CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, January 11, 2023; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED JANUARY 10, 2023

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

1. Approval of the Special City Council Meeting minutes for December 13, 2022.

2. Approval of the City Council Meeting minutes for December 14, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for January 4, 2023.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Slavery and Human Trafficking Prevention and Awareness Month | January 2023

2. National Mentoring Month | January 2023

IX. Presentations

A. Davenport Police Department Swearing In Ceremony
- Alexander Dunagan
- Emmanuel Lopez
- Ian-Anthony Johnson

B. Mayor's Community Excellence Award | Davenport Electric Contract Company

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. First Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF

Multi-Family Residential District. [Ward 5]

2. Resolution approving a street closure request for the listed dates and times.

   Daiquiri Factory; The Central Regional CrossFit Competition; 303 West 3rd Street; 9:00 a.m. Friday, June 23, 2023 – 7:00 p.m. Saturday, June 24, 2023; **Closure:** West 3rd Street between Ripley and Harrison Streets. [Ward 3]

3. Motion approving beer and liquor license applications.

   A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

   Ward 1

   Brew 62 (Brew Mex, LLC) - 2805 Telegraph Road - New License - License Type: Class E Liquor

   Brew 63 (Brew Mex, LLC) - 3129 Rockingham Road - New License - License Type: Class E Liquor

   Ward 5

   Brew 67 (Brew Mex, LLC) - 1136 East Locust Street - New License - License Type: Class E Liquor

   Brew 69 (Brew Mex, LLC) - 303 West Locust Street - New License - License Type: Class E Liquor

   Ward 6

   Big 10 Mart #18 (Molo Oil Company) - 5310 Corporate Park Drive - New License - License Type: Class E Liquor

   Ward 7

   Brew 65 (Brew Mex, LLC) - 201 West 53rd Street - New License - License Type: Class E Liquor

   Brew 66 (Brew Mex, LLC) - 1670 West Kimberly Road - New License - License Type: Class E Liquor

XII. Approval of All Items on the Consent Agenda

**NOTE: These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Third Consideration: Ordinance for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow “Dwelling – Single-Family” as a permitted use in the

R-MF Multi-Family Residential Zoning District. [All Wards]

2. Second Consideration: Ordinance for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres). [Ward 8]

3. Second Consideration: Ordinance for Case ROW22-05 being the request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Research Parkway and to the west of Interstate 80 Airport Industrial Park 12th Addition. [Ward 8]

4. First Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule V Four-Way Stop Intersections thereto by adding Lombard Street at Jebens Avenue. [Ward 4]

5. Resolution approving the Final Development Plan for Case FDP22-01 being the request of SCI Iowa Funeral Services Inc to establish a Planned Unit Development at 1200 East 39th Street to grant an exception to allow for a reception facility under the S-OS Open Space District. [Ward 7]

6. Resolution approving a Development Agreement for the Martin Luther King, Jr. Plaza Project (Friends of MLK, petitioner). [Ward 3]

7. Resolution approving street, lane, or public ground closure requests for the listed dates and times.

   RiverCenter/Adler Theatre; QCSO Symphony Day 2023; 136 East 3rd Street; Thursday, March 2, 2023 8:00 a.m. - 2:30 p.m.; **Closures:** northernmost and center travel lanes on East 3rd Street from Brady Street to Iowa Street. [Ward 3]

   Brian Doerrfeld; Easter Egg Scramble; Village of East Davenport; Saturday, April 8, 2023 7:00 a.m. - 11:30 a.m.; **Closures:** ***(beginning at 7:00 a.m.)*** East 11th Street from Mound Street to Jersey Ridge Road; ***(beginning at 8:00 a.m.)*** northbound Jersey Ridge Road from East 11th Street to East Central Park Avenue; East Lombard Street from Jersey Ridge Road to Lorton Avenue; Lorton Avenue from East Lombard Street to East Central Park Avenue; East Central Park Avenue from Lorton Avenue to Jersey Ridge. [Wards 5 & 6]

8. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Pedestrian Curb Ramp Retrofit Program, CIP #35060. [All Wards]

9. Resolution adopting the final assessment schedule for the FY 2021 Alley Resurfacing Program in accordance with the Alley Cost Share Program, and amending, confirming, and levying the assessments, CIP #35038. [Wards 4 & 5]

10. Resolution adopting the final assessment schedule for the FY 2022 Streambank Stabilization Cost-share Program project at West 62nd Street and North Elmwood Avenue, and amending, confirming, and levying the assessments. [Ward 2]

11. Resolution awarding a contract for the 66th Street Storm Sewer Extension project to Americore LLC of Blue Grass, Iowa in the amount of $159,717.90, CIP #33051. [Ward 8]

12. Resolution awarding a contract for the Kelling Street Sump Pump Abatement project to Americore LLC of Blue Grass, Iowa in the amount of $149,882, CIP #33050. [Ward 2]

13. Resolution awarding a contract for the South Marquette Street Public Works Building Sanitary Sewer Separation project to Central Excavating Inc of Bettendorf, Iowa in the amount of $169,989, CIP #30057. [Ward 3]

14. Resolution awarding a contract for the RiverCenter Electrical Upgrades project to Tri-City Electrical Co of Davenport, Iowa in the amount of $316,720, CIP #69014. [Ward 3]

15. Resolution introducing the Proposed Resolution of Necessity covering the FY 2023 Alley Cost Share Program. [Wards 3, 5, & 6]

16. Resolution accepting work completed and an assessment for the 2022 Commercial Alley Resurfacing Program in accordance with the Alley Cost Share Program, CIP #35038. [Ward 3]

17. Resolution accepting work completed and an assessment for the 2022 Residential Alley Resurfacing Program in accordance with the Alley Cost Share Program, CIP #35038. [Ward 5]

18. Resolution accepting work completed under the CY 2022 Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $202,629.05, CIP #28028. [All Wards]

19. Resolution accepting work completed under the CY 2022 City Property Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $153,966.08, CIP #28028. [All Wards]

20. Resolution accepting work completed under the West 76th Street (east of Hancock Court to Division Street) Extension project completed by Valley Construction of Rock Island, Illinois in the amount of $3,851,945.19, CIP #01629. [Ward 8]

21. Resolution setting a Public Hearing for the FY 2024 proposed maximum property tax levy rate and amount. [All Wards]

22. Resolution adopting the City of Davenport's 2023 State Legislative Program. [All Wards]

23. Motion approving noise variance requests for outdoor events on the listed dates and times.

    Downtown Davenport Partnership; Icestravaganza; Freight House and

LeClaire Park; 5:00 p.m. - 10:00 p.m. Friday, January 13, 2023 and 10:00 a.m. - 10:00 p.m. Saturday, January 14, 2023; Outdoor music, over 50 dBA. [Ward 3]

Daiquiri Factory; The Central Regional CrossFit Competition; 303 West 3rd Street; 4:00 p.m. - 8:30 p.m. Friday, June 23, 2023 and 8:00 a.m. - 5:00 p.m. Saturday, June 24, 2023; Outdoor music, over 50 dBA. [Ward 3]

24. Motion approving beer and liquor license applications.

A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 3

Neon Moon (Neon Moon of Davenport, LLC) - 246 West 3rd Street - New License - License Type: Class C Liquor

D'Lua on the River (D'Lua on the River Co) - 1201 East River Drive - Outdoor Area - New License - License Type: Class C Liquor

Ward 4

Kwik Star #123 (Kwik Trip, Inc) - 2850 West Locust Street - New License - License Type: Class C Beer

B. Annual license renewals (with outdoor area renewals as noted):

Ward 1

Hy-Vee #1 (Hy-Vee, Inc) - 3019 Rockingham Road - License Type: Class E Liquor

Ward 2

Big 10 Mart (Molo Oil Company) - 2308 West 53rd Street - License Type: Class C Beer

Ward 3

Abarrotes Carillo, LLC (Abarrotes Carillo, LLC) - 903 West 3rd Street - License Type: Class B Beer

Bootleg Hill Honey Meads (Bootleg Hill, LLC) - 321 East 2nd Street #200 - Outdoor Area - License Type: Class C Native Wine

Carriage Haus (Smoking Haus Entertainment) - 312 West 3rd Street - Outdoor Area - License Type: Class C Liquor

Gilly's Corner Tap, LLC (Alicia Goossens) - 2148 West 3rd Street - Outdoor

Area - License Type: Class C Liquor

Hilltop Grocery (Hilltop Grocery, LLC) - 1312 North Harrison Street - License Type: Class E Liquor

The New Wooden Nickel, Inc (Angela Bribriesco) - 2042 West 3rd Street - License Type: Class C Liquor

Ward 4

Happy Joe's Pizza (Dynamic Restaurant Acquisition, Inc) - 1616 West Locust Street - License Type: Class C Liquor

Stoeger's Bar and Grill (Stoeger's, Inc) - 1520 Washington Street - License Type: Class C Liquor

Ward 6

Buffalo Wild Wings (Blazin' Wings, Inc) - 4860 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

The Coffee House QC (Area 309 Coffee, LLC) - 1315 Jersey Ridge Road - License Type: Beer/Wine

HuHot Mongolian Grill (CCW, LLC) - 3006 East 53rd Street - License Type: Beer/Wine

Hy-Vee #4 (Hy-Vee, Inc) - 4064 East 53rd Street - License Type: Class E Liquor

La Flama Restaurant (Jam Brothers, Inc) - 3871 Elmore Avenue - License Type: Class C Liquor

Ward 8

Cracker Barrel #161 (Cracker Barrel Old Country Store) - 300 Jason Way Court - Outdoor Area - License Type: Beer/Wine

Exotic Thai Restaurant (Exotic Thai Restaurant, Inc) - 2303 East 53rd Street - Outdoor Area - License Type: Class C Liquor

GD Xpress (Ram II, LLC) - 4607 North Pine Street - License Type: Class E Liquor

Happy Joe's Pizza (Dynamic Restaurant Acquisition, Inc) - 201 West 50th Street - License Type: Beer/Wine

25. Motion approving a four-year collective bargaining agreement between the City of Davenport and the Union of Professional Police, Inc of Davenport, Iowa for the term beginning July 1, 2023 through June 30, 2027. [All Wards]

XIII. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to add and vote on the item below.
2. Motion approving a beer and liquor license application.

   A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

   Ward 3

   Palmer College of Chiropractic (Palmer College Foundation) - 1001 North Brady Street - January 20 “Chili Cook-Off” - License Type: Beer/Wine

XIV. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any matters of City business not appearing on this agenda. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council can not take action on any complaint or suggestions tonight, and can not respond to any allegations at this time.

Please state your Name and Ward for the record. There is a five (5) minute time limit. Please end your comments promptly.

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/4/2023

Subject:
1. Approval of the Special City Council Meeting minutes for December 13, 2022.

ATTACHMENTS:

	Type	Description
	Exhibit	SPCC Min 121422

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/5/2023 - 9:55 AM

City of Davenport, Iowa

Special City Council Meeting Minutes

Tuesday, December 13, 2022

The City Council of Davenport, Iowa met in special session on Tuesday, December 13, 2022 at 4:14 p.m. in the Community Room at the Davenport Police Department, 416 Harrison Street, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present except Alderwoman Meginnis, Alderman Condon, and Alderman Jobgen (Alderman Dunn, Alderman Kelly, Alderwoman Lee, Alderman Gripp, Alderman Cornette*, Alderwoman Dickmann, and Alderman Ortiz).
**Arrived at 4:15 p.m. after the roll call and vote to recess to Executive Session*

I. Call to Order

II. Roll Call

III. Executive Session

*On motion by Alderman Dunn, second by Alderman Gripp with all Aldermen present voting aye, Council recessed to Executive Session at **4:15 p.m.** to evaluate the performance of individuals in closed session as requested by those individuals pursuant to Iowa Code Section 21.5(1)(i).*

*Council reconvened in Executive Session at **4:15 p.m.** with Mayor Matson and all Aldermen present except Alderwoman Meginnis, Alderman Condon, and Alderman Jobgen (Alderman Dunn, Alderman Kelly, Alderwoman Lee, Alderman Gripp, Alderman Cornette, Alderwoman Dickmann**, and Alderman Ortiz). Others present included Human Resources Director Alison Fleming, CFO/Assistant City Administrator Mallory Merritt, City Administrator Corri Spiegel, and Corporation Counsel Tom Warner. On motion by Alderman Dunn, second by Alderman Ortiz, Council went back into open session and adjourned at **5:31 p.m.***
***Left at 4:37 p.m.*

IV. Adjourn **5:31 p.m.**

Brian J. Krup

Brian J. Krup
Deputy City Clerk

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/11/2023

Subject:
2. Approval of the City Council Meeting minutes for December 14, 2022.

ATTACHMENTS:

Type	Description
Exhibit	CC Min 121422

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/5/2023 - 10:02 AM

City of Davenport, Iowa

City Council Meeting Minutes

Wednesday, December 14, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, December 14, 2022 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present (*In person:* Alderman Dunn, Alderman Kelly, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz; *Via telephone:* Alderwoman Meginnis).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Lee

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes **APPROVED**

Approval of the City Council Meeting minutes for November 22, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole **APPROVED**

Approval of the Report on Committee of the Whole for December 7, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, December 7, 2022 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Meginnis. Upon the roll being called, all Aldermen were present (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

The following Public Hearings were held: ***Community Development:*** *1. for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres); and 2. for Case ROW22-05 being the request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Research Parkway and to the west of Interstate 80 Airport Industrial Park 12th Addition.* ***Public Works:*** *1. on the plans, specifications, form of contract, and estimate of cost for the CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project, #BG250; and 2. on the plans, specifications, form of contract, and estimate of cost for the 232 South Marquette Street Sanitary Sewer Separation project, CIP #30057.*

Action Items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) ***Community Development:*** *Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderman Jobgen item #1, Second Consideration: Ordinance for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District;*

item #2, First Consideration: Ordinance for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres); and item #7, Motion approving the appeal to overturn the Design Review Board decision to deny Case DR22-21, exterior painting at 626 West River Drive (MFN Investments, LLC, Petitioner), moved to the Discussion Agenda and all other items moved to the Consent Agenda. ***Public Safety:*** *Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Ortiz item #1, Resolution approving the lane closure request for Ballet Quad Cities, would be voted on later on the agenda and all other items moved to the Consent Agenda.* ***Public Works:*** *Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderwoman Dickmann all items moved to the Consent Agenda.* ***Finance:*** *Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Dunn all items moved to the Consent Agenda.*

Other Ordinances, Resolutions and Motions: Alderman Jobgen moved a motion for suspension of the rules to vote on the Resolution approving a lane closure request on the listed date and time for Ballet Quad Cities, seconded by Alderman Gripp. Upon the roll being called, all Aldermen present voted aye and the rules were suspended.

The Resolution approving the lane closure request for Ballet Quad Cities was moved by Alderwoman Dickmann, seconded by Alderman Ortiz. Upon the roll being called, all Aldermen present voted aye and the Resolution was adopted.

1. Resolution approving the following lane closure request for the listed date and time.

ADOPTED 2022-565

Ballet Quad Cities; Nutcracker School Program 2022; Adler Theatre | 136 East 3rd Street; Friday, December 9, 2022 8:00 a.m. - 2:00 p.m.; ***Closures:*** *northernmost and center travel lanes on East 3rd Street between Brady Street and Iowa Street. [Ward 3]*

Council adjourned at ***6:24 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments **APPROVED 2022-566**

1. Design Review Board
   - Karla Anderson (re-appointment)
   - Victoria (Tori) Tebbitt (re-appointment)
   - Corey Martin (new appointment)
   - Silas Inkeep (new appointment)

2. Affirmative Action Advisory Commission
   - Vera Kelly (re-appointment)
   - Malavika Shrikhande (re-appointment)
   - Tyla Sherwin-Cole (new appointment & re-appointment)

IX. Presentations **HELD**

A. Youth Recognition
   - 2022 Assumption Girls Volleyball State Champions

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderman Dunn, second by Alderman Ortiz and all Aldermen present voting aye, the following Ordinance moved to third consideration.*

Second Consideration: Ordinance for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. [All Wards] **MOVED TO THIRD CONSIDERATION**

2. *On motion by Alderman Dunn, second by Alderman Cornette and all Aldermen present voting aye, the following Ordinance moved to second consideration:*

First Consideration: Ordinance for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres). [Ward 8]

MOVED TO SECOND CONSIDERATION

3. *Alderman Ortiz moved a motion to send Case DR22-21 back to the Design Review Board. The motion was seconded by Alderman Jobgen, and upon the roll being called the following Aldermen voted aye: Gripp, Lee, Dickmann, Ortiz, and Jobgen; and the following Aldermen voted nay: Meginnis, Cornette, Condon, Dunn, and Kelly. Mayor Matson broke the tie by voting nay, and the motion failed.*

On motion by Alderman Dunn, second by Alderman Ortiz and all Aldermen present voting nay except Alderman Cornette, the original Motion failed upholding the Design Review Board decision:

Motion approving the appeal to overturn the Design Review Board decision to deny Case DR22-21, exterior painting at 626 West River Drive (MFN Investments, LLC, Petitioner). [Ward 3]

FAILED

YES VOTE OVERTURNS DESIGN REVIEW BOARD DECISION; NO VOTE UPHOLDS DESIGN REVIEW BOARD DECISION.

XII. Approval of All Items on the Consent Agenda

On motion by Alderman Kelly, second by Alderman Gripp and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. First Consideration: Ordinance for Case ROW22-05 being the request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Research Parkway and to the west of Interstate 80 Airport Industrial Park 12th Addition. [Ward 8]

MOVED TO SECOND CONSIDERATION

2. Resolution for Case F21-14 being the request of Speer Development on behalf of Ed Speer Construction Inc and Shelia M. Speer Living Trust for a final plat of Speer Commercial Park

2nd Addition, a 1-lot subdivision on 17.69 acres located south of East 53rd Street and east of Spring Street. [Ward 8] **ADOPTED 2022-567**

3. Resolution for Case F22-10 being the request of River Bend Food Reservoir on behalf of Three N Corporation for a final plat of River Bend 1st Addition, a 5-lot subdivision on 72.86 acres located south of Kimmel Drive. [Ward 1] **ADOPTED 2022-568**

4. Resolution for Case F22-13 being the request of Klingner & Associates on behalf of Davenport Venture LLC for a final plat of Brady-80 Business Center 3rd Addition, a 2-lot subdivision located at the end of Jason Way Court on 22.48 acres. [Ward 8]
ADOPTED 2022-569

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project, #BG250. [Ward 5] **ADOPTED 2022-570**

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 232 South Marquette Street Sanitary Sewer Separation project, CIP #30057. [Ward 3]
ADOPTED 2022-571

7. Resolution awarding a contract for the West 43rd Street (Lincoln Avenue to Linwood Avenue) Reconstruction project to Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of $572,814, CIP #35054. [Ward 2] **ADOPTED 2022-572**

8. Resolution awarding a contract for a computer aided dispatching/automatic vehicle locator system to ETA Transit Systems of Boca Raton, Florida in an amount not-to-exceed $150,000. [All Wards] **ADOPTED 2022-573**

9. Resolution of acceptance covering an assessment for the FY 2022 Streambank Stabilization project at West 62nd Street and North Elmwood Avenue in accordance with the Streambank Stabilization 50/50 Cost-share Program. [Ward 2] **ADOPTED 2022-574**

10. Resolution approving and adopting preliminary plans and specifications and plats and schedules for the FY 2023 Alley Resurfacing Program. [Wards 3, 5, & 6]
ADOPTED 2022-575

11. Resolution authorizing the submission of a Land and Water Conservation Fund Outdoor Recreation Legacy Partnership (ORLP) Program grant application for assistance with the Goose Creek Park Stream Restoration and Access project. [Ward 8] **ADOPTED 2022-576**

12. Resolution authorizing the submission of a Building Resilient Infrastructure and Communities (BRIC) Program grant application to the Federal Emergency Management Agency (FEMA) for assistance with the Water Pollution Control Plant Flood Mitigation | Phase II project. [Ward 1] **ADOPTED 2022-577**

13. Resolution of acceptance covering an assessment for the FY 2021 Alley Resurfacing project in accordance with the Alley Cost Share Program, CIP #35038. [Wards 4 & 5]
ADOPTED 2022-578

14. Resolution accepting the storm sewer and pavement associated with Scrabble Addition. [Ward 8] **ADOPTED 2022-579**

15. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with Katie's Eastern Avenue Addition. [Ward 8] **ADOPTED 2022-580**

16. Resolution accepting work completed under the Hillandale Road and Research Parkway Intersection project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of $518,684.77, CIP #35058. [Ward 8] **ADOPTED 2022-581**

17. Resolution accepting work completed under the Emeis ADA Access Improvements project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of $182,006.25, CIP #64071. [Ward 1] **ADOPTED 2022-582**

18. Resolution accepting work completed under the FY 2021 Contract Sewer Repair Program by Hometown Plumbing and Heating Company of Davenport, Iowa in the amount of $524,582.06, CIP #30053 and #33001. [All Wards] **ADOPTED 2022-583**

19. Resolution approving the renewal of cyber liability insurance for CY 2023 with Beazley Breach Response, underwritten by Lloyd's of London, in the amount of $156,853. [All Wards] **ADOPTED 2022-584**

20. Resolution awarding a one-year contract for the purchase of specific and aggregate stop loss insurance to Reliastar Life Insurance Company/VOYA Financial in the amount of $1,044,808 and authorizing the Assistant City Administrator/CFO to sign any related agreements. [All Wards] **ADOPTED 2022-585**

21. Resolution awarding a two-year contract with the option of three one-year extensions to Psychology Health Group of Davenport, Iowa to provide work-related professional mental health services to City of Davenport emergency service personnel and authorizing the Human Resources Director to sign any related agreements. [All Wards] **ADOPTED 2022-586**

22. Resolution awarding a two-year contract with the option of three one-year extensions to Revolution Counseling Services, LLC of Davenport, Iowa to provide work-related professional mental health services for City of Davenport emergency service personnel and authorizing the Human Resources Director to sign any related agreements. [All Wards] **ADOPTED 2022-587**

23. Motion approving beer and liquor license applications. **PASSED 2022-588**

A. Annual license renewals (with outdoor area renewals as noted):

Ward 1

A&S Food & Gas (Kuljeet Kaur) - 2365 Rockingham Road - License Type: Class E Liquor

Ward 3

The Diner (The Diner, LLC) - 421 West River Drive #6 - Outdoor Area - License Type: Class C Liquor

Ward 6

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 East Kimberly Road - License Type: Class E Liquor

Ward 7

Columbus Club (Columbus Club of Davenport) - 1111 West 35th Street - License Type: Class C Liquor

R & C Brazilian Steakhouse, LLC (R & C Brazilian Steakhouse, LLC) – 320 West Kimberly Road #53 - License Type: Class C Liquor

Yummy Crab (Crab House of Davenport, Inc) - 1235 East Kimberly Road - License Type: Class C Liquor

24. Motion accepting work completed under the Riverfront Trail Patching project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of $79,675.90, CIP #28030. [Wards 3 & 6] **PASSED 2022-589**

25. Motion approving Change Order #1 with Gillig, Inc of Livermore, California the amount of $84,165 for the purchase of three diesel buses. [All Wards] **PASSED 2022-590**

26. Motion approving Change Order #2 to OPN Architects of Cedar Rapids, Iowa in the amount of $66,861 for the Fairmount Community Center project, ARP #09. [Ward 1]
PASSED 2022-591

27. Motion awarding a contract for the Digester Withdraw Pipe Replacement project to Hometown Mechanical of Davenport, Iowa in the amount of$74,985. [Ward 1]
PASSED 2022-592

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

Following is a summary of revenue received for the month of November 2022:

Property Taxes	$4,849,910
Other City Taxes	$197,828
Special Assessments	$-
Licenses & Permits	$100,358
Intergovernmental	$2,816,223
Charges for Services	$4,090,876

Use of Monies & Property	$110,771
Fines & Forfeits	$145,190
Bonds/Loan Proceeds	$56,287
Miscellaneous	$685,291

XVI. Adjourn **6:27 p.m.**

Brian J. Krup

Brian J. Krup
Deputy City Clerk

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/11/2023

Subject:
Approval of the Report on Committee of the Whole for January 4, 2023.

ATTACHMENTS:

	Type	Description
	Exhibit	COW Report 010423

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/5/2023 - 1:36 PM

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, January 4, 2023 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman Gripp. Upon the roll being called, all Aldermen were present except Alderwoman Lee (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

The following Public Hearings were held: **Community Development:** 1. for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. **Public Works:** 1. on the specifications, form of contract, and estimate of cost for the CY 2023 Pedestrian Curb Ramp Retrofit Program, CIP #35060.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderman Dunn, second by Alderman Ortiz item #4, First Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District, moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Ortiz the Daiquiri Factory street closure request under item #2 moved to the Discussion Agenda; the following liquor license applications, all from section A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted), moved to the Discussion Agenda: **Ward 1:** Brew 62 (Brew Mex, LLC) - 2805 Telegraph Road - New License - License Type: Class E Liquor; Brew 63 (Brew Mex, LLC) - 3129 Rockingham Road - New License - License Type: Class E Liquor; **Ward 5:** Brew 67 (Brew Mex, LLC) - 1136 East Locust Street - New License - License Type: Class E Liquor; Brew 69 (Brew Mex, LLC) - 303 West Locust Street - New License - License Type: Class E Liquor; **Ward 6:** Big 10 Mart #18 (Molo Oil Company) - 5310 Corporate Park Drive - New License - License Type: Class E Liquor; **Ward 7:** Brew 65 (Brew Mex, LLC) - 201 West 53rd Street - New License - License Type: Class E Liquor; Brew 66 (Brew Mex, LLC) - 1670 West Kimberly Road - New License - License Type: Class E Liquor; and all other items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Gripp all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Dunn all items moved to the Consent Agenda.

Council adjourned at **6:53 p.m.**

City of Davenport

Department: Office of the Mayor **Action / Date**
Contact Info: Samantha Torres | 563-327-5128 **1/11/2023**

Subject:
Slavery and Human Trafficking Prevention and Awareness Month | January 2023

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	12/27/2022 - 9:32 AM

City of Davenport

Department: Office of the Mayor
Contact Info: Samantha Torres | 563-327-5128

Action / Date
1/11/2023

Subject:
National Mentoring Month | January 2023

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	12/27/2022 - 9:30 AM

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **1/11/2023**

Subject:
First Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

Recommendation:
Adopt the Ordinance.

Background:
At its December 20, 2022 meeting, the Plan and Zoning Commission recommended Case REZ22-08 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be four.

The full staff report is attached as background materials.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Staff Report
Backup Material	Zoning & Future Land Use Map
Backup Material	Application
Backup Material	Scott County Parcel Report
Backup Material	Spot Zoning Fact Sheet
	Public Hearing Notice-Plan & Zoning

Backup Material	Commission
Backup Material	Public Hearing Notice-Committee of the Whole
Backup Material	Neighborhood Meeting Sign-In Sheet
Backup Material	Public Comments
Backup Material	Additional Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	12/30/2022 - 8:42 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-08 BEING THE REQUEST OF ECUMENICAL HOUSING DEVELOPMENT GROUP TO REZONE 1112 BRIDGE AVENUE FROM R-4C SINGLE-FAMILY AND TWO-FAMILY CENTRAL RESIDENTIAL DISTRICT TO R-MF MULTI-FAMILY RESIDENTIAL DISTRICT.

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 "R-MF Multi-Family Residential District."

Beginning at the Northeast comer of said Out Lot; thence South 145 feet along the West Line of Bridge Avenue; thence West 137 feet more or less along a line parallel to the South line of an alley on the North end of said Out Lot, to an alley on the West side of said Out Lot; thence North along the East line of said alley 145 feet to the alley on the North end of said Out Lot; thence East along the south line of said alley 137 feet more or less to the place of beginning. Subject to easements and restrictions of record.

Section 2. The following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.

2. The proposed zoning map amendment to R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.

3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.

4. As conditioned, the rezoning request is compatible with the established neighborhood character.

5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.

6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The maximum building height shall be 35 feet.

2. The maximum number of dwelling units shall be four.

Section 3. At its December 20, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-08 to the City Council with a recommendation for approval subject to the listed findings and conditions.

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 _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan & Zoning Commission-Staff Report
December 20, 2022

Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

Background:
The purpose is to redevelopment the existing building into a three unit multi-family dwelling. Prior to the current ownership, the building was operating as an adult day care center. The single-story structure was built in 1991.

Why is a Zoning Map Amendment Required?
The Zoning Ordinance does not permit multi-family residential dwellings in the R-4C Single-Family and Two-Family Central Residential District. Pending approval of the rezoning by City Council, the applicant intends to convert the existing structure into three residential units.

Comprehensive Plan:
Within Urban Service Area 2035: Yes

Future Land Use Designations:
The subject property is designated Residential General in the Davenport +2035 Land Use Plan.

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

Zoning:
The property is currently zoned **R-4C Single-Family and Two-Family Central Residential District**. This district is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

The applicant is requesting a rezoning to **R-MF Multi-Family Residential District**. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:
City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to the existing neighborhood.

Approval Standards for Map Amendments (Chapter 17.14.040)
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

Staff Response: The property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. Since the Comprehensive Plan designated neighborhoods as a whole, the Bridge Avenue corridor is classified as Residential General from River Drive to Locust Street.

Established neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

Rezoning the property to R-MF Multi-Family Residential District does not require an amendment to the Future Land Use Map.

It is staff's opinion the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The existing neighborhood consists of properties zoned both R-4C Single-Family and Two-Family Central Residential District and R-MF Multi-Family Residential District. There are two lots on the same block bounded by Bridge Avenue, 10th Street, Oneida Avenue, and 12th Street zoned R-MF District. This includes the parcel located two lots to the south, or 140 feet, of the subject site on Bridge Avenue.

Carriage Hill Apartments, located on the northwest corner of Bridge Avenue and 11th Street, is approximately 110 feet southeast of the rezoning request. In addition, traveling west through the alley 237 feet, there is a property on Oneida Avenue zoned R-MF District.

Due to the close proximity of nearby property zoned R-MF Multi-Family Residential District, it is staff's opinion the proposed zoning amendment is not considered spot zoning. The request is compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character of Bridge Avenue, between 13th Street and 10th Street, is a mixture of housing types ranging from single-family dwellings to multi-family apartment complexes.

With the exception of the four-story apartment building at 1011 Bridge Avenue, the neighborhood consists of single and two-story structures. The existing building on the subject site is one level. Staff are recommending a condition to limit the maximum building height to 35 feet. This matches the maximum building height of the R-4C District. The R-MF District has a maximum building height of 70 feet. Staff believe a building over 35 feet in height at this site would not fit the context and scale of the surrounding neighborhood.

The subject site is located a block and a half, or 700 feet, north of the Bridge Avenue National Historic District. It is also approximately 1,060 feet west of Prospect Park Historic District. While there are older homes in this area of Davenport, the existing building was constructed in 1991. The building does not possess the same architectural details of other historic homes in the vicinity. Instead, the sprawling ranch features a hipped roof and vinyl siding. Since the original use of the building was nonresidential, it was designed to blend with the homes immediately adjacent.

If the property were to be redeveloped, the current Zoning Ordinance contains design standards that ensure compatibility with the neighborhood character. The standards require facades to incorporate a unifying architectural theme, including windows, prominent entrances, projections, and quality building materials.

With the condition restricting building height, it is staff's opinion the proposed zoning district is compatible with the established neighborhood character with the recommended conditions.

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

Staff Response: Rezoning the property to create three multi-family dwellings will not be detrimental to the surrounding area, which currently has a mixture of housing types. The petitioner is removing a nonresidential use (day care home) from an established neighborhood. With the condition limiting the number of multi-family units permitted on the site, the density of housing will have minimal impact on adjacent property owners.

Residents have expressed a desire for single-family owner-occupied housing, rather than rental properties. It should be noted that the Zoning Ordinance does not regulate owner occupancy of a housing unit.

It is staff’s opinion that the proposed zoning map amendment will not negatively impact the public health, safety, and welfare of the City.

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

Staff Response: The building originally operated as a group home and was later converted to an adult day care. Both of these uses are permitted within the R-4C and R-MF District. However, the applicant

intends to convert the structure into three dwelling units. The conversion from a nonresidential use to housing is more compatible with the character of the area than the previous uses.

Based on conversations with the applicant, the footprint of the building will not be altered. Rather the 3,650 square foot floor plan will be remodeled to create two four-bedroom units and one two-bedroom unit.

The R-MF Multi-Family Residential District permits one dwelling unit per 1,500 square feet of lot area. Based on this calculation, a total of 13 units are permitted at 1112 Bridge Avenue. In comparison, the Carriage Hill Apartments have a total of 44 units and the buildings at 1011 Bridge Avenue have a total of 16 units.

Staff are recommending a condition that no more than four dwelling units be established at the property. This will keep the use of the building more aligned with the character of abutting single and two-family homes, rather than the larger apartment complexes.

As conditioned, it is staff's opinion that the proposed zoning map amendment will enable the existing building to be used in a manner consistent with surrounding neighborhood.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: The existing site and building are in compliance with the R-MF Multi-Family Residential District dimensional standards. The parcel is .46 acres and 145 feet in width.

Any redevelopment of the site shall be in accordance with applicable city codes and meet the standards of the R-MF District.

It is staff's opinion that the proposed amendment will not create any nonconformities.

Public Input:
The applicant held a neighborhood meeting at the subject property on December 1, 2022. Addresses within 200 feet of the request were invited to the meeting. City staff and elected officials were present to observe the discussion. Two members of the public were in attendance.

Letters were sent to property owners within 200 feet of the proposed request notifying them of the December 6, 2022 Plan and Zoning Commission Public Hearing. Two members of the public spoke in opposition to the request. Concerns raised were related to neighborhood stabilization, promoting home ownership, impacts on historic districts, and density.

To date, staff have received multiple written comments in opposition to the rezoning request all from residents outside the 200 foot notification boundary. Residents have expressed a desire for owner-occupied single-family homes, rather than rental properties. There have also been concerns about protecting the historic character of the neighborhood.

Staff will apprise the Commission of any additional correspondence at the December 20, 2022 Plan and Zoning Commission meeting.

Staff Recommendation:
Staff recommends Case REZ22-08 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be four.

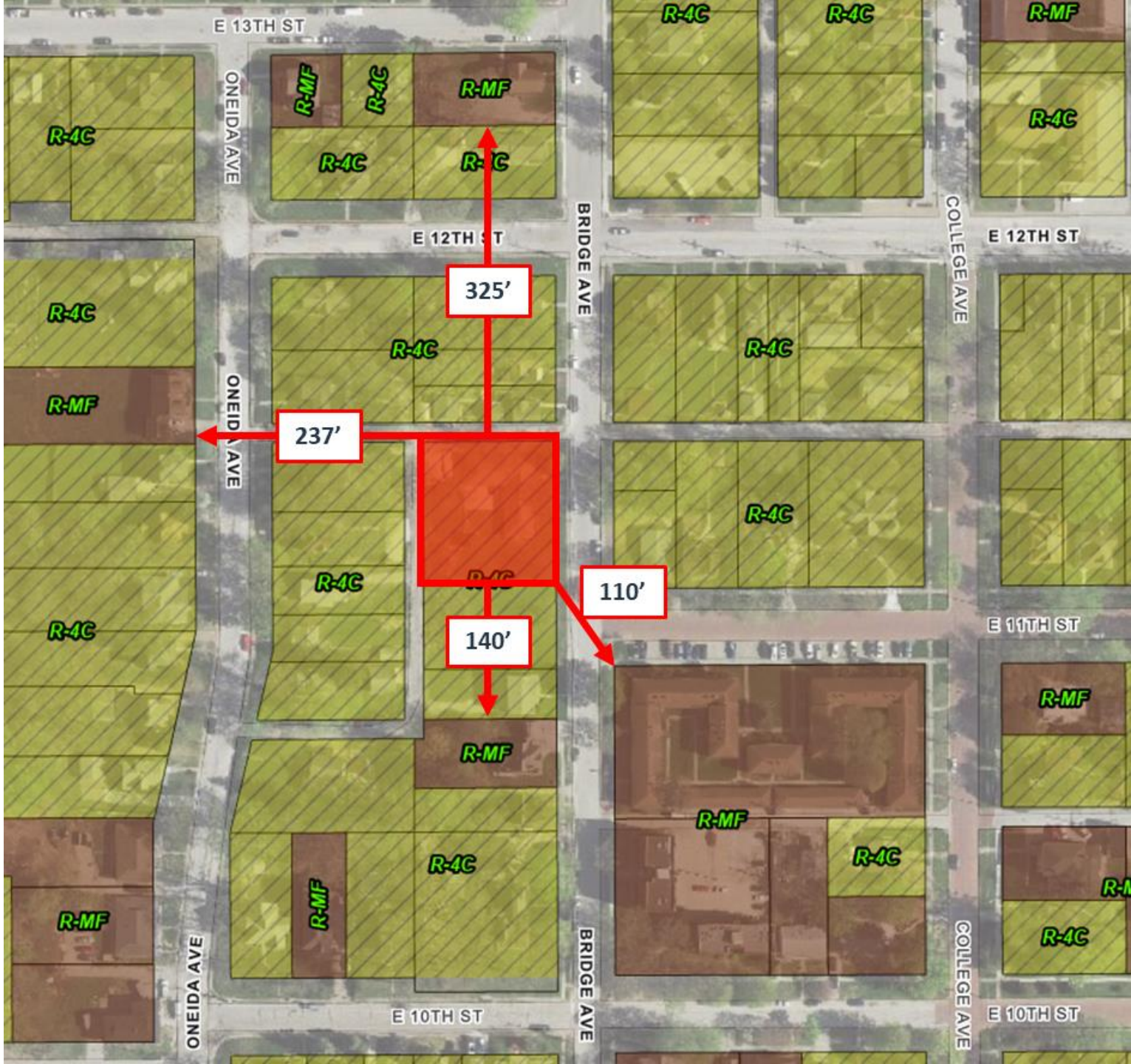
Vicinity Map

- **Purpose:** Redevelop the existing building into a 3 unit multi-family dwelling.
- **Former Uses:** Adult Day Care Center & Group Home

