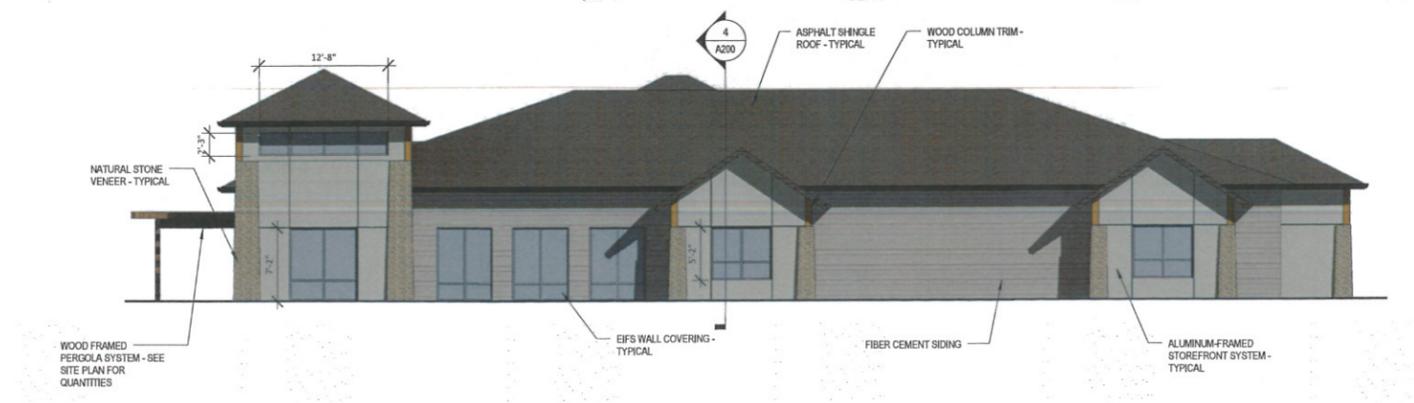
2 NORTH ELEVATION - BUILDING 1  
 1/8" = 1'-0"



3 EAST ELEVATION - BUILDING 1  
 1/8" = 1'-0"



4 BUILDING SECTION  
 1/8" = 1'-0"



5 WEST ELEVATION - BUILDING 1  
 1/8" = 1'-0"

WYNDHAM TOWN CENTER  
 BUILDING 1

REVISIONS		
NO.	DESCRIPTION	DATE

PROJECT INFORMATION	
NUMBER:	15186
DATE:	9/1/16
DRAWN BY:	MJ
CHECKED BY:	TQ

SHEET TITLE

ELEVATIONS -  
 BUILDING 1

SHEET NUMBER

A200

THESE DOCUMENTS ARE FOR REFERENCE PURPOSES ONLY. THEY HAVE NOT BEEN VERIFIED BY A LICENSED ARCHITECT OR ENGINEER AND ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES.



## COMMUNITY DEVELOPMENT

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4055

October 19, 2016

Staff Report

### **Case No. 16-097**

**Subdivision Name:** Crowne Pointe Twelfth Addition - Final Plat

**Location:** West of Middle Road, south of Woodfield Drive, and north of Lindquist Ford

**Applicant:** Clyde Mayfield and Julie Martens

**Land Use Designation:** Commercial

### **Background Information and Facts**

Clyde Mayfield and Julie Martens are proposing a replat of Lot 2, Crowne Pointe Ninth Addition (see Aerial Photo, Attachment A.) The site is located west of Middle Road and south of Woodfield Drive (Site Photo, Attachment B). Lot 2 will be replatted to delineate any easements and boundaries on the property as a two-lot subdivision to be known as Crowne Pointe Twelfth Addition (see Crowne Pointe Ninth Addition and Crowne Pointe Twelfth Addition, Attachments C and D). The site development plan shows the layout of the future Greatest Grains location (see Site Development Plan, Attachment E). The landscape plan shows how the site complies with ordinance requirements (see Landscape Plan, Attachment F). The building is intended to look generally as shown on the elevation with the potential to move the other tenants area to the northwest side of the building (see Elevation, Attachment G).

### **Land Use**

Land use is Commercial. The zoning of C-2, Community Shopping District would permit a retail grocery store on this lot.

### **Utilities**

Utilities are already available to the area. The developer will have the responsibility to connect to the utilities.

### **Thoroughfare Plan/Pedestrian Access**

Access will come from Middle Road by way of a shared access. A service drive from Woodfield Drive would permit trucks to enter bringing inventory to the store.

### **Storm Water Detention**

Storm water detention is accommodated on-site with the detention basin.

### **Staff Recommendation**

Staff recommends approval of the replat with the following conditions:

1. Any agreements and platting documentation must be completed prior to the issuance of a building permit.
2. All obligations imposed on Lot 2, Crowne Pointe Ninth Addition will carry over to this parcel and be so noted as part of the replatting documentation recorded at the Scott County Courthouse.
3. This approval does not waive any other state, federal, or local government provisions as required by law.
4. The access from Woodfield Drive to Lot 1, Crowne Pointe Twelfth Addition is limited to use for service vehicles and is not intended for customer traffic.

Respectfully submitted,

Greg Beck  
City Planner



## **COMMUNITY DEVELOPMENT**

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4055

October 19, 2016

Staff Report

### **Case No. 16-098**

**Subdivision Name:** Lot 1, Crowne Pointe Twelfth Addition – Site Development Plan

**Location:** West of Middle Road, south of Woodfield Drive, and north of Lindquist Ford

**Applicant:** Clyde Mayfield and Julie Martens

**Land Use Designation:** Commercial

### **Background Information and Facts**

Clyde Mayfield and Julie Martens are proposing a site development plan for Lot 1, Crowne Pointe Twelfth Addition (see Aerial Photo, Attachment A.) The site is located west of Middle Road and south of Woodfield Drive ( Site Photo, Attachment B). Lot 2 of Crowne Pointe Ninth Addition is being replatted to delineate any easements and boundaries on the property as a two-lot subdivision to be known as Crowne Pointe Twelfth Addition (see Crowne Pointe Ninth Addition and Crowne Pointe Twelfth Addition, Attachments C and D). The site development plan shows the layout of the future Greatest Grains location (see Site Development Plan, Attachment E). The landscape plan shows how the site complies with ordinance requirements (see Landscape Plan, Attachment F). The elevation shown is intended to look generally as shown, with the potential to move the other tenants area to the northwest side of the building (see Elevation, Attachment G).

### **Land Use**

Land use is Commercial. The zoning of C-2, Community Shopping District would permit a retail grocery store on this lot.

### **Utilities**

Utilities are already available to the area. The developer will have the responsibility to connect to the utilities.

### **Thoroughfare Plan/Pedestrian Access**

Access will come from Middle Road by way of a shared access. A service drive from Woodfield Drive would permit trucks to enter bringing inventory to the store.

### **Storm Water Detention**

Storm water detention is accommodated on-site with the detention basin.

### **Staff Recommendation**

Staff recommends approval of the site development plan subject to the following conditions:

1. Any agreements and platting documentation must be completed prior to the issuance of a building permit.
2. All obligations imposed on Lot 2, Crowne Pointe Ninth Addition will carry over to this parcel and be so noted as part of the replatting documentation recorded at the Scott County Courthouse.
3. This approval does not waive any other state, federal, or local government provisions as required by law.
4. The access from Woodfield Drive to Lot 1, Crowne Pointe Twelfth Addition is limited to use for service vehicles and is not intended for customer traffic.
5. A 6-foot wide recreational trail shall be required to be placed along Middle Road.

Respectfully submitted,

Greg Beck  
City Planner





WOODFIELD DRIVE VIEW LOOKING SOUTHEAST ↘

↙ VIEW LOOKING NORTHWEST



Woodfield Dr

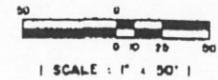
Goodyear  
Tire  
Petitioner's  
Lot

CHURCH  
ENTRY  
private  
drive

# FINAL PLAT OF CROWNE POINTE NINTH ADDITION TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 15  
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
ALSO BEING A REPLAT OF LOT 2, CROWNE POINTE FIFTH ADDITION AND  
A REPLAT OF PART OF LOT 1, BETTENDORF CHRISTIAN CHURCH FIRST ADDITION

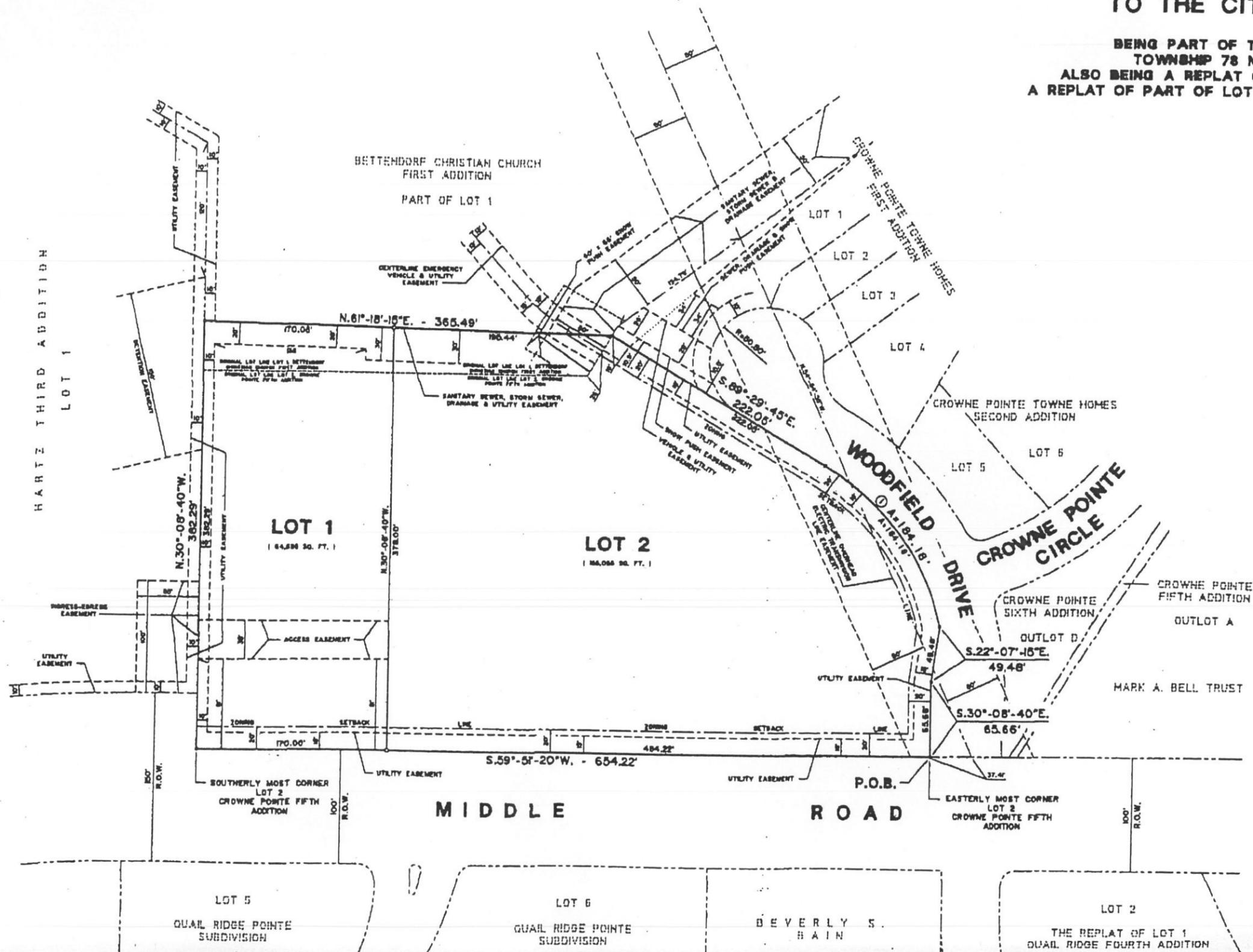
CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	224.00'	47°-06'-35"	104.18'	179.04'	N.65°-06'-30"W.	97.85'



OWNER - DEVELOPER  
**McMANUS DEVELOPMENT**  
P.O. BOX 927  
BETTENDORF, IOWA 52722  
ATTN: MARK McMANUS

GENERAL NOTES

- IRON MONUMENTS FOUND SHOWN THUS ( 5/8" IRON PIN )
- IRON MONUMENTS SET SHOWN THUS ( 5/8" x 30" IRON PIN )
- DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 0.04 ACRES, MORE OR LESS.
- FOR THIS SURVEY THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 15-78-4 WAS ASSUMED TO BEAR EAST.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS OF THE CITY OF BETTENDORF, IOWA.
- ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.



