

ORDINANCE NO. 2024-121

AN ORDINANCE FOR CASE REZ24-01 BEING THE REQUEST OF THE CITY OF DAVENPORT TO REZONE APPROXIMATELY 31.9 ACRES OF LAND AT 2800 EASTERN AVENUE FROM S-IC INSTITUTIONAL CAMPUS DISTRICT TO C-T COMMERCIAL TRANSITIONAL DISTRICT AND ESTABLISH A PLANNED UNIT DEVELOPMENT IN ACCORDANCE WITH THE SUBMITTED PRELIMINARY PLAN.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-T Commercial Transitional District." A Planned Unit Development is established in accordance with the submitted Preliminary Plan.

Part of the E14 of Section 24, Township 78 North, Range 3 East of the 5th P.M., being more particularly described as follows: Commencing at the SE. corner of the N.R W of said Section 24; thence East 30.0 ft. along the South line of the N.E. 14 of said Section 24 to the point of beginning; thence S00° 44'W 602.14 ft. to the point of intersection of the West R.O.W. line of Eastern Avenue with the Northeasterly R.O.W. line of the CM & St. P. Railroad; thence Northwesterly 128.89 ft. along the Northeasterly R.O.W. line of said Railroad being a curve concave southwesterly with a radius of 3870,0 ft. and having a long chord bearing N. 46° 52'W; thence N. 47° 50'W 454.00 ft. along said Railroad R.O.W. line; thence Northwesterly 526.28 ft. along said Railroad R.O.W. being a curve concave Northeasterly with a radius of 1587.14 ft. and having a long chord bearing N. 38y 20'W 523.91 ft.; thence Northerly 1146.95 ft along said Railroad R.O.W. being a curve concave Northeasterly with a radius of 2084,16 ft, having a long chord bearing N. 13° 04'TW 1132.62 ft. to a point on the South R.O.W. line of 29th St.; thence S.890 57'E. 1101,03 ft. along the said South line of 29th St; thence Southerly 31,58 ft. along a curve concave Westerly with a radius of 20.0 ft. to a point on the Westerly line of Eastern Ave.; thence S00° 31'W 1284.30 ft. along the West line of Eastern Ave, to the point of beginning containing 31,90 acres more or less. Commonly known as 2800 Eastern Avenue.

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

Zoning Map Amendment Findings

1. The zoning map amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with existing on-site uses and the zoning of nearby developed property.
3. The rezoning request is compatible with the established neighborhood character.

4. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. The zoning map amendment facilitates the adaptive redevelopment of a national and local historic landmark.
6. The nonconformities created by the zoning map amendment will be mitigated through the planned unit development process.

Planned Unit Development Findings

1. The preliminary development plan provides a public benefit to the City.
2. The proposed preliminary plan meets the purpose of a planned unit development.
3. The proposed planned unit development will not impede the normal and orderly development and improvement of surrounding property.
4. There is provision for adequate utilities and infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities. A traffic study is not required.
5. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.
6. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, are compatible with the surrounding neighborhood and adjacent land uses.

Section 3. At its February 6, 2024 meeting, the City Plan and Zoning Commission voted to forward Case REZ24-01 to the City Council with a recommendation for approval subject to the listed zoning map amendment and planned unit development findings.

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

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

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

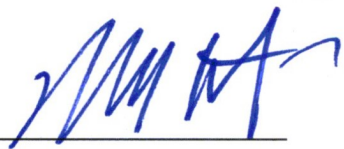
First Consideration February 28, 2024

Second Consideration March 13, 2024

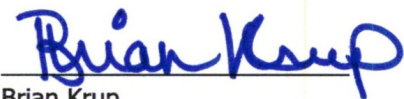
Approved March 27, 2024

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Attest:



Mike Matson
Mayor



Brian Krup
Deputy City Clerk