View from Bridge Avenue

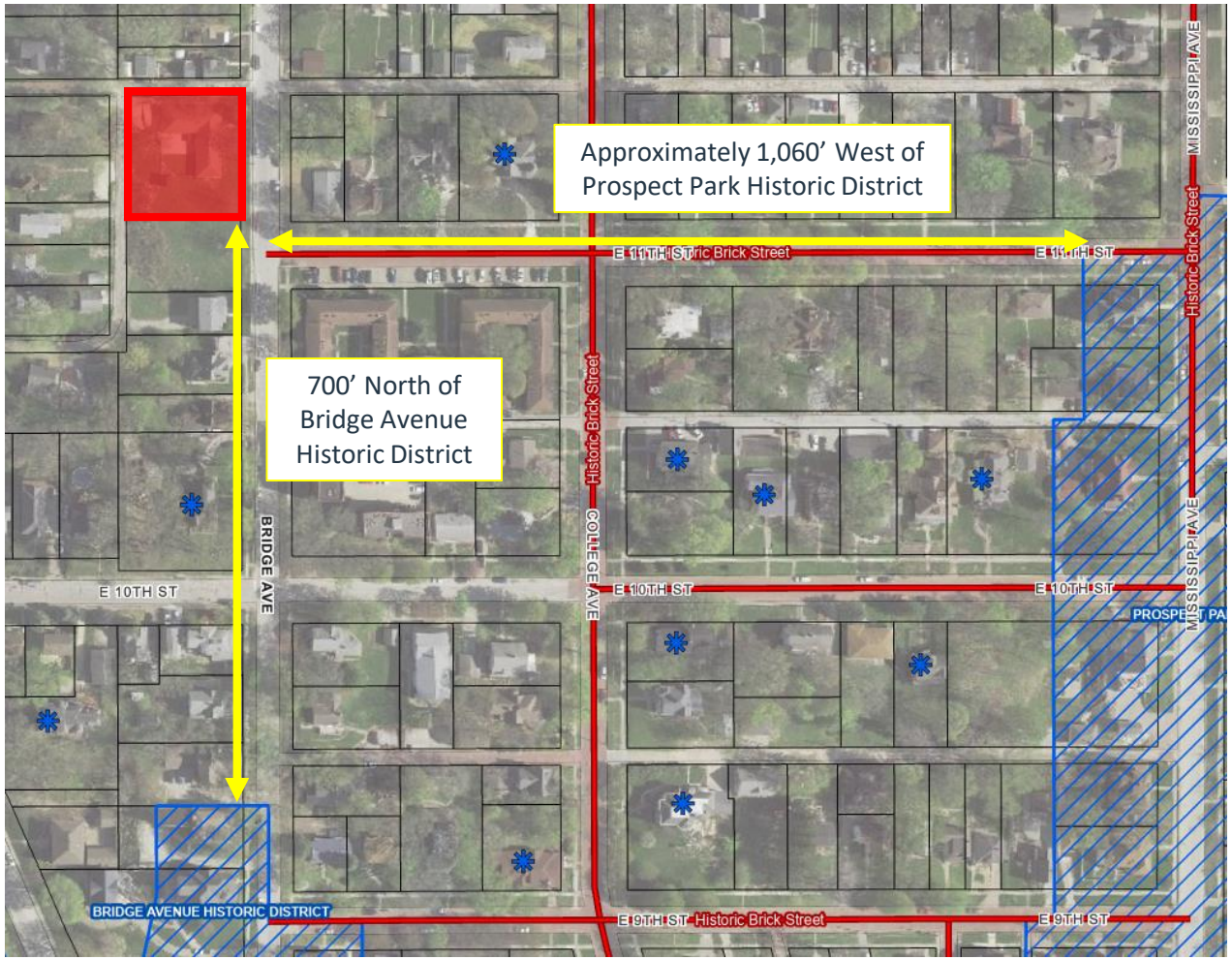
Zoning Map

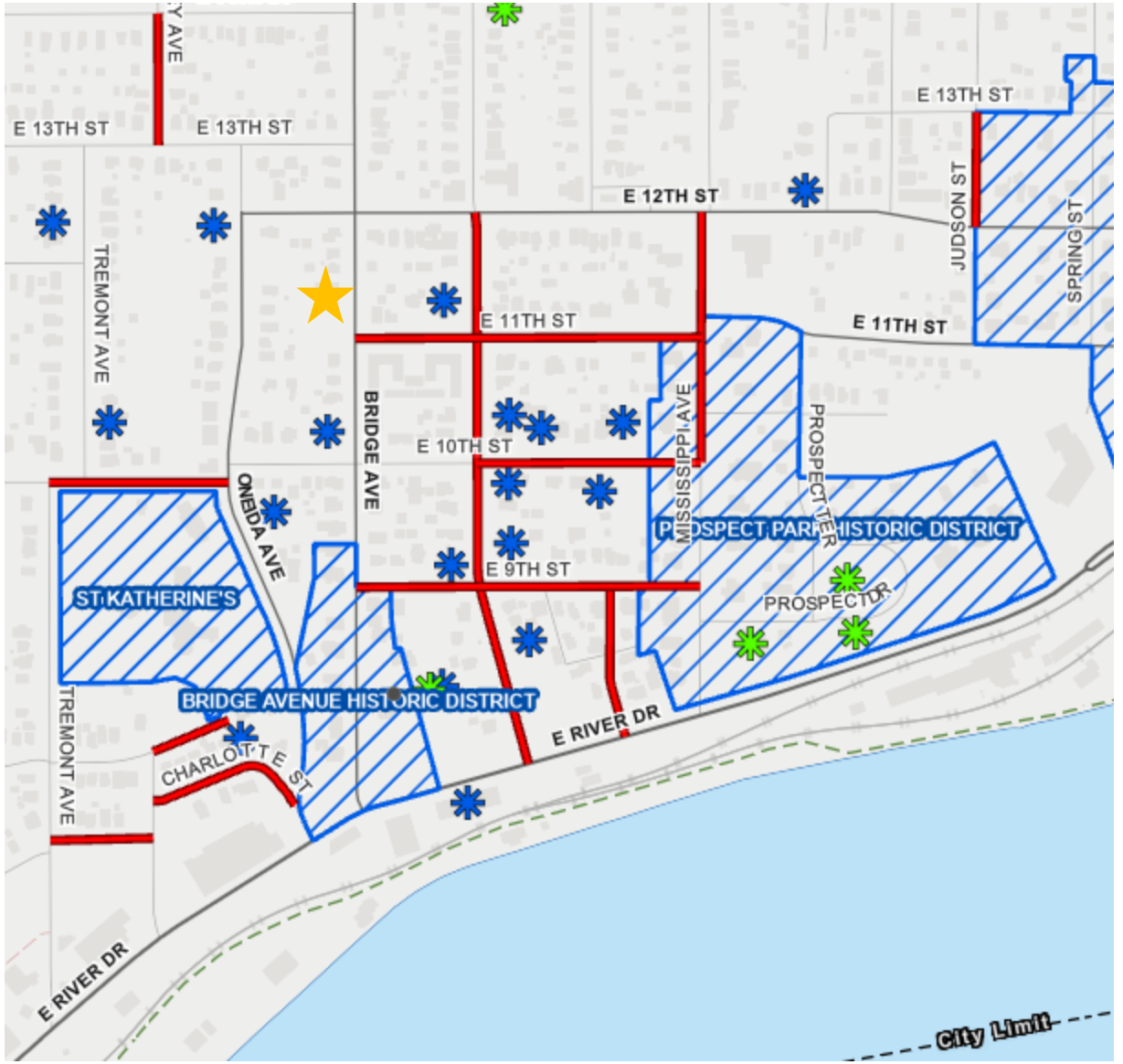
ARLINGTON AVE
E 15TH ST
COLLEGE AVE
KIRKWOOD BLVD
MISSISSIPPI AVE
CAREY AVE
E 14TH ST
E 13TH ST
E 13TH ST
E 12TH ST
ARLINGTON AVE
TREMONT AVE
E 11TH ST
BRIDGE AVE
E 10TH ST
ONEIDA AVE
MISSISSIPPI AVE
E 9TH ST
SYLVAN AVE
TREMONT AVE
E RIVER DR
CHARLOTTE ST

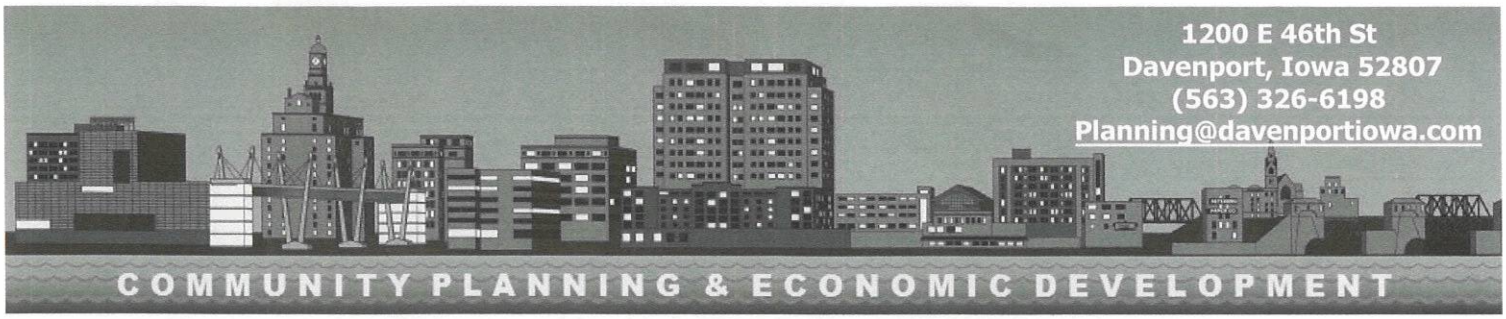

E 13TH ST
ONEIDA AVE
BRIDGE AVE
COLLEGE AVE
E 12TH ST
R-4C
R-MF
325’
237’
110’
140’
E 11TH ST
E 10TH ST

Future Land Use Map

Proximity to Historic Districts







Complete application can be emailed to: planning@davenportiowa.com

Property Address* 1112 Bridge Ave.
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:	Sam Moyer
Company:	Ecumenical Housing Development Group
Address:	1016 W. 7th Street
City/State/Zip:	Davenport, IA 52802
Phone:	309-912-4773
Email:	smoyer@ecumenicalhousing.org

Owner (if different from Applicant)

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

Engineer (if applicable)

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

Architect (if applicable)

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

Attorney (if applicable)

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

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

Application Form Type:

Plan and Zoning Commission
- Zoning Map Amendment (Rezoning) ☑
- Planned Unit Development ☐
- Zoning Ordinance Text Amendment ☐
- Right-of-way or Easement Vacation ☐
- Voluntary Annexation ☐

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

Design Review Board
- Design Approval ☐
- Demolition Request in the Downtown ☐
- Demolition Request in the Village of East Davenport ☐

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative
- Administrative Exception ☐
- Health Services and Congregate Living Permit ☐

Request:

Existing Zoning: R-4C Single-Family and Two-Family Residential District

Proposed Zoning Map Amendment: R-MF

Purpose of the Request:

Change current R-4C zoning to R-MF zoning. As highlighted in the attached document, the change would be consistent with the neighboring uses, and the adjacent multifamily housing just diagonally across the street from the parcel. We would like to convert this former Adult Care facility into a Three Unit multi-family dwelling. Two units would have four bedrooms and the third will be two or three bedrooms. All units will be ADA accessible. The building will be substantially rehabilitated using Low Income Housing Tax Credits.

Total Land Area: Less than 1 Acre | Please Select

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☑ No

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: Sam Moyer Date: November 1, 2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

Authorization to Act as Applicant

I, _____

authorize _____

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

_____

_____

Signature(s)

State of _____,

County of _____.

Sworn and subscribed to before me

This _____ day of _____ 20____ _____

Form of Identification

_____

Notary Public

My Commission Expires:

ARTICLES OF INCORPORATION

OF

ECUMENICAL HOUSING DEVELOPMENT GROUP

TO: The Secretary of State of the State of Iowa:

The undersigned, acting as incorporators of the Corporation under the Iowa Nonprofit Corporation Act, Chapter 504A of the Code of Iowa (1989), adopt the following Articles of Incorporation for such Corporation:

ARTICLE I

The name of the Corporation shall be Ecumenical Housing Development Group. The Corporation is incorporated under Chapter 504A of the Iowa Code (1993).

ARTICLE II

The period of existence of the Corporation is perpetual.

ARTICLE III

The purposes and objects for which the Corporation is organized and the powers of the Corporation shall be:

1. To develop and construct housing units for low income persons.

2. To operate exclusively for religious, charitable, literary, scientific and/or educational purposes, including, for such purposes, the making of distributions to organizations which qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax law, with all of its activities so conducted.

3. To possess and exercise all of the rights, powers and privileges now or hereafter conferred upon non-profit corporations by Section 504A of the Code of Iowa (1993), as amended from time to time.

ARTICLE IV

The Corporation shall be subject to the following limitations and conditions:

1. The Corporation shall be operated exclusively for those purposes allowed an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 and its regulations as they now exist or the corresponding provisions of any future United States Internal Revenue Tax Law.

2. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered.

3. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publishing or distribution of statement) any political campaign on behalf of any candidate for public office.

4. Notwithstanding any other provisions of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue law).

ARTICLE V

Section 1. Membership in the Corporation shall be limited to churches and other religious organizations, transitional housing agencies, financial institutions, local governments and other organizations concerned with providing low income rental housing in the Quad-City area. Such an organization may be granted membership upon the receipt of a letter from the appropriate officer of that organization indicating a desire for membership and nominating a

representative of the organization to serve on the board of directors. Membership shall be granted upon an affirmative vote by the Board of Directors and the election of the organization's representative to the Board of Directors.

Section 2. The powers, duties, and rights reserved to the members shall be, but are not limited to, the following:

(a) To establish or amend the philosophy and purpose of the Corporation.

(b) To amend, revise, or alter the Articles of Incorporation or the bylaws of the Corporation.

(c) To appoint, evaluate and remove, with or without cause, members of the Board of Directors of the Corporation.

(d) To approve any merger or consolidation of this Corporation into or with any other corporation, organization, or association, and the dissolution or otherwise wrapping up of the affairs of the Corporation.

(e) To approve the sale, lease, exchange, mortgage, pledge, or other disposition of all, or substantially all, of the Corporation's assets.

(f) To incorporate or establish new or affiliated entities, organization, or associations.

(g) To receive the annual report of the Board of Directors.

ARTICLE VI

The affairs of the Corporation shall be managed by a Board of Directors consisting of not more than twenty-four (24) directors. The initial Board of Directors, who shall serve until the first annual meeting of the Corporation and until their successors are duly elected and qualified, shall be:

1. Richard Pokora
Redeemer Lutheran Church
1107 Tanglefoot Lane
Bettendorf, IA 52722

2. Sister Pauline Tursi
Humility of Mary Shelter
820 West Central Park
Davenport, IA 52804

3. Mr. Jim Slavens
Northwest Bank & Trust
100 East Kimberly Road
Davenport, IA 52806

4. Margaret Murphy
City of Davenport
226 West Fourth Street
Davenport, IA 52801

ARTICLE VII

The Corporation may be dissolved by a two-thirds vote of the Board of Directors with concurrent approval of a two-thirds vote of the membership of the Corporation.

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all of the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation, in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, or religious purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue law), as the President and Cabinet shall determine.

ARTICLE VIII

In the event that this Corporation shall become a "private foundation" within the meaning of Section 509, then the Corporation's income for each taxable year shall be distributed at such time and in such manner as not to subject it to tax under Section 4942, and the Corporation shall be prohibited from engaging in any act of self-dealing as defined in Section 4941(d), from retaining any excess business holdings as defined in Section 4943(c), from making any investments in such manner as to subject this Corporation to tax under Section 4944, and from making any taxable expenditures as defined in Section 4945(d), and in all sections of the Internal Revenue Code of 1986 or the corresponding provisions of any future United States Internal Revenue Law.

ARTICLE IX

The principal place of business of the Corporation shall be in the County of Scott, State of Iowa. The registered office shall be located at 220 North Main Street, #600, Davenport, Scott County, Iowa 52801, and the name of its initial registered agent at such address shall be David A. Dettmann.

ARTICLE X

The corporate existence shall commence upon the date of issuance by the Secretary of State of Iowa of a Certificate of Incorporation.

ARTICLE XI

The Corporation shall indemnify any present or former director, officer, employee, member or volunteer of this Corporation, and each such person who is serving or who has served, at the request of this Corporation, as a director, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust, other enterprise or employee benefit plan to the fullest extent possible against expenses, including attorneys' fees, judgments, fines, settlements and reasonable expenses, actually incurred by such person relating to his conduct as a director, officer, employee, member or volunteer of this Corporation or as a director, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust, other enterprise or employee benefit plan, except that the mandatory indemnification required by this sentence shall not apply (i) to a breach of the duty of loyalty to the Corporation, (ii) for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law, or (iii) for a transaction from which such person derived an improper personal benefit.

ARTICLE XII

The name and address of the incorporator of the Corporation is as follows:

Richard Pokora
1107 Tanglefoot Lane
Bettendorf, IA 52722

ARTICLE XIII

These Articles of Incorporation and the By-Laws of the Corporation may be altered, amended, or repealed and the initial By-Laws adopted by a two-thirds vote of the Board of Directors at any regular or special meeting and with concurrent approval of a two-thirds vote of the membership of the Corporation.

IN WITNESS WHEREOF, the incorporators have executed and acknowledged these Articles of Incorporation this 5 day of ~~June~~ July, 1994.

Richard Pokora

STATE OF IOWA)
) SS:
COUNTY OF SCOTT)

On this 5th day of July, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Pokora to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(Notary Seal)

Notary Public in and for said County and State

DAVID A. DETTMANN
MY COMMISSION EXPIRES
June 14, 1996

STATE OF IOWA
SECRETARY OF STATE
FILED 07/11/1994 AT 03:24 PM
FILING # 000177005W00048464
*WO: 94419294 -WS: 94419296

OFFER TO PURCHASE REAL ESTATE

Dated: May 10, 2022

To: Family Resources, Inc. ("Seller")

Ecumenical Housing Development Group ("Purchaser"), hereby offers to purchase for the total sum of One Dollar ($1.00) the real estate and improvements (collectively "Property") located at 1112 Bridge Avenue, Davenport, Iowa 52803, and legally described as: The North 145 feet of Out Lot in Block 7, Churchill's Addition to the City of Davenport, more particularly described as follows: Beginning at the Northeast corner of said Out Lot; thence South 145 feet along the West Line of Bridge Avenue; thence West 137 feet more or less along a line parallel to the South line of an alley on the North end of said Out Lot, to an alley on the West side of said Out Lot; thence North along the East line of said alley 145 feet to the alley on the North end of said Out Lot; thence East along the south line of said alley 137 feet more or less to the place of beginning. Subject to easements and restrictions of record. Upon the following terms and conditions:

A. CASH by payment of the sum of One Dollar ($1.00) upon delivery of a Warranty Deed as hereinafter provided.

B. OTHER TERMS:

The Property will be conveyed in "AS IS" condition without warranty, express or implied, as of Closing, except warrant of title and as expressly provided in this Offer.

This Offer includes all furniture, appliances, and fixtures located in the property owned by Seller.

1. Seller shall furnish to Purchaser satisfactory evidence of title to the Property which shall be an Abstract of Title in accordance with title standards of the Scott County Bar Association. The title to be conveyed to Purchaser shall be free and clear of all liens and encumbrances not herein specifically waived or agreed to be assumed by Purchaser, except existing easements of record. Conveyance of title shall be by Warranty Deed.

2. Seller's Abstract of Title, shall be submitted to Purchaser's attorney for examination as soon after this date as reasonably possible, and any objections to title raised by Purchaser's attorney shall be made in writing as soon thereafter as reasonably possible, so that same may be cured on or before date of closing, which shall be on or before May 31, 2022.

3. Possession of said real estate is to be given to Purchaser at closing free of any leases, leasehold interests or tenants in possession.

4. All State, County and City Taxes shall be pro-rated between Seller and Purchaser (based on the current established mill rate) to the date of closing unless the real estate is exempt from taxation. All prior real estate taxes, if any, shall be paid by Seller.

5. Special assessments to be levied for improvements, either completed or in process previous to date hereof, shall be paid by Seller. Seller shall pay all existing and pending water and sewer charges and other liens on the property for brush, weed cutting or any other lien as of the closing.

6. Roller shades, venetian blinds, curtain rods, brackets and fixtures, linoleum cemented to floors, storm doors, storm windows and sashes, window and door screens, electric light fixtures, bathroom fixtures and accessories, furnaces, oil or gas heaters and burners, water heaters, all shrubs and trees, and all other fixtures not excepted on back hereof are to be left as belonging to the Property.

7. Seller agrees to maintain existing comprehensive insurance in the amount of the insurable value of the Property until closing. Buyer may purchase additional insurance if it so desires.

8. If this offer is not accepted by Seller on or before May 12, 2022, it shall become null and void without liability on the part of either party.

THIS OFFER IS ACCEPTED

Dated: May 10, 2022

PURCHASER:

Ecumenical Housing Development Group

By: Mary M-S
Name: Mary Macumber-Schmidt
Title: President, Board Chair

Address: P.O. Box 1673
Bettendorf, IA 52722

Telephone #: (563) 508-4835

Dated: May 11, 2022

SELLER:

Family Resources, Inc.

By: Ashley Schwalm
Name:
Title: COO

Address: 2800 Eastern Avenue
Davenport, IA 52803

Telephone #: 563 468 2318

Unique Doc ID: 1691106
Recorded: 6/21/2022 at 2:14:20.0 PM
County Recording Fee: $17.00
Iowa E-Filing Fee: $3.00
Combined Fee: $20.00
Revenue Tax: $0.00
Rita A. Vargas RECORDER
Number: 202200017438
Scott County, Iowa

Prepared by & Return to: Joseph C. Judge, Lane & Waterman LLP, 220 N. Main St., Suite 600, Davenport, IA 52801-1953 (563) 324-3246
Address Tax Statement: Ecumenical Housing Development Group, P.O. Box 1673, Bettendorf, IA 52722

WARRANTY DEED
(CORPORATE GRANTOR)

For the consideration of Ten and 00/100-----($10.00)----- Dollar(s) and other valuable consideration, **FAMILY RESOURCES, INC.**, a corporation organized and existing under the laws of Iowa, does hereby Convey to **ECUMENICAL HOUSING DEVELOPMENT GROUP**, the following described real estate in Scott County, Iowa:

The North 145 feet of Out Lot in Block 7 Churchill's Addition to the City of Davenport, more particularly described as follows: Beginning at the Northeast corner of said Out Lot, thence South 145 feet along the West line of Bridge Avenue; thence West 137 feet; thence North 145 feet to the alley on the North end of said Out Lot; thence East long the South line of said alley 137 feet more or less to the place of beginning.

Subject to easements and restrictions of record.
Exempt from transfer tax pursuant to Iowa Code Section 428A.2(21).

The Corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and it covenants to Warrant and Defend the real estate against the lawful claims of all persons, except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

Dated: 6/21, 2022

FAMILY RESOURCES, INC.

By _____
Nicole Cisne Durbin, President & CEO

STATE OF IOWA, SCOTT COUNTY, SS:

This instrument was acknowledged before me on June 21, 2022 by **Nicole Cisne Durbin as President & CEO of FAMILY RESOURCES, INC.**

Notary Public

TERI RAY
Commission Number 832792
My Commission Expires
June 30, 2024

TERI RAY
Commission Number 832792
My Commission Expires
June 30, 2024

Prepared by & Return to: Joseph C. Judge, Lane & Waterman LLP, 220 N. Main St., Suite 600, Davenport, IA 52801-1953 (563) 324-3246

Address Tax Statement: Ecumenical Housing Development Group, P.O. Box 1673, Bettendorf, IA 52722

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Dated: 6/21, 2022

FAMILY RESOURCES, INC.

By _____
Nicole Cisne Durbin, President & CEO

STATE OF IOWA, SCOTT COUNTY, SS:

This instrument was acknowledged before me on June 21, 2022 by **Nicole Cisne Durbin as President & CEO of FAMILY RESOURCES, INC.**

Notary Public

TERI RAY
Commission Number 832792
My Commission Expires
June 30, 2024

TERI RAY
Commission Number 832792
My Commission Expires
June 30, 2024

Scott County / City of Davenport, Iowa

Summary - Auditor's Office

Parcel ID	F0027-22A
Alternate ID	F22006
Property	**1112 BRIDGE AV**
Address	**DAVENPORT IA 52803**
Sec/Twp/Rng	N/A
Brief	CHURCHILL'S RESURVEY Lot: 007 CHURCHILL'S RESURVEYOF CHURCHILL'S ADD
Tax Description	N145'OF OL IN BLK 7COM NE COR OF SD OL -S 145' ALG W LN OF BRIDGE AV -W 137' M/L -N 145' -E 137' TO POB (Note: Not to be used on legal documents)
Deed Book/Page	2022-17438
Contract Book/Page	
Gross Acres	0.46
Net Acres	0.46
Adjusted CSR Pts	0
District	DAD - DAVENPORT DAVENPORT
School District	DAVENPORT SCHOOL
Subdivision	CHURCHILL'S RESURVEY

Owners - Auditor's Office

Deed Holder
ECUMENICAL HOUSING DEVELOPMENT GROUP
PO BOX 1673
DAVENPORT IA 52803
Contract Holder
Mailing Address
ECUMENICAL HOUSING DEVELOPMENT GROUP
PO BOX 1673
DAVENPORT IA 52803

DBA (Doing Business As) - Assessor's Office

FKA: ANNIE- RU DAYCARE CENTER LLC

Land - Assessor's Office

Map Area C-412
Lot Area 0.46 Acres ; 19,865 SF

Land Sizes Used For Assessment Purposes Only. Not A Survey Of The Property.

Commercial Buildings - Assessor's Office

Total GBA 3,650 SF
Total Units 0
Building 1: Child Day Care Center, Vinyl - Frame, 1 Story, Built - 1991, 3650 SF, Bsmt - 0 SF, HVAC - Combination FHA - AC, Roof - Asph. Shingle/ Wood Dk
Adjustments: Sprinkler - exposed wet, 3650 SF
Plumbing:
1 - Adequate
2 - 3-Fixture Bathroom
1 - Toilet Room
2 - Sink-Kitchen
1 - Sink-Service (Fiberglass)
4 - Lavatory
Building Extras: #1- Porches,Decks,Patios,etc., 36 SF, Porch, Average Pricing, 1991, Qty1

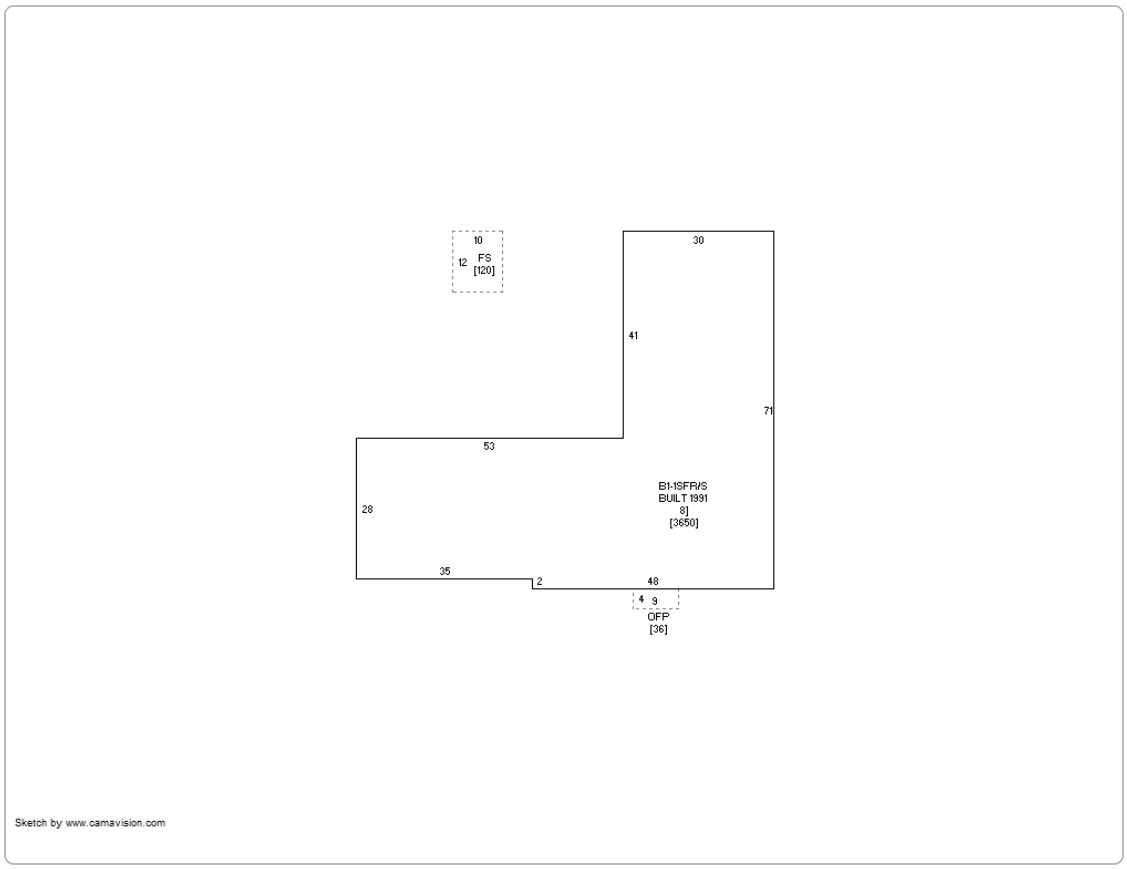
Yard Extras - Assessor's Office

#1 - (1) Paving - Asphalt 920 SF, Asphalt Parking, Average Pricing, Built 1991
#2 - (1) Paving - Concrete 1,160 SF, Concrete Parking, Average Pricing, Built 1991
#3 - (1) Fencing - Chain No Barbs, 6 Ft-Hgh, 85 LF, 0 LF-Gates, Built 1991
#4 - (1) Shed W10.00 x L12.00 120 SF, Frame, Average Pricing, Built 1991

Photos - Assessor's Office

VAI Import 11172011

Sketches - Assessor's Office



Permits - Assessor's Office

Permit #	Date	Description	Amount
M019131	06/25/2018	HVAC	6,425
P007211	06/04/2014	Plumb/Elec	7,000
B019722	03/17/2014	Int-Remodel	3,500
198855	11/14/2005	Roof	8,000
175090	09/01/1998	Int-Remodel	8,894

Sales - Assessor's Office

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
6/21/2022	FAMILY RESOURCES, INC	ECUMENICAL HOUSING DEVELOPMENT GROUP	2022-17438	No consideration	WD		$0.00
8/21/2017	DAVENPORT FAMILY HOMES LTD	FAMILY RESOURCES, INC	2017-24810	Quit Claim Deed	QCD		$0.00
8/16/1991		DAVENPORT FAMILY HOMES LTD	1991-17814	NONE	X		$7,500.00

Recent Sales in Area

Sale date range:

From:

12/13/2012

To:

12/13/2022

Sales by Neighborhood

Sales by Subdivision

1500

Feet

Sales by Distance

Valuation - Assessor's Office

		2022	2021	2020
	Classification	Commercial	Commercial	Commercial
+	Assessed Land Value	$39,730	$39,730	$39,730
+	Assessed Building Value	$246,680	$293,680	$293,680
+	Assessed Dwelling Value	$0	$0	$0
=	Gross Assessed Value	**$286,410**	**$333,410**	**$333,410**
-	Exempt Value	$0	$0	$0
=	Net Assessed Value	**$286,410**	**$333,410**	**$333,410**

Taxation - Auditor\Treasurer's Office

		2021 Pay 2022-2023	2020 Pay 2021-2022
x	Rollback (estimated)	90	90
+	Taxable Land Value	$35,757	$35,757
+	Taxable Building Value	$264,312	$264,312
+	Taxable Dwelling Value	$0	$0
=	Gross Taxable Value	**$300,069**	**$300,069**
-	Military Credit	$0	$0
=	Net Taxable Value	**$300,069**	**$300,069**
x	Levy Rate (per $1000 of value)	39.64283	39.37037
=	Gross Taxes Due	**$11,895.58**	**$11,813.83**
-	Ag Land Credit	$0.00	$0.00
-	Family Farm Credit	$0.00	$0.00
-	Homestead Credit	$0.00	$0.00
-	Disabled and Senior Citizens Credit	$0.00	$0.00
-	Business Property Credit	$0.00	$0.00
=	Net Taxes Due	**$11,896.00**	**$11,814.00**

Tax History - Treasurer's Office

Year	Due Date	Amount	Paid	Date Paid	Receipt
2021	March 2023	$5,948	No		633677
	September 2022	$5,948	No		
2020	March 2022	$5,907	Yes	3/25/2022	638580
	September 2021	$5,907	Yes	9/30/2021	
2019	March 2021	$5,918	Yes	5/13/2021	633852
	September 2020	$5,918	Yes	5/13/2021	
2018	March 2020	$5,812	Yes	5/13/2021	635486
	September 2019	$5,812	Yes	5/13/2021	
2017	March 2019	$0	No		642025
	September 2018	$0	No		
2016	March 2018	$0	No		607920
	September 2017	$0	No		

Year	Due Date	Amount	Paid	Date Paid	Receipt
2015	March 2017	$0	No		788964
	September 2016	$0	No		
2014	March 2016	$0	No		709487
	September 2015	$0	No		
2013	March 2015	$0	No		623786
	September 2014	$0	No		
2012	March 2014	$0	No		630896
	September 2013	$0	No		
2011	March 2013	$0	No		630483
	September 2012	$0	No		
2010	March 2012	$0	No		633639
	September 2011	$0	No		
2009	March 2011	$0	No		630262
	September 2010	$0	No		
2008	March 2010	$0	No		633422
	September 2009	$0	No		

Special Assessments - Treasurer's Office

Project:
20191204 - Davenport Utility Fee
Accepted Date:
12/4/2019
Parcel Number:
F0027-22A
Amortization Date:
12/1/2020
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2020	$124.74	$124.74	$0.00	$0.00	$5.00	$129.74	162885	1/7/2020
Total			**$124.74**	**$0.00**	**$0.00**	**$5.00**	**$129.74**		

Project:
20190830 - Davenport Utility Fee
Accepted Date:
8/30/2019
Parcel Number:
F0027-22A
Amortization Date:
12/1/2020
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2020	$185.70	$185.70	$0.00	$0.00	$5.00	$190.70	156511	9/26/2019
Total			**$185.70**	**$0.00**	**$0.00**	**$5.00**	**$190.70**		

Project:
20190531 - Davenport Utility Fee
Accepted Date:
5/31/2019
Parcel Number:
F0027-22A
Amortization Date:
12/1/2020
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2020	$171.68	$171.68	$0.00	$0.00	$5.00	$176.68	148637	6/14/2019
Total			**$171.68**	**$0.00**	**$0.00**	**$5.00**	**$176.68**		

Project:
20181130 - DAVENPORT UTILITY FEES
Accepted Date:
11/30/2018
Parcel Number:
F0027-22A
Amortization Date:
12/1/2019
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2019	$171.68	$171.68	$0.00	$41.00	$5.00	$217.68	136436	5/13/2021
Total			**$171.68**	**$0.00**	**$41.00**	**$5.00**	**$217.68**		

Project:
20180830 - Davenport Utility Fee
Accepted Date:
8/30/2018
Parcel Number:
F0027-22A
Amortization Date:
12/1/2019
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2019	$193.59	$193.59	$0.00	$46.00	$5.00	$244.59	129923	5/13/2021
Total			**$193.59**	**$0.00**	**$46.00**	**$5.00**	**$244.59**		

Project:
20180228 - Davenport Utility Fee
Accepted Date:
2/28/2018
Parcel Number:
F0027-22A
Amortization Date:
12/1/2018
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2018	$407.62	$407.62	$0.00	$0.00	$5.00	$412.62	117802	3/23/2018
Total			**$407.62**	**$0.00**	**$0.00**	**$5.00**	**$412.62**		

Project:
20171130 - Davenport Utility Fees
Accepted Date:
11/30/2017
Parcel Number:
F0027-22A
Amortization Date:
12/1/2018
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2018	$315.89	$315.89	$0.00	$0.00	$5.00	$320.89	111371	1/11/2018
Total			**$315.89**	**$0.00**	**$0.00**	**$5.00**	**$320.89**		

Project:
20170831 - Davenport Utility Fees
Accepted Date:
8/31/2017
Parcel Number:
F0027-22A
Amortization Date:
12/1/2018
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2018	$315.96	$315.96	$0.00	$0.00	$5.00	$320.96	105427	9/28/2017
Total			**$315.96**	**$0.00**	**$0.00**	**$5.00**	**$320.96**		

Project:
20161129 - Davenport Utility Fees
Accepted Date:
11/29/2016
Parcel Number:
F0027-22A
Amortization Date:
12/1/2017
Amortized Interest:
0
Number of Years:
0
Payoff:
$0.00

Payment	Due Date	Principal Left	Tax Billed	Amortized Interest	Interest	Admin Fees	Total	Receipt Number	Date Paid
1	9/30/2017	$107.53	$107.53	$0.00	$0.00	$5.00	$112.53	087002	12/30/2016
Total			**$107.53**	**$0.00**	**$0.00**	**$5.00**	**$112.53**		

Davenport Data Correction Feedback Form

Link to Data Correction Feedback Form

Treasurer Data Correction Feedback Form

Link to Treasurer Data Correction Feedback Form

Pay Property Taxes

Click here to pay your Property Taxes online for this parcel

Davenport Tax Credit Applications

Apply for Homestead, Sales Questionnaire, Military or Business Property Tax Credits

Iowa Land Records

Data for Scott County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1989. For records prior to 1989, contact the County Recorder or Customer Support at www.IowaLandRecords.org.

Spot Zoning

Spot zoning is when a rezoning decision results in a single parcel, or small island of property, with restrictions on its use different from those imposed on the surrounding property. Spot zoning can be valid if there is a reasonable basis to treat the spot-zoned property differently from the surrounding property. For example, a parcel or two designated as neighborhood commercial in a residential area is perfectly appropriate if it provides needed retail services to residents. However, zoning is not appropriate if it is for the financial benefit of an individual property owner but detrimental to the surrounding area. According to the Iowa courts, the factor of primary importance is whether the rezoned tract has a peculiar adaptability to the new classification as compared to the surrounding property. Spot zoning for the sole benefit of the landowner and contrary to the comprehensive plan is unreasonable.

The case for creating these “spot zones” is best made through the comprehensive planning process, where the community can explain the benefits that such differential treatment brings to the area.

Planning and Zoning Fact Sheet

IOWA STATE UNIVERSITY
Extension and Outreach
Community and Economic Development

Iowa State University Extension and Outreach does not discriminate on the basis of age, disability, ethnicity, gender identity, genetic information, marital status, national origin, pregnancy, race, religion, sex, sexual orientation, socioeconomic status, or status as a US veteran. Direct inquiries to the Diversity Officer, 515-294-1482, extdiversity@iastate.edu.

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at 1112 Bridge Avenue.

Neighborhood Meeting
Date: 12/1/2022 Time: 7 PM Location: 1112 Bridge Avenue

Plan & Zoning Commission Public Hearing Meeting
Date: 12/6/2022 Time: 5:00 PM Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?
This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned R-4C Single-Family and Two-Family Central Residential District. The property owner is requesting a rezoning to R-MF Multi-Family Residential District. The purpose is to redevelopment the existing building into a three unit multi-family dwelling.

Request/Case Description
Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on December 6, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on December 20, 2022. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Rezoning Request | Case REZ22-08 | Public Hearing Notice

Rezone from R-4C Single-Family & Two-Family Central Residential District to R-MF Multi-Family Residential District

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

Date: 1/4/2023 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located at 1112 Bridge Avenue.

What is this About?
This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned R-4C Single-Family and Two-Family Central Residential District. The property owner is requesting a rezoning to R-MF Multi-Family Residential District. The purpose is to redevelopment the existing building into a three unit multi-family dwelling.

Request/Case Description
Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

At its December 20, 2022 meeting, the Plan and Zoning Commission recommended Case REZ22-08 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:
1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:
1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be four.

What are the next steps?
The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, January 4, 2023 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would you like to submit an official comment?
You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing.

All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Rezoning Request | Case REZ22-08 | Public Hearing Notice

Rezone from R-4C Single-Family & Two-Family Central Residential District to R-MF Multi-Family Residential District

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS

Neighborhood Meeting Attendance List

Date: 12/1/2022 Time: 7:00 PM Location: 1112 Bridge Ave

Case: Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Jim Richardson	jarichardson1954@gmail.com	(563) 340-3767	5124 N. Richmond Circle Bettendorf, IA 52722
2	DAVE SPINNER		563-322-8237	1033 Oneida
3	Allie Kelly		3092924908	1203 E 11th apt 1
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Werderitch, Matt

From:
Sent: Wednesday, December 14, 2022 1:54 PM
To: Werderitch, Matt
Subject: [EXT] Case REZ 22-08 1112 Bridge Avenue Rezoning

ATTENTION: This is an external email.

Good afternoon, Matt!

My husband, Marshall and I are writing to you in order to express our opposition to the multi-family spot rezoning request for the property at 1112 Bridge Avenue.

We live at 812 Bridge Avenue. Marshall was born and raised in Davenport and he remembers clearly when the neighborhoods along Bridge Avenue were in a very depressed state. After living and working in Phoenix, Arizona for over 30 years, Marshall and I were committed to investing in his hometown upon retiring. We bought our home in 1999 and have been in the process of restoring this house to its original grandeur ever since. Over these past several years we have seen a slow, but mostly steady improvement in our neighborhood which we believe can be directly contributed to the increase of owner-occupied single family homes lining Bridge Avenue from River Drive.

In order to promote this trend, new families are warmly welcomed and encouraged to participate in the neighborhood. We even reach out to listing agents to inform them about the Bridge Avenue Historic District Neighborhood Association. Many have responded enthusiastically and even included information about the neighborhood in their real estate postings. It is our sincere hope that the Development and Neighborhood Services and the Planning and Zoning Commission will deny this multi-family rezoning request and in so doing, partner with us in keeping this revitalization process going. Sadly, there are very few surviving neighborhoods in Davenport with their historic integrity left intact. Most have succumbed to multi-family rental properties that have negatively impacted the character of these fine old communities. We are trying to save our neighborhood from that fate.

We compel you as you review the Residential Zoning Districts Map, that you will visualize individual streets, homes and the families who live inside them, rather than just a mosaic of yellow, green, brown and gray squares. Ultimately, your decision will set a significant precedent moving forward and will reinforce your commitment to promoting neighborhood integrity and improving the quality of life in our community.