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*  
 David L. Meyer, P.E. & L.S., License Number 7181  
 Date: **MAY 1, 2007**  
 My license renewal date is \_\_\_\_\_



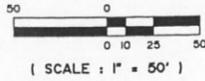
# FINAL PLAT OF CROWNE POINTE TWELFTH ADDITION

TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 15  
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
ALSO BEING A REPLAT OF LOT 2, CROWNE POINTE NINTH ADDITION

OCT 12 2016

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	224.00'	47°-06'-35"	184.18'	179.04'	N.65°-56'-30"W.	97.65'



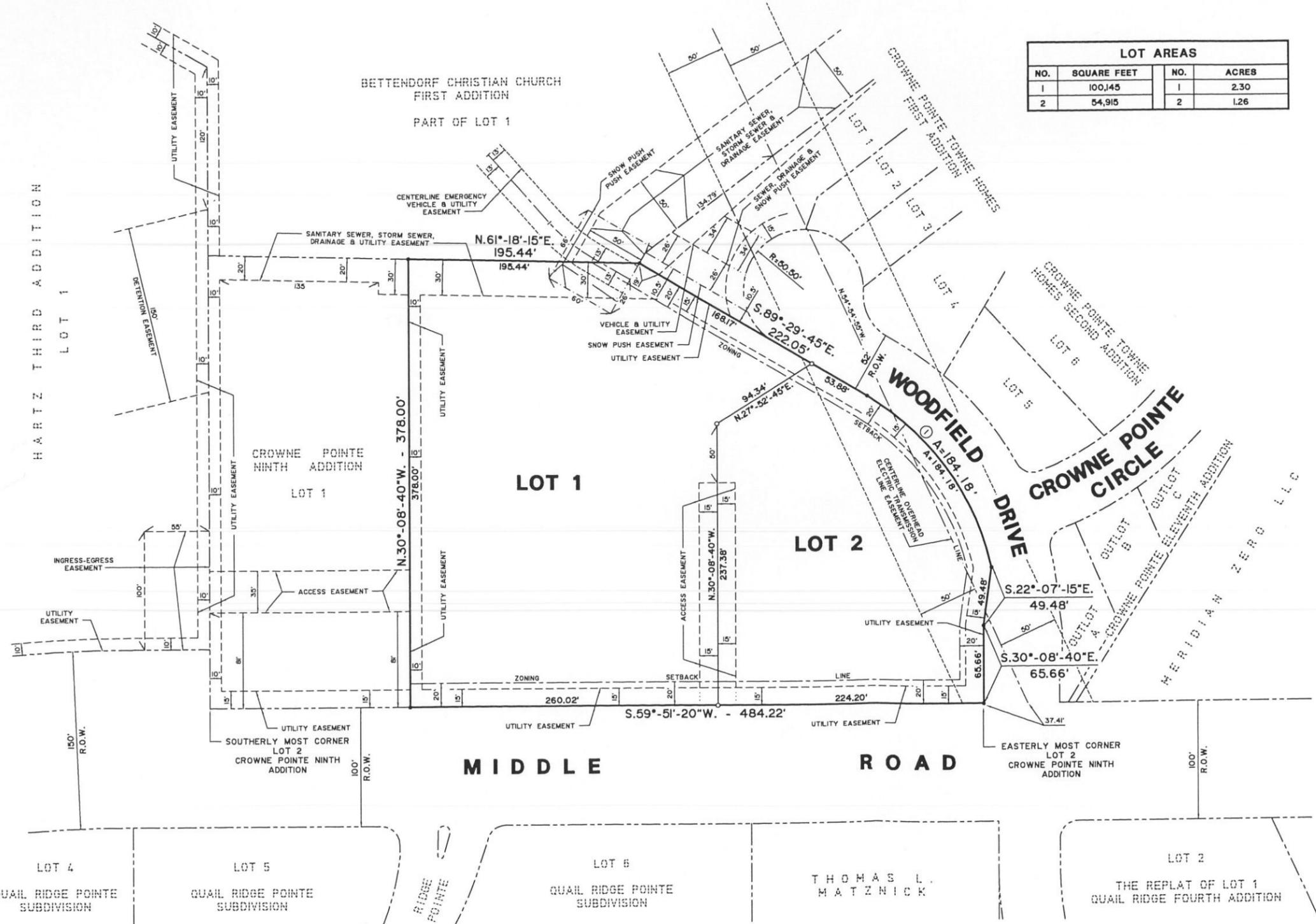
**OWNER**  
**MARK McMANUS DEVELOPMENT**  
P.O. BOX 927  
BETTENDORF, IOWA 52722

**DEVELOPER**  
**JULIE MARTENS & CLYDE MAYFIELD**  
1600 NORTH HARRISON STREET  
DAVENPORT, IOWA 52803

LOT AREAS			
NO.	SQUARE FEET	NO.	ACRES
1	100,145	1	2.30
2	54,915	2	1.26

**GENERAL NOTES**

- IRON MONUMENTS FOUND SHOWN THUS ( 5/8"φ IRON PIN ).
- IRON MONUMENTS SET SHOWN THUS ( 5/8"φ x 30" IRON PIN ).
- DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 3.56 ACRES, MORE OR LESS.
- FOR THIS SURVEY THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 15-78-4 WAS ASSUMED TO BEAR EAST.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLES, GAS SERVICE, WATER SERVICE, SEWER LATERAL, TELEPHONE SERVICE AND CABLE T.V. SERVICE TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.
- LOTS ARE ZONED C-2 ( COMMUNITY SHOPPING DISTRICT ).
- ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.
- PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.



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.

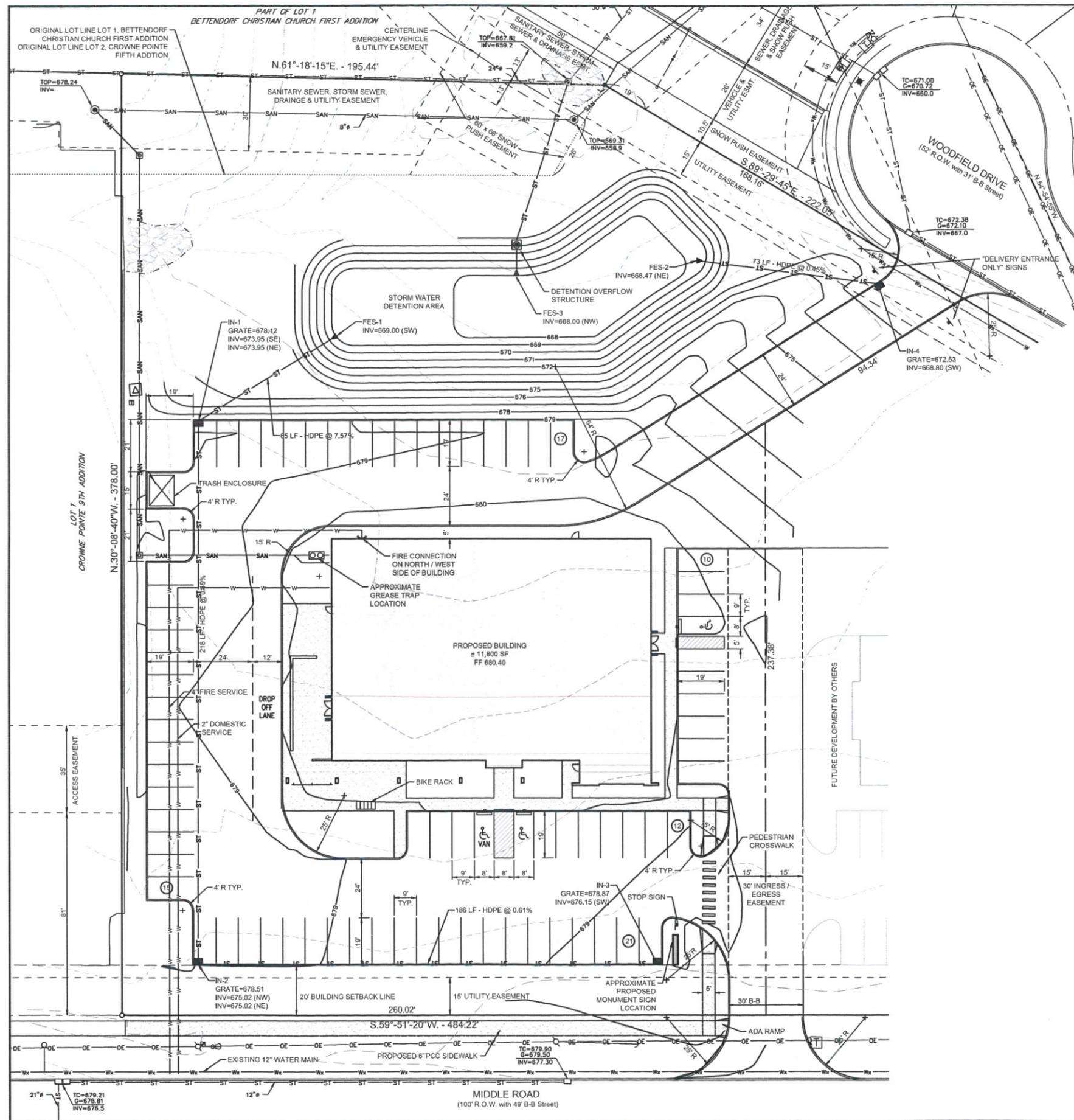
Signature: \_\_\_\_\_  
David L. Meyer, P.E. & L.S., License Number 7222

Date: **SEPTEMBER 30, 2016**  
My license renewal date is December 31, 2018

**THIS SHEET ONLY**

Pages or sheets covered by this seal: \_\_\_\_\_





1" = 30'

LEGEND		
PROPOSED	EXISTING	
		SANITARY SEWER
		SANITARY SEWER MH
		SANITARY CLEANOUT
		STORM SEWER
		STORM SEWER MH
		DETENTION OUTLET
		FLARED END SECTION
		FIRE HYDRANT
		ELEVATION CONTOUR
		OVERHEAD ELECTRIC
		POLE POWER
		POLE W/ LIGHT
		GUY WIRE
		CONIFEROUS TREE
		DECIDUOUS TREE
		GAS MAIN
		WATER MAIN
		P.C. CONCRETE PVMT.
		P.C. CONCRETE WALK



SITE DATA		
Zoning: C-2 Community Shopping District		
Setbacks Required:		
Front	20'	
Side	None	
Rear	None	
Parking:		
	Required	Provided
Regular	59	71
ADA	3	3
Total	62	74
Vehicular Use Area:		
	Required	Provided
34,737 SF x 7% =	2,432 SF	2,704 SF
Building Information:		
Construction Type: Type 2-B		
Building Area: 11,800 SF		
Occupancy Type: Mercantile		
Sprinkler System: Yes		

- GENERAL NOTES**
- LEGAL DESCRIPTION: LOT 1 OF CROWNE POINTE TWELFTH ADDITION (IN PROCESS).
  - ALL IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH ALL CURRENT CODES AND ORDINANCES OF THE CITY OF BETTENDORF, IOWA.
  - THIS SITE IS SERVED BY CITY OF BETTENDORF (SANITARY SEWER), IOWA-AMERICAN WATER COMPANY, MID AMERICAN ENERGY CO. (GAS AND ELECTRIC) AND CENTURY LINK (COMMUNICATIONS LINES).
  - ALL EXISTING UTILITIES SHOWN WERE LOCATED PARTIALLY IN THE FIELD AND PARTIALLY FROM REVIEW OF EXISTING PUBLIC RECORDS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE ALL EXISTING UNDERGROUND LINES PRIOR TO BEGINNING ANY CONSTRUCTION IN THE AREA. ANY DAMAGE DONE TO UTILITIES DUE TO CONSTRUCTION WILL BE REPAIRED AT THE CONTRACTOR'S OWN EXPENSE.
  - ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. ALL PAVEMENT DIMENSIONS ARE TO BACK OF CURB OR EDGE OF SLAB. ALL ELEVATIONS ARE TO TOP OF PAVEMENT UNLESS OTHERWISE NOTED.
  - ALL SIDEWALKS ARE TO BE PORTLAND CEMENT CONCRETE AND SHALL BE HANDICAP ACCESSIBLE.
  - ALL INTERIOR DRIVEWAYS AND SIDEWALKS ARE PRIVATELY OWNED AND ARE TO BE MAINTAINED BY THE PROPERTY OWNER.
  - IMPROVEMENTS SHOWN TO THE NORTHEAST OF THIS DEVELOPMENT ARE BEING INSTALLED BY OTHERS.

CONTACT INFORMATION	
Architect:	Studio 483 201 W. 2nd Street, Suite 608 Davenport, IA 52801 (563) 326-2555
Owner:	Mark McManus Development P.O. Box 927 Bettendorf, IA 52722 (563) 449-9212
Developer:	Bush Construction 5401 Victoria Avenue Davenport, IA 52807 (563) 344-3791



2550 middle road, ste. 300  
bettendorf, ia 52722  
www.jmcivildesign.com

revision	date	no.
REVISIONS PER CITY REVIEW	10.12.2016	1

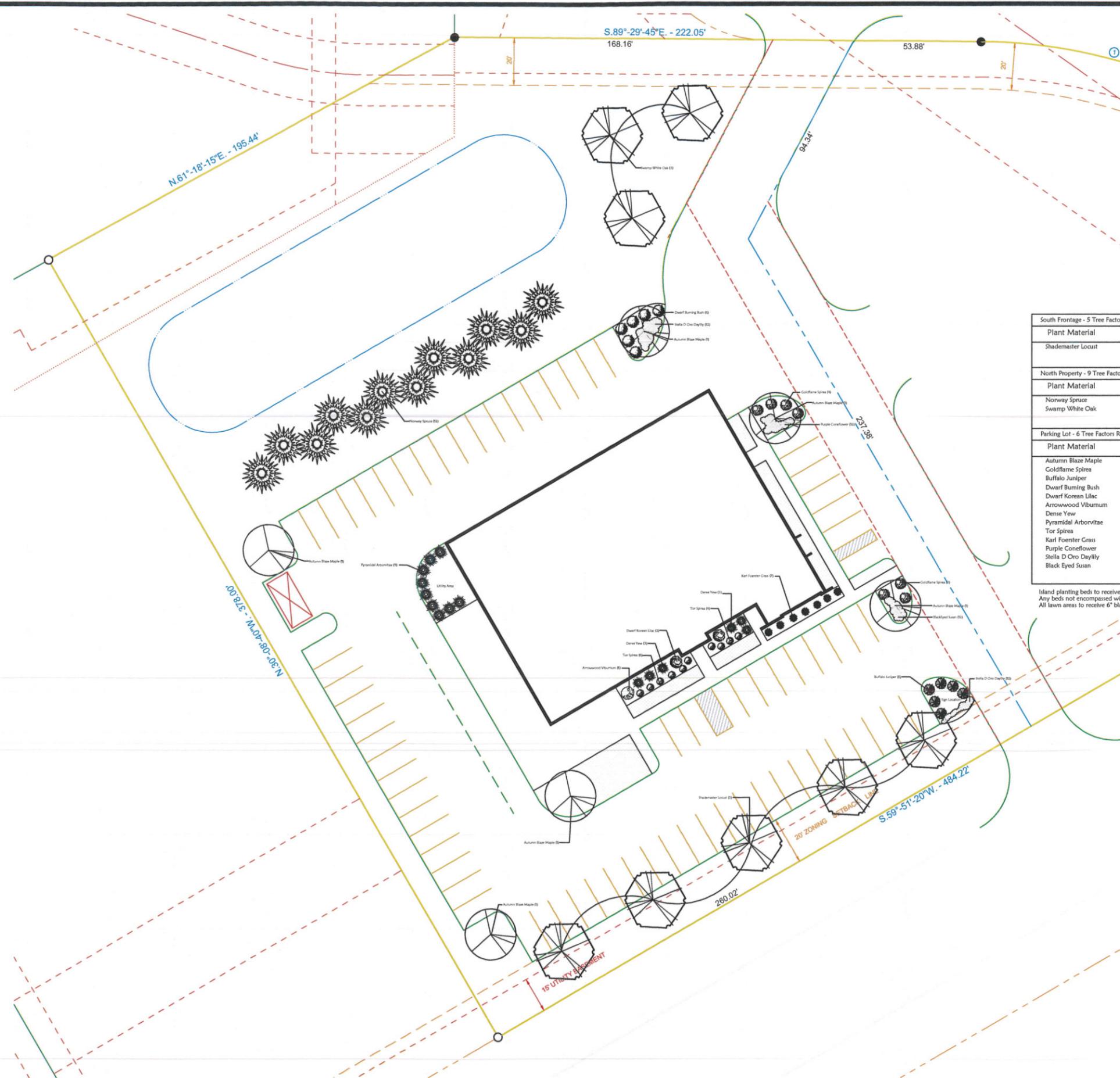
GREATEST GRAINS  
Middle Road, Bettendorf, Iowa  
Bush Construction

jmcid project no.	16-012
drawn by:	cam
checked by:	baj
date:	09.30.2016

DETAILED  
SITE  
PLAN



This plan is conceptual; all dimensions are to be verified. Materials are represented in their future condition in a more mature state. All design and ideas contained in these drawings are not to be used as final construction documents. The design is intended to be used as a guide for the contractor. Graphic representations are for illustrative purposes and adjustments may be made during installation in keeping with the design intent. All symbols are used to show all plant material at a mature size and shape.



South Frontage - 5 Tree Factors Required		
Plant Material	Size	Quantity
Shademaster Locust	2.5" Caliper	5

North Property - 9 Tree Factors Required		
Plant Material	Size	Quantity
Norway Spruce	6-7' Tall	12
Swamp White Oak	2.5" Caliper	3

Parking Lot - 6 Tree Factors Required		
Plant Material	Size	Quantity
Autumn Blaze Maple	2" Caliper	6
Goldflame Spirea	5 gallon	7
Buffalo Juniper	5 gallon	6
Dwarf Burning Bush	30" B&B	6
Dwarf Korean Lilac	30" B&B	2
Arrowwood Viburnum	36" B&B	1
Dense Yew	24" B&B	6
Pyramidal Arborvitae	5' Tall	9
Tor Spirea	5 gallon	10
Karl Foerster Grass	2 gallon	7
Purple Coneflower	2 gallon	12
Stella D'Oro Daylily	2 gallon	24
Black Eyed Susan	2 gallon	12

Island planting beds to receive fabric and oversized river rock.  
 Any beds not encompassed with a concrete edge shall receive end to end brick edging - red holland paver.  
 All lawn areas to receive 6" black topsoil, sod and an automatic irrigation system.

Date: October 10, 2016  
 Drawing Number: EG1100

A Landscape Design Prepared For The:







## COMMUNITY DEVELOPMENT

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

October 19, 2016

### **Case No. 16-099**

**Location:** Interstate 74 Technology Park Fifth Addition – Final Plat

**Applicant:** Build to Suit, Inc.

**Current Land Use Designation:** Office Research Campus to Commercial

### **Background Information and Facts**

The proposed final plat is for one of the largest infill areas left in the City and is located south of 40<sup>th</sup> Avenue and west of Utica Ridge Road (see Aerial Photo, Attachment A). The proposed plat shows the overall layout of the Interstate 74 Technology Park Fifth Addition as parts of the previous four subdivisions and unplatted ground northwest of 40<sup>th</sup> Avenue (see Final Plats, Attachments B, C, D, and E). A previous site development plan anticipated development of a four building complex on Lots 1 and 2 of I-74 Technology Park Second Addition (see Previous Site Development Plan, Attachment C). The current proposal is for one building and an addition to an existing structure (see Grading and Site Plan, Attachments F, G, and H). The proposed structures will face 40<sup>th</sup> Avenue (see Elevations, Attachment G). The site is currently developed with semi-industrial uses and office uses nearby, with more similar style buildings proposed (see Site Photo, Attachment I).

### **Land Use**

The land use designation for the site is Office/Research Campus. It is zoned C-6, Office and Research Park District. The applicant is in the process of obtaining a land use amendment to Commercial and a rezoning to C-3, General Business District which allows uses for the proposed type of business which is similar to Terracon, with a lesser setback off of 40<sup>th</sup> Avenue.

### **Utilities**

The site has access to sanitary sewer from 40<sup>th</sup> Avenue. Water will come from along 40<sup>th</sup> Avenue. All utility connections will be the developer's responsibility.

### **Thoroughfare Plan/Access**

Roadway connections will be through 40<sup>th</sup> Avenue from Utica Ridge Road. Cross easements will be in place to permit traffic to access all portions of Lot 1 and 2.

**Storm Water Detention**

Storm water detention is intended to be addressed through the use of three basins within the subdivision.

**Staff Recommendation**

Staff recommends approval of the final plat with the following conditions:

1. Approval of the final plat does not waive any applicable local, state, or federal provisions as required by law.
2. All storm sewer will be privately owned and maintained.
3. Storm water calculations shall be approved by the City Engineer prior to the issuance of building permits.
4. Final plat approval is to be considered by City Council after the rezoning of the I-74 Technology Park to C-3, General Business District.