Thank you for your consideration.

Regards,
Carol and Marshall Daut
812 Bridge Avenue
Davenport, IA 52803
563-322-1319

Werderitch, Matt

From: Robert Kirk
Sent: Tuesday, December 13, 2022 9:51 AM
To: Werderitch, Matt
Subject: [EXT] Zoning 1112 Bridge Avenue

ATTENTION: This is an external email.

I want to voice my concerns over this issue for plans at Zoning 1112 Bridge Avenue. The neighborhood already has far too many multi family dwellings and this locale has been a considerable and failed use location for far too long creating both parking and driving issues for all concerned. In my opinion the best use would be the intended use as a permanent single family dwelling.

Regards,
Robert Kirk
1017 MISSISSIPPI AVE

Case RZ22-08 Request to change 1112 Briage Ave. from R-4C to multi-family (Ward 5)

From:
Date: Dec 6, 2022 at 2:08:04 PM
To: Lamar Buckelew lamarbuckelew@yahoo.com

My name is Juliana Buckelew and I live at 1206 E. River Drive. I am against this change because it would go against the goals of the new code that was implemented in 2018 to stabilize the area. The property is surrounded by R 4C except on one side, and that's ~~across the street~~ SW kitty corner. Allowing up zoning in the middle of our neighborhood is spot zoning and discourages owner occupants, who remain after the rental property owners leave.
We have worked hard to stabilize our neighborhood. My neighbors and I formed a neighborhood association group officially with the the city. Our group has fought hard for neighborhood safety and marketed our historical district to attract homebuyers. We have done extensive historical research at the library and online to promote its rich history. We have fought hard and up zoning to make this lot multifamily discourages home buying which gives stability, and the desire to invest in our neighborhood. We have 3 new families recently and need to keep this direction, not take a step back.
Thank you for your time today.

Sent from my iPhone

Werderitch, Matt

From: Lamar Buckelew
Sent: Thursday, December 15, 2022 2:18 PM
To: Werderitch, Matt
Subject: [EXT] Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

Dear Mr. Werderitch,

Hello, my name is Lamar Buckelew and I live at 1206 East River Drive. Together with Prospect Park and Bridge Avenue neighborhoods, we make up the larger neighborhood south of E. 12th that was once called Mt. Ida Neighborhood.

I am writing you to voice my disapproval of the spot zone change request for 1112 Bridge Avenue from R-4C to R-MF. This neighborhood has suffered through many years of neglect, irregular zoning and manipulation by developers and landlords. This created a neighborhood instability due to the large number of temporary residents. While there are still many multiple family apartment options in this neighborhood, the city re-zoning that occurred around 2018 was thought to be a step in the direction of neighborhood stability and away from the past Davenport approach of patchwork zoning that negates the intent of the zoning process and does not match the character of the neighborhood.

The goal of the city zoning rewrite in 2018 was to protect the character of these central neighborhoods south of Locust. These neighborhoods have had a history of "spot zoning" resulting in unequal application of the city zoning ordinances. This patchwork approach allows multifamily units to grow in single family areas and therefore should not be approved. Please share these comments with the Planning and Zoning Commission prior to their meeting on the subject.

Regards,

Lamar Buckelew

Werderitch, Matt

From:
Sent: Monday, December 5, 2022 7:59 PM
To: Werderitch, Matt
Subject: [EXT] Petition for Rezoning

Hi Matt,

I'm not sure who to address my concerns over this petition Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]. I live just outside the perimeter of the legal notification zone but I am opposed to this change.

We formed a neighborhood group and took action a few years ago to change the zoning in this area so that developments like this could no longer destabilize our historic district. A change like this would be a form of spot zoning and contrary to our goal to make our neighborhood attractive to home buyers. While there may be apartments nearby, increasing the number of them will have a negative impact on the density of occupancy of our district and quality of life for the homeowners.

Will you please tell me who to forward this to or can you? I will be out of town during the hearing or I would attend it and speak out.

Thank you very much,

John Higgins

Werderitch, Matt

From: Adam Hoke
Sent: Tuesday, December 13, 2022 11:13 PM
To: Werderitch, Matt
Cc: Evan Hoke; Eileen Yeates;
Subject: [EXT] Case REZ22-08

Dear Matt,

My name is Adam Hoke and my husband's name is Evan Hoke. We own the Theodore Eldridge House at 1404 E 10th St.

I am writing you today to make you aware that we oppose the rezoning of the property at 1112 Bridge Ave. We purchased our home in Sept of 2016. We have two apartment buildings and a rental property directly behind us. We believe that our neighborhood is already saturated with rental properties.

We understand the need for affordable housing and we believe that the rental properties in the area would fit that description. We do not believe that adding more rental properties will help the neighborhood.

We have had countless issues with renters. We hear domestic disputes, loud cars, and police being called for multiple reasons including a tenant having a guest staying with them that was driving a stolen vehicle. And our HVAC Contractor had his vehicle stolen from the alley, not even 10mins after he arrived. There are many rental properties in the area that are not maintained. There are properties near us that are believed to house someone that sells drugs. They have visitors all hours of the day and night just long enough for someone to run in and return within minutes back to their car.

We have spent a significant amount of money restoring our home along with many others in the area. The house down the street was on the market for over 2yrs before it sold and I believe it's because of some of the properties that are behind the house. Adding more rentals would only hinder people from wanting to fix up the homes in this area as the number of rentals can turn off potential buyers or buyers willing to pay a fair market value.

Continuing to add rentals in the area will not help the efforts of the homeowners to change the neighborhood. A great deal has changed for the better since we have lived here. Our home was empty for two years and we had a home on Mississippi Ave that had been on the market for 6yrs. Our home was on the market for 4yrs. There is a home on Mississippi Ave that is for sale that was at one point turned into multiple rental units and has been converted back to a single-family home but a great deal of damage was done to the home during that process and is proving to deter people from wanting to buy it.

Thank you for your time,
Evan and Adam Hoke

Werderitch, Matt

From:
Sent: Sunday, December 11, 2022 4:46 PM
To: Werderitch, Matt
Subject: [EXT] Zoning 1112 Bridge Avenue

ATTENTION: This is an external email.

Matt

We wish to offer our concerns as to CASE REZ22-08...

We want to go on the record of preferring that the city maintain the zoning plans that we suspect were quite expensive. We would like to have the structure sold to a family, maybe a first-time home owner. Many have worked to stabilize this neighborhood and changing the zoning with the result of more multiple resident housing does not match the character of the surrounding properties.

Joel and Diane E. Franken
1610 Prospect Terrace

Werderitch, Matt

From: Elizabeth Hodges
Sent: Wednesday, December 14, 2022 5:07 PM
To: Werderitch, Matt
Subject: [EXT] Fwd: Zoning 1112 Bridge Avenue

---------- Forwarded message ---------
From: **Elizabeth Hodges**
1725 E, 11th Street
Davenport, Iowa 52803
Subject: Re: Zoning 1112 Bridge Avenue

Subject: Zoning 1112 Bridge Avenue CASE # REZ22-08

I am not in favor of 1112 Bridge Avenue being re-zoned to a multi family unit.

Surrounding neighbors and neighborhood groups have worked for years to improve the area.

To rewrite the 2018 zoning is a disservice to the neighbors, and groups who have worked to improve this area.

The person requesting the zoning change should not be granted the re-zoning. The neighbors have worked for years to create stability in this area..

There are becoming more rental properties where I live. Most of the landlords do not take care about their properties, and do not follow up with their tennents. This creates issues and problems for the home owners .

Another rental unit is not what this area needs or the city.

Regards,

Elizabeth Hodges
1725 E. 11th Street
Davenport, Iowa 52803

Werderitch, Matt

From: Mike Miller
Sent: Wednesday, December 14, 2022 7:46 AM
To: Werderitch, Matt; Meginnis, Marion
Subject: [EXT] Spot zoning for 1112 Bridge Ave.

Matt,

This plan to rezone a single building to multi family in an area that has been designated single family would be a mistake. I realize that this would mean increase tax basis on the property, and would satisfy a single entity, but at the same time be against the will of the remaining residents in this community. And if I am not mistaken we still live in a majority rule country.

This area has for years been trying to recover from the mistake of turning classic family homes to multi dwelling facilities. Almost every homeowner here has been trying or has accomplished this goal with the understanding that the neighborhood would continue on this path. The city has aided in this effort by returning the zoning to single family and establishing that it would remain so.

We are in the "downtown" ward. Recently in this ward, and only a few blocks away from us, the city has allowed a 4 story,180 low income apartment complex to be built. This complex is too high a density living for the space it is on. It most likely will be a majority of section 8 housing. That alone will put a burden on our district and will cause a major decrease in the quality of life for our community that is not being placed on other areas of Davenport. Rezoning this single unit will further exacerbate the downward trend.

My thought is the same as the broken window theory. Before a window is broken in a house the thought of doing so is not broutched. But once the first window is smashed with a rock it becomes OK to break all of the windows.

Taking the first step on the wrong path is always the most crucial after which the rest of the mistakes become easy.

Werderitch, Matt

From: Eileen Yeates
Sent: Friday, December 16, 2022 7:23 PM
To: Werderitch, Matt
Subject: [EXT] Case REZ22-08

ATTENTION: This is an external email.

My name is Eileen Yeates and I live on Mississippi Avenue. I strongly object to the proposed zoning change to 1112 Bridge Avenue. This property should not be changed to a multi family unit. Parking is already tight on Bridge and this proposed unit could add 6-10 cars to the street. I do not believe the owner can provide adequate off street parking for these extra vehicles. There is not room for that many more cars.

I am also concerned about population density in this area. We already have an over abundance of multi family units in our neighborhood. It is not necessary to add to the overcrowding in our neighborhood.

The proposed multi family unit does nothing to enhance the character of our neighborhood. My family, along with many of our neighbors, work hard to maintain the beauty of this old Davenport neighborhood. This proposed unit does not contribute to the neighborhood character that we all work so hard to maintain.

Thank you so much,
Eileen Yeates

Sent from my iPad

Werderitch, Matt

From: Dan Darland <dandarland@yahoo.com>
Sent: Monday, December 19, 2022 3:02 PM
To: Werderitch, Matt
Subject: [EXT] 1112 Bridge Ave

ATTENTION: This is an external email.

Matt,

I want to express my objection to the proposed multi-family use of the property at 1112 Bridge Ave.

Our neighborhood is already inundadted with muti-family dewellings, and although that would seem to mean that the use is established, the population density in the Bridge to Ridge neighborhood is becoming too great. Traffic and parking is already an issue. Sometime traversing is a problem when people don't park appropriately.

You know me as the current President of the City's Zonning Board of Adjustment. I understand use, established practice, etc. However, most of the multi-family dwellings in the area were built as such, referencing the appartments between College and Bridge and 10th to 11th Streets, and along 12th St and Eastern Ave. Planning was done for those units and the impact thereof to the neighborhood back when they were built, with whatever rules were used at that time. Now we are seeing single-family dwellings being converted to multi-family dwellings, and I must express my objection to this practice. I kow studies have been performed that demonstrate the population density, so if we don't use those studies to help determine questions like this, why do we do them?

Let's try to preserve what historic value and appearance we have left in our besutiful historic neighborhood.

Thanks,
Dan

COL Daniel D. Darland, US Army (Ret)
930 Mississippi Ave
Davenport, IA 52803
dandarland@yahoo.com
563.210.0350

I Paul Burroughs

I vote NO

1118 Bridge Ave

I Paul Burroughs.

THIS LETTER

I Vote NO

1118 Bridge Ave

DAVENPORT IA.

VOTE NO

563 326 6198 3

PROPOSED ZONING CHANGES TO 1112 BRIDGE COULD LEAD TO THE DEVELOPMENT OF UNIT TO 14 UNIT MULTI-FAMILY DEVELOPMENT WITH 21 PARKING POSITIONS.

WE ALL NEED TO COME TOGETHER AS A NEIGHBORHOOD TO EXPRESS OUR VIEWS AT THE NEXT FIVE CITIY COUNCIL MEETINGS.

Questions: no-r-mf1112bridge@outlook.com

326 7785 326 7923

Dear Neighbors

As you are already aware, the Planning and Zoning Board for Davenport approved rezoning 1112 Bridge Ave from R-4C (Single or dual family) to R-MF (multi-family). This means that in the future, the owner of the property could potentially build 14 units with 21 parking places. ECUMENICAL Development has purchased the property and asked for the zoning change. This is not about ECUMENICAL because they are a good organization with a very good track record of buying vacant homes and turning them in affordable housing. They are good landlords.

The city spent a lot of our tax money and spent several years developing a new Zoning Code released in 2019. The R-4C and R-3C was created during this complete rewrite to protect the transitional, central, and historic neighborhoods of Central Davenport. I have provided the definition below.

R-4C Single-Family and Two-Family Central Residential Zoning District. The R-4C Single-Family and Two-Family Central Residential Zoning District is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

While ECUMENICAL Development is planning two 4-bedroom units and one 2-bedroom unit at this time, there is no approved guarantee this could be turn into a 14-unit development in 15 or 20 years. The property was purchased from the city for $1 and will be enrolled as a package for a federal tax credit program. The Zoning Board is making a recommendation to constrain the development to no more than 4 units. The contention with the neighbors has not been with the development of affordable housing. In fact, we welcome the development but in alignment with the current zone structure of the 1112 Bridge Ave which is R-4C just as ECUMENICAL purchased it.

For the next 5 Wednesdays at 530 PM (Jan 11, Jan 18, Jan 25, Feb 1, Feb 8), we are asking that residents from the immediate neighborhood attend city council meetings and if comfortable express their views on this zoning change – for or against. We believe talking points should be very focused on welcoming the addition and investment to provide family oriented affordable housing. We are just asking for that to be done within its current restriction of dual family as zoned today.

If you live within 200 ft of 1112 Bridge Ave, your comments are taken with much more weight than others due to ordinance, but all comments are valuable from anyone in the neighborhood. If you live in a home that was rezoned from R-MF to R-4C or 3C and were told you could never go back to R-MF, then we ask that you share that the council meetings. All comments will be heard and based on the meeting on 4 January, all comments are driving considerable conversation with the City Council. THEY NEED TO HEAR FROM YOU!

THIS IS THE TIME FOR US TO PROTECT THIS SMALL BUT AWESOME NEIGHBORHOOD. If the City Council approves this rezoning, they will set a precedent that could be applied to others which directly undermines, the work completed, intent of the Zoning rewrite, and creation of R-4C and R-3C for the central part of the city.

THIS LETTER I VOTE NO Paul Burroughs SR
1118 BRIDGE AVE

Paul Burroughs SR I VOTE NO

THIS LETTER I VOTE NO SCOTT

THIS LETTER I VOTE NO

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/11/2023

Subject:
Resolution approving a street closure request for the listed dates and times.

Daiquiri Factory; The Central Regional CrossFit Competition; 303 West 3rd Street; 9:00 a.m. Friday, June 23, 2023 – 7:00 p.m. Saturday, June 24, 2023; **Closure:** West 3rd Street between Ripley and Harrison Streets. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Per the City's Special Events Policy, City Council will approve street, lane, and public ground closures based on the recommendation of the Special Events Committee.

This is the same closure as the establishments on 3rd Street do for St. Patrick's Day and Bix weekend with the full block being closed leaving one lane clear for emergency vehicles.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	The Central Regional CrossFit Competition Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	1/13/2023 - 1:36 PM

Resolution No. _____

Resolution offered by Alderman Jobgen.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving a street closure request for the listed dates and times.

Daiquiri Factory; The Central Regional CrossFit Competition; 303 West 3rd Street; 9:00 a.m. Friday, June 23, 2023 – 7:00 p.m. Saturday, June 24, 2023; ***Closure:*** *West 3rd Street between Ripley and Harrison Streets. [Ward 3]*

WHEREAS, the City, through its Special Events Policy, has accepted the above application for an event on the listed date and time that is requesting a street closure; and

WHEREAS, upon review of the application, it has been determined that the street will need to be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the above street closure request is hereby approved and staff is directed to proceed with the closure.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

Closure
Ripley St
Level 1
Kahl Lofts
Mac's Tavern
Kilkenny's Pub
W 3rd St
Quad Cities Chamber of Commerce
Pastnak Law Firm
Mantra Indian Cuisine & Spirits
61

City of Davenport

Department: Public Safety
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
1/11/2023

Subject:
Motion approving beer and liquor license applications.

A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 1

Brew 62 (Brew Mex, LLC) - 2805 Telegraph Road - New License - License Type: Class E Liquor

Brew 63 (Brew Mex, LLC) - 3129 Rockingham Road - New License - License Type: Class E Liquor

Ward 5

Brew 67 (Brew Mex, LLC) - 1136 East Locust Street - New License - License Type: Class E Liquor

Brew 69 (Brew Mex, LLC) - 303 West Locust Street - New License - License Type: Class E Liquor

Ward 6

Big 10 Mart #18 (Molo Oil Company) - 5310 Corporate Park Drive - New License - License Type: Class E Liquor

Ward 7

Brew 65 (Brew Mex, LLC) - 201 West 53rd Street - New License - License Type: Class E Liquor

Brew 66 (Brew Mex, LLC) - 1670 West Kimberly Road - New License - License Type: Class E Liquor

Recommendation:
Consider the Motion.

Background:
These applications have been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	1/13/2023 - 1:46 PM

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **1/11/2023**

Subject:
Third Consideration: Ordinance for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. [All Wards]

Recommendation:
Adopt of the Ordinance.

Background:
City staff received an application for a Zoning Text Amendment from a property owner requesting an amendment to allow "Dwelling - Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. The Plan and Zoning Commission reviewed Case ORD22-01 at its November 1, 2022 meeting and has recommended approval of the following amendments and subject to the listed findings:

Ordinance Amendment includes:

1. Amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District.
2. Amend Section 17.04.010.G to include single-family dwellings in the purpose statement for the R-MF Multi-Family Residential District.
3. Amend Table 17.04-1: Residential District Dimensional Standards to include the following standards for Single-Family dwellings in the R-MF Multi-Family Residential District:
    - Minimum Lot Area: 4,000 sf
    - Minimum Lot Width: 40'
    - Maximum Building Height: 35'
    - Maximum Building Coverage: 50%
    - Maximum Impervious Surface: 70%
    - Minimum Front Setback: 25'
    - Minimum Interior Side Setback: 5'
    - Minimum Corner Side Setback: 20'
    - Minimum Reverse Corner Side Setback: 25'
    - Minimum Rear Setback: 25' or 20% of site depth, whichever is less

Findings:

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. The proposed amendment reduces existing nonconformities.

The Cities of Bettendorf, Moline, and Rock Island all allow for single-family dwellings in their respective multi-family/high density residential districts. The proposed zoning text amendment will impact all properties throughout Davenport zoned R-MF Multi-Family Residential District.

Staff Analysis:

Permitting single-family dwellings in a high density zoning district will enable a true mix of housing types and styles within a development. The R-MF District will become a more flexible district that encourages diversity in scale and housing units. Furthermore, the existing single-family design standards will apply to new dwellings within the R-MF District to promote higher quality architecture and materials.

Since the purpose of the R-MF Multi-Family Residential District is to accommodate a high-density neighborhood, staff are recommending the dimensional standards allow for smaller lots with increased building coverage.

The proposed zoning text amendment will eliminate nonconforming single-family dwellings in the R-MF District. The dimensional standards are consistent with the R-4C Single-Family and Two-Family Central Residential District, which allows for the greatest density of single-family housing in the City of Davenport.

Approval Standards for Text Amendments:

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.
5. The extent to which the proposed amendment creates nonconformities.

Public Input:

A notice of Public Hearing was published in the Quad-City Times informing the community of the October 18, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has not received any written responses from the community.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Highlighted Proposed Zoning Text Amendments
🗋	Backup Material	Application
🗋	Backup Material	Zoning Ordinance Dwelling Definitions
🗋	Backup Material	Single-Family Dwelling Design Standards

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	11/9/2022 - 4:36 PM

ORDINANCE NO. _____

ORDINANCE FOR CASE ORD22-01 BEING THE REQUEST OF RY HOLDINGS LLC TO AMEND TABLE 17.08-1: USE MATRIX OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO ALLOW "DWELLING – SINGLE-FAMILY" AS A PERMITTED USE IN THE R-MF MULTI-FAMILY RESIDENTIAL ZONING DISTRICT AND AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That subsection 17.05.010(G) of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes, and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Section 2. That section 17.05.030 Table 17.04-1 entitled Residential Districts Dimensional Standards of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

Table 17.04-1: Residential Districts Dimensional Standards

SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family

	R-1	R-2	R-3	R-3C
Bulk				
Minimum Lot Area	20,000sf	SF: 10,000sf SF-SD: 10,000sf/du	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf
Minimum Lot Width	100'	SF: 60' SF-SD: 60'/du	SF & 2F: 60' SF-SD: 30'/du Non-Residential: 75'	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'
Maximum Building Height	35'	35'	35'	35'

Table 17.04-1: Residential Districts Dimensional Standards *SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family*				
	R-1	**R-2**	**R-3**	**R-3C**
Maximum Building Coverage	25%	35%	35%	35%
Maximum Impervious Surface	40%	50%	60% Non-Residential: 70%	60% Non-Residential: 70%
Setbacks				
Minimum Front Setback	30' or average of front setbacks, whichever is less	30' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less
Minimum Interior Side Setback	7'	7'	7'	5'
Minimum Corner Side Setback	25'	20'	15'	15'
Minimum Reverse Corner Side Setback	30'	30'	25'	25'
Minimum Rear Setback	30' or 20% of lot depth, whichever is less	30' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less

Table 17.04-1: Residential Districts Dimensional Standards *SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family*			
	R-4	**R-4C**	**R-MF**
Bulk			
Minimum Lot Area	SF: 6,000sf SF-SD: 3,500sf/du 2F: 7,000sf Non-Residential: 10,000sf	SF: 4,000sf SF-SD: 2,500/du 2F: 5,500sf Non-Residential: 10,000sf	SF: 4,000sf 2F: 6,000sf SF-SD: 2,500/du TH, MF: 1,500sf/du Non-Residential: 10,000sf
Minimum Lot Width	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'	SF & 2F: 40' SF-SD: 25'/du Non-Residential: 75'	SF: 40' 2F: 50' SF-SD: 25'/du TH: 20'/du MF: 80' Non-Residential: 75'
Maximum Building Height	35'	35'	SF, 2F, TH: 35' MF: 70'
Maximum Building Coverage	35%	40% Non-Residential: 35%	SF, SF-SD & 2F: 50% TH, MF: 65%
Maximum Impervious Surface	60% Non-Residential: 70%	60% Non-Residential: 70%	SF, SF-SD & 2F: 70% TH, MF: 75% Non-Residential: 75%
Setbacks			
Minimum Front Setback	20' or average of front setbacks, whichever is less	15' or average of front setbacks, whichever is less	25'
Minimum Interior Side Setback	5'	10% of lot width, or 5', whichever is less In no case shall an interior side setback be less than 4'	SF, 2F, SF-SD: 5' TH, MF: 10' - When abutting a residential district, structures over 45' in height require 1' additional setback for each 3' in height over 45'
Minimum Corner Side Setback	15'	10'	20'

Table 17.04-1: Residential Districts Dimensional Standards *SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family*				
	R-1	**R-2**	**R-3**	**R-3C**
Minimum Reverse Corner Side Setback	20'	15'		25'
Minimum Rear Setback	20' or 20% of lot depth, whichever is less	15' or 20% of lot depth, whichever is less		25' or 20% of site depth, whichever is less

Section 3. That section 17.08.020 Table 17.08-1 entitled Use Matrix of the Municipal Code of Davenport Iowa, be and the same is hereby amended to add "P" to Dwelling-Single Family in R-MF.

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 _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk

CHAPTER 17.04. RESIDENTIAL DISTRICTS

Section 17.04.010 Purpose Statements
Section 17.04.020 Uses
Section 17.04.030 Dimensional Standards
Section 17.04.040 R-MHP District Standards
Section 17.04.050 R-3C and R-4C District Design Standards
Section 17.04.060 General Standards of Applicability

Section 17.04.010 Purpose Statements

A. R-1 Single-Family Residential Zoning District
The R-1 Single-Family Residential Zoning District is intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards.

B. R-2 Single-Family Residential Zoning District
The R-2 Single-Family Residential Zoning District is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.

C. R-3 Single-Family and Two-Family Residential Zoning District
The R-3 Single-Family Residential Zoning District is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.

D. R-3C Single-Family and Two-Family Central Residential Zoning District
The R-3C Single-Family and Two-Family Central Residential Zoning District is intended to preserve and protect Davenport's moderately dense, centrally located, established urban residential neighborhoods. Standards of the R-3C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3C District.

E. R-4 Single-Family and Two-Family Residential Zoning District
The R-4 Single-Family and Two-Family Residential Zoning District is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a dense urban development pattern. The R-4 District may also serve as a transitional district between Davenport's single-family and two-family neighborhoods and more intense uses within the City. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4 District.

F. R-4C Single-Family and Two-Family Central Residential Zoning District
The R-4C Single-Family and Two-Family Central Residential Zoning District is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

G. R-MF Multi-Family Residential Zoning District
The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

H. R-MHP Residential Manufactured Home Park Zoning District
The R-MHP District is intended to accommodate manufactured home parks, which are areas containing manufactured home sites arranged on a large tract, typically under single ownership, and designed to accommodate manufactured homes.

Section 17.04.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the residential districts.

B. In the R-3, R-3C, R-4, and R-4C Districts, two-family dwellings are allowed as follows:

1. New construction of a two-family dwelling is a permitted use.

2. Conversion of a structure from a single-family dwelling into a two-family dwelling is prohibited.

Section 17.04.030 Dimensional Standards

A. Table 17.04-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 17.02.040 for measurement methodologies.

B. A house court design for single-family and/or two-family dwellings must comply with the dimensional standards of Section 17.08.030.N.

C. R-MHP District standards are found in Section 17.04.040.

Table 17.04-1: Residential Districts Dimensional Standards
SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family

	R-1	R-2	R-3	R-3C
Bulk				
Minimum Lot Area	20,000sf	SF: 10,000sf SF-SD: 10,000sf/du	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf
Minimum Lot Width	100’	SF: 60’ SF-SD: 60’/du	SF & 2F: 60’ SF-SD: 30’/du Non-Residential: 75’	SF & 2F: 50’ SF-SD: 25’/du Non-Residential: 75’
Maximum Building Height	35’	35’	35’	35’
Maximum Building Coverage	25%	35%	35%	35%
Maximum Impervious Surface	40%	50%	60% Non-Residential: 70%	60% Non-Residential: 70%
Setbacks				
Minimum Front Setback	30’ or average of front setbacks, whichever is less	30’ or average of front setbacks, whichever is less	25’ or average of front setbacks, whichever is less	25’ or average of front setbacks, whichever is less
Minimum Interior Side Setback	7’	7’	7’	5’
Minimum Corner Side Setback	25’	20’	15’	15’
Minimum Reverse Corner Side Setback	30’	30’	25’	25’
Minimum Rear Setback	30’ or 20% of lot depth, whichever is less	30’ or 20% of lot depth, whichever is less	25’ or 20% of lot depth, whichever is less	25’ or 20% of lot depth, whichever is less

Table 17.04-1: Residential Districts Dimensional Standards *SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family*			
	R-4	**R-4C**	**R-MF**
Bulk			
Minimum Lot Area	SF: 6,000sf SF-SD: 3,500sf/du 2F: 7,000sf Non-Residential: 10,000sf	SF: 4,000sf SF-SD: 2,500/du 2F: 5,500sf Non-Residential: 10,000sf	SF: 4,000sf 2F: 6,000sf SF-SD: 2,500/du TH, MF: 1,500sf/du Non-Residential: 10,000sf
Minimum Lot Width	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'	SF & 2F: 40' SF-SD: 25'/du Non-Residential: 75'	SF: 40' 2F: 50' SF-SD: 25'/du TH: 20'/du MF: 80' Non-Residential: 75'
Maximum Building Height	35'	35'	SF, 2F, TH: 35' MF: 70'
Maximum Building Coverage	35%	40% Non-Residential: 35%	SF, SF-SD & 2F: 50% TH, MF: 65%
Maximum Impervious Surface	60% Non-Residential: 70%	60% Non-Residential: 70%	SF, SF-SD & 2F: 70% TH, MF: 75% Non-Residential: 75%
Setbacks			
Minimum Front Setback	20' or average of front setbacks, whichever is less	15' or average of front setbacks, whichever is less	25'
Minimum Interior Side Setback	5'	10% of lot width, or 5', whichever is less In no case shall an interior side setback be less than 4'	SF, 2F, SF-SD: 5' TH, MF: 10' - When abutting a residential district, structures over 45' in height require 1' additional setback for each 3' in height over 45'
Minimum Corner Side Setback	15'	10'	20'
Minimum Reverse Corner Side Setback	20'	15'	25'
Minimum Rear Setback	20' or 20% of lot depth, whichever is less	15' or 20% of lot depth, whichever is less	25' or 20% of site depth, whichever is less

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility - Large Animal																			P			
Animal Care Facility - Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	S	S	S	S	S														P			Sec. 17.08.030.D
Billboard									P	P						P	P					Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling - Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M
Dwelling - Manufactured Home						P													S			Sec. 17.08.030.N

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TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P
Dwelling - Single-Family	P	P	P	P	P		P	P	P					P								Sec. 17.08.030.P
Dwelling - Single-Family Semi-detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P
Educational Facility - Primary or Secondary	P	P	P	P	P																P	
Educational Facility - University or College										P	P	P	P		P						P	
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P	
Equine Keeping/Equestrian Facility	P																		P			Sec. 17.08.030.Q
Fairground																			S	S	P	
Financial Institution							P	P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R
Food Bank																P	P	P				
Food Pantry									P	S					S			S				
Funeral Home							S	S	S	P					P			P				
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S
Golf Course/Driving Range																				P		
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Greenhouse/Nursery - Retail										P					P			P	S			
Group Home	P	P	P	P	P																	Sec. 17.08.030.T
Halfway House									S	S					S			S			S	Sec. 17.08.030.L
Healthcare Institution																					P	
Heavy Rental and Service																P		P				
Heavy Retail										S					S	P		P				
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L
Hotel									P	P	P	P	P	S	P			P				
Industrial - General																	P					
Industrial - Light												P				P	P	P				
Industrial Design								P	P	P		P	P		P	P	P	P				
Live Performance Venue										P	P		P	P	P	P		P				

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TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U
Manufactured Home Park						P																
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P				
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V
Office							P	P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P	
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility												P				P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F
Research and Development												P				P	P	P			P	
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P	
PRINCIPAL USE	**R-1**	**R-2**	**R-3**	**R-4**	**R-MF**	**R-MHP**	**C-T**	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**	**C-D**	**C-V**	**C-E**	**I-1**	**I-2**	**I-MU**	**S-AG**	**S-OS**	**S-IC**	**USE STANDARD**
Retail Alcohol Sales									P	P	S		S		P	P						
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z
Salvage Yard																	S					
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA
Social Service Center									P	P					P			P			P	
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB
Specialty Food Service								P	P	P	P		P	P	P	P		P				
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC
Truck Stop																P	P					
Vehicle Dealership - Enclosed										P		S	P		P	S		P				
Vehicle Dealership - With Outdoor Storage/Display										S					S	S		P				

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Operation Facility																P	P				P	
Vehicle Rental - Enclosed										P		S	P		P	S		P				
Vehicle Rental - With Outdoor Storage/Display										S					S	S		P				
Vehicle Repair/Service - Major										S						P	P	S				Sec. 17.08.030.DD
Vehicle Repair/Service - Minor									P	P					P	P	P	S				Sec. 17.08.030.DD
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	P	P		P	P	P			P				
Winery																			S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
Wireless Telecommunications - Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications - DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications - DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

ZONING TEXT AMENDMENT APPLICATION & PROCEDURE

1. The petitioner shall meet with City staff to discuss the request, alternatives and the text amendment process.

2. Submit Petition including proposed text amendment language, petitioner's signature(s); file reference form and filing fee.

3. Petition is processed at staff level; public hearing notice is drafted, and background report is written. Item is previewed by the Commission and sent to the Technical Review Committee.

4. Public Hearing is held before the Davenport City Plan and Zoning Commission.

5. Staff report is presented to the City Plan and Zoning Commission for discussion and recommendation. Commission report is drafted.

6. Commission report is forwarded to the City Council.

7. Public Hearing before the Committee of the Whole (COW) is held.

8. Three Readings before the City Council, one at each Council meeting, are required for the Ordinance Amendment.

9. Publication of Ordinance. (Generally, publication occurs prior to the next City Council meeting.)

See Development Calendar for submittal deadlines.

Zoning Text Amendment Fee Schedule:

$400.00 plus public hearing notice and recording costs.

Submit Application to:

planning@davenportiowa.com
or
Public Works – DNS Planning
1200 E. 46th St
Davenport Iowa 52807

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend title 17 of the City of Davenport Municipal Code entitled "Zoning" by changing the following text:

FROM: "Section 17.04.010. (Provide the existing text language or an attachment of the existing text language here.)

R-MF Multi-Family Residential Zoning District. The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types, including semidetached dwellings, two-family dwellings, townhomes and multifamily dwellings. Limited nonresidential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.
[Amended 9-11-2019 by Ord. No. 2019-363]"
(Text description may be continued on another sheet if necessary.)

TO: (Provide the proposed text language or an attachment of the proposed text language here.)
"R-MF Multi-Family Residential Zoning District. The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types, including semidetached dwellings, single-family dwellings, two-family dwellings, townhomes and multifamily dwellings. Limited nonresidential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District."
(Text description may be continued on another sheet if necessary.)

Respectfully submitted,

Signature: _____

Print full name: Scott Ryder

Date: 09/27/2022

CONTACT INFORMATION

PETITIONER: Name: Scott Ryder
Address: 221 E. 2nd St., Davenport, IA 52801
Phone: (563) 505-9190 FAX:
Mobile Phone: Email: sryder@exitqc.com

CONTACT PERSON: Name: Chris Townsend of Townsend Engineering
Address: 2224 E. 12th St., Davenport, IA 52803
Phone: (563) 386-4236 FAX: (563)386-4231
Mobile Phone: Email: chris@townsendengineering.net

REASON FOR TEXT AMENDMENT I am requesting that Single-Family zoning be added as a permitted use in R-MF zones. Table 17.08-1: Use Matrix Table, should be updated to include "Dwelling – Single-Family" as a use permitted by-right in the district. The proposed dimensional standards for SF lots under this classification are as follows:

BULK

- Minimum Lot Area – SF: 4,000 square feet
- Minimum Lot Width – SF: 40 feet
- Maximum Building Height – SF: 35 feet
- Maximum Building Coverage – SF: 40%
- Maximum Impervious Surface – SF: 60%

SETBACKS

- Minimum Front Setback – SF: 15 feet or average of front set-backs, whichever is less
- Minimum Interior Side Setback – SF: 5 feet
- Minimum Corner Side Setback – SF: 10 feet
- Minimum Reverse Corner Side Setback – SF: 15 feet
- Minimum Rear Setback – SF: 15 feet or 20% of lot depth, whichever is less

SIGNATURE OF PETITIONER: Date: 10/5/22

Zoning Text Amendment Fee Schedule:

$400.00

City of Davenport Zoning Ordinance
Section 17.08.050 Use Definitions

Dwelling - Accessory Dwelling Unit. An additional dwelling unit associated with and incidental to a principal single-family dwelling on the same lot. An accessory dwelling unit must include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The accessory dwelling unit may be within or attached to the principal dwelling unit structure or within a detached accessory structure, such as a garage, and designed so that the appearance of the principal structure and the lot remains that of a single-family dwelling.

Dwelling - Manufactured Home. A manufactured home dwelling is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include those transportable factory built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular homes are not considered manufactured homes, and refer to a method of construction. When a manufactured home meets all the requirements for a single-family dwelling, including the definition of a dwelling unit, and is located and installed to the same standards as a single-family dwelling, such manufactured home is considered a single-family dwelling, subject to any additional requirements or specific exceptions of Iowa State Code Section 414.28.

Dwelling - Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a three-family or townhouse dwelling. In cases where dwelling units are located above the ground floor of a commercial building, one or more dwelling units for residential occupancy shall be permissible.

Dwelling - Townhouse. A structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall. A townhouse is typically designed so that each unit has a separate exterior entrance and yard areas. A townhouse dwelling does not include a multi-family dwelling.

Dwelling - Single-Family. A structure containing only one dwelling unit on a single lot. When a manufactured home meets all the requirements for a single-family dwelling, including the definition of a dwelling unit, and is located and installed to the same standards as a single-family dwelling, such manufactured home is considered a single-family dwelling, subject to any additional requirements or specific exceptions of Iowa State Code Section 414.28.

Dwelling - Single-Family Semi-Detached. A structure containing two dwelling units on a single lot attached by a party wall, which is located on an interior side lot line, with each dwelling unit located on a separate lot of record.

Dwelling - Two-Family. A structure containing two dwelling units on a single lot.

P. Dwelling - Single-Family, Single-Family Semi-Detached, Two-Family, and Townhouse
In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. A front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front façade.

2. A 5% minimum transparency requirement applies to the front façade and is calculated on the basis of the area of the façade below the roofline.

3. A dwelling with a front facing attached three-car garage shall have one of the garages offset one foot from the other garages.

4. In order to encourage architectural detail and visual interest a point system shall be utilized for the front façade in which the front façade must score 20 points from the categories below. Primary building materials are the dominant component of the façade. Accent materials are secondary components of the façade, typically used to provide architectural detail or visual interest.

i. 8 points – covered porch with columns.

ii. 6 points – masonry, brick, or stone veneer as a primary building material or accent material. If accent material it must extend from the foundation or grade to the window sill as a minimum and maintain that elevation along the entire façade exclusive of doors, windows and small areas that make the use of the material unpractical.

iii. 6 points – front facing roof dormer.

iv. 4 points for each front facing roof gable with 8/12 pitch or higher.

v. 4 points – decorative roof brackets or gable trusses as an accent material.

vi. 4 points – decorative siding including but not limited to patterned shingles, shake, and board and batten as a primary building material or accent material.

vii. 3 points – bay/box window(s).

viii. 3 points – all front facing carriage style garage door(s). Carriage style garage doors may include decorative, simulated woodwork, decorative handles and brackets and window inserts.

ix. 3 points – door or window surrounds as an accent material.

x. 3 points – freeze boards and/or horizontal bands as an accent material.

xi. 2 points – decorative roof at the base of a gable.

xii. 1.5 points – for each percentage of transparency below the roofline over 5%.

xiii. 1 point – decorative gable vent(s).

xiv. 1 point – window shutters.

xv. negative 5 points – front facing attached garage that exceeds 24 feet or 50% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **1/11/2023**

Subject:
Second Consideration: Ordinance for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres). [Ward 8]

Recommendation:
Adopt the Ordinance.

Background:
The Plan & Zoning Commission reviewed Case REZ22-07 at its November 15, 2022 meeting and voted unanimously to recommend approval of the request subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General and Open Space and Public Land. The C-2 Corridor Commercial District is consistent with the Commercial Node identified at the intersection of Veterans Memorial Parkway and Eastern Avenue.
2. The proposed zoning map amendment to R-1 Single-Family Residential District, R-4 Single-Family and Two-Family Residential District, R-MF Multi-Family Residential District, and C-2 Corridor Commercial District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. With conditions requiring transportation improvements, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. No lot shall be platted to contain more than one zoning district.
2. A traffic study is required. Additional traffic safety measures may be required as development occurs.
3. Eastern Avenue shall be extended to the south property line of 7219 Eastern Avenue. Provide a minimum of one street connection to the subject property from Eastern Avenue.
4. Install a roundabout on Veterans Memorial Parkway located midway between the east and west boundaries of the subject property.
5. Right-of-way shall be dedicated, as determined by the City of Davenport, for the purpose of constructing a roundabout at the intersection of Eastern Avenue and Veterans Memorial Parkway.
6. A landscape buffer yard shall be installed in accordance with Section 17.11.080 of the

Davenport Zoning Ordinance along the south lot line, where abutting property zoned R-1 Single-Family Residential District.
7. Provide a 40 foot setback along the north lot line, where abutting Interstate-80.
8. A minimum of .5 acres shall be reserved as a pocket park within the western half of the R-MF Multi-Family Residential District.
9. The principal use "Billboard" shall be prohibited on property zoned C-2 Corridor Commercial District.
10. The maximum building height in the C-2 District shall be 35 feet.