Respectfully submitted,

Greg Beck  
City Planner



## COMMUNITY DEVELOPMENT

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

October 19, 2016

### **Case No. 16-100**

**Location:** Lot 1, Interstate 74 Technology Park Fifth Addition – Site Development Plan

**Applicant:** Build to Suit, Inc.

**Current Land Use Designation:** Office Research Campus to Commercial

### **Background Information and Facts**

The proposed site development plan is for one of the largest infill areas left in the City and is located south of 40<sup>th</sup> Avenue and west of Utica Ridge Road (see Aerial Photo, Attachment A). The proposed plat shows the overall layout of the I-74 Technology Park Fifth Addition as parts of the previous four additions and unplatted ground northwest of 40<sup>th</sup> Avenue (see Final Plats, Attachments B, C, D, and E). A previous site development plan anticipated development of a four building complex on Lots 1 and 2 of I-74 Technology Park Second Addition (see Previous Site Development Plan, Attachment C). The current proposal is for one building and an addition to an existing structure (see Grading and Site Plan, Attachments F, G, and H). The proposed structures will face 40<sup>th</sup> Avenue (see Elevations, Attachment G). The site is currently developed with semi-industrial uses and office uses nearby, with more similar style buildings proposed (see Site Photo, Attachment I). The tree count is met with landscape layout as shown (see Landscape Plan, Attachment J).

### **Land Use**

The land use designation for the site is Office/Research Campus. It is zoned C-6, Office and Research Park District. The applicant is in the process of obtaining a land use amendment to Commercial and a rezoning to C-3, General Business District which allows uses for the proposed type of business which is similar to Terracon, with a lesser setback off of 40<sup>th</sup> Avenue.

### **Utilities**

The site has access to sanitary sewer from 40<sup>th</sup> Avenue. Water will come from along 40<sup>th</sup> Avenue. All utility connections will be the developer's responsibility.

### **Thoroughfare Plan/Access**

Roadway connections will be through 40<sup>th</sup> Avenue from Utica Ridge Road. Cross easements will be in place to permit traffic to access all portions of Lot 1 and 2.

**Storm Water Detention**

Storm water detention is intended to be addressed through the use of three basins within the subdivision.

**Staff Recommendation**

Staff recommends approval of the site development plan with the following conditions:

1. Approval of the site development plan does not waive any applicable local, state, or federal provisions as required by law.
2. All storm sewer will be privately owned and maintained.
3. Storm water calculations shall be approved by the City Engineer prior to the issuance of building permits.
4. Site development plan approval is to be considered by City Council after the rezoning of the I-74 Technology Park to C-3, General Business District.

Respectfully submitted,

Greg Beck  
City Planner

INT 74

RAMP

UTICA RIDGE RD

40TH ST

GOLDEN VALLEY DR

TANGLEFOOT LN



Site of buildout

C 5

R 2

R 2

TANG

# FINAL PLAT OF INTERSTATE 74 TECHNOLOGY PARK THIRD ADDITION TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE NORTHEAST QUARTER OF SECTION 17  
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
AND ALSO BEING A REPLAT OF LOTS 2 AND 3  
INTERSTATE 74 TECHNOLOGY PARK  
AN ADDITION TO THE CITY OF BETTENDORF, IOWA

### GENERAL NOTES

- IRON MONUMENTS FOUND SHOWN THUS ( 5/8" IRON PIN )
- IRON MONUMENTS SET SHOWN THUS ( 5/8" x 30" )
- DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 1.49 ACRES, MORE OR LESS.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE AND CABLE T.V. TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.
- SUBDIVISION IS ZONED C-6 ( OFFICE AND RESEARCH PARK DISTRICT ).
- ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.
- PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.
- THE FRONT YARD SETBACK FOR A PARKING LOT FROM TANGLEFOOT LANE IS 20 FEET BECAUSE OF A VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT.
- A SIDEWALK SHALL BE CONSTRUCTED ALONG THE NORTH RIGHT OF WAY LINE OF TANGLEFOOT LANE IN CONJUNCTION WITH BUILDING CONSTRUCTION ON THE INDIVIDUAL LOTS.
- ALL INTERIOR DRIVEWAYS ARE PRIVATELY OWNED AND ARE TO BE MAINTAINED BY A PROPERTY OWNERS' ASSOCIATION.
- LOT 1 SHALL NOT HAVE DIRECT ACCESS TO TANGLEFOOT LANE. DIRECT ACCESS TO TANGLEFOOT LANE FROM LOT 2 IS RESTRICTED TO THE 25 FOOT ACCESS EASEMENT AS SHOWN. CROSS ACCESS BETWEEN THE LOTS 1 AND 2 WILL BE WITHIN THE EASEMENTS SHOWN HEREON.
- THE AREA CONTAINED IN THIS PLAT IS SUBJECT TO A "PREPLATTING AND DEVELOPMENT AGREEMENT" AND AN "ACCESS EASEMENT AND MAINTENANCE AGREEMENT" FILED AS DOCUMENT NUMBERS 2008-29809 AND 2008-29810 RESPECTIVELY IN THE OFFICE OF THE RECORDER OF SCOTT COUNTY, IOWA.

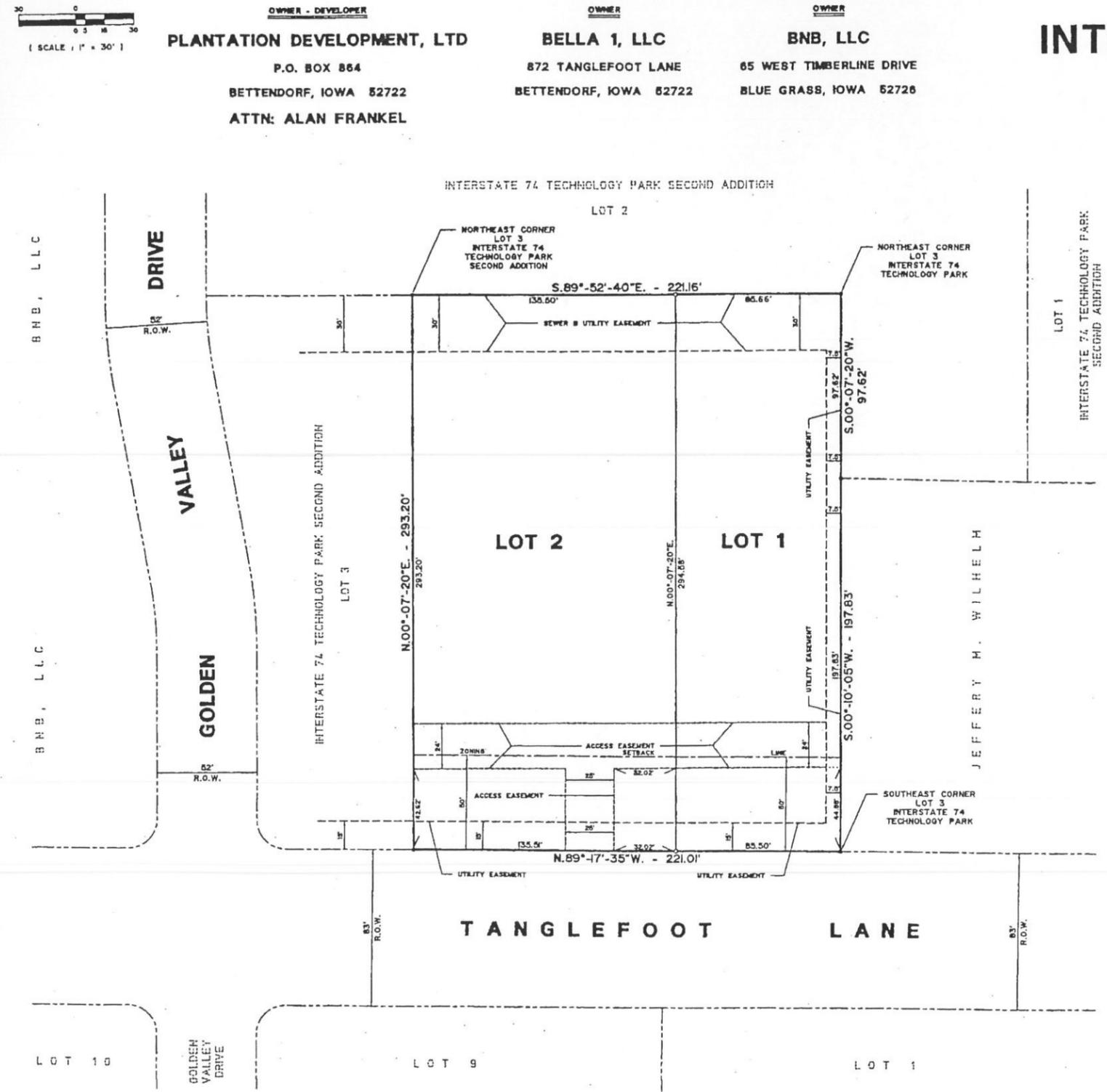
LOT AREAS			
NO.	SQUARE FEET	NO.	SQUARE FEET
1	26,265	2	39,620

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 7722  
Date: **OCTOBER 23, 2014**  
My license renewal date is December 31, 2014

THIS SHEET ONLY

Pages or sheets covered by this seal:



<p style="font-size: x-small;">OWNER - DEVELOPER</p> <p><b>PLANTATION DEVELOPMENT, LTD</b></p> <p style="font-size: x-small;">P.O. BOX 864 BETTENDORF, IOWA 52722 ATTN: ALAN FRANKEL</p>	<p style="font-size: x-small;">OWNER</p> <p><b>BELLA 1, LLC</b></p> <p style="font-size: x-small;">872 TANGLEFOOT LANE BETTENDORF, IOWA 52722</p>	<p style="font-size: x-small;">OWNER</p> <p><b>BNB, LLC</b></p> <p style="font-size: x-small;">65 WEST TIMBERLINE DRIVE BLUE GRASS, IOWA 52726</p>
--	---	--

SUMMIT HILLS COMMERCIAL PARK BETTENDORF

CENTURYLINK	MIDAMERICAN ENERGY COMPANY IOWA-AMERICAN WATER CO.	MEDIACOM	PLAN & ZONE COMMISSION CITY OF BETTENDORF, IOWA
BY DATE 1/14/15	BY DATE 1/14/15	BY DATE 1/14/15	BY DATE 1-14-15
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN ENERGY COMPANY		DATE 1-14-15	DATE 1-21-15

PREPARED BY

**VERBEKE - MEYER**  
CONSULTING ENGINEERS, P.

4111 EAST 60TH STREET  
DAVENPORT, IOWA 52807  
PHONE NUMBER: ( 563 ) 359 - 1348  
VMCE 08178 - THIRD ADDITION

ID: 020228860024 Type: PLA  
 Recorded: 01/26/2015 at 12:21:16 PM  
 Fee Amt: \$117.00 Page 1 of 24  
 Scott County Iowa  
 Rita A. Vargas Recorder  
**File 2015-00001808**

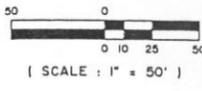
DAVID L. MEYER 4111 EAST 60TH STREET DAVENPORT, IOWA 52807 (563) 359-1348

# FINAL PLAT OF INTERSTATE 74 TECHNOLOGY PARK FOURTH ADDITION

TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE NORTHEAST QUARTER OF SECTION 17  
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
AND BEING A REPLAT OF LOTS 1 AND 2  
INTERSTATE 74 TECHNOLOGY PARK SECOND ADDITION  
TO THE CITY OF BETTENDORF, IOWA

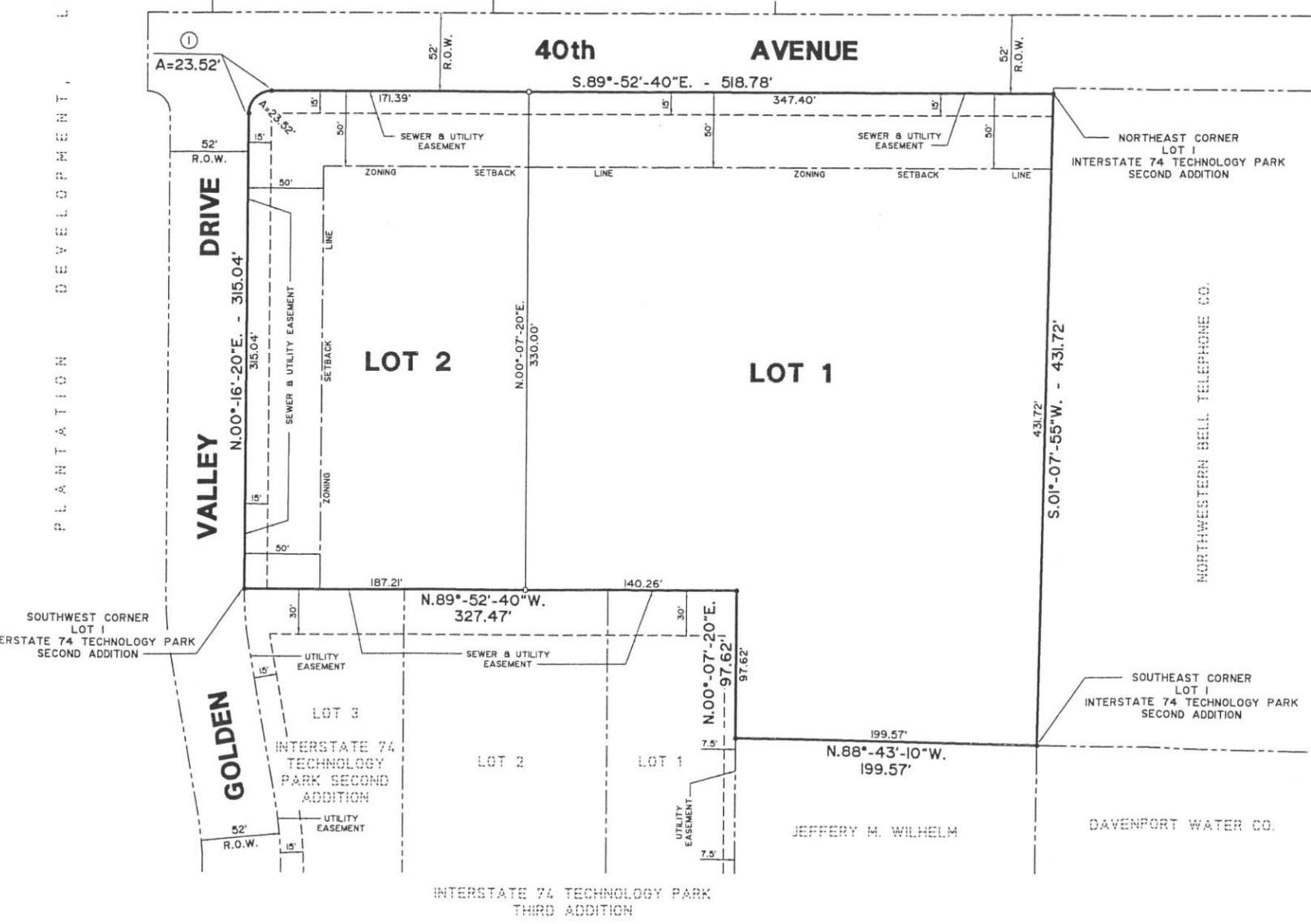
JUL 31 2015



PLANTATION DEVELOPMENT, LTD.

BOYD - RUSSELL FIRST ADDITION

LOT 3                      LOT 2                      LOT 1



OWNER  
**BUSTER INVESTMENTS, LLC**  
65 WEST TIMBERLINE DRIVE  
BLUE GRASS, IOWA 52726  
ATTN: DOUGLAS BORGESON

DEVELOPER  
**K R E, LLC**  
1805 STATE STREET  
BETTENDORF, IOWA 52722  
ATTN: KEVIN KOELLNER

LOT AREAS			
NO.	SQUARE FEET	NO.	ACRES
1	133,650	1	3.07
2	61,590	2	1.41

**GENERAL NOTES**

IRON MONUMENTS FOUND SHOWN THUS ( 5/8" IRON PIN )  
 IRON MONUMENTS SET SHOWN THUS ( 5/8" x 30" IRON PIN )  
 DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.  
 SUBDIVISION CONTAINS 4.48 ACRES, MORE OR LESS.  
 FOR THIS SURVEY THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 17-78-4 WAS ASSUMED TO BEAR N.89°-17'-40"W.  
 BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE AND CABLE T.V. TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.  
 SUBDIVISION IS ZONED C-6 ( OFFICE AND RESEARCH PARK DISTRICT ).  
 ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.  
 PARKING IS PERMITTED WITHIN 20 FEET OF THE RIGHT OF WAY OF 40th AVENUE BECAUSE OF A VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT.  
 PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.  
 A SIDEWALK SHALL BE CONSTRUCTED ALONG THE SOUTH RIGHT OF WAY LINE OF 40th AVENUE AND THE EAST RIGHT OF WAY LINE OF GOLDEN VALLEY DRIVE IN CONJUNCTION WITH BUILDING CONSTRUCTION ON THE INDIVIDUAL LOTS.  
 ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS OF THE CITY OF BETTENDORF, IOWA.

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	15.00'	89°-51'-05"	23.52'	21.19'	N.45°-11'-50"E.	14.96'

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: JULY 27, 2015  
 My license renewal date is December 31, 2016  
 THIS SHEET ONLY  
 Pages or sheets covered by this seal: \_\_\_\_\_





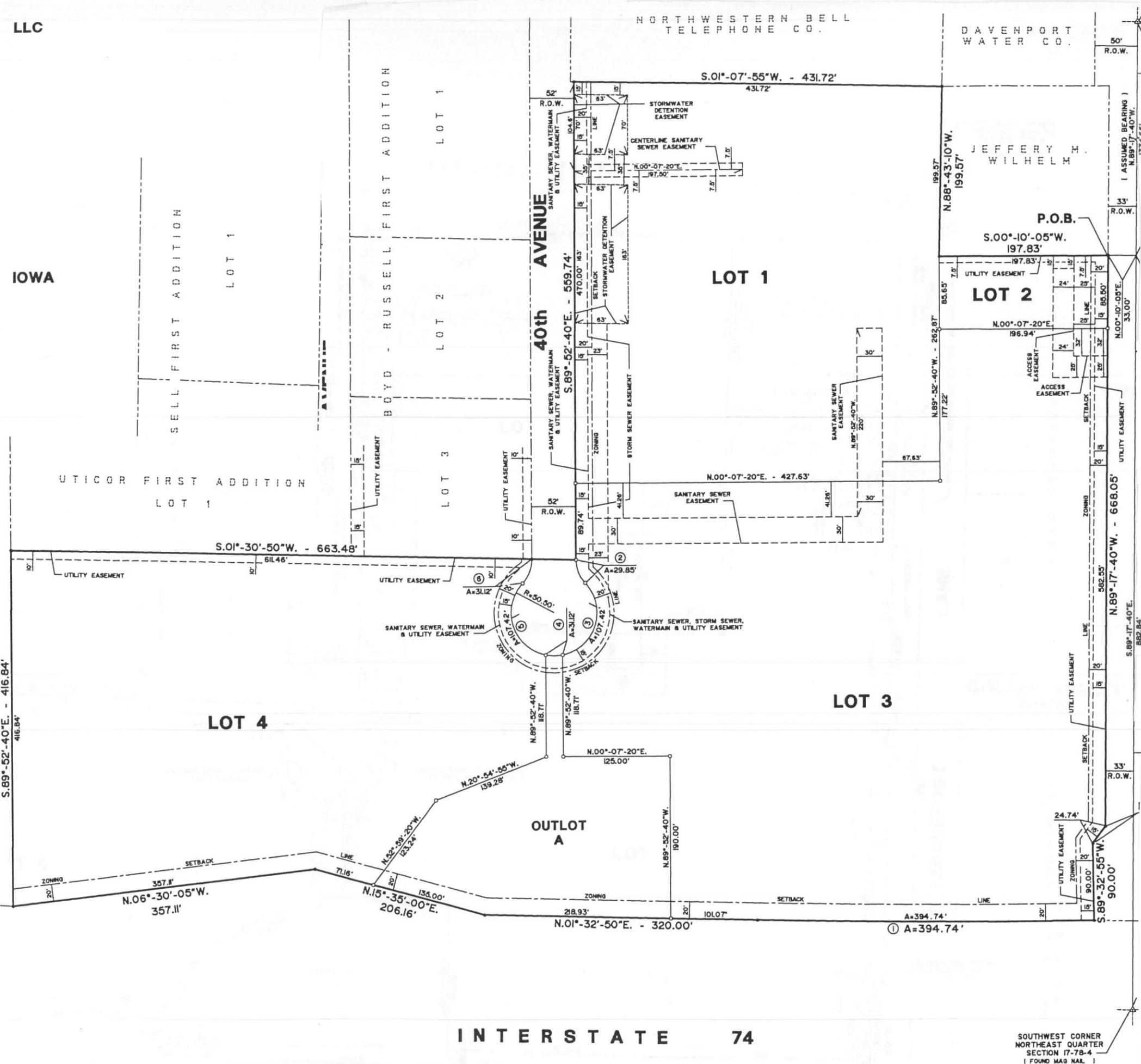
# INTERSTATE 74 TECHNOLOGY PARK FIFTH ADDITION TO THE CITY OF BETTENDORF, IOWA

BEING PART OF THE NORTHEAST QUARTER OF SECTION 17  
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
AND IN PART BEING A REPLAT OF LOT 3 AND GOLDEN VALLEY DRIVE  
IN INTERSTATE 74 TECHNOLOGY PARK SECOND ADDITION,  
LOTS 1 AND 2 OF INTERSTATE 74 TECHNOLOGY PARK THIRD ADDITION AND  
LOTS 1 AND 2 OF INTERSTATE 74 TECHNOLOGY PARK FOURTH ADDITION  
TO THE CITY OF BETTENDORF, IOWA