The full staff report is attached as background materials.

Public Input:

The applicant has held two neighborhood meetings prior to submission of a formal application. A meeting was held on May 10, 2022 without City staff or elected officials present. Addresses within 200 feet of the request were invited to the meeting.

A second neighborhood meeting was held on June 9, 2022 at the Eastern Avenue Branch of the Davenport Library with City staff and elected officials present. The notification area for this meeting was expanded to property owners within 800 feet of the request.

Letters were sent to property owners within 800 feet of the proposed request notifying them of the November 1, 2022 Plan and Zoning Commission Public Hearing. Given the large area petitioned for rezoning, staff increased the required notification area from 200 feet to 800 feet as a courtesy to nearby neighbors.

To date, staff is in communication with adjacent property owners located south of Veterans Memorial Parkway. Concerns raised include proximity of commercial zoning to established residential neighborhoods, traffic, noise, density, and landscape buffers. One official protest has been received and can be found in the background materials.

Staff will apprise Council of any additional correspondence.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Staff Report
Backup Material	Rezoning Exhibit
Backup Material	Concept Plan with Staff Recommendations
Backup Material	Concept Plan
Backup Material	Vicinity, Zoning, & Future Land Use Map
Backup Material	Neighborhood Meeting Presentation
Backup Material	Sight Distance Exhibit
Backup Material	Application
Backup Material	Public Notice
Backup Material	Neighborhood Meeting Invitation 6-9-22
Backup Material	Neighborhood Meeting Attendance 6-10-22
Backup Material	Neighborhood Meeting Attendance 5-10-22

- Backup Material — Protest Petition
- Backup Material — Public Comments

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	11/30/2022 - 12:19 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-07 BEING THE REQUEST OF HIGH PROPERTIES ON BEHALF OF SHAMROCK PROPERTIES LC TO REZONE APPROXIMATELY 104.57 ACRES OF LAND BOUNDED BY VETERANS MEMORIAL PARKWAY, EASTERN AVENUE, INTERSTATE 80, AND JERSEY RIDGE ROAD FROM S-AG AGRICULTURAL DISTRICT TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (33 ACRES), R-4 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT (20 ACRES), R-MF MULTI-FAMILY RESIDENTIAL DISTRICT (35 ACRES), AND C-2 CORRIDOR COMMERCIAL DISTRICT (16 ACRES).

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 "R-1 Single-Family Residential District;" "R-4 Single-Family and Two-Family Residential District;" "R-MF Multi-Family Residential District;" and "C-2 Corridor Commercial District."

Legal Description of the R-1 Single-Family Residential District portion of the property:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°34'52"W, 857.67 FEET; THENCE S01°43'19"W, 589.46 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE S46°27'51"E, 29.12 FEET; THENCE N87°54'00"E, 113.71 FEET; THENCE N02°31'19"W, 2156.29 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 33.00 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

Legal Description of the R-4 Single-Family and Two-Family Residential District portion of the property:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°34'52"W, 857.67 FEET; THENCE S82°34'52"W, 747.34 FEET; THENCE S81°47'02"W, 720.56 FEET; THENCE S02°00'19"E, 142.25 FEET; THENCE N87°45'31"E, 300.00 FEET; THENCE S02°00'19"E, 438.50 FEET; THENCE S87°46'01"W, 300.00 FEET; THENCE S02°00'19"E, 341.61 FEET; THENCE N87°57'31"E, 239.77 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE NORTHWESTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE N01°43'19"E, 589.46 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 20.73 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

Legal Description of the R-MF Multi-Family Residential District portion of the property:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°00'19"W, 512.17 FEET; THENCE N02°00'19"W, 506.22 FEET; THENCE N87°57'31"E, 239.77 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE NORTHWESTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CONCAVE NORTHERLY (CHORD BEARING N77°32'44"W, 346.76 FEET); THENCE N70°54'38"W, 808.70 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N81°27'54"W, 551.54 FEET); THENCE S87°054'33"W, 567.01 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 35.27 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

Legal Description of the C-2 Corridor Commercial District portion of the property:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°00'19"W, 512.17 FEET; THENCE N87°54'33"E, 567.01 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING S81°27'54"E, 551.54 FEET); THENCE S70°54'38"E, 808.70 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CURVE CONCAVE NORTHERLY (CHORD BEARING S77°32'44"E, 346.76 FEET); THENCE S46°27'51"E, 29.12 FEET; THENCE S87°31'28"W, 216.38 FEET; THENCE; THENCE S87°39'14"W, 2003.57 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 17.48 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General and Open Space and Public Land. The C-2 Corridor Commercial District is consistent with the Commercial Node identified at the intersection of Veterans Memorial Parkway and Eastern Avenue.
2. The proposed zoning map amendment to R-1 Single-Family Residential District, R-4 Single-Family and Two-Family Residential District, R-MF Multi-Family Residential District, and C-2 Corridor Commercial District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.

4. With conditions requiring transportation improvements, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. No lot shall be platted to contain more than one zoning district.
2. A traffic study is required. Additional traffic safety measures may be required as development occurs.
3. Eastern Avenue shall be extended to the south property line of 7219 Eastern Avenue. Provide a minimum of one street connection to the subject property from Eastern Avenue.
4. Install a roundabout on Veterans Memorial Parkway located midway between the east and west boundaries of the subject property.
5. Right-of-way shall be dedicated, as determined by the City of Davenport, for the purpose of constructing a roundabout at the intersection of Eastern Avenue and Veterans Memorial Parkway.
6. A landscape buffer yard shall be installed in accordance with Section 17.11.080 of the Davenport Zoning Ordinance along the south lot line, where abutting property zoned R-1 Single-Family Residential District.
7. Provide a 40-foot setback along the north lot line, where abutting Interstate-80.
8. A minimum of .5 acres shall be reserved as a pocket park within the western half of the RMF Multi-Family Residential District.
9. The principal use "Billboard" shall be prohibited on property zoned C-2 Corridor Commercial District.
10. The maximum building height in the C-2 District shall be 35 feet.

Section 3. At its November 15, 2022 meeting, the Plan and Zoning Commission voted to forward Case REZ22-07 to the City Council with a recommendation for approval subject to the listed findings and conditions.

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 _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Staff Report
Case REZ22-07

Being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres). [Ward 8]

The purpose of the request is to rezone the 104.57 acre site from S-AG Agricultural District to a mixed use development consisting of larger single-family residential lots to the east (R-1), moderate sized single-family lots to the north (R-4), multi-family housing in the center (R-MF), and commercial on the south side of Veterans Memorial Parkway (C-2).

A survey of the property has been provided by the applicant delineating the land to be rezoned.

The subject site has historically been used for farming. There is a 3 acre lot near the northwest corner of the subject property that is under separate ownership. This parcel is not included in the rezoning request and will maintain access onto Eastern Avenue through the existing right-of-way easement.

A concept plan has been submitted by the applicant indicating lot sizes, building footprints, detention ponds, internal street network, and access points onto Veterans Memorial Parkway and Eastern Avenue. However, this is not a final development plan and the overall site layout is subject to change. Staff are reviewing the concept plan for conformance with zoning district standards and all associated permitted uses.

Why is a Zoning Map Amendment Required?
The Zoning Ordinance does not permit residential or commercial development in an agricultural district. Pending approval of the rezoning by City Council, the applicant will return for approval of a preliminary and final plat.

Comprehensive Plan:
Within Urban Service Area 2035: Yes

Future Land Use Designations:
The subject property is designated Residential General and Open Space and Public Land in the Davenport +2035 Land Use Plan.

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

2. **Open Space / Public Land (OS):** Includes undeveloped open space, natural areas, floodplains and wetlands that may be or may not be planned for future park and recreation development.
3. **Commercial Node (CN):** Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN should serve a population of about 5000 people within 1/2 mile. Ideally, CN areas should be architecturally integrated, and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.

Zoning:
Attached to this report is a Rezoning Exhibit indicating the boundaries of each district.

The property is currently zoned **S-AG Agricultural District.** This district is intended to address existing agricultural land uses. The standards of the S-AG District promote the continuation of farming, and protect agricultural land uses from encroachment of incompatible developments.

The applicant is requesting to rezone the 33 acres east of Pheasant Creek to **R-1 Single-Family Residential District**. This district is intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards.

The northwest 20 acres of land is petitioned to be rezoned to **R-4 Single-Family and Two-Family Residential District**. This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a dense urban development pattern. The R-4District may also serve as a transitional district between Davenport's single-family and two-family neighborhoods and more intense uses within the City. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4 District.

In addition, the request is to rezone the 35 acres of land north of Veterans Memorial Parkway, from Eastern Avenue to Pheasant Creek, to **R-MF Multi-Family Residential District**. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Finally, the 16 acres of property south of Veterans Memorial Parkway is requested to be rezoned to **C-2 Corridor Commercial District**. This district is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems.

Approval Standards for Map Amendments (Chapter 17.14.040) The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

Staff Response: The property is designated as Residential General (RG) and Open Space and Public Land in the Davenport +2035 Land Use Plan. In addition, there is a Commercial Node at the intersection of Veterans Memorial Parkway and Eastern Avenue.

There has been increased development interest along the Veterans Memorial Parkway corridor given the proximity to shopping centers, employment opportunities, schools, and neighborhood amenities. The proposed amendment to low and moderate density residential is consistent with the surrounding neighborhoods south of Veterans Memorial Parkway, between Jersey Ridge Road and Eastern Avenue.

Pheasant Creek serves as a natural divide between land uses. The existing floodplain will preserve the creek as open space and serve as an amenity to residential development.

Focusing density and commercial uses at the intersection of Eastern Avenue and Veterans Memorial Parkway is also consistent with the Commercial Node classification. Given the higher volume of vehicular traffic, it is appropriate to focus commercial development near this intersection.

It is staff's opinion the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies. An amendment to the Comprehensive Plan is not required with this petition.

b. The compatibility with the zoning of nearby property.

Staff Response: The subject property is located on a high traffic corridor surrounded by low density residential to the east and south, a utility substation, undeveloped commercial-office park land to the west, and Interstate-80 to the north.

The petition to rezone the 33 acres east of Pheasant Creek to the R-1 District is compatible with the abutting large lot single-family homes along Jersey Ridge Road and Cromwell Circle. The R-1 District has a minimum lot size of 20,000 square feet, which is aligned with existing neighborhoods.

Rezoning the northern 20 acres, west of Pheasant Creek and abutting the interstate, to R-4 Single-Family and Two-Family Residential District is consistent with the lot sizes in the Prairie Heights Subdivision. The moderate density of the R-4 District will serve as a transition between multi-family development and low density single-family.

The central 35 acres of the site are petitioned to be rezoned to the R-MF Multi-Family Residential District. Davenport's highest density residential district will be physically separated from existing neighborhoods by Pheasant Creek and Veterans Memorial Parkway. The rezoning to multi-family will allow for a mix of housing types throughout the 104.57 acre site. The Kahl Home, east of the Jersey Ridge Road roundabout, and the northeast corner of Prairie Heights are also zoned R-MF District.

The 16 acres south of Veterans Memorial Parkway is proposed to be rezoned to C-2 Corridor Commercial District. The land west of Eastern Avenue is zoned C-OP Commercial Office Park District. Despite being undeveloped, designating another commercial district in the vicinity will enable a mix of retail, office, and personal service establishments that can serve the surrounding residents.

While Pheasant Creek and Veterans Memorial Parkway act as a clear delineation between zoning districts, staff is recommending a condition that no lot may contain more than one zoning classification.

It is staff's opinion the proposed zoning amendment to R-1 Single-Family Residential District, R-4 Single-Family and Two-Family Residential District, R-MF Multi-Family Residential District, and C-2 Corridor Commercial District is compatible with the zoning of nearby developed property.

c. The compatibility with established neighborhood character.

Staff Response: This 104.57 acre tract of land, as well as the property west of Eastern Avenue, is currently being used for farming. Aside from the low density single-family lots to the east and south, there is no established neighborhood character for this growth area. Therefore, the character will be determined by this development.

To create compatibility with the existing single-family homes, the applicant is requesting a rezoning to the R-1 District east of Pheasant Creek. The character of the subdivision increases in density west of the floodplain as lot sizes transition to a moderate density with a mixture of housing types.

Pheasant Creek will provide a natural greenway throughout the development and offer opportunities for trails and recreation. However, staff are recommending a minimum of .5 acres be reserved as a pocket park within the western half of the R-MF District. The City wants to ensure residents within the multi-family dwellings are given an accessible place for outdoor recreation, since this area of Davenport has limited parkland.

The existing utility substation on Eastern Avenue is a nonresidential land use. Therefore, a node of commercial development is compatible with a growing corridor. To further protect the character of adjacent neighborhoods, staff are recommending a condition to prohibit billboards as a principal use in the C-2 Corridor Commercial District. Staff also recommend a landscape buffer yard be installed along the south property line of the C-2 District, where abutting the R-1 District. Landscaping will provide additional separation between land uses and offer additional privacy to existing residents.

It is staff's opinion the proposed zoning districts and boundaries are compatible with the established neighborhood character with the recommended conditions.

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

Staff Response: The proposed residential and commercial zoning will significantly increase the density of the existing agricultural property. Development of the site requires a traffic study to ensure appropriate infrastructure is in place to address the projected increase in traffic volume on Veterans Memorial Parkway, Eastern Avenue, as well as to provide safe access points into the development.

Staff are recommending Eastern Avenue be extended to the south property line of 7219 Eastern Avenue. A minimum of one street connection to the subject property shall be provided from the extended roadway. In addition, the City intends to install a roundabout at the intersection of Eastern Avenue and Veterans Memorial Parkway. Depending on final design, the City may require the property owner to dedicate additional right-of-way for the construction of the roundabout.

Given the scale of development, a second roundabout is recommended on Veterans Memorial Parkway midway between the east and west boundaries of the subject property. A controlled intersection will reduce the vehicular speed on Veterans Memorial Parkway and facilitate access between the commercial development on the south with the residential neighborhood north of the parkway.

With the recommended traffic conditions, driver and pedestrian safety will be protected by channeling vehicles and pedestrians to controlled access points. Road connectivity will also ensure emergency response times and service standards are upheld. The final internal network of streets will be reviewed during the subdivision process.

In addition, staff are recommending a condition to provide a 40 foot building setback along the north lot line, where abutting Interstate-80. The applicant's concept plan details a 50 foot setback from the interstate to preserve existing vegetation and mitigate noise and light pollution. Busy roadways, such as I-80, are also associated with higher concentrations of air pollutants, which create a hazard to public health. An additional setback from the Interstate is warranted. Staff believe this condition will benefit existing neighborhoods as well as new construction on the site. The landscape buffer along the south property line will provide a barrier between commercial development and the existing homes on Cromwell Circle.

Staff believes adding conditions to the rezoning request can address and mitigate the impacts to the regional transportation network and public health. It is staff’s opinion that the proposed zoning map amendment will promote the public health, safety, and welfare of the City with the recommended conditions for street connectivity and setbacks from Interstate-80.

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

Staff Response: The existing S-AG Agricultural Zoning District is intended to promote the continuation of farming. A residence on an agricultural site may only be established if the property is a minimum of 38 acres. Given the petition to rezoned 104.57 acres, only two single-family home may be constructed under the existing zoning classification.

A rezoning to varying residential densities will enable the property to be built-out at a scale more aligned with the adjacent neighborhoods south of Veterans Memorial Parkway. In addition, the proposed residential districts will establish a mix of housing types and styles within a cohesive development.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with Davenport's neighborhoods and commercial corridors.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: The undeveloped 104.57 acre site is currently being used for farming. If rezoned to a residential or commercial zoning district, the agricultural use will be considered nonconforming until the site is subdivided and developed.

Dimensional standards, such as lot area, lot width, setbacks, building coverage, and impervious surface will be addressed during the subdivision and development process.

It is staff’s opinion that the proposed amendment will not create any nonconformities following development.

REZONING EXHIBIT

TRALEE FARMS

DAVENPORT, SCOTT COUNTY, IOWA

DEVELOPER/OWNER INFORMATION:

DEVELOPER / APPLICANT:
HIGH PROPERTY MANAGEMENT
C/O DARRYL HIGH
211 1ST AVE SE, SUITE A
CEDAR RAPIDS, IA 52401
319-363-3900
DARRYLH@HIGHDEVELOPMENT.COM

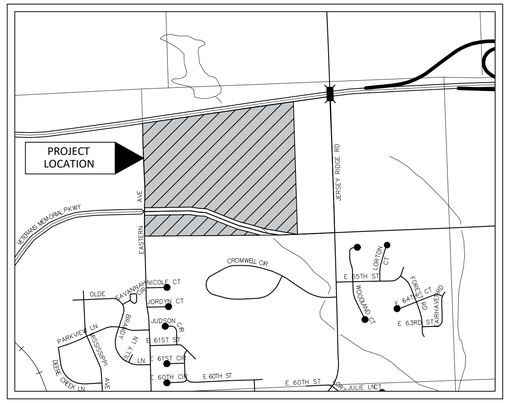
OWNER:
SHAMROCK PROPERTIES LC
1910 E KIMBERLY RD
DAVENPORT, IA 52807

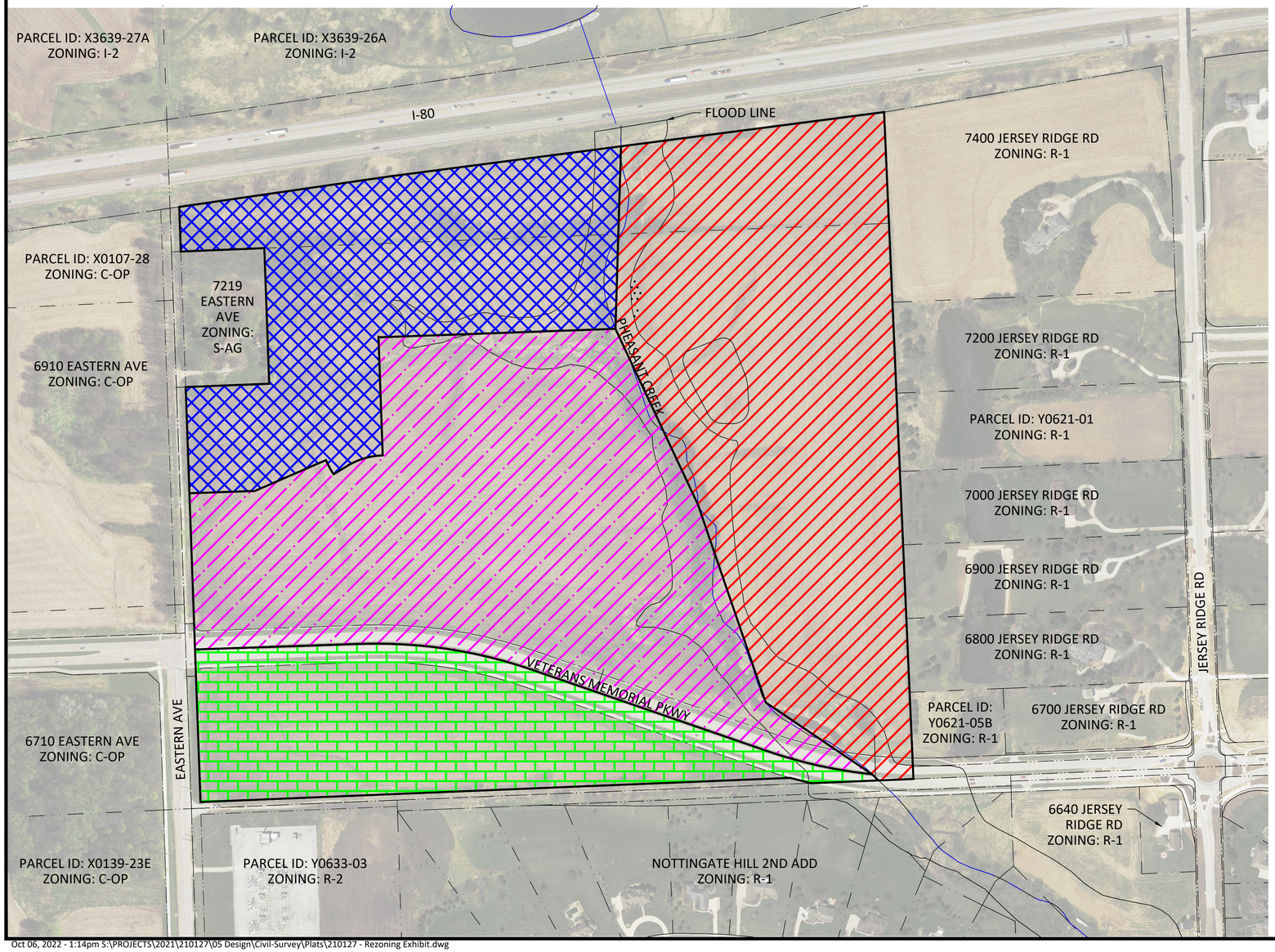
PREPARED BY:
AXIOM CONSULTANTS, LLC
C/O BRIAN BOELK
60 E. COURT STREET, UNIT 3
IOWA CITY, IOWA 52240
319-519-6220
BBOELK@AXIOM-CON.COM

ZONING INFORMATION:

CURRENT ZONING:		
S-AG	AGRICULTURAL ZONING	105 ACRES
PROPOSED ZONING:		
R-1	SINGLE-FAMILY RESIDENTIAL	33 ACRES
R-4	SINGLE-FAMILY & TWO-FAMILY RESIDENTIAL	20 ACRES
R-MF	MULTI-FAMILY RESIDENTIAL	35 ACRES
C-2	CORRIDOR COMMERCIAL	16 ACRES

PROJECT VICINITY MAP





LEGAL DESCRIPTION:

R-1 LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°35'34"W, 856.81 FEET; THENCE S01°43'15"W, 589.82 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE S46°27'51"E, 29.12 FEET; THENCE N87°39'04"E, 112.86 FEET; THENCE N02°31'16"W, 2155.91 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 33 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

R-4 LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°35'34"W, 856.81 FEET; THENCE S82°35'34"W, 749.62 FEET; THENCE S81°45'21"W, 690.38 FEET; THENCE S02°02'47"E, 144.19 FEET; THENCE N87°43'01"E, 270.00 FEET; THENCE S02°02'47"E, 438.00 FEET; THENCE S87°43'01"W, 270.00 FEET; THENCE S02°02'47"E, 343.34 FEET; THENCE N87°57'13"E, 211.35 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE SOUTHEASTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE N01°43'15"E, 589.82 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 20 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

R-MF LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°03'26"W, 492.91 FEET; THENCE N02°02'09"W, 504.93 FEET; THENCE N87°57'13"E, 211.35 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE SOUTHEASTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CONCAVE NORTHERLY (CHORD BEARING N77°32'44"W, 346.76 FEET); THENCE N70°54'38"W, 808.70 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N81°27'54"W, 551.54 FEET); THENCE S88°02'33"W, 538.31 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 35 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

C-2 LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°03'26"W, 492.91 FEET; THENCE N88°02'33"E, 538.31 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING S81°27'54"E, 551.54 FEET); THENCE S70°54'38"E, 808.70 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CURVE CONCAVE NORTHERLY (CHORD BEARING S77°32'44"E, 346.76 FEET); THENCE S46°27'51"E, 29.12 FEET; THENCE S87°39'04"W, 217.32 FEET; THENCE N75°47'57"W, 70.21 FEET; THENCE S87°39'04"W, 1906.07 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 16 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

NOT FOR CONSTRUCTION

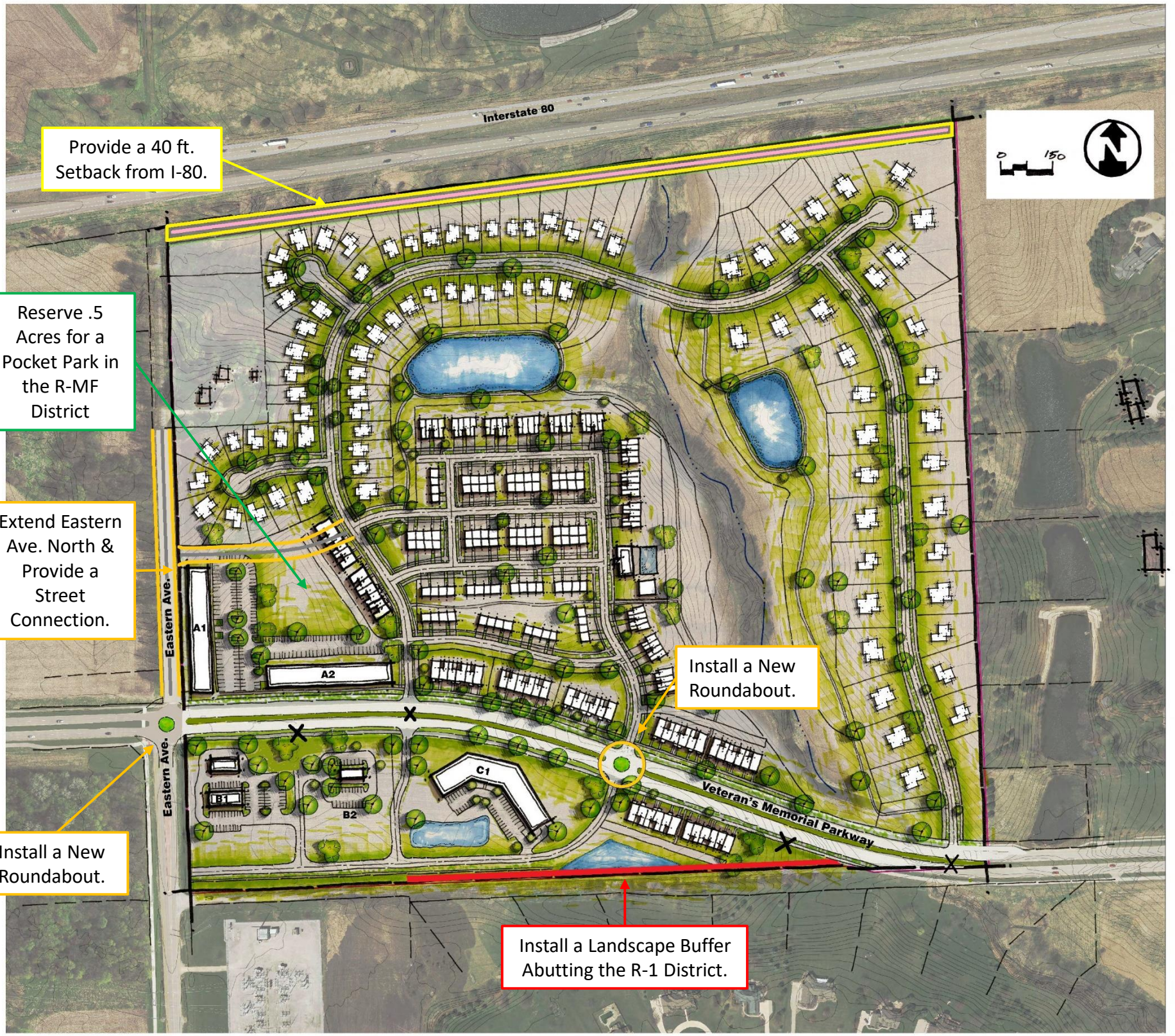
ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME: TRALEE FARMS
DAVENPORT, IA 52807
CLIENT NAME: HIGH PROPERTY MANAGEMENT
SHEET NAME: REZONING EXHIBIT
PROJECT NO.: 21-0127
DESIGN PROFESSIONAL: BOELK
SHEET NUMBER: 1 OF 1

Oct 06, 2022 - 1:14pm S:\PROJECTS\2021\210127\05 Design\Civil-Survey\Plats\210127 - Rezoning Exhibit.dwg



Duffy Property - Davenport, Iowa

AXIOMCONSULTANTS

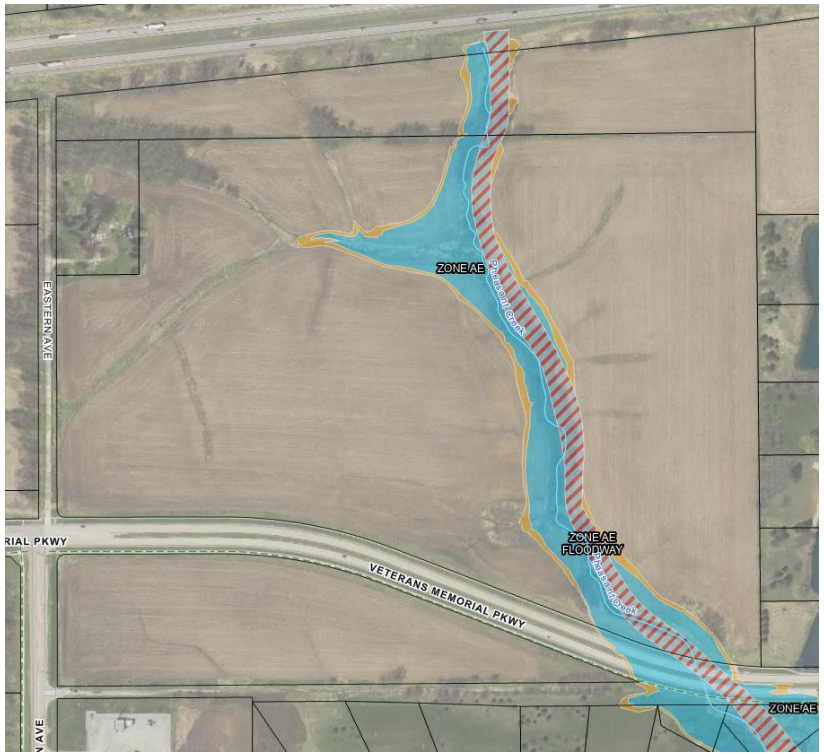
Concept Plan with Recommendations by City Staff

0 150

Duffy Property - Davenport, Iowa
Conceptual Site Plan Rendering

AXIOMCONSULTANTS

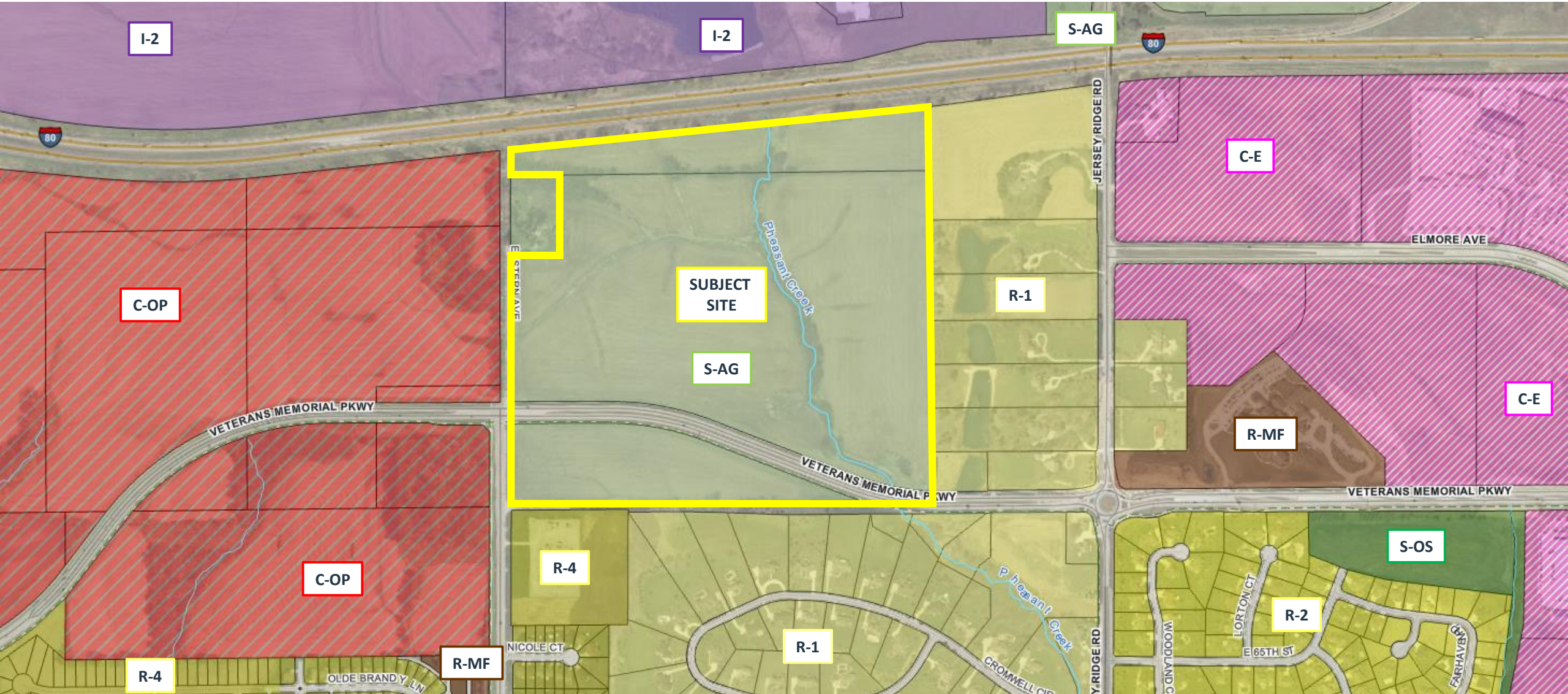
Vicinity Map



Pheasant Creek Floodplain

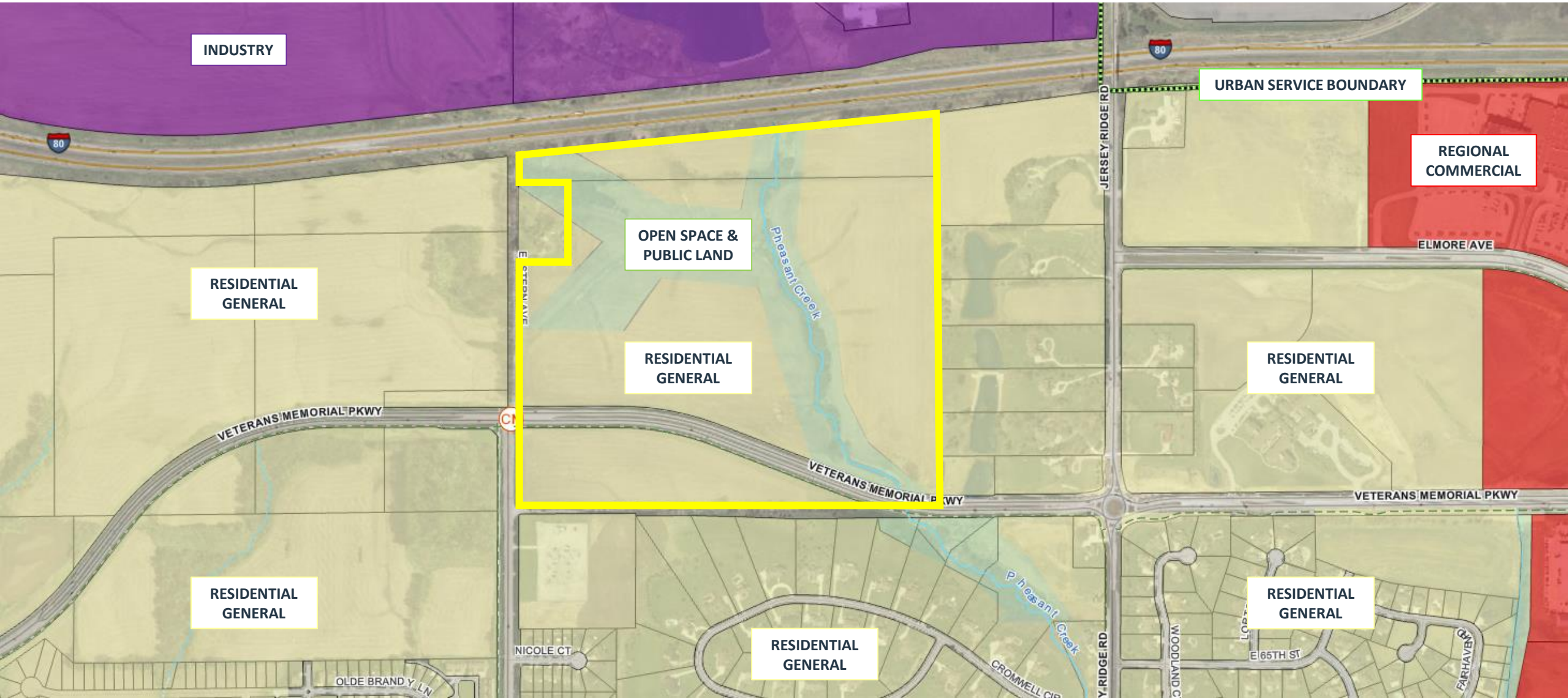
Zoning Map

DAVENPORT
IOWA | USA



Future Land Use Map

DAVENPORT
IOWA | USA



SHAMROCK DEVELOPMENT

Good Neighbor Meeting

June 9, 2022, 5:30 p.m.