LOT AREAS			
NO.	SQUARE FEET	NO.	ACRES
1	199,775	1	4.59
2	16,890	2	0.39
3	331,365	3	7.61
4	29,675	4	5.04
A	54,425	A	1.25

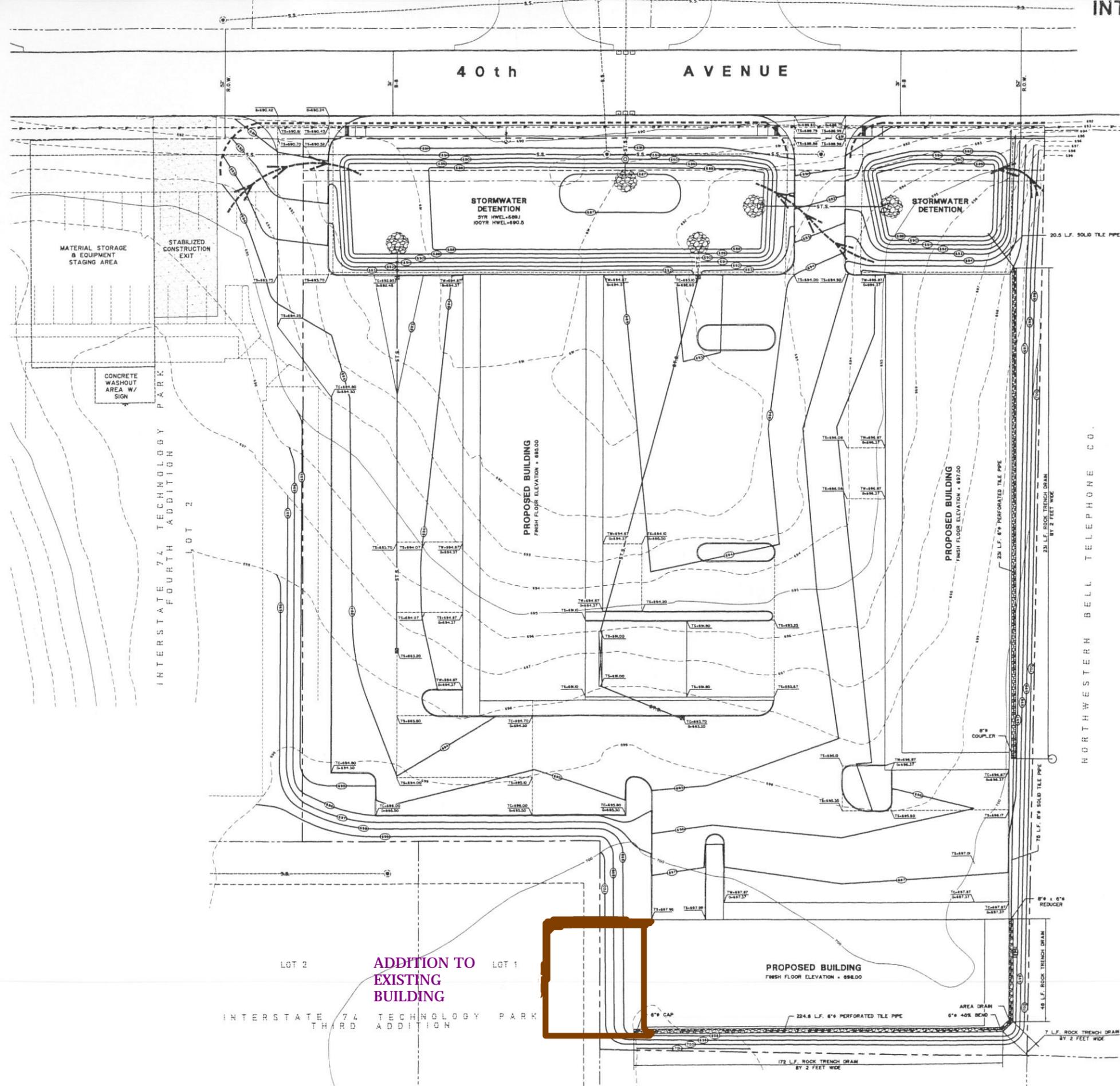
### GENERAL NOTES

- IRON MONUMENTS FOUND SHOWN THUS  ( 5/8" IRON PIN )
- IRON MONUMENTS SET SHOWN THUS  ( 5/8" x 30" IRON PIN )
- DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- SUBDIVISION CONTAINS 19.08 ACRES, MORE OR LESS.
- FOR THIS SURVEY THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 17-78-4 WAS ASSUMED TO BEAR N.89°-17'-40"W.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE AND CABLE T.V. TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.
- SUBDIVISION IS ZONED C-3 ( GENERAL BUSINESS DISTRICT )
- ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF CITY COUNCIL APPROVAL. IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.
- PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATTED.
- A SIDEWALK SHALL BE CONSTRUCTED ALONG THE STREET FRONTAGE OF EACH LOT IN CONJUNCTION WITH BUILDING CONSTRUCTION ON THE INDIVIDUAL LOT
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST STANDARD SPECIFICATIONS OF THE CITY OF BETTENDORF, IOWA.
- LOT 2 SHALL NOT HAVE DIRECT ACCESS TO TANGLEFOOT LANE. DIRECT ACCESS FROM LOT 2 TO TANGLEFOOT LANE IS RESTRICTED TO THE 25 FOOT ACCESS EASEMENT AS SHOWN ON THIS PLAT ON LOT 3.
- OUTLOT A IS TO BE USED FOR STORMWATER DETENTION AND IS A STORM SEWER, DRAINAGE AND STORM WATER DETENTION EASEMENT.



FOURTH ADDITION  
BETTENDORF, IOWA

1" = 50'



- SITE GRADING & EROSION CONTROL NOTES**
- 1) ALL PERIMETER EROSION CONTROL MEASURES MUST BE INSTALLED (WHERE POSSIBLE) PRIOR TO THE COMMENCEMENT OF ANY EARTH DISTURBING OPERATIONS. THE REMAINING EROSION CONTROL MEASURES SHALL BE INSTALLED AS SOON AS REASONABLY POSSIBLE AFTER GRADING OPERATIONS BEGIN. WHERE THE PRESENCE OF SILT FENCE WILL INTERFERE WITH ACTIVITIES DIVERSION DITCHES AND SMALL TEMPORARY SEDIMENT TRAPS SHALL BE UTILIZED UNTIL SILT FENCE OR OTHER MEASURES MAY BE INSTALLED AND SEEDING COMPLETED.
  - 2) ALL EROSION CONTROL MEASURES SHALL BE EXAMINED BY THE CONTRACTOR EACH WEEK AND AFTER EACH RAINFALL. EACH MEASURE SHALL BE MAINTAINED OR IF NEEDED, REPLACED, SO IT WILL FUNCTION AS ORIGINALLY DESIGNED. A WRITTEN LOG OF ALL INSPECTIONS AND MODIFICATIONS SHALL BE PREPARED AND KEPT ON THE SITE BY THE CONTRACTOR.
  - 3) DIVERSION DITCHES, BERMS, SILT FENCE, AND OTHER SEDIMENT CONTROL MEASURES ARE RECOMMENDED AND ALLOWED TO BE USED INTERCHANGEABLY OR IN COMBINATION WITH EACH OTHER DEPENDING ON FUNCTIONALITY, CONTRACTOR PREFERENCE, SITE CONDITIONS, CONSTRUCTION PHASING AND OTHER PROJECT CONSTRAINTS.
  - 4) PROPOSED CONTOURS AND SPOT ELEVATIONS SHOWN ON THE PLAN ARE FINISH GRADE ELEVATIONS.
  - 5) REFER TO THE ARCHITECTURAL PLANS FOR FLOOR SLAB THICKNESS AND BUILDING SUBGRADE ELEVATIONS.
  - 6) THE SITE SHALL BE PREPARED BY STRIPPING ALL TOPSOIL CONTAINING VEGETATION FROM THE AREAS TO BE GRADED AND STOCKPILING IT. THIS MATERIAL SHALL NOT BE USED AS FILL EXCEPT FOR IN NON-CRITICAL YARD AREAS THAT ARE REQUIRED TO BE COMPACTED BUT NOT REQUIRED TO HAVE THE FILL CONTROLLED. SILT FENCE IS REQUIRED TO OUTLINE THE PLACEMENT AREAS AT ALL LOCATIONS.
  - 7) ANY TREES, BRUSH, STUMPS AND FENCING MATERIALS REMOVED IN THE CLEARING OPERATIONS SHALL BE DISPOSED OF IN THE PROPER MANNER AT AN APPROVED OFFSITE LOCATION. THE CONTRACTOR SHALL SAVE AND PROTECT ALL TREES NOT SHOWN TO BE REMOVED ON THE PLANS.
  - 8) THE CONTRACTOR SHALL EXERCISE PROPER CAUTION TO PROTECT THE EXISTING IMPROVEMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE.
  - 9) THE CONTRACTOR SHALL BE AWARE THAT FIELD DRAINAGE TILE MAY EXIST IN THE AREA AND THAT EXTREME CARE SHALL BE TAKEN TO PREVENT ANY DAMAGE TO THESE SYSTEMS. ANY TILE ENCOUNTERED SHALL BE LOCATED AND A COPY PROVIDED TO THE ENGINEER.
  - 10) PRIOR TO PLACEMENT OF ANY FILL, THE STRIPPED SITE SHALL BE SCARIFIED TO A DEPTH OF 9 INCHES AND RE-COMPACTED TO DENSITIES SPECIFIED BELOW. ANY UNSUITABLE SOILS FOUND AT THIS TIME SHALL BE DRIED AND RE-COMPACTED OR REMOVED IF REQUIRED COMPACTION CANNOT BE OBTAINED.
  - 11) ALL FILL MATERIAL SHALL CONSIST OF APPROVED, SUITABLE SOILS PLACED IN LOOSE LIFTS OF 9 INCHES OR LESS AND COMPACTED TO AT LEAST 90 PERCENT OF THE MATERIAL'S MAXIMUM STANDARD PROCTOR DRY DENSITY (ASTM D998). THE COMPACTED FILL WILL BE FIELD TESTED BY A SOILS ENGINEERING CONSULTANT REPRESENTING THE OWNER.
  - 12) SUBGRADES IN CUT AREAS AND IN AREAS RECEIVING LESS THAN 9 INCHES OF NEW FILL SHALL ALSO BE SCARIFIED TO A DEPTH OF ABOUT 9 INCHES, ADJUSTED IN MOISTURE CONTENT AS NEEDED AND RE-COMPACTED AS SPECIFIED ABOVE.
  - 13) TOLERANCES FOR GRADING SHALL BE TO WITHIN ±0.10 FEET OF PROPOSED SUBGRADE ELEVATIONS. TOLERANCES FOR PAVEMENT SUBGRADES REQUIRED JUST PRIOR TO PAVING SHALL BE ±0.02 FEET. TOLERANCES FOR FINISH GRADING SHALL BE TO THE REQUIREMENTS OF THE LANDSCAPE SPECIFICATIONS.
  - 14) RESURFACE OR PROVIDE 4 TO 6 INCHES OF TOPSOIL ON ALL AREAS NOT INTENDED FOR BUILDINGS, PAVEMENT, PARKING, SIDEWALKS OR DRIVEWAYS. TOPSOIL SHALL BE UNIFORMLY PLACED AND SPREAD BY THE GRADING CONTRACTOR. FINAL AND DETAIL SPREADING AND SMOOTHING SHALL BE PERFORMED BY THE LANDSCAPE CONTRACTOR.
  - 15) THROUGHOUT THE GRADING OPERATIONS, ANY AREAS THAT WILL BE UNDISTURBED FOR AN ANTICIPATED PERIOD OF 21 DAYS OR MORE SHALL BE TEMPORARILY SEEDING. THE SEED MIXTURE AND FERTILIZER AND THEIR APPLICATION RATES WILL BE DETERMINED AT THE TIME AND CONDITIONS SEEDING IS TO TAKE PLACE.
  - 16) ROLLED EROSION CONTROL PRODUCT (RECP) SHALL HAVE NETTING AND CONSIST OF FLEXIBLE, DEGRADABLE INTERLOCKING FIBERS AND SHALL BE INSTALLED ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS. USE PUTTERBA MAT BY PROFILE PRODUCTS.
  - 17) THE NPDES GENERAL PERMIT NO.2 REQUIRES THAT ALL DISTURBED AREAS WHERE NO CONSTRUCTION ACTIVITIES ARE SCHEDULED FOR A PERIOD OF 21 CALENDAR DAYS OR MORE, BE STABILIZED WITHIN 14 DAYS OF THE FINAL CONSTRUCTION ACTIVITY. TEMPORARY SEEDING IS ONE WAY TO MEET THIS REQUIREMENT. TEMPORARY SEED MIX SHALL BE ANNUAL HYDRALAX APPLIED AT 50 POUNDS PER ACRE. FERTILIZER SHALL BE APPLIED AT 450 POUNDS PER ACRE. STEEP SLOPES THAT DO NOT HAVE AN EROSION CONTROL MATTING SHALL BE MULCHED WITH DRY STRAW AS DESCRIBED IN THESE NOTES BELOW.
  - 18) ALL PERMANENT SEEDING, SODDING AND FERTILIZING SHALL BE PERFORMED ACCORDING TO THE REQUIREMENTS OF THE LANDSCAPE PLANS AND SPECIFICATIONS.

HORTHWESTERN BELL TELEPHONE CO.

LOT 2  
INTERSTATE 74 TECHNOLOGY PARK  
THIRD ADDITION

ADDITION TO  
EXISTING  
BUILDING

LOT 1

PROPOSED BUILDING  
FINISH FLOOR ELEVATION = 898.00

JEFFERY M. WILHELM

SEP 08 2015  
PREPARED BY

VERBEKE - MEYER  
CONSULTING ENGINEERS, P.C.

4111 EAST 80th STREET  
DAVENPORT, IOWA 52807  
PHONE NUMBER: ( 563 ) 359 - 1348

VMCE 15243 SHEET C-2



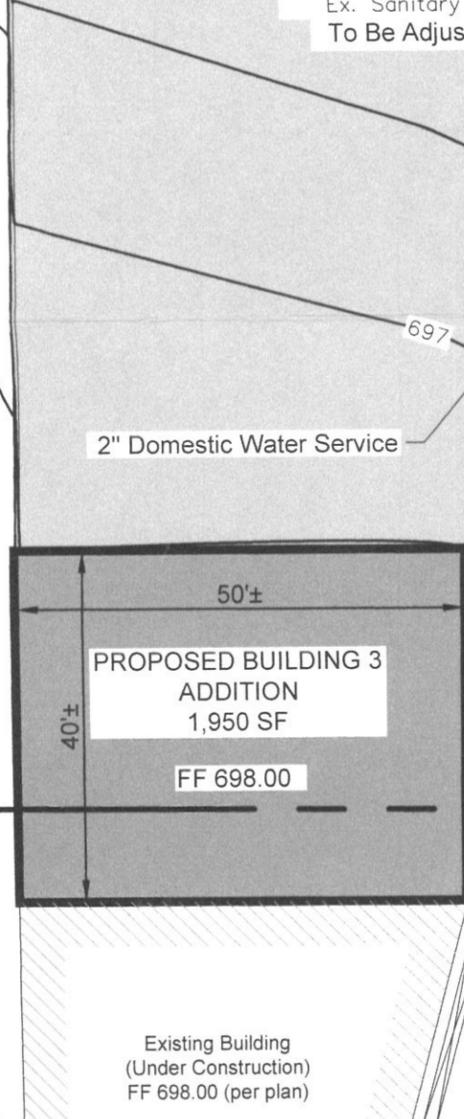
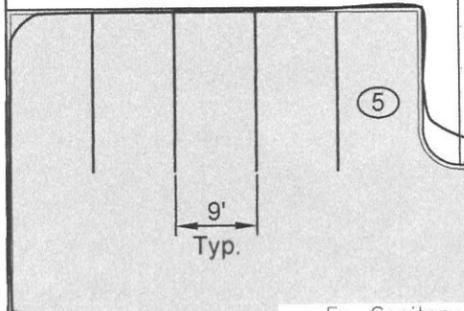


1" = 20'

LOT 3  
INTERSTATE 74 TECHNOLOGY PARK  
SECOND ADDITION

LOT 2  
INTERSTATE 74 TECHNOLOGY PARK  
THIRD ADDITION

LOT 1  
INTERSTATE 74 TECHNOLOGY PARK  
THIRD ADDITION



Ex. Sanitary MH To Be Adjusted

2" Domestic Water Service

PROPOSED BUILDING 3  
ADDITION  
1,950 SF  
FF 698.00

Existing Building  
(Under Construction)  
FF 698.00 (per plan)

6" PVC Sanitary  
Sewer Service

PROPOSED BUILDING 2  
5,750 SF  
FF 696.60

Create Swale with French Drain  
to Drain Around Ends of  
Building or Extend / Raise  
South Foundation Wall to  
Elevation of Adjoining Property

9'  
Typ.

50±

40±

FF 698.00

FF 698.00 (per plan)

50'

115'

No Curb  
Wheel Stops

5'

18'

26'

12

5

9'  
Typ.

Ex. Sanitary MH  
To Be Adjusted

696

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40TH ST

VIEWING OF BUILDING SITE FROM NORTHWEST CORNER



## **COMMUNITY DEVELOPMENT**

City Hall Annex λ 4403 Devils Glen Road, Bettendorf, Iowa 52722 λ (563) 344-4100

October 19, 2016

Staff Report

### **Case No. 16-101**

**Ordinance Change:** Chapter 12 Title 11 (Sections 11-12-1 through 11-12-6 currently Middle Road Corridor Overlay District) will be replaced in the Zoning Ordinance to be defined as the Utica Ridge Overlay District (UROD).

**Applicant:** City of Bettendorf

### **Background Information and Facts**

The City of Bettendorf is requesting creation of an overlay district to be known as the Utica Ridge Overlay District (UROD). The boundaries of the area encompass the area west of Utica Ridge Road, south of Crow Creek Road, north of Spruce Hills Drive, and east of Interstate 74 and is mainly zoned C-6, Office and Research Park District (see Aerial Photo, Attachment A). The ordinance is to establish the boundaries, intent of the code application, use regulations, design committee review, performance standards, and violations. This section of code will replace the MRCOD (Middle Road Corridor Overlay District) currently in place in the code.

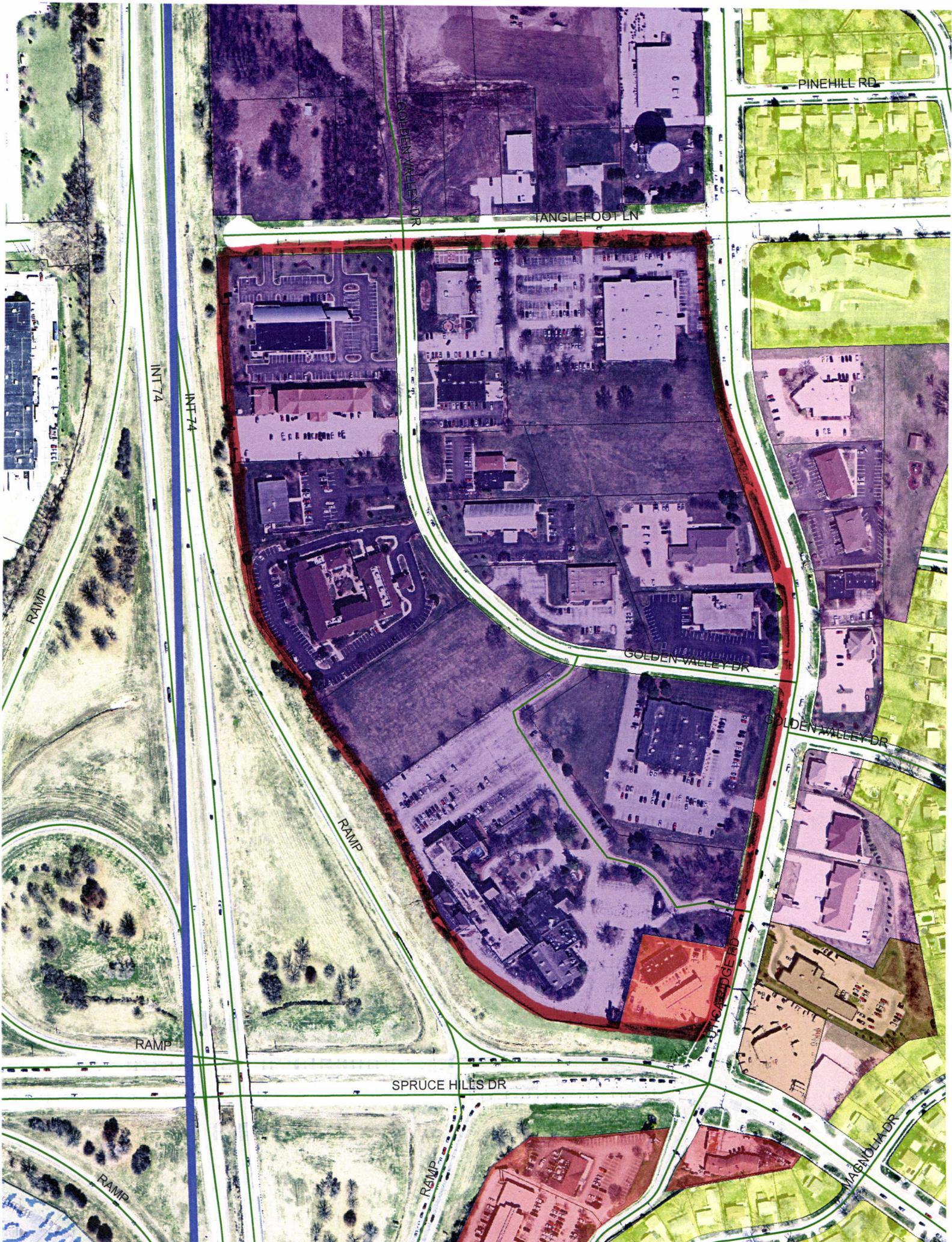
### **Staff Recommendation**

Staff recommends approval of the ordinance changes with the following condition:

1. This approval does not waive any other State, Federal, or Local government provisions as required by law.

Respectfully submitted,

Greg Beck  
City Planner



PINEHILL RD

TANGLEFOOT LN

GOLDEN VALLEY DR

INT 74

INT 74

RAMP

RAMP

GOLDEN VALLEY DR

GOLDEN VALLEY DR

RAMP

SPRUCE HILLS DR

WUTCHAMIDGE RD

RAMP

RAMP

MAGNOLIA DR

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF BETTENDORF, IOWA, BY REPEALING CHAPTER 12 OF THE ZONING ORDINANCE, “I-80 AND MIDDLE ROAD CORRIDOR OVERLAY DISTRICT” AND ADOPTING A NEW CHAPTER 12 “UTICA RIDGE OVERLAY DISTRICT,” FOR THE PURPOSE OF ESTABLISHING AN OVERLAY DISTRICT NEAR THE INTERSECTION OF UTICA RIDGE ROAD AND SPRUCE HILLS DRIVE**

WHEREAS, the Utica Ridge Road corridor, between Spruce Hills Drive and Tanglefoot Lane is a highly visible entrance to the City of Bettendorf; and

WHEREAS, the City Council desires to establish design criteria that will enhance the visual appearance and vibrancy of this important corridor within the City of Bettendorf; and

WHEREAS, this overlay district shall replace the I-80 Middle Road Corridor Overlay District (MRCOD).