HIGH PROPERTIES

AXIOM CONSULTANTS

PROJECT TEAM

High Development Corp. – Darryl High

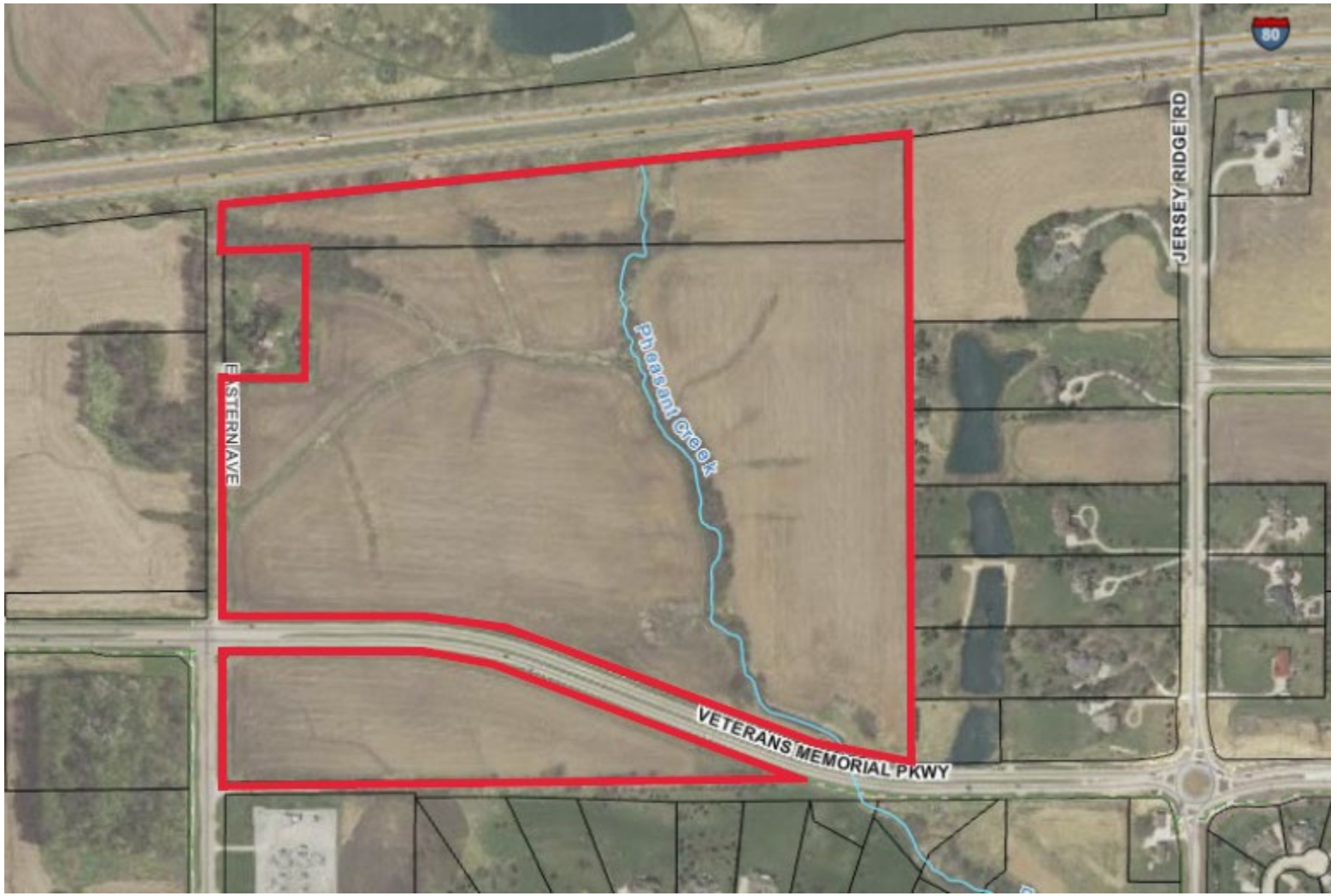
Axiom Consultants – Brian Boelk

Shamrock Properties – Duffy Family

HIGH PROPERTIES

AXIOM CONSULTANTS

PROJECT LOCATION



HIGH PROPERTIES

AXIOM CONSULTANTS

PRELIMINARY CONCEPT PLAN

(ORIGINAL)

HIGH PROPERTIES

AXIOM CONSULTANTS

PRELIMINARY CONEPT PLAN

(REVISED)

HIGH PROPERTIES

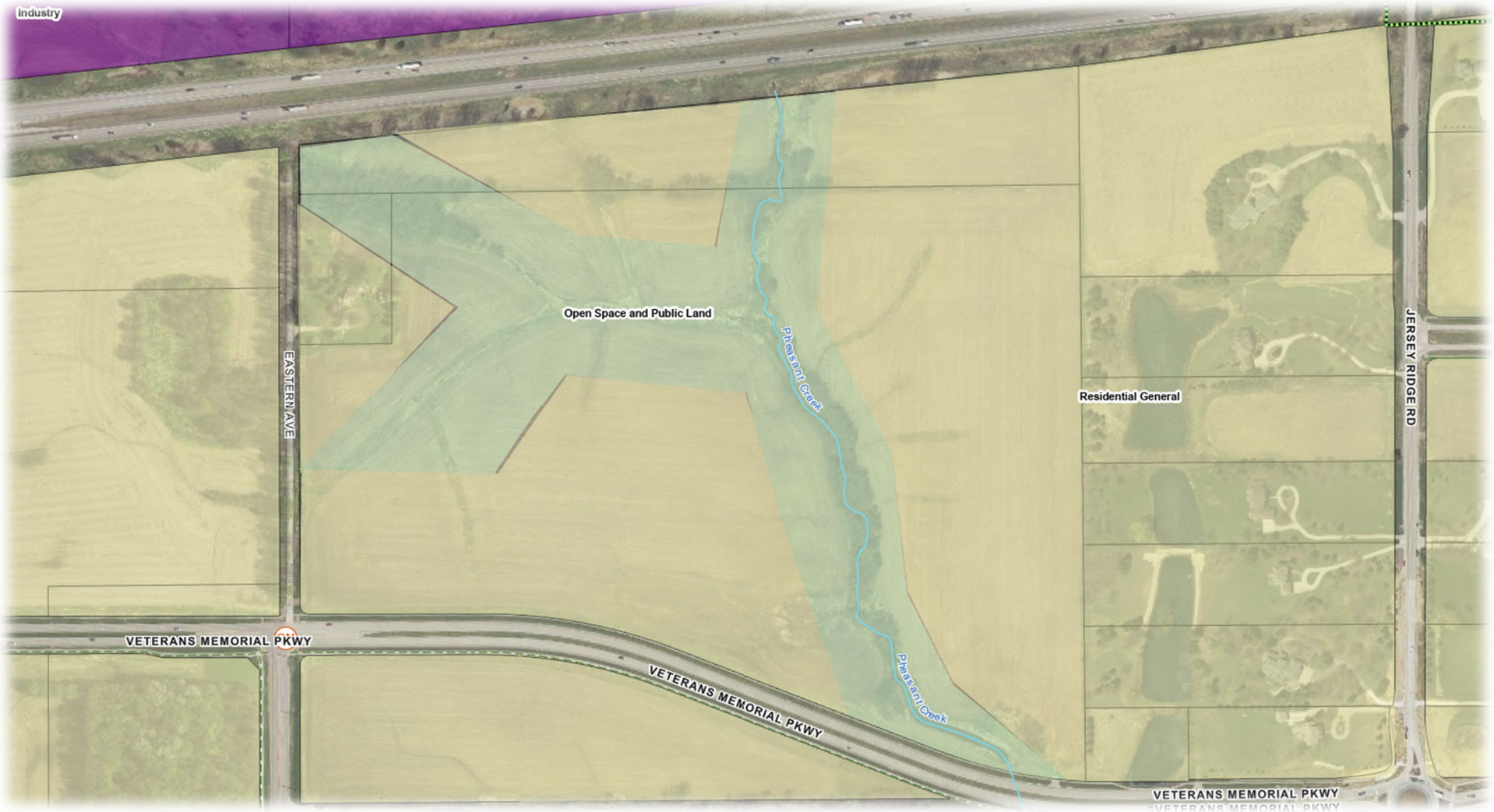
AXIOM CONSULTANTS

CURRENT ZONING MAP

HIGH PROPERTIES

AXIOM CONSULTANTS

FUTURE LAND USE MAP



HIGH PROPERTIES

AXIOM CONSULTANTS

HOUSING EXAMPLES

HIGH PROPERTIES

AXIOM CONSULTANTS

HOUSING EXAMPLES

HIGH PROPERTIES

AXIOM CONSULTANTS

HOUSING EXAMPLES

HIGH PROPERTIES

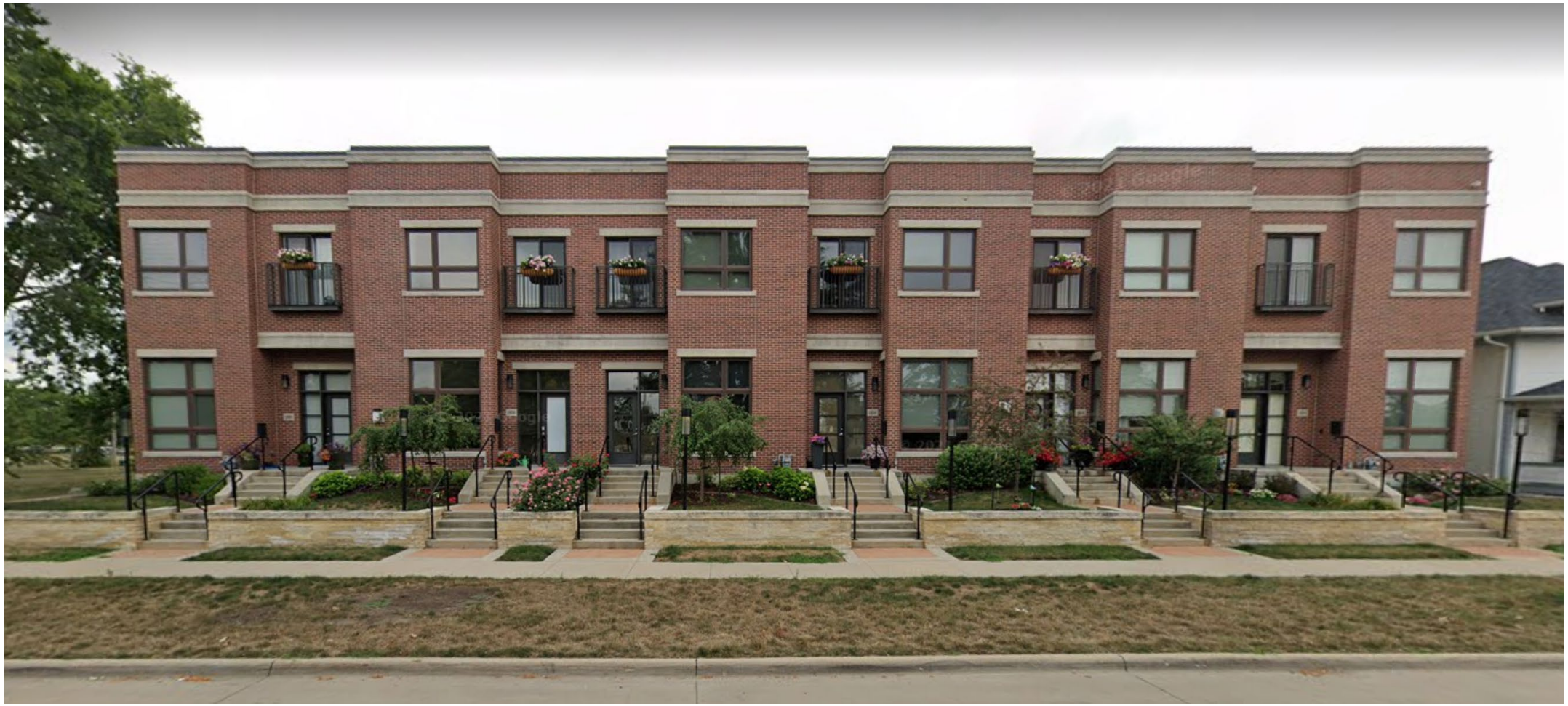
AXIOM CONSULTANTS

SITE RENDERING EXAMPLES

HIGH PROPERTIES

AXIOM CONSULTANTS

TOWNHOME/BROWNSTONE EXAMPLE



HIGH PROPERTIES

AXIOM CONSULTANTS

MULTI FAMILY LIVING EXAMPLE

HIGH PROPERTIES

AXIOM CONSULTANTS

SITE EXAMPLES

HIGH PROPERTIES

AXIOM CONSULTANTS

QUESTIONS / COMMENTS

Thank you for attending our Good Neighbor Meeting for the proposed Shamrock Development!

CONTACT INFORMATION

Axiom Consultants

- Brian Boelk –bboelk@axiom-con.com, 319-519-6222

High Development Corp.

- Darryl High – darrylh@highdevelopment.com, 319-363-3900

HIGH PROPERTIES

AXIOM CONSULTANTS

ENTRANCE 1

ENTRANCE 2

ENTRANCE 3

DOG PARK

GAZEBO

EASTERN AVE

VETERANS MEMORIAL PKWY

GAS STATION
2.12 AC
92,505 SF

COFFEE SHOP
1.96 AC
85,447 SF

OFFICE FLEX
2.28 AC
99,535 SF

ASSISTED LIVING
5.24 AC
228,253 SF

TOWNHOMES
7.07 AC
307,977 SF

OL F
67,601SF

OL H
141,587SF

OL J
21,289SF

NOT FOR CONSTRUCTION

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

0 40 80

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME:
TRALEE FARMS
DAVENPORT, IOWA, 52807

CLIENT NAME:
HIGH PROPERTIES

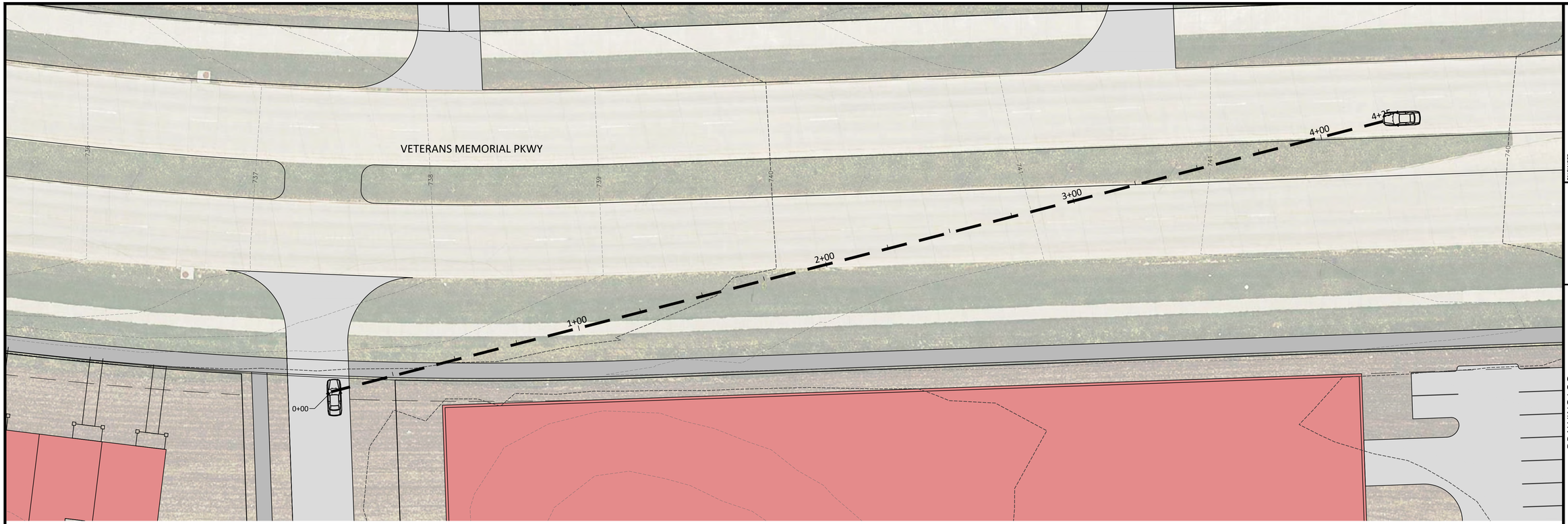
SHEET NAME:
SIGHT DISTANCE EXHIBIT
ENTRANCE MAP

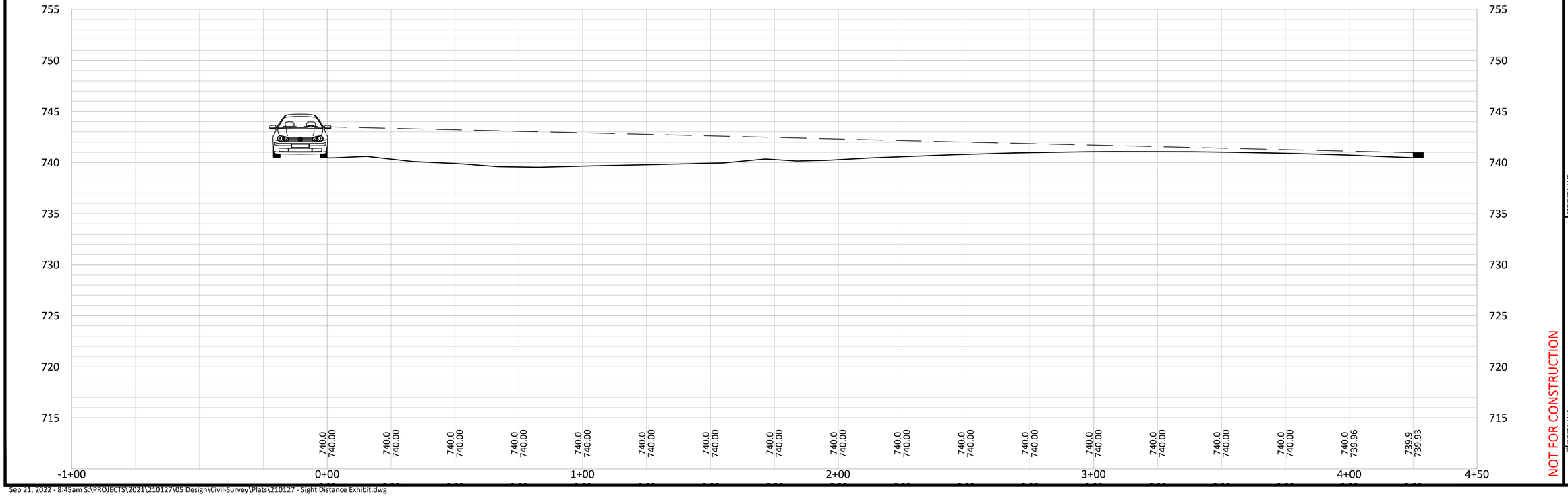
PROJECT NO.:
21-0127

DESIGN PROFESSIONAL:
BOELK

SHEET NUMBER:
1 OF 7

Sep 21, 2022 - 8:45am S:\PROJECTS\2021\210127\05 Design\Civil-Survey\Plats\210127 - Sight Distance Exhibit.dwg





NOT FOR CONSTRUCTION

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

0 10 20

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME: TRALEE FARMS
DAVENPORT, IOWA, 52807

CLIENT NAME: HIGH PROPERTIES

SHEET NAME: SIGHT DISTANCE EXHIBITS
EASTBOUND CAR - ENTRANCE 1

PROJECT NO.: 21-0127

DESIGN PROFESSIONAL: BOELK

SHEET NUMBER: 2 OF 7

NOT FOR CONSTRUCTION

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

0 10 20

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME:
TRALEE FARMS
DAVENPORT, IOWA, 52807

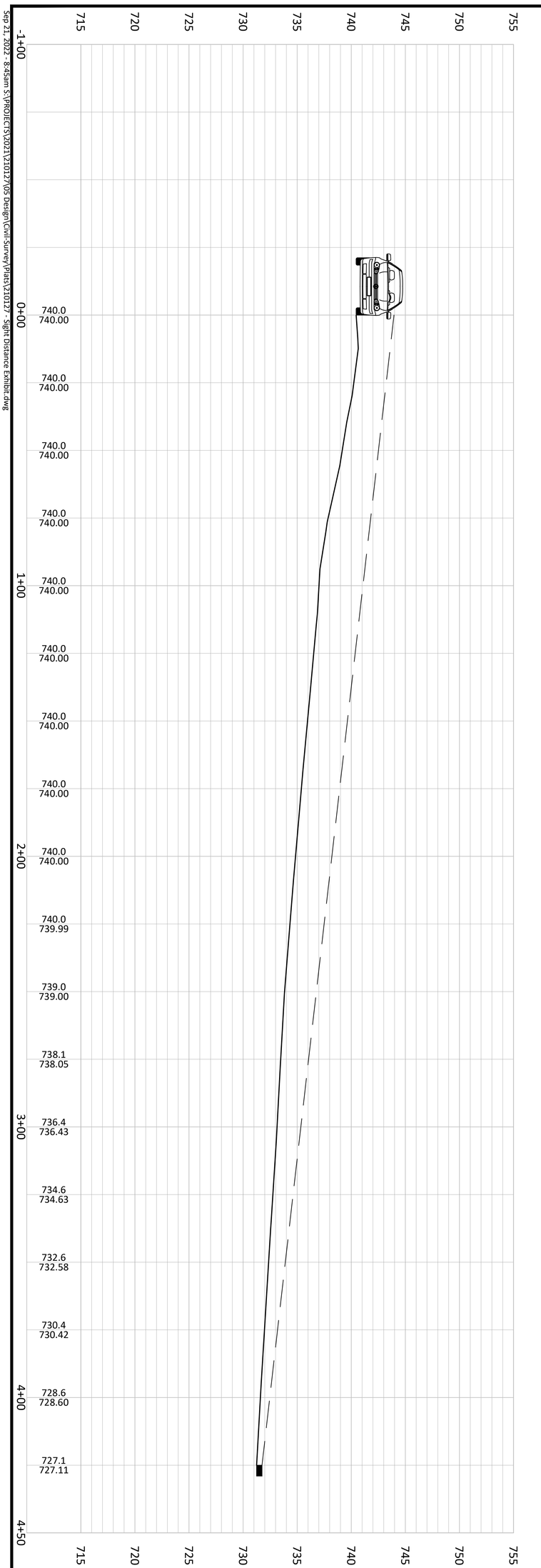
CLIENT NAME:
HIGH PROPERTIES

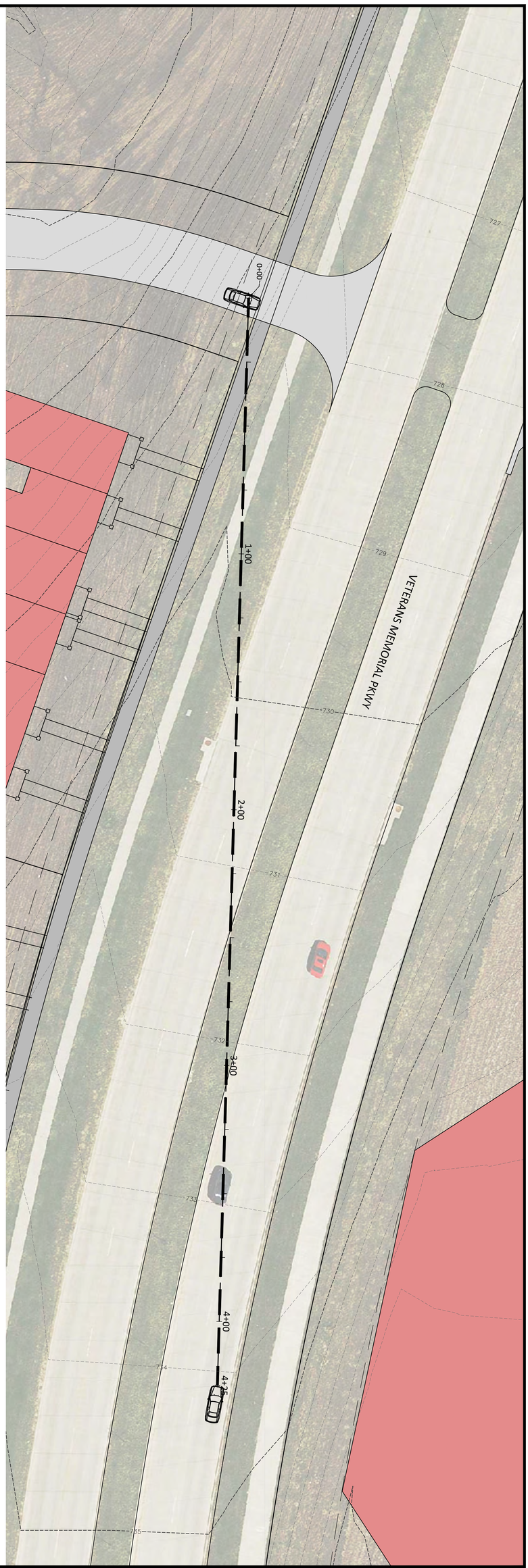
SHEET NAME:
SIGHT DISTANCE EXHIBITS
WESTBOUND CAR - ENTRANCE 1

PROJECT NO.:
21-0127

DESIGN PROFESSIONAL:
BOELK

SHEET NUMBER:
3 OF 7





Sep 21, 2022 - 8:45am S:\PROJECTS\2021\21027\05 Design\Civil\Survey\Plats\210127 - Sight Distance Exhibit.dwg

NOT FOR CONSTRUCTION

SHEET NUMBER: 4 OF 7

SHEET NAME: SIGHT DISTANCE EXHIBITS
EASTBOUND CAR - ENTRANCE 2

PROJECT NO.: 21-0127

DESIGN PROFESSIONAL: BOELK

PROJECT NAME: TRALEE FARMS

DAVENPORT, IOWA, 52807

CLIENT NAME: HIGH PROPERTIES

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

0 10 20

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

NOT FOR CONSTRUCTION

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

0 10 20

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME: TRALEE FARMS
DAVENPORT, IOWA, 52807

CLIENT NAME: HIGH PROPERTIES

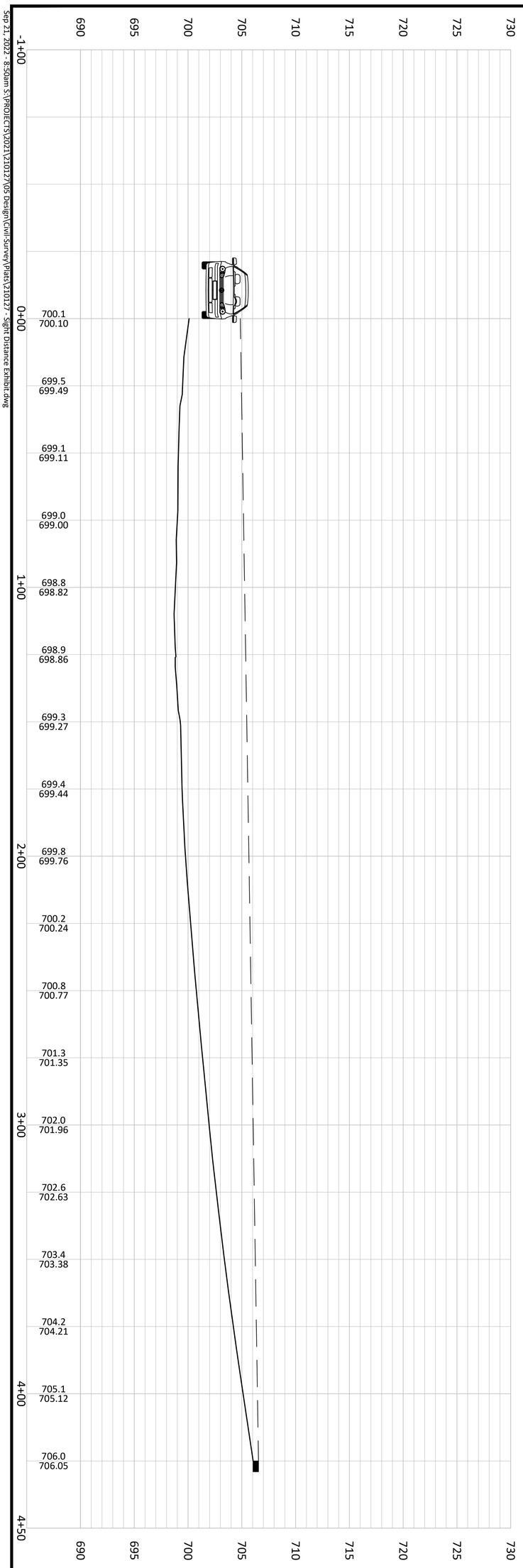
SHEET NAME: SIGHT DISTANCE EXHIBITS
WESTBOUND CAR - ENTRANCE 2

PROJECT NO.: 21-0127

DESIGN PROFESSIONAL: BOELK

SHEET NUMBER: 5 OF 7

Sep 21, 2022 - 8:30am S:\PROJECTS\2021\210127\05 Design\Civil\Survey\Plats\210127 - Sight Distance Exhibit.dwg



NOT FOR CONSTRUCTION

SHEET NUMBER: 6 OF 7

SHEET NAME: SIGHT DISTANCE EXHIBITS
EASTBOUND CAR - ENTRANCE 3

PROJECT NO.: 21-0127

DESIGN PROFESSIONAL: BOELK

PROJECT NAME: TRALEE FARMS

DAVENPORT, IOWA, 52807

CLIENT NAME: HIGH PROPERTIES

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

0 10 20

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

NOT FOR CONSTRUCTION

ENGINEER:
AXIOM CONSULTANTS
WWW.AXIOM-CON.COM | (319) 519-6220

0 10 20

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME:
TRALEE FARMS
DAVENPORT, IOWA, 52807

CLIENT NAME:
HIGH PROPERTIES

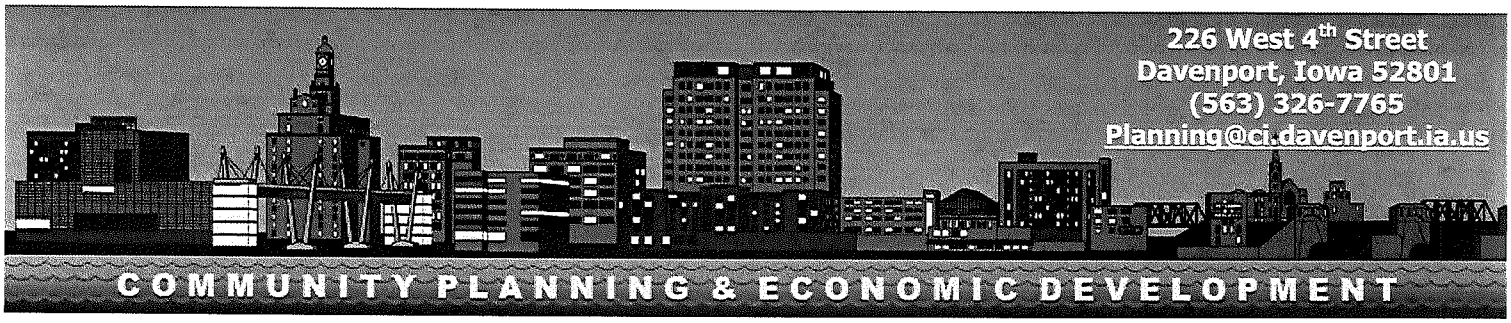
SHEET NAME:
SIGHT DISTANCE EXHIBITS
WESTBOUND CAR - ENTRANCE 3

PROJECT NO.:
21-0127

DESIGN PROFESSIONAL:
BOELK

SHEET NUMBER:
7 OF 7

Sep 21, 2022 - 8:57am S:\PROJECTS\2021\210127\05 Design\Civil-Survey\Plats\210127 - Sight Distance Exhibit.dwg



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

Property Address* Sec:06 Twp:78 Rng:04PRT NW/4 COM SW CORNW/4, SD PT POB; -N1360'; -E

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

Applicant (Primary Contact)**

Name:	Darryl High
Company:	High Properties
Address:	211 1st Ave SE
City/State/Zip:	Cedar Rapids, IA 52401
Phone:	319-363-9300
Email:	darrylh@highdevelopment.com

Owner (if different from Applicant)

Name:	Brian Duffy
Company:	Shamrock Properties LC
Address:	1910 E Kimberly Rd
City/State/Zip	Davenport, IA 52807
Phone:	563-344-7311
Email:	Brian.Duffy@permarsecurity.com

Engineer (if applicable)

Name:	Brian Boelk
Company:	Axiom Consultants, LLC
Address:	60 E Court Street
City/State/Zip	Iowa City, IA 52240
Phone:	319-400-1056
Email:	bboelk@axiom-con.com

Architect (if applicable)

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

Attorney (if applicable)

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

Application Form Type:

Plan and Zoning Commission

- Zoning Map Amendment (Rezoning) ☑
- Planned Unit Development ☐
- Zoning Ordinance Text Amendment ☐
- Right-of-way or Easement Vacation ☐
- Voluntary Annexation ☐

Zoning Board of Adjustment

- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

Design Review Board

- Design Approval ☐
- Demolition Request in the Downtown ☐
- Demolition Request in the Village of East Davenport ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative

- Administrative Exception ☐
- Health Services and Congregate Living Permit ☐

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

Request:

Existing Zoning: S-AG

Proposed Zoning Map Amendment: R-1, R-4, R-MF, and C-2

Purpose of the Request:

Rezone from existing agricultural land to a mixed use development consisting of larger single family residential to the east, smaller single family to the north, multi-family in the center, and a mix of commercial and multi-family residential on the south side of Veterans Memorial.

Total Land Area: 104.57 Acres

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☑ Yes ☐ No

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: Darryl High Date: 10/05/2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

Authorization to Act as Applicant

I, Brian Duffy

authorize Darryl High (High Properties)

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Bri Duff

Signature(s)

State of Iowa,

County of Scott.

Sworn and subscribed to before me

This 6 day of October 2022

Personally Known

Form of Identification

Patricia A Nebinger

Notary Public

My Commission Expires: 5-18-2023

Patricia A. Nebinger
Commission Number: 828283
My Commission Expires:
May, 18-2023

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 11/1/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00 PM Subject: Public Hearing for a Rezoning Request

To: All property owners within 800 feet of the subject property bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road

What is this About?
This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject property is currently zoned S-AG Agricultural District. The purpose of the request is to rezone the existing agricultural land to a mixed use development. The property owner is requesting a rezoning to R-1 Single-Family Residential District, R-4 Single-Family and Two-Family Residential District, R-MF Multi-Family Residential District, and C-2 Corridor Commercial District.

Request/Case Description
Case REZ22-07: Request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres). [Ward 8]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on November 1, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on November 15, 2022. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

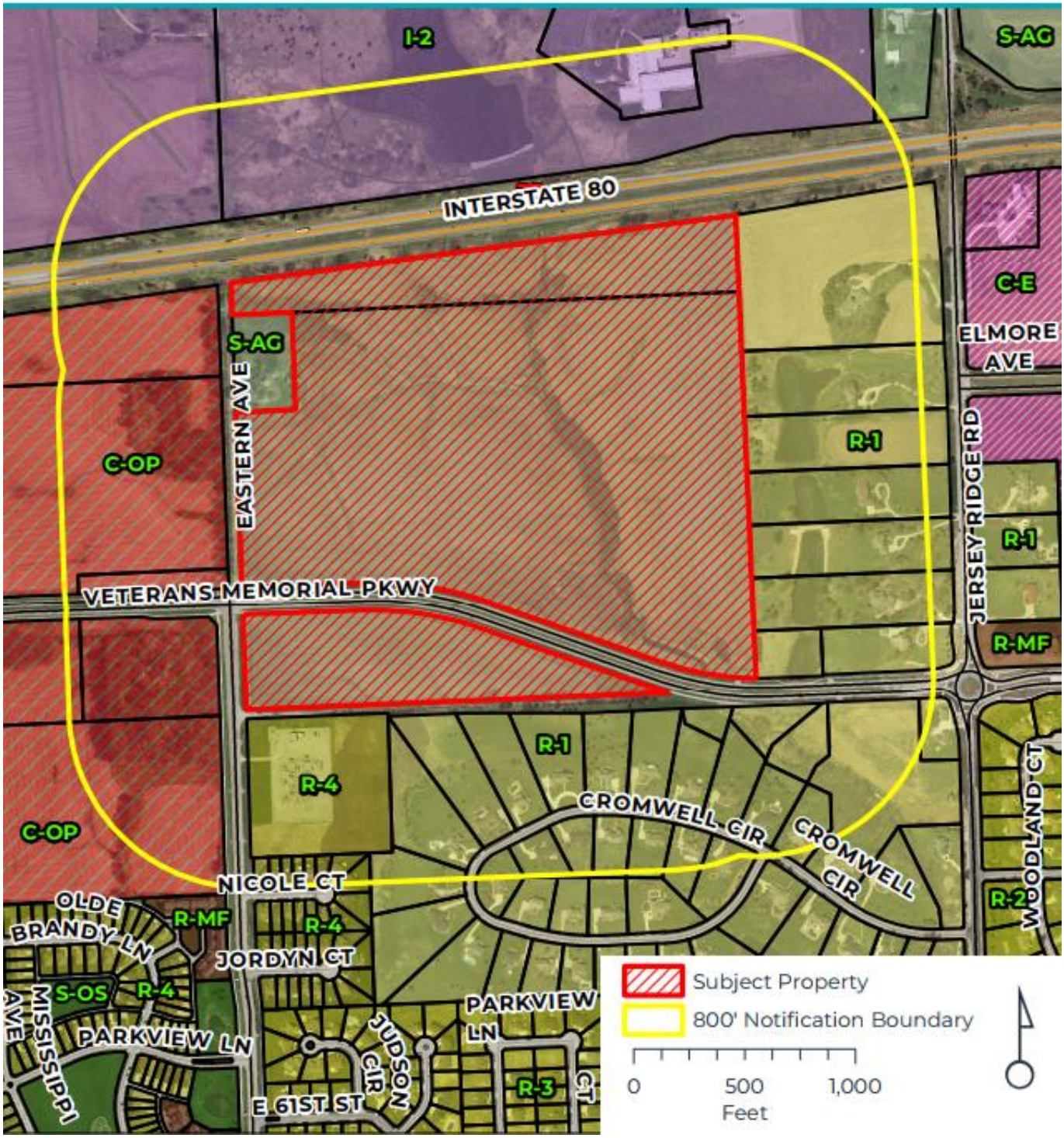
All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Rezoning Request | Case REZ22-07 | Public Hearing Notice

Rezone from S-AG Agricultural District (104 Acres) to
R-1 Single-Family Residential District (33 Acres),
R-4 Single-Family and Two-Family Residential District (20 Acres),
R-MF Multi-Family Residential District (35 Acres), and
C-2 Corridor Commercial District (16 Acres)



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

REZONING EXHIBIT

TRALEE FARMS
DAVENPORT, SCOTT COUNTY, IOWA

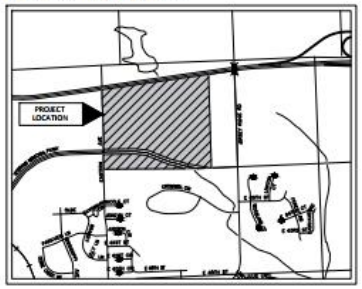
DEVELOPER/OWNER INFORMATION:

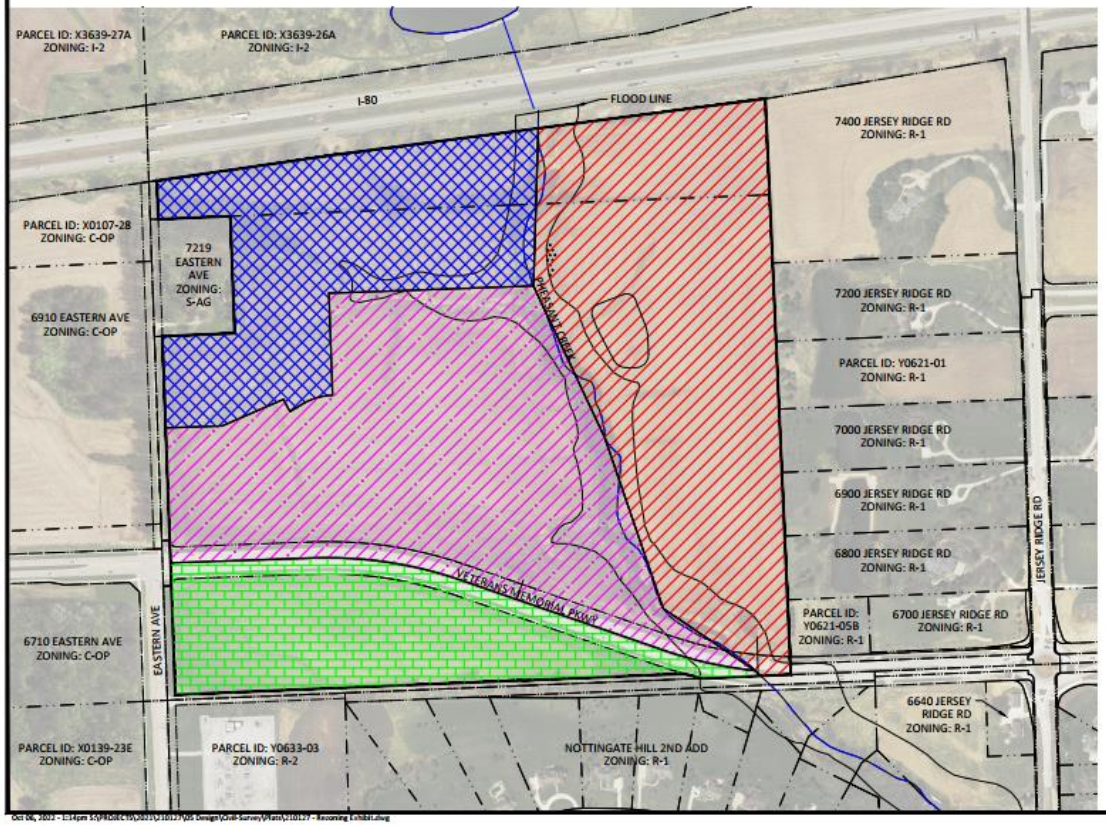
DEVELOPER / APPLICANT:	OWNER:	PREPARED BY:
HIGH PROPERTY MANAGEMENT C/O DARRYL HIGH 211 1ST AVE SE, SUITE A CEDAR RAPIDS, IA 52401 319-363-3900 DARRYLH@HIGHDEVELOPMENT.COM	SHAMROCK PROPERTIES LC 1910 E KIMBERLY RD DAVENPORT, IA 52807	AXIOM CONSULTANTS, LLC C/O BRIAN BOELK 60 E. COURT STREET, UNIT 3 IOWA CITY, IOWA 52240 319-519-6220 BBOELK@AXIOM-CON.COM

ZONING INFORMATION:

CURRENT ZONING:			
S-AG	AGRICULTURAL ZONING	105 ACRES	
PROPOSED ZONING:			
R-1	SINGLE-FAMILY RESIDENTIAL	33 ACRES	
R-4	SINGLE-FAMILY & TWO-FAMILY RESIDENTIAL	20 ACRES	
R-MF	MULTI-FAMILY RESIDENTIAL	35 ACRES	
C-2	CORRIDOR COMMERCIAL	16 ACRES	

PROJECT VICINITY MAP





LEGAL DESCRIPTION:

R-1 LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°35'34"W, 856.81 FEET; THENCE S01°43'15"W, 589.82 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE S46°27'51"E, 29.12 FEET; THENCE N87°39'04"E, 112.86 FEET; THENCE N02°31'16"W, 2155.91 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 33 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

R-4 LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°35'34"W, 856.81 FEET; THENCE S82°35'34"W, 749.62 FEET; THENCE S81°45'21"W, 690.38 FEET; THENCE S02°02'47"E, 144.19 FEET; THENCE N87°45'01"E, 270.00 FEET; THENCE S01°02'47"E, 438.00 FEET; THENCE S87°43'01"W, 270.00 FEET; THENCE S02°02'47"E, 343.34 FEET; THENCE N87°57'13"E, 211.35 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE SOUTHEASTERLY (CHORD BEARING N58°47'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE N01°43'15"E, 589.82 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 20 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

R-MF LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°03'26"W, 492.91 FEET; THENCE N02°02'09"W, 504.93 FEET; THENCE N87°57'13"E, 211.35 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE SOUTHEASTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CONCAVE NORTHERLY (CHORD BEARING N77°32'44"W, 346.76 FEET); THENCE N70°54'38"W, 808.70 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N81°27'54"W, 551.54 FEET); THENCE S88°02'33"W, 538.31 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 35 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

C-2 LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°03'26"W, 492.91 FEET; THENCE N88°02'33"E, 538.31 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING S81°27'54"E, 551.54 FEET); THENCE S70°54'38"E, 808.70 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CURVE CONCAVE NORTHERLY (CHORD BEARING S77°32'44"E, 346.76 FEET); THENCE S46°27'51"E, 29.12 FEET; THENCE S87°39'04"W, 217.32 FEET; THENCE N75°47'57"W, 70.21 FEET; THENCE S87°39'04"W, 1906.07 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 16 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

NOT FOR CONSTRUCTION

DRAWING LOG

REV	DESCRIPTION OF CHANGES	DATE

PROJECT NAME: TRALEE FARMS
DAVENPORT, IA 52807
CLIENT NAME: HIGH PROPERTY MANAGEMENT
SHEET NAME: REZONING EXHIBIT
PROJECT NO.: 21-0127
DESIGNED BY: BOELK
SHEET NUMBER: 1 OF 1

AXIOM CONSULTANTS | WWW.AXIOM-CON.COM | (319) 519-6220

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Oct 06, 2022 - 1:14pm S:\PROJECTS\2021\210127\05 Design\Civil-Survey\Plans\210127 - Rezoning Exhibit.dwg

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807
T | 563.326.6198
E | contactus@davenportiowa.com
davenportiowa.com/DNS

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

Neighborhood Meeting Invitation | Development Proposal

Date: 6/9/2022 **Location:** Eastern Avenue Library | Meeting Room B | 6000 Eastern Avenue
Time: 5:30 PM **Subject:** Informal Neighborhood Meeting Regarding a Development Proposal

To: All property owners within the vicinity of the subject property located south of Interstate 80, East of Eastern Avenue, north of Veterans Memorial Parkway, and west of Jersey Ridge Road.

You are invited to a neighborhood meeting regarding a development proposal on the approximately 97.56 acres of land bounded by Interstate 80, Eastern Avenue, Veterans Memorial Parkway, and Jersey Ridge Road. The property is currently zoned S-AG Agricultural District. A developer is proposing a mixed use development consisting of commercial and residential land uses.

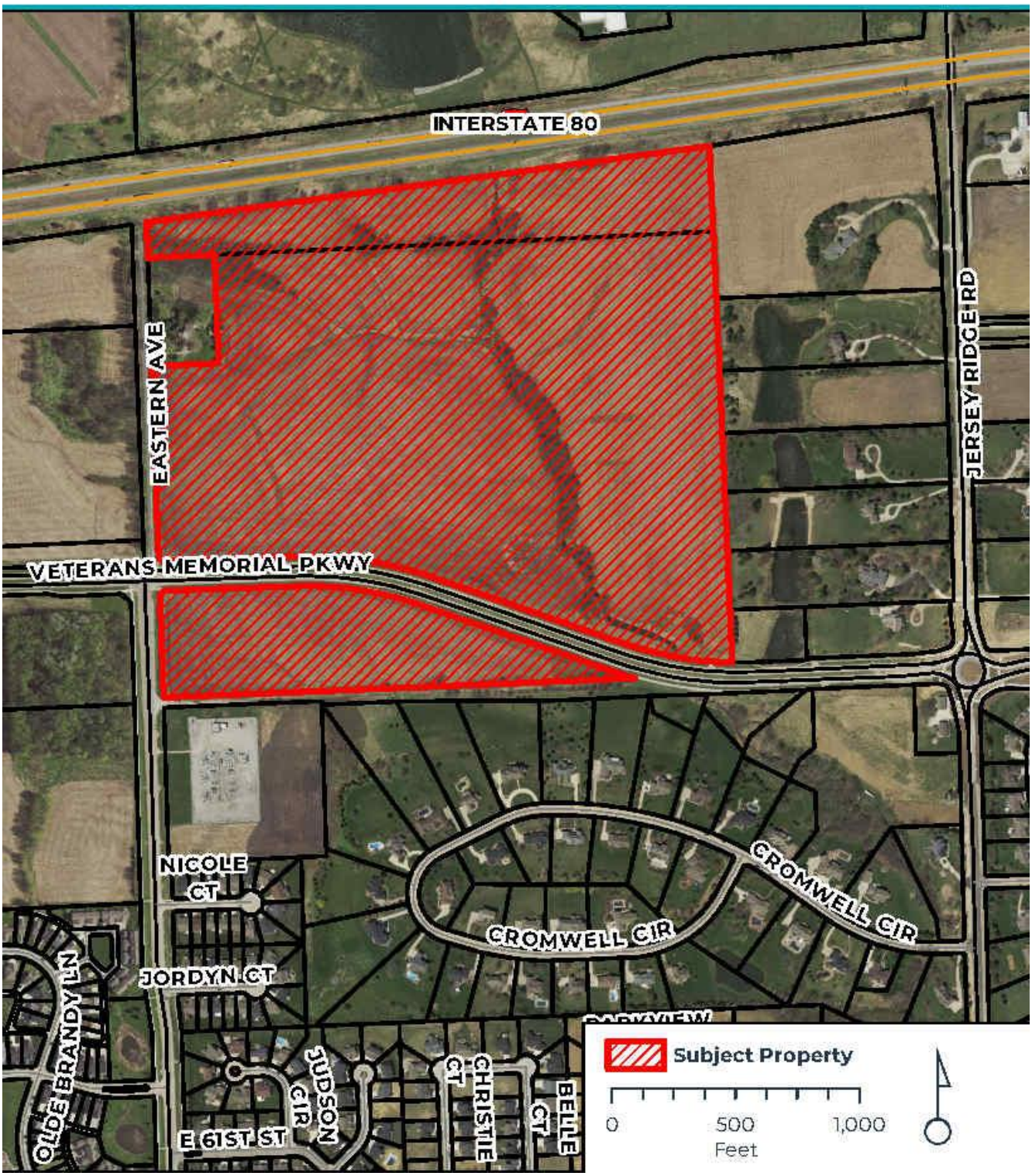
The purpose of this meeting is to provide an informal setting to allow the developer to describe the proposed development, to interact with adjacent owners, and to answer any questions and concerns about the proposed action.

What are the next steps after the neighborhood meeting?
Following the neighborhood meeting, the developer will submit an Application for a Zoning Map Amendment. The City Plan and Zoning Commission will hear public comments regarding this proposal at a yet to be determined date. Planning staff will send additional notices with the dates and times of additional public hearings regarding this request.

Questions regarding this notice or the process?
If you have any questions or if accommodates are needed for any reason, please contact the planner assigned to this case (Matt Werderitch) at matt.werderitch@davenportiowa.com or at (563) 888-2221. Interpretive services are available at no charge. Servicos interpretativos libres estan disponibles. TTY: (563) 326-6145

THE CITY OF DAVENPORT
IOWA | USA

Neighborhood Meeting Notice
Development Proposal



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

Staff
Scott Cooper

Sign In Sheet

Name	Address	Email
Robin Schilling	1598 Olde Brandy Ln	uspsrulese gmail.com
Ruth Hill	6341 Mississippi Av.	rhill1051@yahoo.com
S~S h~Cue	1580 Swanish	sharionw8@gmail
Teal Horack	1703 Nicole Court	teal293@gmail.com
Brian/Mandy Fleming	1708 Nicole Ct	belgie100@gmail.com
Jim & Kathy DeBoeuf	6900 Jersey Ridge Rd	K.deboeuf@mchsi.com
Steve Gipple	2343 Cromwell Circle	Steve.Gipple@mchsi.com
William Boswell	1722 Nicole Ct	bicbswell@Yahoo.com
Mike + Brenda Goellnitz	7219 Eastern Ave	pinkcadillac6@gmail.com + brenda.goellnitz@unitypoint.org
Kristina Langan	2720 Cromwell Circle	langancrew7@gmail.com
Mark Sisel	1911 E 61st Circle	marksisel12@gmail.com
Ryan VanDrole	6050 Thomas Ct	Ryan@VanDroleGroup.com
Scott Pearson	6516 Woodland Ct	PearsonBPScott@gmail.com
Lee Meador	1202 Nicole Ct	LM1307@icloud.com
Chris Meador	" " "	
Cindy & Larry Goldensoph	1420 Olde Brandy Ln	captlarrysoph0366@gmail.com
Ralph Rebecca Armstrong	1571 Olde Brandy Ln	rebstrong1953@gmail.com
John-Connie Deckman	1687 Nicole Ct	Jdeckman@actionmg.com
Mark Martinez	2140 Cromwell Cir	MARKMTZ2000@HotMail.com
Bernie + Cathy Mack	2236 Cromwell Circle	bernienack57@gmail.com
Toby Loy	1639 Parkview Ln	tobyloy@gmail.com
Mike and Paula Connell	1310 Olde Brandy Lane	Pjconnell45@gmail.com
Josh Heacock	6700 Jersey Ridge	JOSHANDKELLYHEACOCK@GMAIL.COM
Caryn Crouch	1714 Nicole Ct	
Rich Schaefer	1960 Cromwell	rschaefer@ruhlcommercial
Greg Franke	6123 Judson Circle	gfranke13@yahoo.com
Aaron Dunlap	2340 Cromwell Cir	aaron@aarondunlap.com

Martin Pereira 6600 Jersey Ridge Rd mmptvm@gmail.com
Dan Santry sans77@hotmail.com 1570 Savannah Circle
Becky Alpen beckyalphavs@gmail.com
2345 Cromwell Circle

Brian Fleming flemingb1260@mchsi.com

Cheryl Merritt - dr.bradmerritt@gmail.com
& Brad Merritt

Suzanne Jahns sjahns65@gmail.com (Nicole Ct.)

Ann Hughes BAhughes6630@gmail.com
Brian Hughes AHughes6630@gmail.com

RICHARD GUSTAR RICHARDGUSTAS@YMAIL.COM

AXIOMCONSULTANTS

CIVIL · STRUCTURAL · MECHANICAL · ELECTRICAL · SURVEY · SPECIALTY

SHAMROCK DEVELOPMENT
HIGH DEVELOPMENT
AXC 210157

SIGN-IN SHEET
DATE: WEDNESDAY, MAY 10, 2022

NAME	EMAIL	PHONE	ADDRESS
Russell Krenz		702-249-8294	5601 EASTERN AVE
Cecil/Janice Peterson		563-343-5034	2260 Cromwell Circle Dav.
Jim & Kathy DeBoenf	K.deboenf@mchsi.com	(563)344-0775	6900 Jersey Ridge Rd. Dav.
RICHARD GUSTAS	RICHARDGUSTAS@YMAIL.COM	(563)355-5669	2242 CROMWELL CR.
Brenda + Mike Goellnitz	brenda.goellnitz@unitypoint.org	563-343-6661	7219 EASTERN DAV
Elizabeth Bradley			7001 IRR
Cheryl Merritt	dr.bradmerritt@gmail.com	563-529-~~2025~~ 1820	2130 Cromwell Cir Dav.
ROBERT LOUIS	RLOUIS5@MCHSI.COM	563-940-6057	2160 CROMWELL CIR.
RYAN VANDAELE	RYAN@VANDAELEGROUP.COM	563.271.6684	6450 THOMAS CT, BETTENDORF
MARK MARTINEZ	MARKMTZ2000@HOTMAIL.COM	254-383-4576	2140 CROMWELL CIR DAVENPORT
RYAN FICK	RJFICK@MOLINSNLCO.COM	563 508 0224	EACD
JOSH + KELLY HEACOCK	JOSHANDKELLYHEACOCK@GMAIL.COM	319-321-6985	6700 JERSEY RIDGE RD

From: Kathy k.deboeuf@mchsi.com
Subject: Case REZ22-07 Request of High Properties on behalf of Shamrock Properties LC
Date: Nov 14, 2022 at 11:54:46 AM
To: planning@davenportiowa.com

We are opposed to the request from High Properties to rezone 104 acres located adjacent to Eastern Avenue and Veterans Memorial Parkway. To be specific, based on the concept plan we are opposed to the proposed C-2 Corridor Commercial District and the numerous traffic cuts onto VMP. We do not want commercial businesses in the middle of these residential neighborhoods. Since the city developed the parkway, it has become very popular with pedestrians and bicyclists. Why ruin that by putting additional traffic cuts on VMP for these people to navigate? All entrances and exits should be from Eastern Avenue. The current roundabout works very well but speed limits are ignored.
Thank you.

James DeBoeuf
Kathleen DeBoeuf
6900 Jersey Ridge Rd.
Davenport, IA

Sent from my iPad

Werderitch, Matt

From:
Sent: Monday, November 14, 2022 11:55 AM
To: Planning
Subject: [EXT] Case REZ22-07 Request of High Properties on behalf of Shamrock Properties LC

We are opposed to the request from High Properties to rezone 104 acres located adjacent to Eastern Avenue and Veterans Memorial Parkway. To be specific, based on the concept plan we are opposed to the proposed C-2 Corridor Commercial District and the numerous traffic cuts onto VMP. We do not want commercial businesses in the middle of these residential neighborhoods. Since the city developed the parkway, it has become very popular with pedestrians and bicyclists. Why ruin that by putting additional traffic cuts on VMP for these people to navigate? All entrances and exits should be from Eastern Avenue. The current roundabout works very well but speed limits are ignored.
Thank you.

James DeBoeuf
Kathleen DeBoeuf
6900 Jersey Ridge Rd.
Davenport, IA

Sent from my iPad

Werderitch, Matt

From:
Sent: Sunday, October 30, 2022 8:28 PM
To: Planning
Subject: [EXT] Case REZ22-07 Request of High Properties on behalf of Shamrock Properties LC

Please consider the following comments and concerns regarding this zoning change request before making your recommendations.

1). This area does not need 16 acres of Commercial property adjacent to single family housing. We don't need or want businesses operating 24/7 with their accompanying bright lighting in this corridor. Nor do we need the additional traffic congestion trying to turn into and out of this type of business (gas stations, convenience stores, vape shops, etc.). There are plenty of gas stations/convenience stores nearby on 53rd St., Brady and Jersey Ridge.

2). How will residents enter and exit this new development? The site limitations on Veterans Memorial Parkway (looking to the east) and the high rate of speed prohibit these residents from safely entering or exiting directly onto Veterans Memorial Parkway. The only safe approach to this new development will be from Eastern Avenue.

3). Why so much R-MF Multi-Family Residential? How about more single family homes instead?

Thank you for your consideration.

Kathleen DeBoeuf

Sent from my iPad

Werderitch, Matt

From: Berkley, Laura
Sent: Wednesday, November 2, 2022 10:41 AM
To: Koops, Scott E.; Werderitch, Matt
Subject: Fw: [EXT] Veteran's Memorial Parkway and Eastern.

From:
Sent: Monday, October 31, 2022 10:49:51 PM
To: Berkley, Laura
Subject: [EXT] Veteran's Memorial Parkway and Eastern.

It would appear to be reckless per the current plan for traffic to be routed onto the parkway from new areas. All should be entered onto Eastern where there is less traffic and lanes. For the safety of all concerned, all entrance / exits should utilize Eastern. The parkway has an appropriate speed of 45. That does not allow for people to slow to enter additional housing/business areas or ample space to exit and be accelerated to the 45 speed of traffic already moving on parkway.

In my opinion, serious rear end accidents and injuries/ death would be at risk. Developers of this need to structure exits with concern for citizen safety rather than economy.

Carol Hansen
6414 Fairhaven Road
Jersey Farms

Werderitch, Matt

From: Berkley, Laura
Sent: Wednesday, November 2, 2022 10:43 AM
To: Koops, Scott E.; Werderitch, Matt
Subject: Fw: [EXT] Fwd: Plan & Zoning Meeting - Tuesday 1 November @ 5:00 PM

From:
Sent: Monday, October 31, 2022 4:34:39 PM
To: Berkley, Laura
Subject: [EXT] Fwd: Plan & Zoning Meeting - Tuesday 1 November @ 5:00 PM

I agree with Tom Javobson's concern.

It is difficult to believe that any reputable traffic study wouldn't flag the amount of probable congestion on Veterans as is suggested by the number of housing units + gas station + coffee shop in what is a relatively small area. It is also notable that the plan makes so little use of the traffic control available via the existing lights at Eastern and Veterans.
As a retired engineer in another field, I know the wisdom staying in my own lane and deferring to actual experts, but even I can identify some changes which would seem to have potential:

1.An exit from the housing area (likely just south of the west end cul de sac) to the northern extension of Eastern. That combined with elimination of the currently planned western access to Veterans would funnel much of the traffic from the higher density residential section to the current Eastern/Veterans intersection.
2. A traffic control device (my preference would be a traffic circle rather than lights) at the east/west midpoint of the development (where the planned exits from the residential and the commercial both intersect Veterans). It seems likely that lights or a circle will be required at this location once the area is built up. Especially if a circle, provision must be made now to allow space.
3. Elimination of one or both of the western exits from the commercial area to Veterans and redirection of that traffic to an exit on Eastern and to the lights/circle suggested in item 2.
4. No change to the exit at the eastern end of the development. The number of housing units that exit supports is relatively small.

Thanks for the opportunity to comment.

Kevin Hoehn
6487 Fairhaven Road

---------- Forwarded message ---------
From:
Date: Mon, Oct 31, 2022 at 2:13 PM
Subject: Plan & Zoning Meeting - Tuesday 1 November @ 5:00 PM
To:

Please send your comments to Laura.Berkley@davenportiowa.com

Sent from Mail for Windows

From: Tom Jacobson
Sent: Monday, October 31, 2022 11:37 AM
Subject: Plan & Zoning Meeting - Tuesday 1 November @ 5:00 PM

The proposed plan calls for five cuts or entrances from the proposed residential and commercial developments to Veterans Memorial Parkway between the roundabout and Eastern Ave. It would seem a better solution would be route traffic to the Eastern Ave intersection to avoid traffic disruptions and turn lanes.

Click on or cut and paste this link into browser address bar.

file:///C:/Users/Tom%20Jacobson/Downloads/Good_Neighbor_Meeting_Presentation_-_06.09.2022.pdf

Interstate 80
Eastern Ave.
Veteran's Memorial Parkway
GAS STATION
COFFEE SHOP
C 01
C 01
OUTLOT B
OL A
OL C
OL D
OL F
OL H
400
503
620

Werderitch, Matt

From:
Sent: Monday, October 31, 2022 5:25 PM
To: Planning
Subject: [EXT] Fwd: Martinez 2140 Crowmwell Cir Davenport

Categories: Green Category

Get Outlook for iOS

From:
Sent: Monday, October 31, 2022 5:22 PM
To: Laura.Berkley@davenportiowa.com <Laura.Berkley@davenportiowa.com>
Subject: Martinez 2140 Crowmwell Cir Davenport

Hi Laura,

I hope this finds you well. My husband plans on being at the city council meeting tomorrow however, I was told to voice some of our concerns to you.

We live directly behind the corn field and with trees we planted 4 years ago are not nearly as large enough to provide much privacy for our back yard. We do have young girls and a pool. Two big concerns would be whatever tall building that is built especially residential apartments overlooking right down into our back yard. The next area of concern is people cutting through our back yard. We lived in another house in Davenport and that's exactly what happened when they built an apartment that was connected to back yard and why we moved. There are other concerns we have but these two our our top priority. With our backyard really being the only one connected with direct access and view I'd really hope someone can understand why we are not happy about the development.

I'm m sure you are busy with more complaints and work and I do appreciate your time reading this email. Please feel free to contact me with any questions. My cell number is

VR,
Mia and Mark Martinez

Get Outlook for iOS

Werderitch, Matt

From:
Sent: Tuesday, November 1, 2022 3:59 PM
To: Planning
Cc: Brad Merritt
Subject: [EXT] Zoning meeting 11-1-22 concerns

Hello- My name is Brad Merritt and my wife and I have lived at 2130 Cromwell Circle for 20 years. We went to the 'friendly neighbor' meetings with the developer and I'd like to believe that our residents were heard and requested action items were put into place for the future construction. There seems to be a paranoia that things can 'change' even after all the meetings for a host of reasons and I'm hoping that all these proceedings and follow through will be legitimated ultra responsible. We are proud of our Davenport community and don't want to become jaded with our process of transparency and responsible and wise building. We understand that there is a need to develop this corridor and we just want complete assurance that certain things are not going to happen:
1-just North of Cromwell on the pie-shaped parcel we have been repeatedly told that area will not have apartments or high density buildings nor will there be construction taller than a normal 2-story building..including garages.
2-If apartments are necessary out here it appears as though as far west and north would seem prudent…. Probably even into parcel west of Eastern for future dealings where there aren't pre existing homes.
3-Lighting is always a concern with new development but maybe even more vital is that all buildings have a very low noise emittance …exhausts/air systems, etc. Ex. The Kahl Home is very very loud and unreasonable even though it may somehow fall within guidelines it is a nuisance for residential.

Thank you and I hope that we can all grow well and wisely together, Brad Merritt, DC

Werderitch, Matt

From:
Sent: Tuesday, November 1, 2022 3:42 PM
To: Planning
Subject: [EXT] FW: Zoning meeting

Importance: High

Categories: Green Category

Forwarding to this department as requested per email.

From:
Sent: Tuesday, November 1, 2022 3:29 PM
To: Laura.Berkley@davenportiowa.com
Subject: Zoning meeting
Importance: High

Laura,

We are strongly opposed to rezoning land west of Jersey Ridge and north of Veterans Memorial Parkway. Under no conditions do we want a strip mall and multi-family residences that close to our residence. This will only bring in crime and high traffic. Veterans Memorial is busy enough already. We paid a premium to be in the Jersey Farms Neighborhood to get away from crime; please do not bring it to us by rezoning this land. There are all kinds of "for rent" signs around the QC for housing as well as empty business spaces. We do not need or want multiple curb cuts for a strip mall and apartments on Veterans Memorial Parkway. Traffic will be at a crawl on Jersey Ridge and Eastern and we will not be able to get out of our addition. Even now it is sometimes difficult to get out of Jersey Farms. We do not want our property devalued; that would hurt us but also the city as you would get less tax dollars from our addition.

NFM

Werderitch, Matt

From: Berkley, Laura
Sent: Wednesday, November 2, 2022 10:45 AM
To: Koops, Scott E.; Werderitch, Matt
Subject: Fw: [EXT] Good Neighbor Meeting Tuesday November 1

From:
Sent: Monday, October 31, 2022 7:11:30 PM
To: Berkley, Laura
Cc: Jobgen, Ben
Subject: [EXT] Good Neighbor Meeting Tuesday November 1

Greetings Ms. Berkley,

My name is Scott Scherbroeck and I have lived in northern Davenport for the last 31 years. Almost all of that 31 years my residence was at the corner of 61st Street and Utica Ridge Road. I moved to 61st Street in August 1991 before all the development along 53 Street, Elmore Avenue and Veterans Memorial. I am currently building a new home in the Forest Roads Estate subdivision of north Davenport.

Two of the three aforementioned developments I would qualify as a traffic disaster. The third now appears to be headed for the same fate as the other two. Since the initial completion of 53rd Street this street always seems to have a large section under repair or modification.which creates major traffic complications every construction season. Elmore with all the store entrances and exits is at worst an accident waiting to happen (or actually happening), and at its best is frequently a chaotic traffic jam.

Veterans Memorial took a long time to complete and closed down my favorite passage between Utica Ridge and Jersey Ridge - 67th Street. Once Veterans Memorial opened it became my favorite passage to avoid 53rd Street for east/west travel in north Davenport. Now it appears new development is going to complicate travel along Veterans Memorial and probably transition it into another 53rd Street or Elmore Street..

I have seen an early proposed plan for the development of land between Jersey Ridge and Eastern to the east and west and Veterans Memorial. I urge you to carefully consider the number of exits and entrances you allow traffic directly to enter Veterans Memorial, otherwise my preferred east/wester route for north Davenport may have to become I-80. I have never understood why Davenport doesn't utilize frontage roads as many other cities do to facilitate smoother and safer traffic flow to main thoroughfares.

Please don't allow the upcoming development along Veterans Memorial to generate another 53rd street or Elmore Street traffic quagmire. I am hoping the current Davenport city officials can learn from their predecessor's mistakes.

Scott Scherbroeck

From: David Samuelson <dsamuelson@outlook.com>
Sent: Wednesday, October 19, 2022 2:07 PM
To: Berkley, Laura <Laura.Berkley@davenportiowa.com>
Cc: Lee, Judith <Judith.Lee@davenportiowa.com>
Subject: Re: [EXT] Development of the Mike/Linda Duffy land

Dear Ms Berkeley. We live at 2159 Cromwell Circle in Davenport and have some concerns about the proposed Duffey development. According to the diagram, I see there are signal family homes proposed next to the large houses on Jersey Ridge Road north of VMP however you have commercial planned south of VMP next to the homes on Cromwell Circle. I believe the commercial should be north of VMP and single family homes south of VMP adjoining the homes on Cromwell Circle the same way you are recommending to the north. Both areas have expensive homes. Secondarily, currently the traffic on VMP moves at a good pace and it is a great way to get across town. Please put in frontage roads north and south of VMP to avoid curb cuts and turn lanes which will slow down and disrupt the traffic flow. We believe a roundabout at eastern and VMP would be a good idea. We use this road daily and would not like to see the flow disrupted by curb cuts. Thanks for your help. Dave and Ginny Samuelson

Werderitch, Matt

From: Berkley, Laura
Sent: Wednesday, October 19, 2022 3:06 PM
To: Werderitch, Matt
Subject: FW: [EXT] Development of the Mike/Linda Duffy land

FYI – can you please save these comments in the project folder?

LAURA BERKLEY, CFM
Development & Planning Administrator | Development & Neighborhood Services
City of Davenport

O 563-888-3553
1200 E 46th St, Davenport, IA 52807

Davenportiowa.com

From: David Samuelson <dsamuelson@outlook.com>
Sent: Wednesday, October 19, 2022 2:07 PM
To: Berkley, Laura <Laura.Berkley@davenportiowa.com>
Cc: Lee, Judith <Judith.Lee@davenportiowa.com>
Subject: Re: [EXT] Development of the Mike/Linda Duffy land

Dear Ms Berkeley. We live at 2159 Cromwell Circle in Davenport and have some concerns about the proposed Duffey development. According to the diagram, I see there are signal family homes proposed next to the large houses on Jersey Ridge Road north of VMP however you have commercial planned south of VMP next to the homes on Cromwell Circle. I believe the commercial should be north of VMP and single family homes south of VMP adjoining the homes on Cromwell Circle the same way you are recommending to the north. Both areas have expensive homes. Secondarily, currently the traffic on VMP moves at a good pace and it is a great way to get across town. Please put in frontage roads north and south of VMP to avoid curb cuts and turn lanes which will slow down and disrupt the traffic flow. We believe a roundabout at eastern and VMP would be a good idea. We use this road daily and would not like to see the flow disrupted by curb cuts. Thanks for your help. Dave and Ginny Samuelson

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From: jcbrooke@mchsi.com <jcbrooke@mchsi.com>
Sent: Tuesday, October 18, 2022 7:19:31 PM
To: Laura Berkley <Laura.Berkley@davenportiowa.com>
Cc: Judith Lee <judith.lee@davenportiowa.com>; Dave Samuelson <dsamuelson@outlook.com>
Subject: Re: [EXT] Development of the Mike/Linda Duffy land

Ms. Berkley,
Thanks for the revised exhibit.
It will take a bit before I can ask something intelligent. How long is the period of questioning? Or is this simply a courtesy and the die is cast?
Assuming questions can be asked that might have an impact on what is actually done in building this development, here are a couple of general inquiries.
1. Is it usual for a light commercial segment to be built next to established houses? I'm referring to the buildings proposed south of VMP which are drawn as sitting immediately to the north of an existing neighborhood.

2. What is the actual number of apartments proposed and the estimated number of people housed in the apartments? Same question for the townhouses.
3. Are there any proposed buffering efforts to this development - for sound, sight and traffic?
4. Does it matter, in any way, that VMP at the site of the development is like a motordome, with the 45mph 4 lane road falling down from Eastern into a considerable stretch running between two long hills until the fun begins at the roundabout at Jersey Ridge, all of which tends to encourage acceleration and bouncy amplification of the noises from vehicles passing through?
5. Are there recommended setbacks for such a development from existing "things' such as the interstate and VMP and the property on which houses sit?
6. Are there considerations for egress and ingress? Is there ever a need to build frontal roads.
Thanks again.
John Brooke

----- Original Message -----
From: "Laura Berkley" <Laura.Berkley@davenportiowa.com>
To: "John Brooke" <jcbrooke@mchsi.com>
Cc: "Judith Lee" <Judith.Lee@davenportiowa.com>, "Aaron Dunlop" <aaron_d_dunlop@hotmail.com>
Sent: Monday, October 17, 2022 2:52:30 PM
Subject: RE: [EXT] Development of the Mike/Linda Duffy land

Mr. Brooke,

That is what has generally been conveyed at a conceptual level, but I wanted to make sure that you are aware that the density of the residential developments would need to follow the minimum standards within the zoning code. As of Friday afternoon, I have a completed application now. I have attached an exhibit provided in the application showing you how the request by zoning district.

There are a minimum/maximum dimensional standards for residential districts which can be found here: https://ecode360.com/35578471
Please note the following: R-1 lots are closer to 1/2 acre lots. The minimum lot size for R-4 is slightly more than 1/8 acres.

The dimensional standards for commercial districts can be found here: https://ecode360.com/35578572

In particular, I want to draw your attention the Zoning Use Matrix. This is a spreadsheet that tells use you uses are allowed in what districts. "P' means permitted and "S" means a special use permit from the Zoning Board of Adjustment is required: https://ecode360.com/attachment/DA4058/DA4058-017a%20Use%20Matrix%20Table.pdf Unless further restricted with the rezoning, the uses shown in the matrix would be permitted to develop.

LAURA BERKLEY, CFM
Development & Planning Administrator | Development & Neighborhood Services
City of Davenport

O 563-888-3553
1200 E 46th St, Davenport, IA 52807

Davenportiowa.com

-----Original Message-----
From: jcbrooke@mchsi.com <jcbrooke@mchsi.com>
Sent: Sunday, October 16, 2022 1:51 PM
To: Berkley, Laura <Laura.Berkley@davenportiowa.com>
Cc: Lee, Judith <Judith.Lee@davenportiowa.com>; Aaron Dunlop <aaron_d_dunlop@hotmail.com>
Subject: Re: [EXT] Development of the Mike/Linda Duffy land

Ms. Berkley,

Thanks again for sending the power point presentation.
It is difficult to know what is being planned at this point in the process, but if the drawings are a reasonable indication, the Duffy project looks to result in the following on the north side of Veteran's Memorial Parkway:
1. 30 houses on 1/4 acre lots
2. 50 houses on 1/8 acre lots
3. 100 town homes, town houses and duplexes 4. 150 x 4 levels = 600 multiple family living spaces.

On the south of VMP, which buts up to the houses in Cromwell Circle, are 1. A gas station 2. A coffee shop 3. A retail space strip for multiple businesses and parking for 50 4. 12 offices with parking.

Is that a fair expectation of what the Duffy project will turn out to be?
John Brooke

----- Original Message -----
From: "Laura Berkley" <Laura.Berkley@davenportiowa.com>
To: "John Brooke" <jcbrooke@mchsi.com>, "Judith Lee" <Judith.Lee@davenportiowa.com>
Cc: "Aaron Dunlop" <aaron_d_dunlop@hotmail.com>
Sent: Wednesday, October 12, 2022 1:42:51 PM
Subject: RE: [EXT] Development of the Mike/Linda Duffy land

Mr. Brooke,

The developer held one meeting on May 10, 2022 without city staff or elected officials present. From my understanding, addresses within 200 feet of the rezoning request were invited to the meeting, which is what is required by city ordinance. Another meeting was held on June 9, 2022 at 5:30pm at the Eastern Avenue Branch of the Davenport Library with City Staff and elected officials present. For this meeting, staff elected to expand the notice area to properties within 800 feet of the proposed rezoning. I do have you on the second mailing list, so I am not sure why you did not receive the mailing.

I have attached the presentation the developer gave at the meeting. The contact information for the developer and the engineering consultant can be found on the last slide. There is still plenty of time in the process to submit comments as the official process is just about to start.

Please let me know if you have any additional comments.

Sincerely,

LAURA BERKLEY, CFM
Development & Planning Administrator | Development & Neighborhood Services City of Davenport

O 563-888-3553
1200 E 46th St, Davenport, IA 52807

Davenportiowa.com

-----Original Message-----
From: jcbrooke@mchsi.com <jcbrooke@mchsi.com>
Sent: Wednesday, October 12, 2022 10:42 AM
To: Berkley, Laura <Laura.Berkley@davenportiowa.com>; Lee, Judith <Judith.Lee@davenportiowa.com>
Cc: Aaron Dunlop <aaron_d_dunlop@hotmail.com>
Subject: Re: [EXT] Development of the Mike/Linda Duffy land

Thank you Ms. Lee for arranging the response from Ms. Berkley.

There was a mention of "what has been presented at neighborhood meetings," of which I was unaware.
Were these meetings actually held, and if so , when and where, who was invited, and who presented?
Finally, it is possible to obtain the information that was presented?

Thanks again, and my apologies if I am asking for information that has already been presented.

John Brooke
2229 Cromwell Cir, 52807

----- Original Message -----
From: "Berkley, Laura" <Laura.Berkley@davenportiowa.com>
To: "Judith Lee" <Judith.Lee@davenportiowa.com>, "John Brooke" <jcbrooke@mchsi.com>
Cc: "Gripp, Kyle" <Kyle.Gripp@davenportiowa.com>, "Oswald, Richard" <Richard.Oswald@davenportiowa.com>, "Thorndike, Tiffany" <Tiffany.Thorndike@davenportiowa.com>, "Spiegel, Corri" <Corri.Spiegel@davenportiowa.com>
Sent: Wednesday, October 12, 2022 8:20:32 AM
Subject: RE: [EXT] Development of the Mike/Linda Duffy land

Ald. Lee,

We just received a formal application for the rezoning late last week, although we are still waiting on the payment of the fee, so it is not considered a complete application at this time. The request is pretty close to what has been presented at the neighborhood meetings - low density, single-family east of Pheasant Creek, with R-4 (similar to Prairie Heights) and R-MF (townhouses and apartments) on the remaining land north of Veterans Memorial Parkway. The request is still for C-2 Commercial Corridor to the south of Veterans Memorial Parkway.

Pending payment, the public hearing before the Plan & Zoning Commission is tentatively scheduled for November 1st. Letters to properties owners will be sent out early next week with more information, again, pending a complete application.

LAURA BERKLEY, CFM
Development & Planning Administrator | Development & Neighborhood Services City of Davenport

O 563-888-3553
1200 E 46th St, Davenport, IA 52807

Davenportiowa.com

-----Original Message-----
From: Lee, Judith <Judith.Lee@davenportiowa.com>
Sent: Tuesday, October 11, 2022 7:39 PM
To: jcbrooke@mchsi.com; Berkley, Laura <Laura.Berkley@davenportiowa.com>
Subject: Re: [EXT] Development of the Mike/Linda Duffy land

Laura,

Can you give me and John an update on the status of development of the Duffy Land?

Thank you!

Judith

Judith Lee
8th Ward Alderwoman
563 349 4214
Sent from my iPhone

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **1/11/2023**

Subject:
Second Consideration: Ordinance for Case ROW22-05 being the request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Research Parkway and to the west of Interstate 80 Airport Industrial Park 12th Addition. [Ward 8]

Recommendation:
Adopt the Ordinance.

Background:
The purpose of the of the right-of-way vacation is to better facilitate development of property south of Research Parkway. The right-of-way is currently unimproved. Upon vacation, the city will immediately dedicate new right-of-way in a configuration that will better enable access to the lots south of Research Parkway while providing sufficient area for roadway improvements.

The Plan and Zoning Commission reviewed Case ROW22-05 at its November 15, 2022 meeting and have recommended approval subject to the following findings and condition:

Findings:

1. There is an excess of public right-of-way not required for city purposes.
2. Newly dedicated right-of-way will provide access to the lots south of Research Parkway.

Condition:

1. Upon vacation, the city shall immediately dedicate new right-of-way in a configuration that will better enable access to the lots south of Research Parkway while providing sufficient area for roadway improvements.

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Abutting Future Land Use Designation: Industry in the Davenport +2035 Land Use Plan.
Abutting Zoning: I-1 Light Industrial District.

Technical Review:

- Streets: Upon vacation, the City can dedicate new public right-of-way to better facilitate development of the lots south of Research Parkway.
- Natural Resources/Storm Water: No issues with the proposed vacation.
- Sanitary Sewer: There is no existing infrastructure within the proposed right-of-way vacation.
- MidAmerican Energy Company: No issues with the proposed vacation.
- Iowa American Water Company: No issues with the proposed vacation. Depending on the development of the site, a utility easement may be required.

- Lumen: No issues with the proposed vacation.
- Mediacom: No objection.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the November 1, 2022 Plan and Zoning Commission Public Hearing.

To date, staff have not received any responses from adjacent property owners.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	ROW Vacation Plat
🗋	Backup Material	Draft New ROW Dedication
🗋	Backup Material	Zoning & Future Land Use Map
🗋	Backup Material	Application
🗋	Backup Material	Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	11/30/2022 - 12:15 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW22-05 BEING THE REQUEST OF CORN BELT CAPITAL, LLC TO VACATE UNIMPROVED RIGHT-OF-WAY LOCATED SOUTH OF RESEARCH PARKWAY AND TO THE WEST OF INTERSTATE 80 AIRPORT INDUSTRIAL PARK 12TH ADDITION.

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

Section 1. The following described units of Scott County, Iowa real estate are hereby vacated (abandoned). The property has the following legal description:

Part of Section 33, Township 79 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows:

Beginning at the southwest corner of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition; Thence North 88°37'49" East, along the south line of said Lot 2, said line also being the north right of way line of 83rd Street, a distance of 471.80 feet; Thence along a curve concave to the northwest, with a radius of 278.33 feet, and arc length of 442.75 feet, and a central angle of 91°08'35" to the westerly right of way line of Hillandale Road, said line also being the easterly line of Lot 1 in said Interstate 80 Industrial Park 8th Addition; Thence continuing along said westerly right of way line, South 87°29'14" West, a distance of 10.00 feet; Thence continuing along said westerly right of way line, North 02°30'46" West, a distance of 272.66 feet; Thence along a curve concave to the southwest, with a radius of 25.00 feet, an arc length of 31.65 feet, and a central angle of 72°32'37", to the southerly right of way line of Research Parkway; Thence along a southeasterly extension of said southerly right of way line, on a curve concave northerly, having a radius of 1445.00 feet, an arc length of 121.71 feet, and a central angle of 04°49'33", to the northwest corner of Lot 1 of Interstate 8- Airport Industrial Park 12th Addition and the easterly right of way line of Hillandale Road; Thence South 02°30'46" East, along the west line of said Lot 1 and said easterly right of way line, a distance of 590.52 feet; Thence continuing along said easterly right of way line, South 02°03'07" East, a distance of 40.15 feet to the south right of way line of 83rd Street; Thence South 88°37'49" West, along said south right of way line, a distance of 841.95 feet to the east line of Lot 2 of Love's First Addition; Thence North 05°00'24" West, along said east line, a distance of 80.16 feet to the Point of Beginning.

The above described parcel contains 3.18 acres, more or less.

For the purpose of this legal description, the south line of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition has an observed bearing of North 88°37'49" East.