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETTENDORF, IOWA:

SECTION ONE. Chapter 12 of Title 11 (Zoning Ordinance) is hereby deleted in its entirety, and the following substituted therefore:

“Chapter 12 UTICA RIDGE OVERLAY DISTRICT (UROD)

11-12-1: INTENT:

11-12-2: APPLICABILITY:

11-12-3: USE REGULATIONS:

11-12-4: DESIGN REVIEW COMMITTEE:

11-12-5: PERFORMANCE STANDARDS:

11-12-6: MUNICIPAL INFRACTION:

11-12-1: INTENT:

This district is intended to establish a physically attractive pattern of development in the city and to protect these areas from the negative effects of incompatible development while preserving and expanding the tax base of the city.

11-12-2: APPLICABILITY:

This district shall be described as follows:

West of the centerline of Utica Ridge Road, south of the centerline of Tanglefoot Lane, and extending to the Department of Transportation (I-74) right-of-way on the west and south border.

#### 11-12-3: USE REGULATIONS:

This chapter shall not apply to single-family detached homes or single-family subdivisions.

#### 11-12-4: DESIGN REVIEW COMMITTEE:

Prior to the issuance of a building permit for the construction of a building or structure for any property within the UTICOD, the plans shall be reviewed and approved by a design review committee whose membership shall consist of the city planning and zoning commission (hereinafter referred to as the commission) established as herein provided, to ensure that the building or structure complies with the performance standards and guidelines established herein.

##### A. Exceptions:

1. Single-family dwellings and accessory structures thereto are not subject to review.
2. The review of public utility structures (except for public utility buildings which are subject to architectural review) shall be limited to requirements for berming and landscaping. Requirements may be extensive and shall include a mix of plant materials having year round effectiveness.

##### B. Authority:

1. As part of the review of a final site plan, the commission shall review the materials referenced in subsection C1 of this section and make recommendations to the city council relative to the compliance of the application with the criteria set forth in section 11-12-5 of this chapter.
2. For other construction subject to the provisions of this chapter but not subject to final site plan approval, the commission shall review the materials referenced in subsection C1 of this section and approve, conditionally approve, continue, or deny any application, basing its decisions on the criteria set forth in section 11-12-5 of this chapter.

C. Procedure: In the interests of neighborhood harmony and courtesy, prior to filing the materials required, developers are encouraged to schedule a meeting with adjacent property owners and neighbors.

1. Prior to the preparation of final architectural drawings and prior to the issuance of any building permit for any proposal, the applicant shall submit the following information and materials:
  - a. The completed application form;
  - b. A dimensioned site plan, including the locations of any proposed or existing buildings on the subject parcel and on surrounding parcels, if the buildings are within one hundred feet (100') to the subject parcel;
  - c. A verifiable legal description or a land survey where deemed necessary by the planning official;
  - d. A map showing the existing topography of the subject parcel and the topography of other properties at two foot (2') contour intervals, extending one hundred feet (100') from the subject parcel;

- e. A preliminary grading plan showing before and after grades at two foot (2') contour intervals;
  - f. A landscape plan in conformance with chapter 10, article C of this title;
  - g. Elevation drawings, in color and drawn to scale, of the front, sides, rear, and roof lines of all proposed buildings or structures, illustrating the appearance and treatment of required screening elements for roof mounted equipment. A second set of elevations (not colored) shall be submitted on eight and one-half inch by eleven inch (8<sup>1</sup>/<sub>2</sub>" x 11") paper;
  - h. Samples of each type of exterior building materials, including the color;
  - i. Samples of the materials, including the color, along with scaled, accurately colored elevations, of any proposed sign and/or sign package.
2. Prior to the issuance of a building permit, the planning official shall determine that the submitted plans for the building permit are in substantial conformance with those approved as part of the final site plan, as stated in subsection B1 of this section or by the commission, as stated in subsection B2 of this section, and that the time period for approvals has not expired. The stamping of the plans and the signature of the planning official, and the date of the signature shall indicate that the plans are in conformance.
3. Prior to any external change described below, including, but not limited to, a remodeling or elevation alteration which includes changes in materials or colors, the property owner or his or her designated representative shall present the change for review to the planning official. The planning official may approve a change to the color scheme of an existing building, a building addition or structure, or a revised landscape plan based upon the following criteria:
- a. Building Addition Or Structure: The addition of an accessory structure shall not substantially alter the appearance of the site as viewed from off the site or be visually incompatible with the existing building or structure when the modification consists of:
    - (1) An addition to an existing building or accessory structure of one thousand (1,000) square feet or less; or
    - (2) If the increase in the area of coverage does not exceed fifteen percent (15%), does not increase the number of stories, or propose substantial changes to the building materials.
  - b. Landscaping:
    - (1) The quantity, density, and quality of the plant material is increased and upgraded; and
    - (2) The changes reflect a substantial improvement of the plan.

Exterior changes not meeting the criteria of subsections C3a and C3b of this section shall be reviewed pursuant to the provisions of subsection B of this section.

4. Any conditions prescribed through the approval of the final site plan or by the commission shall be considered an integral part of the construction plans. The conditions shall be noted on all plans as may be required by applicable city departments.
5. Any building, structure, or sign which has been approved, constructed, or installed in accordance with the approval of a final site plan or of the commission may be removed. However, it shall not be modified,

altered, or changed in any manner without additional review by the planning official, who shall decide whether the proposed change shall need to be reviewed by the design review committee.

6. Initiating construction or development prior to the issuance of building permits or noncompliance with approved plans and conditions shall be grounds for either stopping work on the project or denial of a certificate of occupancy.

7. Upon completion, prior to the issuance of a certificate of occupancy, the property owner or general contractor shall certify in writing that, to the best of his or her knowledge, the building, structure, and site detail have been completed in accordance with the approved design and applicable codes.

8. Lack of maintenance of any portion of an approved project approved through the approval of a final site plan or by the commission shall constitute a violation of this code.

#### D. Additional Provisions:

1. Petitions brought before the commission shall be considered in a timely manner. Unless the applicant requests the commission to table the application, it shall not be tabled for more than three (3) consecutive meetings (approximately 90 days). After that time, the commission shall make a recommendation to the city council.

2. In conjunction with its review of proposals pursuant to subsection B2 of this section:

a. The commission shall not continue any application more than three (3) regularly scheduled consecutive meetings unless the applicant requests additional continuances. If the continuances are based on the petitioner's failure to provide required information, the commission may make a decision on the information available or it may return the petition to the party submitting it for future resubmission.

b. Approvals by the commission shall be valid for a period of one year from the date of approval by the commission or the city council. If no building permit has been issued pursuant to the development of the approved project within one year of approval, the approval shall expire.

c. In the event that an application is denied by the commission, the commission shall reserve the right to refuse to consider the same proposal, as determined by the planning official, for a period of one year. An applicant desiring to reapply for consideration of the same proposal less than one year from the date appearing on the previous application shall submit a letter requesting the commission to reconsider its denial. Any request for reconsideration must be based on new grounds not covered in the previous application. If the reconsideration is approved, the applicant may then reapply for the request, filing a new application with all attachments and paying the applicable fee.

An applicant may appeal the determination of the planning official that the proposal intended to be submitted is the same proposal by submitting a letter to the commission. The planning official shall present the basis of his or her determination and shall comment on the information presented by the appellant. The commission shall uphold or reverse the determination of the planning official.

#### E. Appeal:

1. The applicant for design review or the planning official may appeal any decision of the commission to the city council by filing written notice of appeal and any applicable appeal fee with the city clerk within

ten (10) working days of the date of the commission decision. Notice of such appeal and the date for its consideration by the city council shall be published once, not less than seven (7) days prior to the council meeting at which such appeal is to be heard.

2. The city clerk shall set the date for hearing the appeal within forty (40) days of the appeal being filed.
3. The city council shall base its decision to affirm, modify, or reverse the decision of the commission on the information and materials previously submitted to the commission, the minutes of the commission and such additional evidence as the parties or public wish the council to consider.

F. Violations And Penalties: It shall be unlawful to construct, erect, install, alter, change, maintain, or permit the construction, erection, installation, alteration, change, maintenance of any building, structure, sign, wall, or landscaping, or use or permit the use of any lot or other land contrary to, or in violation of, any of the provisions of this chapter.

**11-12-5: PERFORMANCE STANDARDS:**

All uses and buildings permitted within the UTICOD shall comply in total with the following performance standards:

A. Architectural Standards: Buildings within the UTICOD shall be constructed of quality materials that have strength and permanence. "Permanence" means that buildings will age without deteriorating, given a minimum level of maintenance. The development shall recognize the strength and permanency of stone, brick, concrete, steel, and glass as opposed to the frailty of light gauge sheet metal and constant maintenance of wood veneer. The following tables show the ratios and types of materials permitted in the Utica Ridge Road overlay district:

<b>Exterior Building Materials (Commercial/ Residential)</b>	<b>Front</b>	<b>Rear</b>	<b>Sides</b>
Brick	Permitted	Permitted	Permitted
EIFS (exterior insulation and finish system)	Permitted 50% maximum	Permitted 50% maximum	Permitted 50% maximum
Glass	Permitted limit 25% outward viewing windows	Permitted limit 25% outward viewing windows	Permitted limit 25% outward viewing windows
Split-faced block (if appearance is like brick or stone)	Permitted 25% maximum	Permitted 50% maximum	Permitted 50% maximum
Steel	Permitted	Permitted	Permitted

	25% maximum	25% maximum	25% maximum
Stone	Permitted	Permitted	Permitted
Stucco	Permitted 50% maximum	Permitted 50% maximum	Permitted 50% maximum

Note: Materials listed in this table need to be tinted so that they do not fade or require painting. Above a two-story building: Builder may use more than 50 percent of EIFS, split-faced block, or glass as long as appearance of these materials resembles the materials used on the first 2 floors. For every 100 feet of building frontage, a portion of the building must be recessed or protruding 4 feet from the previous building frontage. At least 2 different colors or textures must be used for the building's surface. All HVAC on any building shall be screened from view.

<b>Exterior Building Materials (Industrial/ Warehouse)</b>	<b>Front</b>	<b>Rear</b>	<b>Sides</b>
Brick	Permitted	Permitted	Permitted
EIFS	Permitted 50% maximum	Permitted 50% maximum	Permitted 50% maximum
Glass	Permitted limit 25% outward viewing windows	Permitted limit 25% outward viewing windows	Permitted limit 25% outward viewing windows
Split-faced block, precast concrete (if appearance is like brick or stone)	Permitted 25% maximum	Permitted 50% maximum	Permitted 50% maximum
Steel	Permitted 25% maximum	Permitted 50% maximum	Permitted 50% maximum
Stone	Permitted	Permitted	Permitted
Stucco	Permitted 50% maximum	Permitted 50% maximum	Permitted 50% maximum

Note: Materials listed in this table need to be tinted so that they do not fade or require painting. At least 2 different colors or textures must be used for the building's surface. Above a two-story building: Builder may use more than 50 percent of EIFS, split-faced block or glass as long as appearance of these materials resembles the materials used on the first 2 floors. All HVAC on any building shall be screened from view. For every 100 feet of the front portion of the building, the exterior must be recessed or protruding 4 feet from the previous building frontage.