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 _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

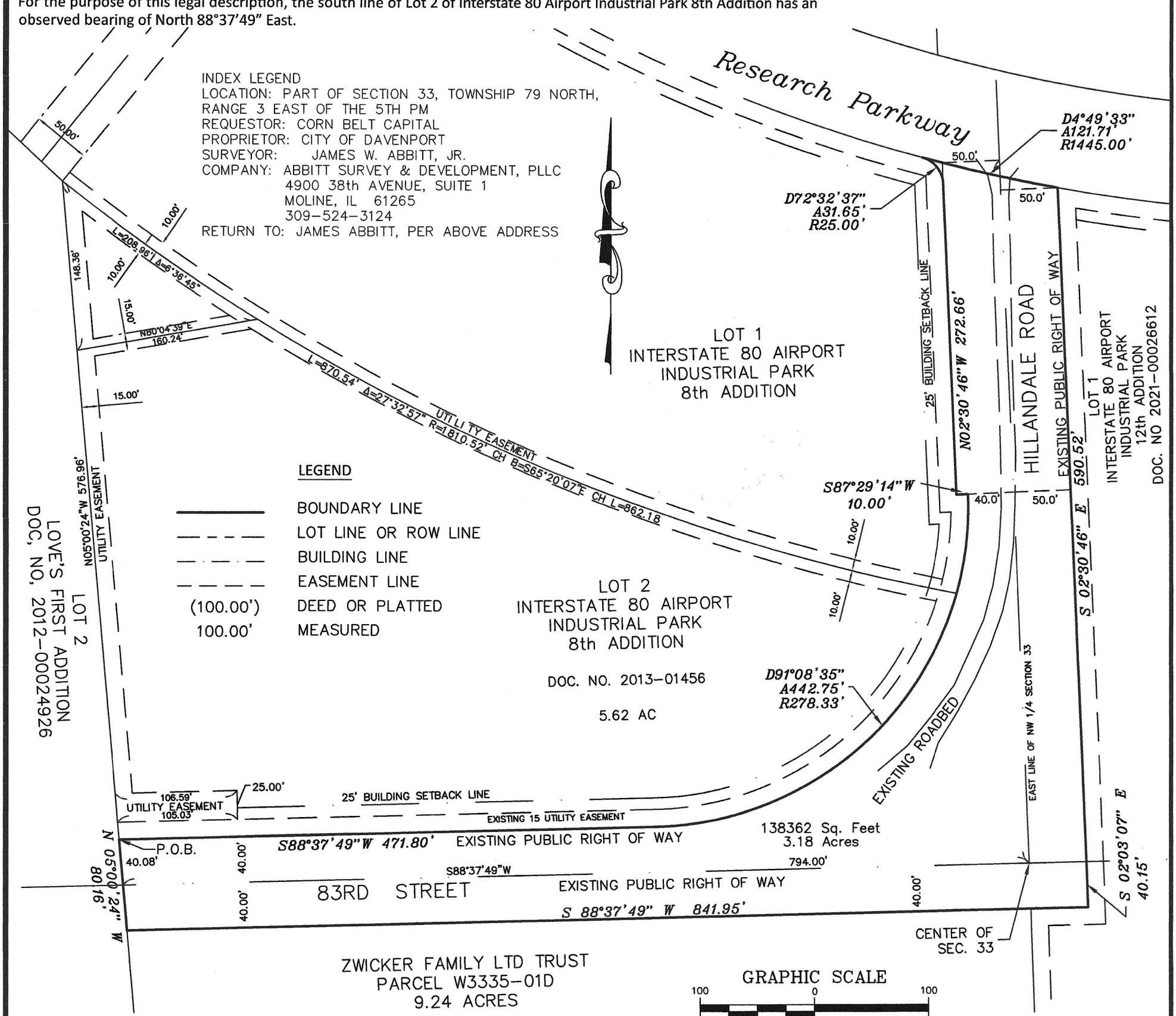
Mike Matson
Mayor

Brian Krup
Deputy City Clerk

RIGHT OF WAY VACATION

PART OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA

Legal Description: Hillandale Road and 83rd Street Right of Way Vacation
Part of Section 33, Township 79 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows:
Beginning at the southwest corner of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition;
Thence North 88°37'49" East, along the south line of said Lot 2, said line also being the north right of way line of 83rd Street, a distance of 471.80 feet;
Thence along a curve concave to the northwest, with a radius of 278.33 feet, and arc length of 442.75 feet, and a central angle of 91°08'35" to the westerly right of way line of Hillandale Road, said line also being the easterly line of Lot 1 in said Interstate 80 Industrial Park 8th Addition;
Thence continuing along said westerly right of way line, South 87°29'14" West, a distance of 10.00 feet;
Thence continuing along said westerly right of way line, North 02°30'46" West, a distance of 272.66 feet;
Thence along a curve concave to the southwest, with a radius of 25.00 feet, an arc length of 31.65 feet, and a central angle of 72°32'37", to the southerly right of way line of Research Parkway;
Thence along a southeasterly extension of said southerly right of way line, on a curve concave northerly, having a radius of 1445.00 feet, an arc length of 121.71 feet, and a central angle of 04°49'33", to the northwest corner of Lot 1 of Interstate 8- Airport Industrial Park 12th Addition and the easterly right of way line of Hillandale Road;
Thence South 02°30'46" East, along the west line of said Lot 1 and said easterly right of way line, a distance of 590.52 feet;
Thence continuing along said easterly right of way line, South 02°03'07" East, a distance of 40.15 feet to the south right of way line of 83rd Street;
Thence South 88°37'49" West, along said south right of way line, a distance of 841.95 feet to the east line of Lot 2 of Love's First Addition;
Thence North 05°00'24" West, along said east line, a distance of 80.16 feet to the Point of Beginning.
The above described parcel contains 3.18 acres, more or less.
For the purpose of this legal description, the south line of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition has an observed bearing of North 88°37'49" East.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY BE OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JAMES W. ABBITT, JR. IPLS NO. 18465

DATE: 10-18-22

MY LICENSE EXPIRES DECEMBER 31, 2022

LICENSED LAND SURVEYOR
JAMES W. ABBITT JR.
18465
IOWA

Abbitt Survey & Development, PLLC
ABBITT SURVEY & DEVELOPMENT, PLLC.
4900 38TH AVE. SUITE 1
MOLINE, ILLINOIS 61265
PH. 309-524-3124

DATE: 10-17-2022	SCALE: 1" = 100'	DRAWN BY: SEM	CHECKED BY: JWA

PREPARED FOR: CORN BELT CAPITAL
ATTN: RYAN HINTZE
2505 FAIRWAY COURT
BETTENDORF, IA 52722

PAGE: 1 OF 1

Job No.: 22-222-IADA-B-CORN BELT

DRAWING TITLE: RIGHT OF WAY VACATION

RIGHT - OF - WAY DEDICATION

PART OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA

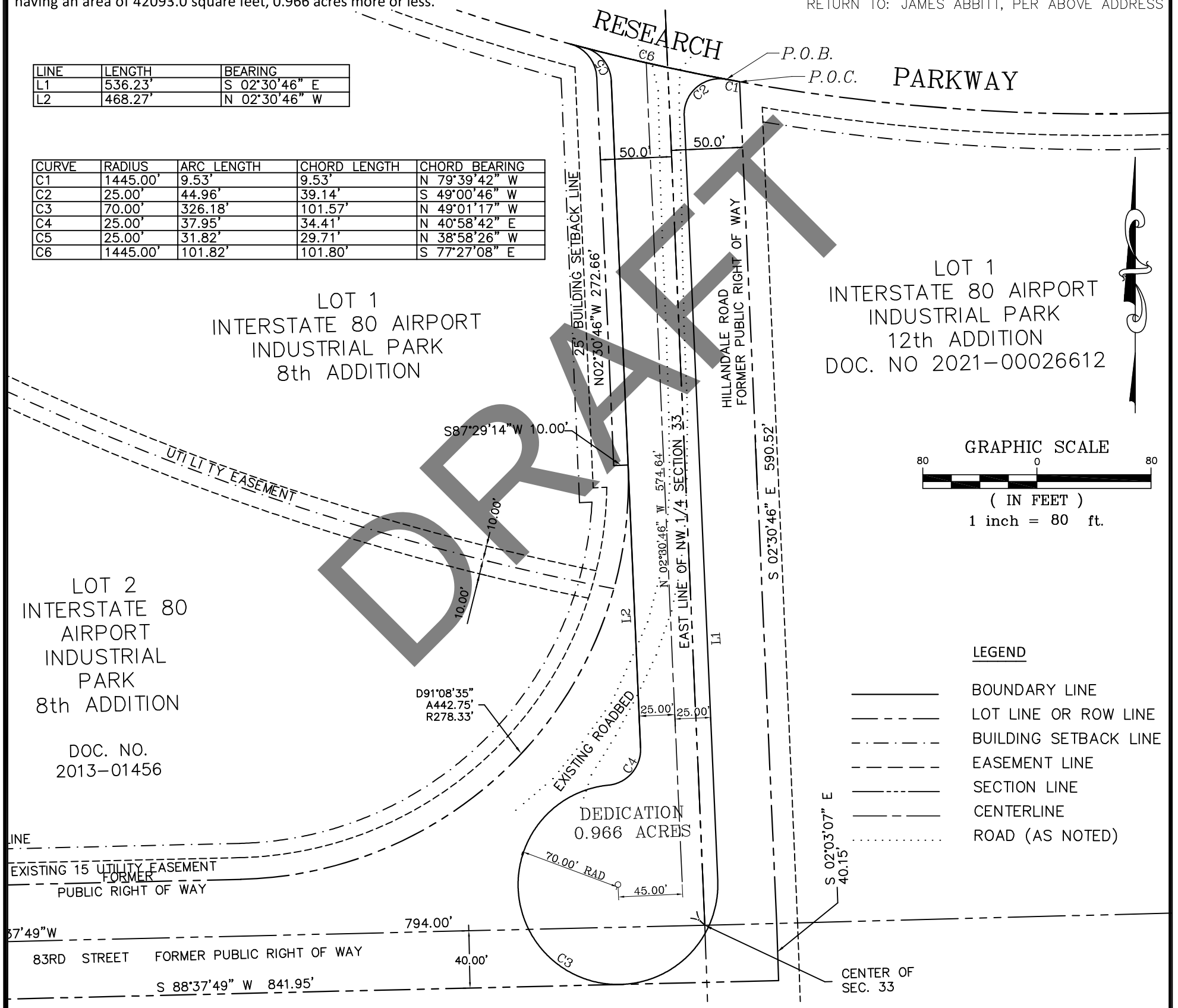
Legal Description: Dedicating a former part of Hillandale Road and 83rd Street Right-of-Way
Part of Section 33, Township 79 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows:

COMMENCING at the northwest corner of Lot 1 of Interstate 80 Airport Industrial Park 12th Addition on the south right-of-way line for Research Parkway;
thence with a curve turning to the right along said south right-of-way, with an arc length of 9.53', with a radius of 1445.00', with a chord bearing of N 79°39'42" W, with a chord length of 9.53', which is the POINT OF BEGINNING;
thence a curve turning to the left with an arc length of 44.96', with a radius of 25.00', with a chord bearing of S 49°00'46" W, with a chord length of 39.14' ;
thence S 02°30'46" E a distance of 536.23' along west line of Lot 1 of Interstate 80 Airport Industrial Park 12th Addition;
thence with a curve turning to the right with an arc length of 326.18', with a radius of 70.00', with a chord bearing of N 49°01'17" W, with a chord length of 101.57';
thence with a reverse curve turning to the left with an arc length of 37.95', with a radius of 25.00', with a chord bearing of N 40°58'42" E, with a chord length of 34.41';
thence N 02°30'46" W a distance of 468.27' along the east property line of Lot 1 Interstate 80 Airport Industrial Park 8th addition;
thence with a curve turning to the left with an arc length of 31.82', with a radius of 25.00', with a chord bearing of N 38°58'26" W, with a chord length of 29.71' to the south right-of-way line for Research Parkway;
thence with a curve turning to the left along said south right-of-way, with an arc length of 101.82', with a radius of 1445.00', with a chord bearing of S 77°27'08" E, with a chord length of 101.80', which is the POINT OF BEGINNING;
having an area of 42093.0 square feet, 0.966 acres more or less.

INDEX LEGEND
LOCATION: PART OF SECTION 33, TOWNSHIP 79 NORTH,
RANGE 3 EAST OF THE 5TH PM
REQUESTOR: CORN BELT CAPITAL
PROPRIETOR: CITY OF DAVENPORT
SURVEYOR: JAMES W. ABBITT, JR.
COMPANY: ABBITT SURVEY & DEVELOPMENT, PLLC
4900 38th AVENUE, SUITE 1
MOLINE, IL 61265
309-524-3124
RETURN TO: JAMES ABBITT, PER ABOVE ADDRESS

LINE	LENGTH	BEARING
L1	536.23'	S 02°30'46" E
L2	468.27'	N 02°30'46" W

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1445.00'	9.53'	9.53'	N 79°39'42" W
C2	25.00'	44.96'	39.14'	S 49°00'46" W
C3	70.00'	326.18'	101.57'	N 49°01'17" W
C4	25.00'	37.95'	34.41'	N 40°58'42" E
C5	25.00'	31.82'	29.71'	N 38°58'26" W
C6	1445.00'	101.82'	101.80'	S 77°27'08" E



DRAFT

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY BE OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

LICENSED LAND SURVEYOR
JAMES W. ABBITT JR.
18465
IOWA

JAMES W. ABBITT, JR. IPLS NO. 18465

DATE: _____

MY LICENSE EXPIRES DECEMBER 31, 2022

Abbitt Survey & Development, PLLC
ABBITT SURVEY & DEVELOPMENT, PLLC.
4900 38TH AVE. SUITE 1
MOLINE, ILLINOIS 61265
PH. 309-524-3124

DATE: 11-01-2022	SCALE: 1" = 80'	DRAWN BY: JADB	CHECKED BY: JWA

PREPARED FOR: CORN BELT CAPITAL
ATTN: RYAN HINTZE
2505 FAIRWAY COURT
BETTENDORF, IA 52722

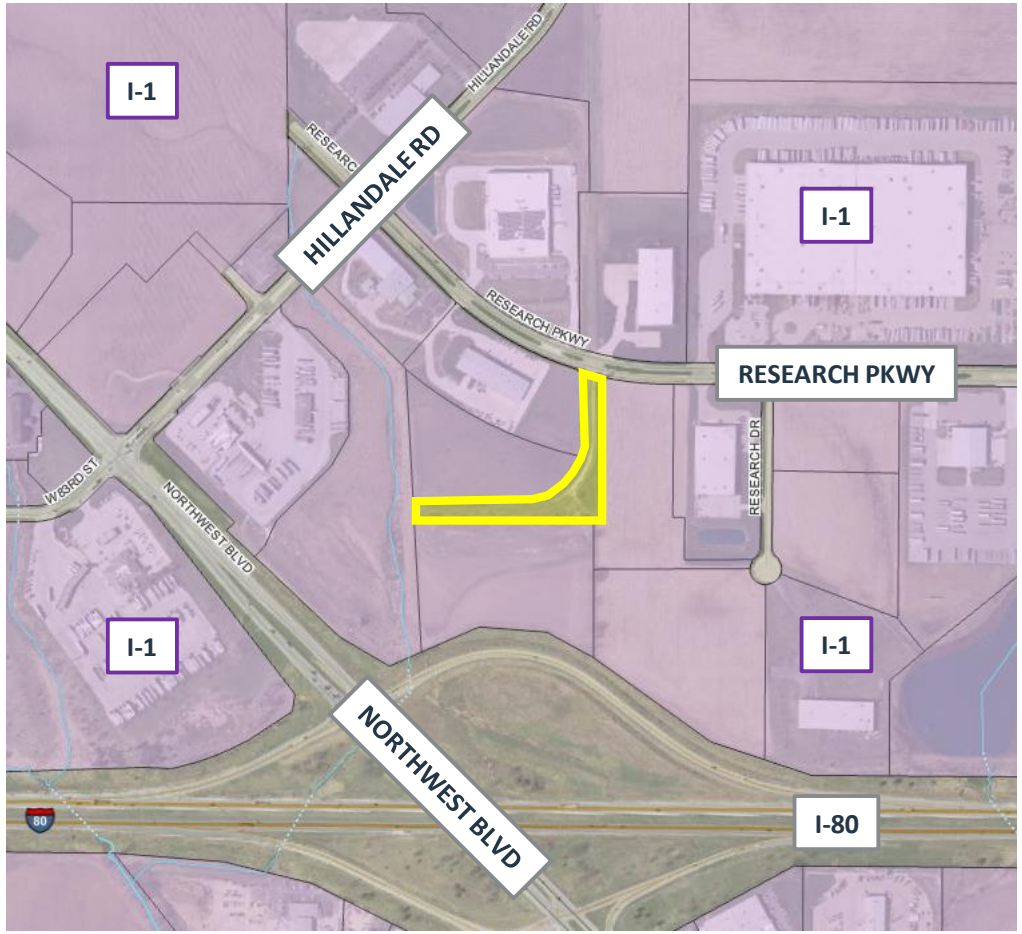
PAGE: 1 OF 1

Job No.: 22-222-IADA-B-CORN BELT

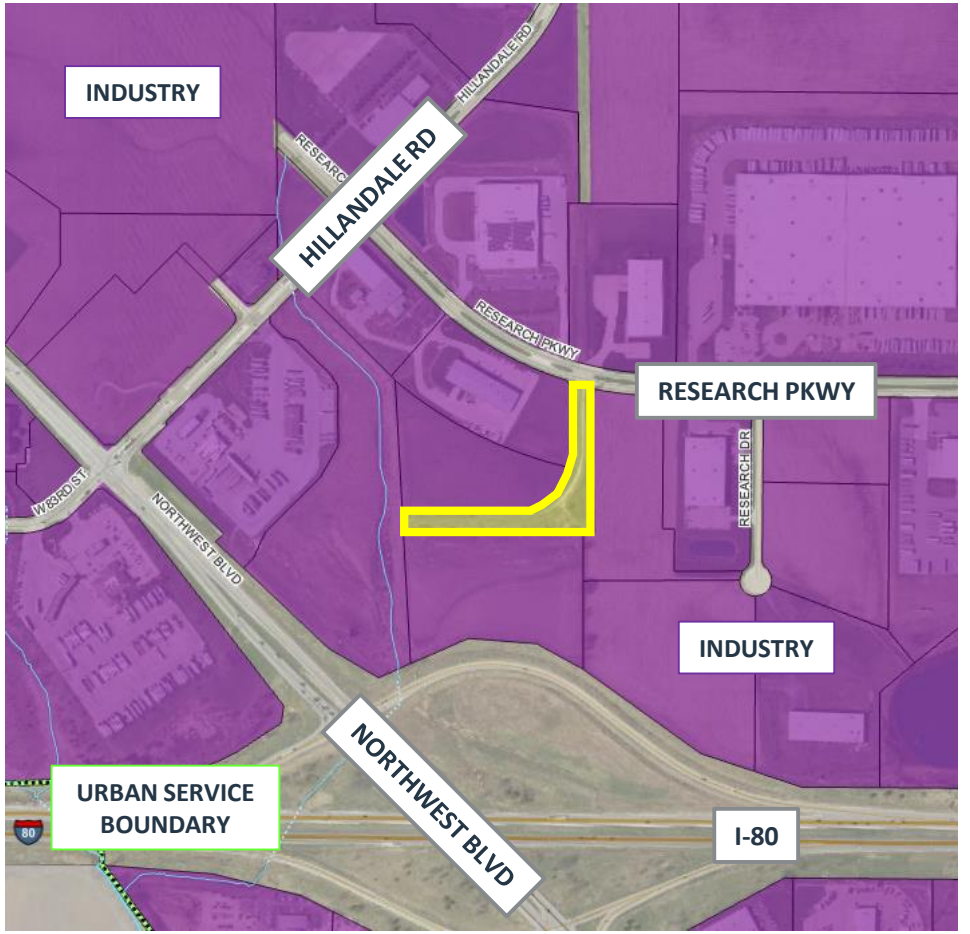
DRAWING TITLE: RIGHT-OF -WAY DEDICATION

Right-of-Way Vacation

DAVENPORT
IOWA | USA



Zoning Map



Future Land Use Map

Complete application can be emailed to planning@davenportiowa.com

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

Applicant (Primary Contact)
Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Owner (if different from Applicant)
Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Engineer (if applicable)
Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Architect (if applicable)
Name:
Company
Address:
City/State/Zip:
Phone:
Email:

Attorney (if applicable)
Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

Application Form Type:

Plan and Zoning Commission
Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation
Voluntary Annexation

Zoning Board of Adjustment
Zoning Appeal
Special Use
Hardship Variance

Design Review Board
Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of East Davenport

Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative
Administrative Exception
Health Services and Congregate Living Permit

Request:

Total Land Area:

Submittal Requirements:

- The completed application form.
- Required fee: $400.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

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

(2) Public Notice for the Plan and Zoning Commission public hearing:
- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(4) City Council's consideration of the right-of-way or easement vacation:
- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: Date:

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

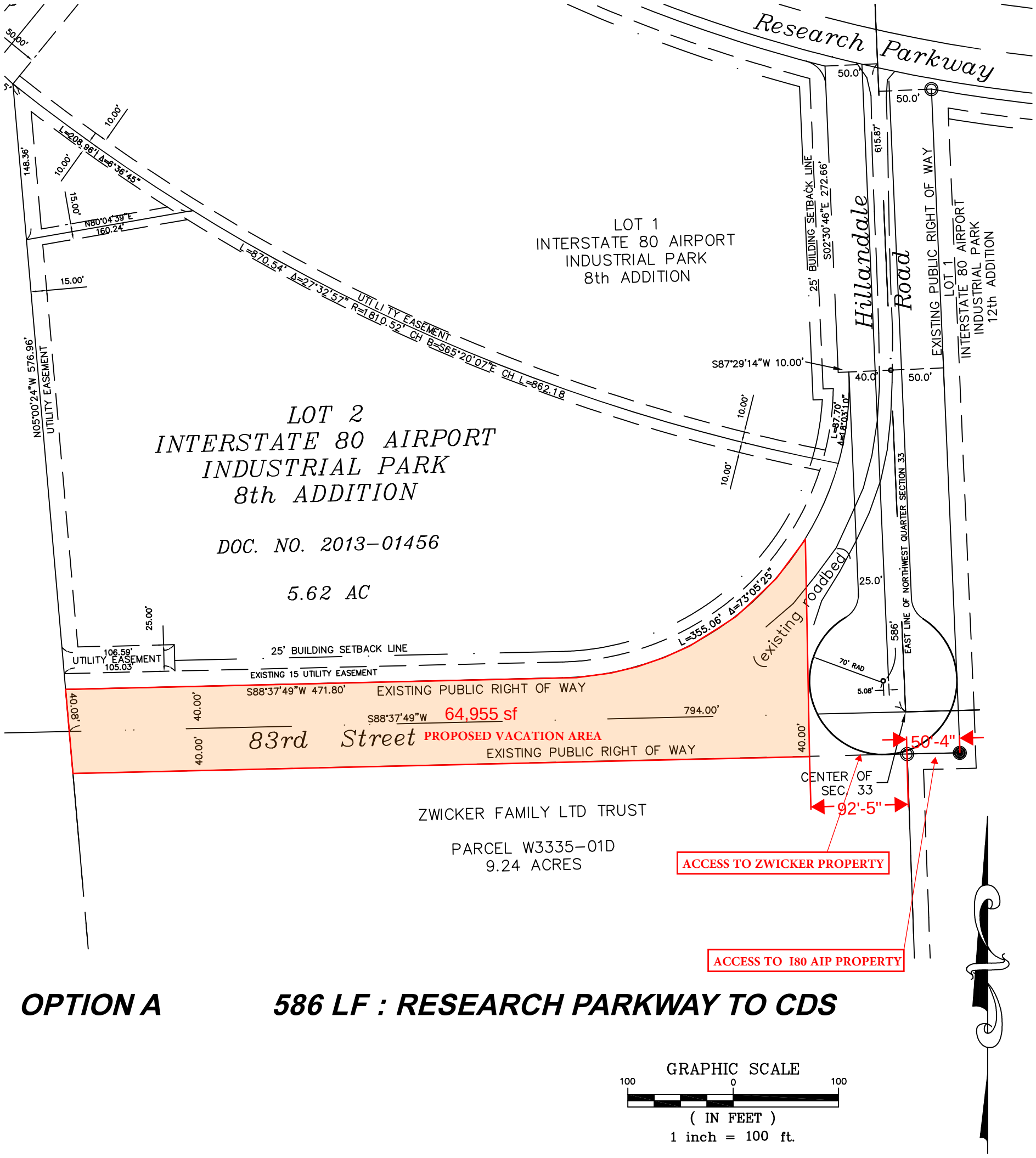
Received by: Date:

Planning staff

Date of the Public Hearing:

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

RIGHT OF WAY VACATION AND REALIGNMENT OF HILLANDALE RD. & 83rd ST.



OPTION A *586 LF : RESEARCH PARKWAY TO CDS*

GRAPHIC SCALE

100 0 100

(IN FEET)

1 inch = 100 ft.

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY BE OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

LICENSED LAND SURVEYOR
JAMES W. ABBITT JR.
18465
IOWA

JAMES W. ABBITT, JR. IPLS NO. 18465

DATE: _____

MY LICENSE EXPIRES DECEMBER 31, 2022

REVISIONS			
No.	DATE	DESCRIPTION	BY

Abbitt Survey & Development, PLLC

ABBITT SURVEY & DEVELOPMENT, PLLC.
4900 38TH AVE. SUITE 11
MOLINE, ILLINOIS 61265
PH. 309-524-3124

DATE: 8-29-22	SCALE: 1" =100'	DRAWN BY: JWA	CHECKED BY: JWA

PREPARED FOR: Corn Belt Capital
2505 FAIRWAY COURT
BETTENDORF, IA, 52722
Owner: Ryan Hintze

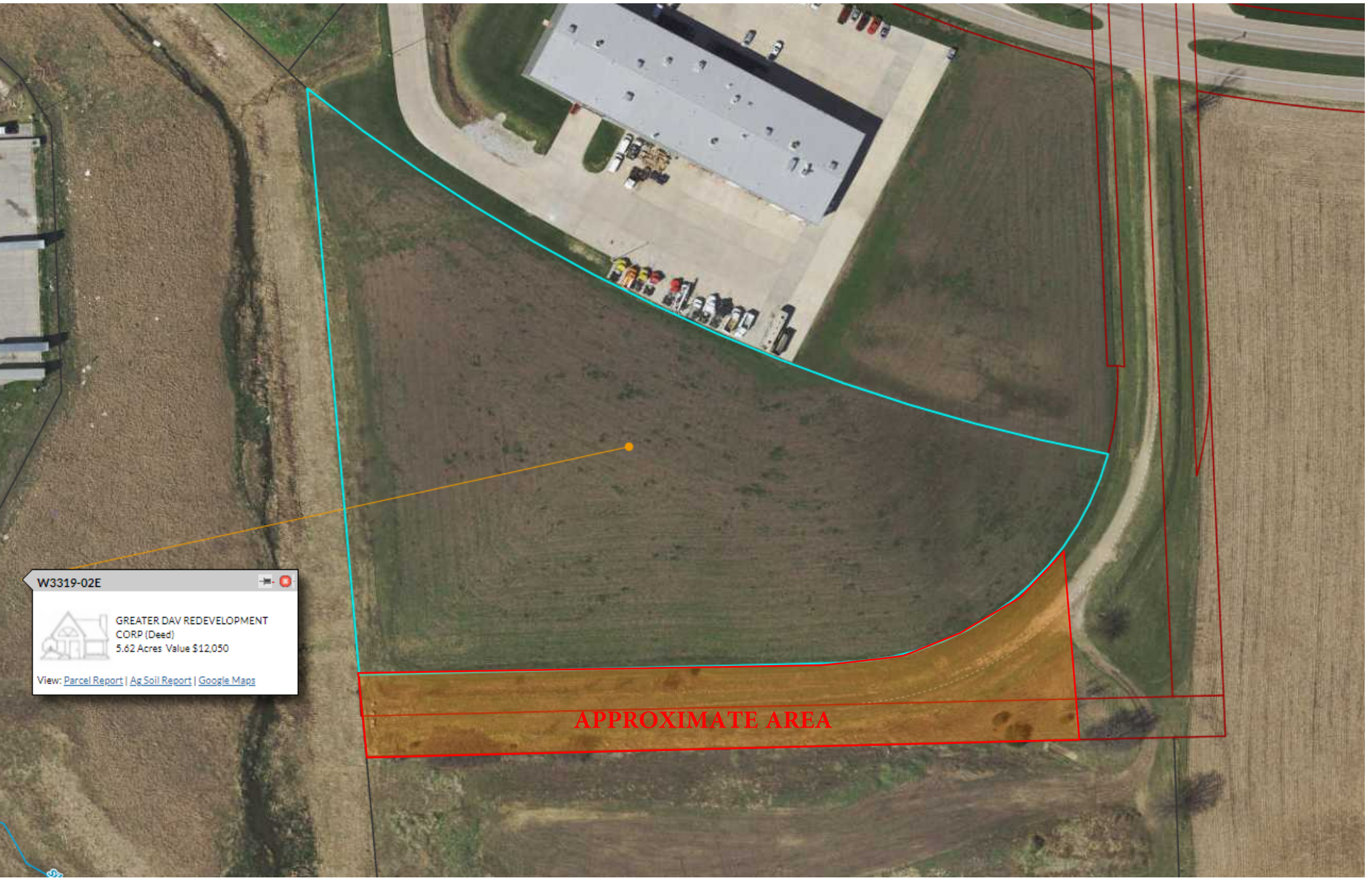
FIELD BOOK:
PAGE:

DRAWING No.: 22-222-IADA-B-CORN BELT

DRAWING TITLE: ROW EXHIBIT OPTION A

APPROXIMATE AREA

TRUCK PARTS & SERVICE
SADLER
APPROXIMATE AREA


W3319-02E
GREATER DAV REDEVELOPMENT CORP (Deed)
5.62 Acres Value $12,050
View: Parcel Report | Ag Soil Report | Google Maps
APPROXIMATE AREA

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 11/1/2022
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation

To: **All property owners within 200 feet of the subject public right-of-way located south of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition.**

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate public right-of-way located south of Research Parkway and west of Research Drive. The existing right-of-way is unimproved.

Request/Case Description
Case ROW22-05: Request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition. [Ward 8]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on November 1, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on November 15, 2022. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?
As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM one day before the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": http://www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Right-Of-Way Vacation | Public Hearing Notice

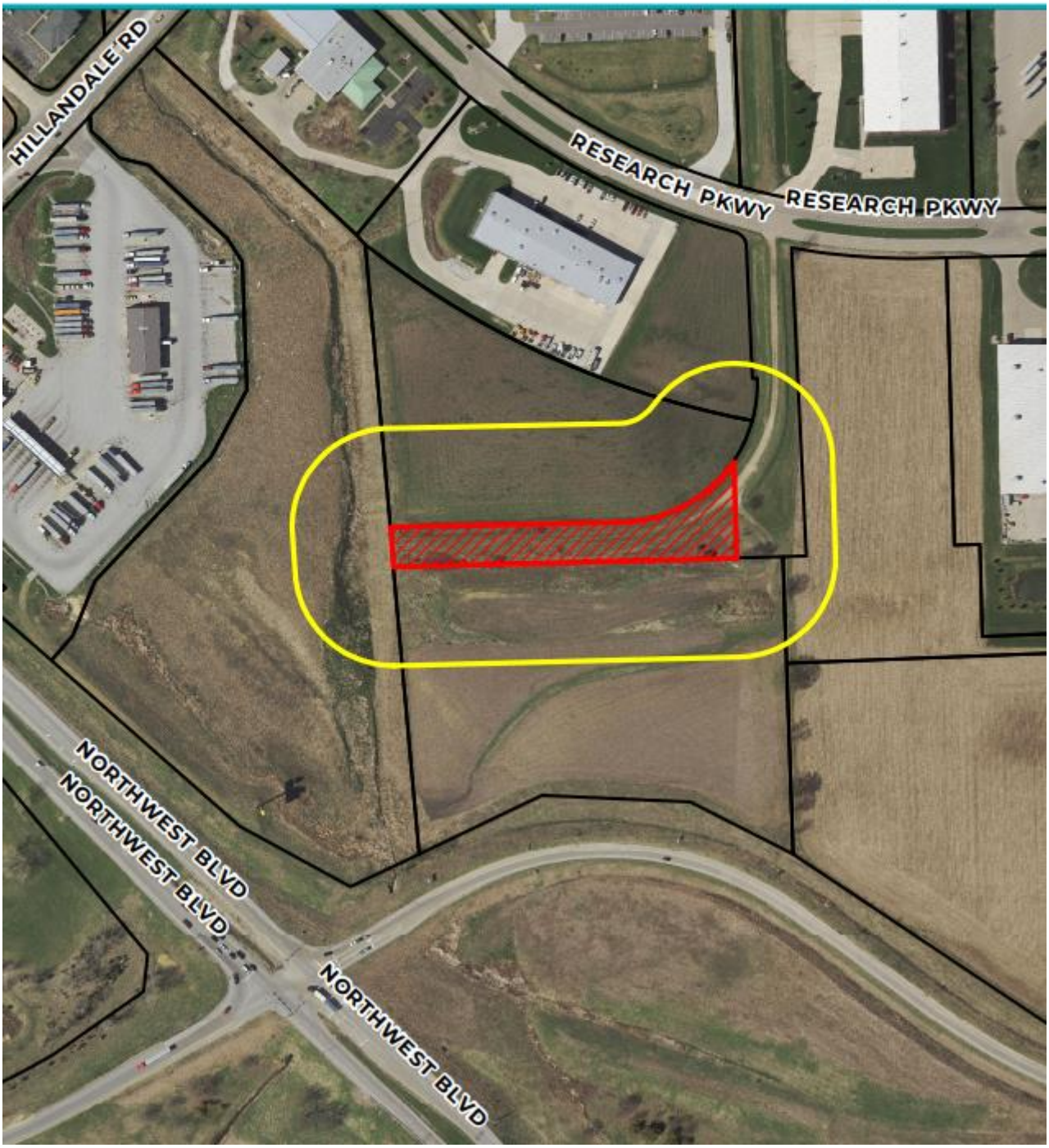
Case ROW22-05: Request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition. [Ward 8]

ROW Vacation

200' Notification Boundary

0 250 500

Feet



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | **563.326.6198**
E | contactus@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

Department: Public Safety
Contact Info: Gary Statz | 563-326-7754

Action / Date
1/11/2023

Subject:
First Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule V Four-Way Stop Intersections thereto by adding Lombard Street at Jebens Avenue. [Ward 4]

Recommendation:
Adopt the Ordinance.

Background:
Residents near the intersection of Lombard and Jebens have requested a four-way stop to help improve the intersection. Only Jebens (north-south) has stop signs now. There is a dip in the road on Lombard at the intersection with warning signs in advance of the dip. A four-way stop would help eliminate the impact of the dip because everyone would be stopping at the intersection. Both streets have about the same volume, which is preferable when all-way stop signs are installed. The Manual on Uniform Traffic Controls states that multi-way stop control could be used when it would improve the traffic operational characteristics of an intersection of two residential through streets of similar design and operating characteristics.
With adoption of this Ordinance, flashing stop signs on Lombard will be installed and left there for at least one year. There will also be warning signs on Lombard in advance of the intersection.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:28 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:28 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 1:31 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING SCHEDULE V FOUR-WAY STOP INTERSECTIONS THERETO BY ADDING LOMBARD STREET AT JEBENS AVENUE.

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

Section 1. That Schedule V Four-Way Stop Intersections of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

Lombard Street at Jebens Avenue

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 _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **1/11/2023**

Subject:
Resolution approving the Final Development Plan for Case FDP22-01 being the request of SCI Iowa Funeral Services Inc to establish a Planned Unit Development at 1200 East 39th Street to grant an exception to allow for a reception facility under the S-OS Open Space District. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
City Council approved the preliminary plan at its September 28, 2022 meeting. The applicant has submitted a final plan for a planned unit development, which provides public benefits in exchange for permission to operate the existing building as a reception facility.

The Plan & Zoning Commission reviewed Case FDP22-01 at its December 6, 2022 meeting and voted unanimously to recommend approval of the request subject to the listed findings and condition.

Findings:

1. The final development plan provides a public benefit to the City.
2. The final development plan meets the purpose of a planned unit development.
3. The final development plan is consistent with the preliminary plan.

Condition:

1. The final design of the landscape plan shall be reviewed and approved by City staff.

The full staff report is attached as background materials.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Final Development Plan
🗋	Backup Material	P&Z Staff Report 12-6-22
🗋	Backup Material	Zoning & Future Land Use Map
🗋	Backup Material	Zoning Ordinance Section 17.14.080 Planned Unit Development
🗋	Backup Material	Application
🗋	Backup Material	Legal Description

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	1/3/2023 - 1:00 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the Final Development Plan for Case FDP22-01 being the request of SCI Iowa Funeral Services Inc to establish a Planned Unit Development at 1200 East 39th Street to grant an exception to allow for a reception facility under the S-OS Open Space District.

WHEREAS, the Plan & Zoning Commission reviewed Case FDP22-01 at the December 6, 2022 regularly scheduled meeting with a recommendation for approval subject to the following condition:

1. The final design of the landscape plan shall be reviewed and approved by City staff.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Final Development Plan for a reception facility in the S-OS PUD located at 1200 East 39th Street is hereby approved and accepted; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

PLANNED UNIT DEVELOPMENT: FINAL PLAN DOCUMENT

SCI IOWA FUNERAL SERVICES INC.
CUNNICK-COLLINS LIFE CELEBRATION
SUBMITTED: NOVEMBER 1, 2022

BACKGROUND & OVERVIEW

Through numerous years of operations, SCI Iowa Funeral Services, Inc. ("SCI") has maintained a positive relationship with the City of Davenport ("City") while respectfully serving residents with their funeral and cemetery needs. In 2020 SCI acquired all of the operating assets of the Cunnick-Collins Mortuary ("Cunnick-Collins"), located at 1200 East 39th Street.

Increasingly in recent years, clientele of both our funeral homes and our cemetery have repeatedly requested that we provide spaces for more contemporary memorial gatherings, as well as dedicated reception space to accommodate catered luncheons following funeral/or and cemetery services. The tucked-in nature of the Cunnick-Collins facility on cemetery ground already owned by SCI, and adjacent to three other cemeteries along 39th Street, lends itself very well to accommodating these requests.

To meet this need in our community, SCI has extensively renovated this facility, in full compliance with City building code requirements, with flexible space to accommodate both contemporary celebration of life/memorial services as well as funeral-related reception events, while still accommodating those in our community who desire more traditional funeral events at our other funeral home locations.

With this facility now re-designed to celebrate meaningful funeral-related events, it seems a natural extension to host other substantially similar events in the lives of families not specifically related to funeral or memorial events.

While not an exhaustive list, specific examples of similar meaningful life events that often involve a gathering, open house, and/or reception could include a 50th wedding anniversary, an 80th birthday, wedding or baby showers, first communion/confirmation, bar mitzvah/bat mitzvah, graduation, or retirement to name a few. All are meaningful events in the lives of citizens, their families, and our community, and many choose to celebrate them with various types of gatherings.

Desiring to accommodate the demonstrated community interest for more flexible event space, SCI rebranded the Cunnick-Collins Mortuary as the Cunnick-Collins Life Celebration Center ("Celebration Center") in 2022 to better utilize the facility more adaptively with certain Reception Hall and Community Center functions.

During conversations with the City's Zoning Administrator, the Celebration Center became better acquainted with the City's Zoning and Occupancy requirements, which lead the Celebration Center to request use of the City's Planned Unit Development process. The City's Plan and Zoning Commission and City Council successfully approved a Preliminary Plan, outlining compensating amenities to the City and certain public benefits.

PLANNED UNIT DEVELOPMENT: FINAL PLAN FOR CONSIDERATION

In addition to continued uses already allowed in S-OS zoning, we seek your approval of our PUD Final Plan, as detailed below:

- **Meeting Space For City Events** – The City may rent the Celebration Center, at the reduced cost of 50% off standard facility rental rates for meetings, gatherings or events, limited to no more than 24 uses annually, subject to availability and within standard event hours 8:00 AM – 11:00 PM Monday – Friday. Use of Celebration Center's Rental Agreement and standard forms is required. City use of the Celebration Center may commence upon Celebration Center's receipt of an approved Certificate of Occupancy following the installation of a fire sprinkler system, as required for Assembly Group A-2 Occupancy.

- **Formal Garden** – We will incorporate the addition of a formal garden with native plants and flowers to the west side of our property for the public to enjoy. Please see the images below for the proposed design and location of the formal garden. For optimal planting, we expect the garden to be complete by fall 2023.

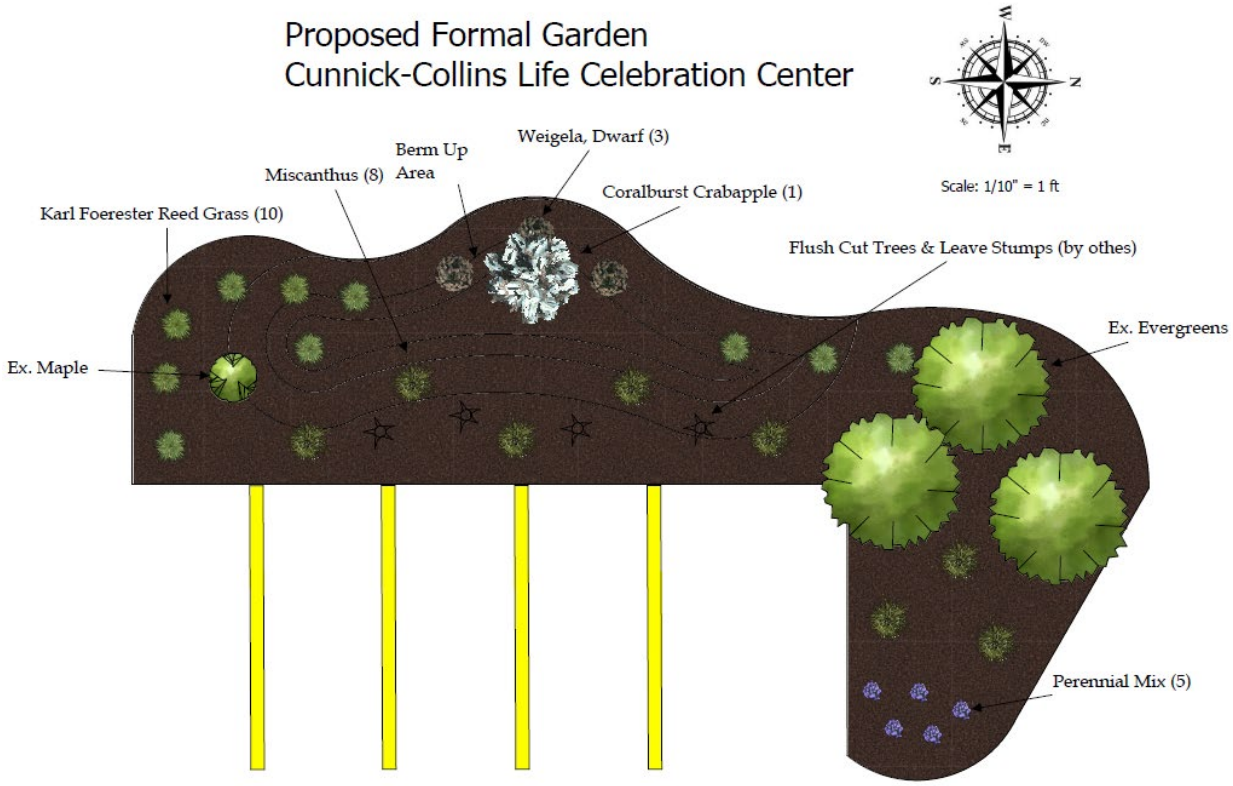
- **Not-For-Profit Benefit** – As a benefit to the City's nonprofit entities, we will offer rental of the facility at the reduced cost of 50% off standard facility rental rates for meetings, gatherings or events, limited to no more than 24 uses annually, subject to availability and within standard event hours 8:00 AM - 11:00 PM Monday - Friday. Verification of nonprofit status and use of Celebration Center's Rental Agreement and standard forms is required. Nonprofit use of the Celebration Center may commence upon Celebration Center's receipt of an approved Certificate of Occupancy following the installation of a fire sprinkler system, as required for Assembly Group A-2 Occupancy.

SUMMARY

Anchored by our longstanding positive relationship with the City and its residents, we now seek to enhance our facility and service offerings to the community, with the same high-levels of dignity and respect the community has come to expect from us.

We appreciate your thoughtful consideration of our PUD Final Plan. In addition to providing project details and timelines, we trust you will find the Final Plan is in substantial conformance to the previously approved Preliminary Plan. We welcome continued conversations.

1200 E 39th St


Proposed Formal Garden
Cunnick-Collins Life Celebration Center
W
N
S
E
Scale: 1/10" = 1 ft
Weigela, Dwarf (3)
Berm Up Area
Miscanthus (8)
Coralburst Crabapple (1)
Karl Foerester Reed Grass (10)
Flush Cut Trees & Leave Stumps (by othes)
Ex. Evergreens
Ex. Maple
Perennial Mix (5)

City of Davenport
Plan & Zoning Commission-Staff Report
December 6, 2022

Case FDP22-01: Request of SCI Iowa Funeral Services Inc. to establish a Planned Unit Development at 1200 East 39th Street to grant an exception to allow for a reception facility under the S-OS Open Space District. [Ward 7]

Project Overview:
City Council approved the preliminary plan at its September 28, 2022 meeting. The applicant has submitted a final plan for a planned unit development, which provides public benefits in exchange for permission to operate the existing building as a reception facility.

Planned Unit Development:
Planned Unit Developments (PUD) are a special approval intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide compensating amenities to the City.

Through the flexibility of the planned unit development technique, a PUD is intended to:

1. Encourage flexibility in the development of land and in the design of structures.
2. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other sections of this Ordinance.
3. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning controls.
4. Combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different uses in an innovative and functionally efficient manner.
5. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, circulation patterns, and utilities.
6. Encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affective flooding, soil, drainage, and other natural ecologic conditions.
7. Facilitate the implementation of adopted City land use policies, particularly with respect to areas planned for potential redevelopment.

A planned unit development is subject to the underlying district regulations, including use, unless an exception is specifically granted. The Plan and Zoning Commission may recommend and the City Council may grant exceptions to the zoning district regulations, including use, for a planned unit development.

The underlying zoning district regulations, including use, apply unless an exception is granted as part of the planned unit development approval. In no case may an exception to district regulations be granted unless the applicant demonstrates a substantial benefit to the City.

Final Plan:
SCI Funeral Services, Inc. has submitted a final plan for consideration. In exchange for permission to operate the existing facility as a reception hall, the following public benefits are proposed:

1. **Meeting Space For City Events** – The City may use the facility, at the reduced cost of 50% off standard facility rental rates for meetings, limited to no more than 24 uses annually. City events are subject to availability and within standard event hours of 8am to 11pm Monday through Friday.
2. **Formal Garden** – The petitioner will incorporate the addition of a formal garden filled with native grasses, plants, and flowers to the west side of our property for the public to enjoy.
3. **Not-For-Profit Benefit** – As a benefit to the City's nonprofit entities, we will offer rental of the facility at the reduced cost of 50% off standard facility rental rates for meetings, gatherings or events, limited to no more than 24 uses annually, subject to availability and within standard event hours 8:00 AM - 11:00 PM Monday - Friday. Verification of nonprofit status and use of Celebration Center's Rental Agreement and standard forms is required.

The formal garden and adaptive reuse of the existing building satisfy the threshold required for a Planned Unit Development. If approved, the new use of the facility will be more aligned with a Community Center. While the public benefits offered by the petitioner may appear minimal, staff believe the amenities are aligned with the level of the request.

Rezoning Staff Report from the July 19, 2022 Plan and Zoning Commission Meeting:
The purpose of the rezoning request is to allow a change in building function from a funeral home to a reception facility. Cunnick-Collins Mortuary & Cremation Service currently operates a funeral home at 1200 East 39th Street. The owners intend to expand the business beyond funeral services by renting the gathering spaces for other reception activities.

Why is a Zoning Map Amendment Required?
A 'Reception Facility' is a prohibited use in the S-OS Open Space District. A rezoning to C-1 Neighborhood Commercial District is the least intensive non-residential zoning classification that allows a 'Reception Facility'. Should the rezoning request be approved by City Council, then a Special Use Permit must be granted by the Zoning Board of Adjustment to operate a 'Reception Facility' within the existing building.

Comprehensive Plan:
Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designations:
The property is designated as Parks and Recreation in the Davenport +2035 Land Use Plan.

1. **Parks and Recreation (PR)** – Designates major developed parks, recreation areas, golf courses, cemeteries, etc. Park or recreation properties can be located in any zoning district. Smaller parks may not appear on the map because of the more general nature and scale of the map. But, it is implied in Residential General (RG) that small neighborhood parks are included.

Zoning:
The applicant is proposing a rezoning from S-OS Open Space District to C-1 Neighborhood Commercial District.

1. **S-OS Open Space District** - This district is intended to provide and protect larger open space and public recreational facilities, both outdoor and indoor, and cemeteries. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses,

such as cultural facilities, performance venues, and eating establishments. This district is also intended for governmental agency offices/facilities providing a governmental service to the public.

2. **C-1 Neighborhood Commercial District** - This district is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.

Zoning Ordinance Use Definitions:

1. **Funeral Home** - An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.
2. **Reception Facility** - A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Staff Recommendation:

Staff recommend Case FDP22-01 be forwarded to the City Council with a recommendation for approval, subject to the following findings and condition.

Findings:

1. The final development plan provides a public benefit to the City.
2. The final development plan meets the purpose of a planned unit development.
3. The final development plan is consistent with the preliminary plan.

Condition:

1. The final design of the landscape plan shall be reviewed and approved by City staff.

Vicinity Map

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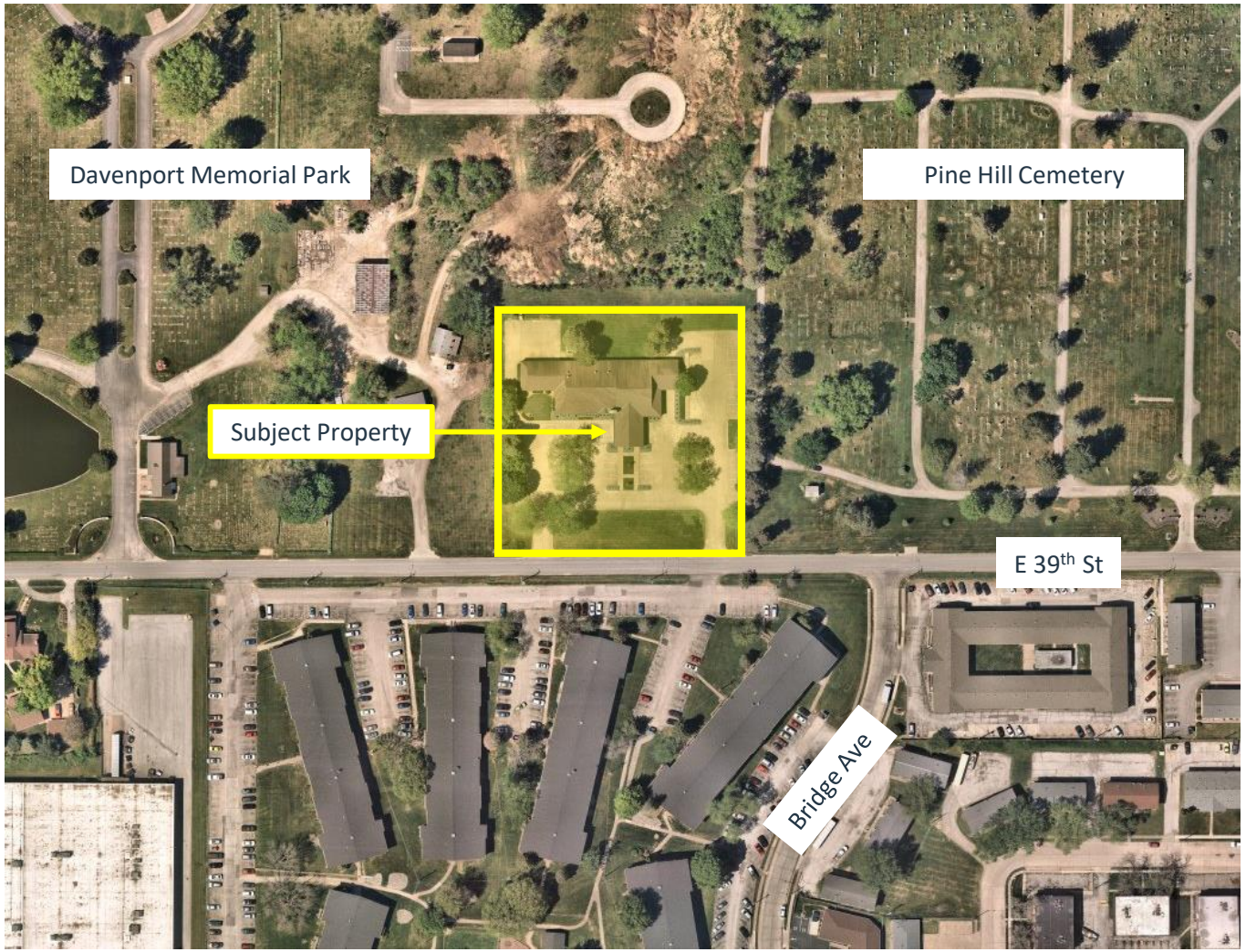
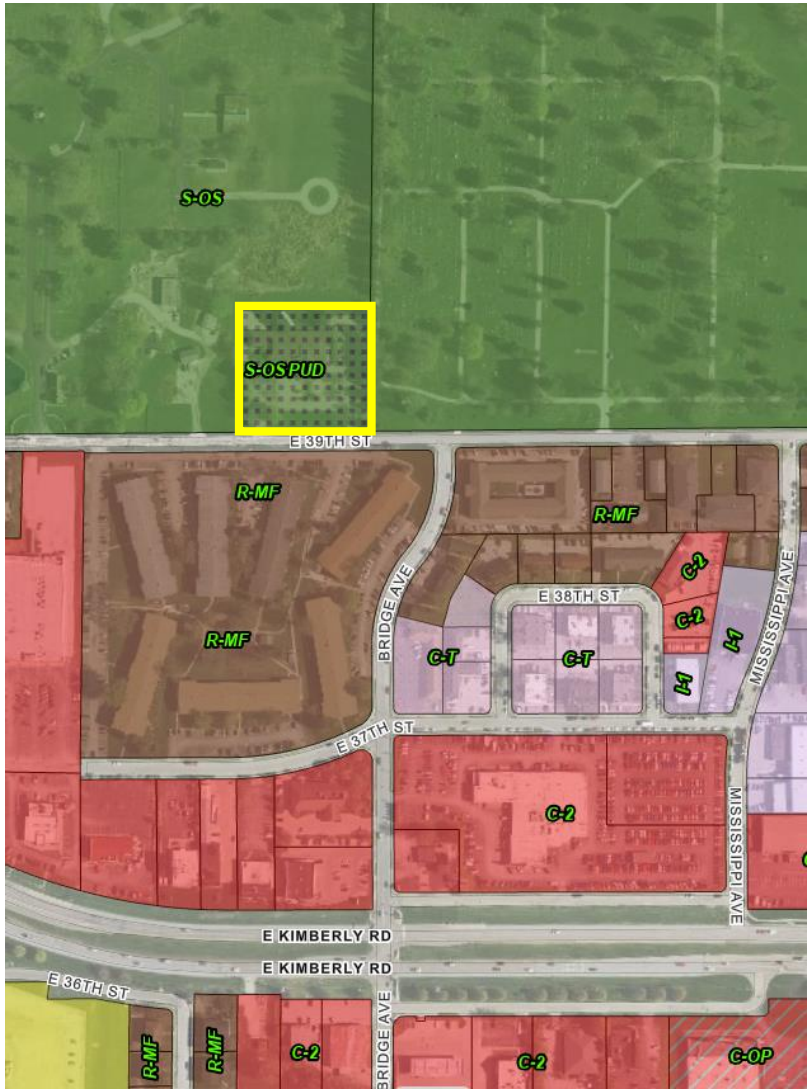
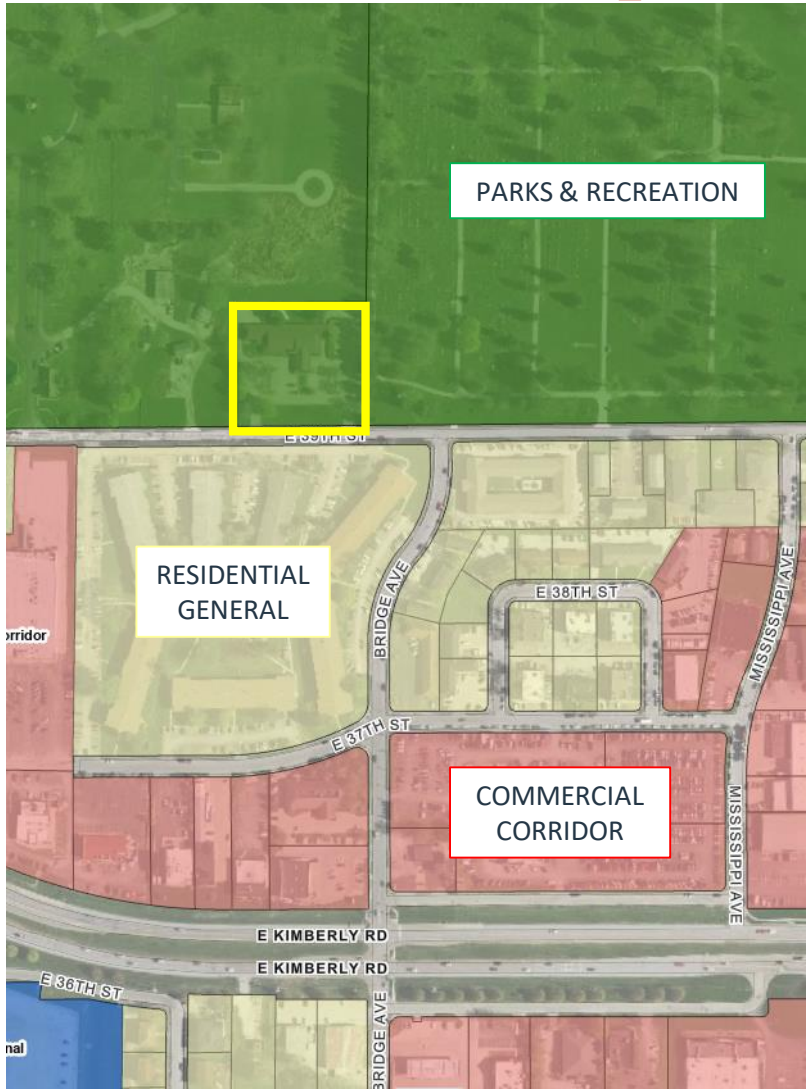


Zoning Map



Future Land Use Map



Section 17.14.080 Planned Unit Development

A. Purpose

Planned unit developments (PUD) are a special approval intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide compensating amenities to the City. The underlying zoning district dimensional, design, and use regulations apply to a PUD unless specifically modified through the approval process. Through the flexibility of the planned unit development technique, a PUD is intended to:

1. Encourage flexibility in the development of land and in the design of structures.

2. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other sections of this Ordinance.

3. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning controls.

4. Combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different uses in an innovative and functionally efficient manner.

5. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, circulation patterns, and utilities.

6. Encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affective flooding, soil, drainage, and other natural ecologic conditions.

7. Facilitate the implementation of adopted City land use policies, particularly with respect to areas planned for potential redevelopment.

B. Initiation

The entire property proposed for the planned unit development must be in single ownership or under unified control. All owners of the property must be included as joint applicants on all applications and all approvals will bind all owners.

C. Authorization

A planned unit development is authorized in all zoning districts.

D. Exceptions From District Regulations

1. A planned unit development is subject to the underlying district regulations, including use, unless an exception is specifically granted. The Plan and Zone Commission may recommend and the City Council may grant exceptions to the zoning district regulations, including use, for a planned unit development.

2. Exceptions from district regulations may be granted for planned unit developments, if the exceptions:

a. Enhance the overall merit of the planned unit development.

b. Promote the objectives of both the City and the development.

c. Enhance the quality of the design of the structures and the site plan.

d. Will not cause excessive adverse impact.

e. Are compatible with adopted City land use policies.

f. Provide a public benefit to the City, as described below.

3. The underlying zoning district regulations, including use, apply unless an exception is granted as part of the planned unit development approval. In no case may an exception to district regulations be granted unless the applicant demonstrates a substantial benefit to the City. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following:

a. Community amenities including plazas, malls, formal gardens, and pedestrian facilities.

b. Preservation of existing environmental features.

c. Preservation of historic features.

d. Open space and recreational amenities such as recreational open space, including accessory buildings, jogging trails and fitness courses, and playgrounds, dog parks, skate parks, and similar recreational features.

e. Reduction of impervious surface throughout the development below the threshold required by the district.

f. Adaptive reuse of existing buildings.

g. Provision of public car and/or bike share facilities

h. Affordable housing set-asides.

E. Procedure

The following procedures, requirements, restrictions, and conditions are required. The approval of a planned unit development includes a pre-application consultation, preliminary plan approval, and final plan approval.

1. Pre-Application Consultation

a. Prior to formal submittal of an application, a pre-application conference with the Zoning Administrator is required.

b. At a pre-application consultation, the applicant must provide:

i. A map (or maps) in general form containing the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed, the location of all adjacent public streets, public utilities, and schematic drawings showing the size, character, and disposition of buildings on the site.

ii. A summary of the public benefits and amenities and any anticipated exceptions to this Ordinance.

iii. A written statement containing a general explanation of the planned unit development, including a statement of the present ownership of all the land within said development and the expected schedule of construction.

c. The purpose of such pre-application consultation is to make advice and assistance available to the applicant before preparation of the preliminary plan, so that the applicant may determine whether the proposed planned unit development is in compliance with this Ordinance and other applicable regulations, and whether the proposed planned unit development aligns with the adopted land use policies of the City.

d. The pre-application conference does not require formal application, fee, or filing of a planned unit development application. Any opinions or advice provided by the Zoning Administrator are in no way binding with respect to any official action that may be taken on the subsequent formal application. No decision will be made on the application.

2. Preliminary Plan

An application for a preliminary plan for a planned unit development must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Plan and Zoning Commission.

a. Action by the Plan and Zoning Commission

i. After receipt of a complete application, the Plan and Zoning Commission will consider the preliminary plan at a public hearing.

ii. Within 30 days of the close of the public hearing, the Plan and Zoning Commission must forward its recommendation to the City Council, unless an extension is agreed to by the applicant.

iii. The Plan and Zoning Commission must evaluate the preliminary plan based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Plan and Zoning Commission must recommend approval, approval with conditions, or denial of the preliminary plan.

b. Action by City Council

The City Council will review the preliminary plan upon receipt of the Plan and Zoning Commission recommendation, and must approve, approve with conditions, or deny the preliminary plan.

c. Conditions

The Plan and Zoning Commission may recommend and the City Council may impose conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the planned unit development as may be deemed necessary for the protection of the public health, safety, and welfare. Such conditions and restrictions must be reflected in the final plan.

d. Approval Standards

The recommendation of the Plan and Zoning Commission and decision of the City Council must make a finding that the following standards for a planned unit development have generally been met.

i. The proposed planned unit development meets the purpose of a planned unit development.

ii. The proposed planned unit development will not impede the normal and orderly development and improvement of surrounding property.

iii. There is provision for adequate utilities and infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities.

iv. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets. A traffic study may be required to provide evidence that the circulation system is adequate.

v. 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.

e. Expiration

i. The preliminary plan approval expires if a complete application for approval of a final plan has not been filed within one year after the date the City Council grants preliminary plan approval. As part of the approval of the preliminary plan, the City Council may extend this period of time including approval of a phasing plan where the validity period is longer than one year for the planned unit development.

ii. An extension of this one year period may also be granted by the City Council if the applicant requests an extension in writing prior to the expiration date of the approval. A public hearing for an extension of time of a preliminary plan is not required.

3. Final Plan

Following the approval of the preliminary plan, an application for a final plan for a planned unit development must be filed with the Zoning Administrator.

a. Action by Zoning Administrator

The Zoning Administrator will review the final plan upon receipt of the complete final plan application and take the following action:

i. If the final plan is in substantial compliance with the approved preliminary plan, the Zoning Administrator will recommend approval of the final plan to the Plan and Zoning Commission. The Zoning Administrator will certify to the Plan and Zoning Commission that the final plan is in substantial conformance with the previously filed preliminary plan.

ii. If the final plan is not in substantial conformance with the approved preliminary plan, the Zoning Administrator must inform the applicant as to specific areas found not to be in compliance, and the applicant must resubmit the final plan to the Zoning Administrator with changes to those areas found not to be in substantial compliance and the validity of the preliminary plan remains in effect. If the revised final plan remains noncompliant with the preliminary plan, the applicant may request that the Zoning Administrator render a decision to be forwarded to the Plan and Zoning Commission. In such case, the Zoning Administrator will recommend to the Plan and Zoning Commission that the final plan be denied and the plan and recommendation will be forwarded to the Plan and Zoning Commission.

b. Action by Plan and Zoning Commission

Upon receipt of the Zoning Administrator recommendation, the Plan and Zoning Commission must review the final plan. The Plan and Zoning Commission must approve or deny the final plan. If denied, the applicant may reapply by submitting a new final plan and the validity of the preliminary plan remains in effect. Alternatively, the applicant may submit the final plan as a new preliminary plan at the preliminary plan stage.

c. Effect of Approval

After final plan approval, the final plan will constitute the development regulations applicable to the subject property. The planned unit development must be developed in accordance with the final plan, rather than the zoning district regulations otherwise applicable to the property. Violation of any condition is a violation of this Ordinance and constitutes grounds for revocation of all approvals granted for the planned unit development.

d. Expiration

i. The final plan approval expires if a building permit has not been issued within two years after the date of final plan approval. As part of the Plan and Zoning Commission approval of the final plan, the Plan and Zoning Commission may extend this period of time including approval of a phasing plan where the validity period is longer than two years for the PUD.

ii. An extension of this two year validity period may be granted by the City Council prior to the expiration date of the approval if the applicant requests an extension in writing prior to the expiration date of the approval.

F. Modifications to Approved Final Plans

No adjustments may be made to the approved final plan, except upon application to the City in accordance with the following.

1. Administrative Modifications

The Zoning Administrator may approve the following administrative modifications to an approved final plan when it is determined by the Zoning Administrator that such changes are in substantial conformance with the approved final plan. Any changes considered a minor or major modification, as defined in this section, cannot be approved as an administrative modification. The Zoning Administrator, at his/her sole discretion, may choose to classify a modification that meets the criteria of this section as a minor modification to be approved by the Plan and Zoning Commission. No notice is required for an administrative modification.

a. Changes required during construction when related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation, to be confirmed by the City Engineer.

b. Changes in building location of no more than ten feet that continue to meet the requirements of this Ordinance and any conditions of the final plan approval.

c. Changes in the location of walkways, vehicle circulation ways, and parking areas of up to ten feet that continue to meet the requirements of this Ordinance and any conditions of the final plan approval.

d. Changes to a structure that do not increase the building footprint, gross floor area, or height.

e. Changes in building design, including building materials, that continue to meet the requirements of this Ordinance and any conditions of the final plan approval.

f. Modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Ordinance.

g. Modifications to the approved landscape plan that do not result in a reduction of the total amount of plant material required and conform with all landscape requirements of this Ordinance.

h. Modification of existing signs or the addition of new signs when in conformance with sign regulations.

2. Minor Modifications

The Plan and Zoning Commission may approve the following minor modifications to an approved final plan when it is determined by the Plan and Zoning Commission that such changes are in general conformance with the approved final plan. Any changes considered a major modification, as defined in this section, cannot be approved as a minor modification. The Plan and Zoning Commission, at its sole discretion, may choose to classify a modification that meets the criteria of this section as a major modification to be approved by the City Council. No notice is required for a minor modification. When calculating percentages, all fractions are rounded up to the nearest whole number.

a. An increase or decrease in building height of up to 10%.

b. An increase or decrease in building coverage up to 10%.

c. A change of in the location of walkways, vehicle circulation ways, and parking areas over ten and up to 20 feet.

d. An increase or decrease in the number of parking spaces of up to 20 parking spaces.

e. A change to the landscape plan that results in a reduction of plant material but does not violate the landscape requirements of this Ordinance.

f. Altering any final grade by no more than 20% of the originally planned grade.

3. Major Modifications

a. The City Council may approve any other changes to an approved final plan that do not qualify as an administrative or minor modification. In addition, any of the following are considered major modifications:

i. Any request for an extension of time of the approved final plan.

ii. Changes to any conditions imposed as part of the approved final plan.

iii. Reductions or alterations in the approved public benefit and amenities to be provided.

iv. Any development action that does not comply with zoning district regulations.

b. All major modifications to the final plan must be approved by the City Council in a public hearing. The City Council may only approve changes to the final plan if they find such changes are in general conformance with the approved final plan, necessary for the continued successful functioning of the planned unit development, respond to changes in conditions that have occurred since the final plan was approved, and/or respond to changes in adopted City land use policies.

c. Upon review of the proposed major modifications, the City Council may determine that the proposed modifications constitute a new planned unit development and the final plan must be resubmitted as a preliminary plan and follow the procedures of approval in this Section. The applicant may submit the final plan as a new preliminary plan at the preliminary plan stage.

Complete application can be emailed to: planning@davenportiowa.com

Property Address* 1200 EAST 39TH STREET; DAVENPORT, IA 52807
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:	TRAVIS RIGDON - MARKET MANAGER
Company:	SCI IOWA FUNERAL SERVICES, INC.
Address:	1200 EAST 39TH STREET
City/State/Zip:	DAVENPORT, IA 52807
Phone:	972-762-8109
Email:	travis.rigdon@sci-us.com

Owner (if different from Applicant)

Name:	TRAVIS RIGDON - MARKET MANAGER
Company:	SCI IOWA FUNERAL SERVICES, INC.
Address:	1929 ALLEN PARKWAY
City/State/Zip	HOUSTON, TX 77019
Phone:	972-762-8109
Email:	travis.rigdon@sci-us.com

Engineer (if applicable)

Name:	ANDY LOGSDON, PE
Company:	BRUNER, COOPER & ZUCK, INC.
Address:	835 GOLDEN VALLEY DRIVE
City/State/Zip	BETTENDORF, IA 52722
Phone:	563-355-1856
Email:	all@bczengineering.com

Architect (if applicable)

Name:	DAVID NICHOLS, AIA
Company	BRUNER, COOPER & ZUCK, INC.
Address:	835 GOLDEN VALLEY DRIVE
City/State/Zip:	BETTENDORF, IA 52722
Phone:	563-355-1856
Email:	djn@bczengineering.com

Attorney (if applicable)

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

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

Application Form Type:

Plan and Zoning Commission
- Zoning Map Amendment (Rezoning) ☑
- Planned Unit Development ☐
- Zoning Ordinance Text Amendment ☐
- Right-of-way or Easement Vacation ☐
- Voluntary Annexation ☐

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

Design Review Board
- Design Approval ☐
- Demolition Request in the Downtown ☐
- Demolition Request in the Village of East Davenport ☐

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative
- Administrative Exception ☐
- Health Services and Congregate Living Permit ☐

Request:

Existing Zoning: S-OS

Proposed Zoning Map Amendment: C-1

Purpose of the Request:

The Owner is requesting that the parcel be rezoned to allow a change in building function from Funeral Home t

Total Land Area: 1.93 Acres

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☑ No

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: Travis Rigdon Date: 04/28/2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

Unique Doc ID: 1617669
Recorded: 9/30/2020 at 4:24:17.0 PM
County Recording Fee: $12.00
Iowa E-Filing Fee: $3.00
Combined Fee: $15.00
Revenue Tax: $1,376.80
Rita A. Vargas RECORDER
Number: 202000030104
Scott County, Iowa

Prepared by: Philip D. Brooks, Simmons Perrine Moyer Bergman PLC
115 Third Street SE - Suite 1200, Cedar Rapids, Iowa 52401 (319) 366-7641
Return to: SCI Iowa Funeral Services, Inc.: 1929 Allen Pkwy, Houston, TX 77019

SPACE ABOVE THIS LINE FOR RECORDER

Address Tax Statements: SCI Iowa Funeral Services, Inc.: 1929 Allen Pkwy, Houston, TX 77019
Real Estate Parcel Identification Number: P1306-02-C.

CORPORATE WARRANTY DEED

For the consideration of one dollar and other valuable consideration, **MAR-CHAR ENTERPRISES, INC.**, an Iowa corporation, does hereby convey to **SCI IOWA FUNERAL SERVICES, INC.**, an Iowa corporation, the following described real estate in Scott County, Iowa:

Lot 2 of Davenport Memorial Park Addition to the City of Davenport, Scott County, Iowa;

subject to easements, covenants, conditions and restrictions of record.

Grantor does hereby covenant with grantee, and successors in interest, that grantor holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantor covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: 9-9-, 2020

MAR-CHAR ENTERPRISES, INC.,
an Iowa corporation

By: _____
Marcus Cunnick, President

STATE OF IOWA, COUNTY OF JOHNSON, ss:

This instrument was acknowledged before me on the 9th day of September, 2020, by Marcus Cunnick, as President of **MAR-CHAR ENTERPRISES, INC.**, an Iowa corporation.

PHILIP D. BROOKS
COMMISSION NO. 107505
MY COMMISSION EXPIRES
8-24-22

_____
Notary Public in and for said State
My Commission Expires: _____

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-328-7769 **1/11/2023**

Subject:
Resolution approving a Development Agreement for the Martin Luther King, Jr. Plaza Project (Friends of MLK, petitioner). [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Approximately eight years ago, the concept of the MLK Plaza at 5th and Brady was first conceived. Over the next several years, plans evolved and the Friends of MLK non-profit organization was formed. The MLK Interpretive Center was created and occupies space in a new housing development immediately adjacent to the proposed MLK Plaza site (501 Brady).

In 2021, Friends of MLK refined the concept for the MLK Plaza, signed a long-term lease with the City of Davenport, and was awarded a $500,000 grant from the City for the project utilizing American Rescue Plan Act (ARPA) funds through the U.S. Treasury Department.

In the spring of 2022, Friends of MLK finalized construction drawings and solicited construction bids. In addition, they were successful in securing grant allocations from Scott County, Regional Development Authority, and the Scott County Regional Authority. Most recently Friends of MLK, in partnership with the City, was awarded funding through the State of Iowa's Enhance Iowa Grant through their Community Attraction & Tourism (CAT) Program.

In total, the $1.1M project will feature standing displays for exhibits, providing historical context, education, and awareness and can be changed for specific programming and events. The Plaza will also include a stage and lawn for community events, classes, and artistic expression (see attached renderings).

Pending approval of the final program requirements, approval of this Development Agreement would authorize staff to execute the appropriate documents to commit the above sources of funding. The developer anticipates beginning site work in spring 2023 with completion anticipated in summer 2023.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Development Agreement MLK Plaza
🗋	Backup Material	MLK Plaza Design 1
🗋	Backup Material	MLK Plaza Design 2
🗋	Backup Material	MLK Plaza Design 3

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	12/21/2022 - 3:48 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving a Development Agreement for the Martin Luther King Jr. (MLK) Plaza project (Friends of MLK, petitioner).

WHEREAS, Friends of MLK had a vision for the MLK Plaza to be constructed on a City-owned vacant lot at the northeast corner of 5th and Brady Streets; and

WHEREAS, with funding awarded to the City through the American Rescue Plan Act from the U.S. Treasury to assist with the recovery from the Coronavirus pandemic, the City Council approved an allocation plan that included up to $500,000 for the proposed MLK Plaza project with an estimated cost of $1.1M located at 511 Brady (Parcel G0056A01) in August 2021; and

WHEREAS, Friends of MLK has continued fundraising efforts for the balance of funding needed for the MLK Plaza; and

WHEREAS, the City of Davenport, in partnership with Friends of MLK, has applied for the State of Iowa's Enhance Iowa Grant through their Community Attraction & Tourism (CAT) Program and were awarded $219,840 on December 1, 2022; and

WHEREAS, the City of Davenport is the owner of the property at parcel G0056A01 and has entered into a lease agreement with Friends of MLK, a 501(c)(3) organization, through April 30, 2031; and

WHEREAS, funding and reimbursement payments for the project are subject to all federal, state, and local program and financial requirements and all other rules.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that, contingent upon the aforementioned items, the Development Agreement with Friends of MLK for the Martin Luther King Jr. (MLK) Plaza project is hereby approved.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

GRANT AGREEMENT

Between

THE CITY OF DAVENPORT, IOWA – COMMUNITY & ECONOMIC DEVELOPMENT (CED) DEPARTMENT

And

FRIENDS OF MLK INC.

And

ESTES CONSTRUCTION

For

MLK PARK DEVELOPMENT PROJECT

Funded through the

AMERICAN RESCUE PLAN ACT (ARPA)
STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF)

ALN 21.027

Award Amount: $500,000

Performance Period:

Date agreement fully executed: _____

PART A
AGREEMENT

THIS AGREEMENT is entered into by and between the City of Davenport, Iowa (herein called the "Grantee") and Friends of MLK Inc., a 501(c)(3) organization EIN# 47-4968227 (herein called the "Recipient"), and Estes Construction (herein called the "Contractor") upon the date of signature by all parties.

WHEREAS, the Grantee has entered into a funding agreement with the U.S. Department of Treasury for the execution of projects and activities under the American Rescue Plan Act ("ARPA") Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, 31 CFR Part 35; and

WHEREAS, the funding agreement between the Grantee and the Treasury allows the use of SLFRF for the provision of government services, to the extent of the reduction in revenue (herein called "Revenue Replacement") due to the COVID–19 public health emergency.

WHEREAS, the Grantee owns property at 511 Brady Street, Davenport, Iowa, herein referred to as "the Property", which has the legal address of:

> Lot of Newbury Living Addition, Scott County, Iowa located at the NE Corner of Brady and East 5th Streets, otherwise known as 511 Brady (Parcel #G0056A01). Dimensions are roughly 91'x149' containing 13.541 square feet, more or less.; and

WHEREAS, the Recipient desires to develop the MLK Plaza, an outdoor venue for residents and tourists to learn and engage in the region's artistic, creative, cultural and ethnic history honoring Martin Luther King, Jr. (herein called the "Project") on the Property; and

WHEREAS, the Recipient, Friends of MLK Inc., operates the MLK Interpretive Center which occupies space at new housing development immediately adjacent to the proposed MLK Plaza site; and

WHEREAS, the Grantee and Recipient entered into a ten-year Property lease agreement, starting May 1, 2021, with the option to renew, provided both parties mutually agree on the terms and conditions.; and

WHEREAS, the Grantee has obligated $500,000 of its Revenue Replacement funds to fund the Project under this Agreement. The Project was approved by the Davenport City Council by way of action _____ on _____, 202__.

NOW, THEREFORE, the parties agree as follows:

SCOPE OF SERVICES

Recipient

a. The Recipient shall develop the Property in accordance with Part B.
b. The Recipient is responsible for administering the Project in a manner that is satisfactory to the Grantee and consistent with the standards required in this Agreement.

Contractor

a. The Contractor is responsible for the construction methods, sequence of work, procedures, and coordination of the work.
b. The Contractor shall inform Grantee of days and times when work will be performed.

c. The Contractor is responsible for the order, discipline, and safety of the workers on the Project.
d. The Contractor shall pay all sales, use, or similar taxes affecting the work that are legally enacted when negotiations are concluded.
e. The Contractor shall cover the cost to construct temporary roads or paths, beyond the basic access, for trucks and/or machinery entering and exiting the Property
f. The Contractor shall cover the cost to restore the Property of all temporary roads and/or paths constructed upon Project completion.

Grantee

a. The Grantee will make onsite visits while work is being performed on the Project to review progress.
b. The Grantee may attend construction meetings, as needed.
c. The Grantee will approve reimbursement requests along with the Recipient.
d. The Grantee will process payments to the Contractor for the Recipient.

TIME OF PERFORMANCE

Contractor shall perform according to the following schedule:

Program Element	Deadline for Completion
1. Execute Agreement for Project	__/__/2023
2. Grantee will perform onsite visits as needed	Ongoing
3. Funds are dispersed to the Contractor from the Grantee upon request from the Contractor. The Recipient and Grantee will sign off on payment request. Grantee will process all payments to the Contractor.	Ongoing
4. Retainage payment will be processed upon approval of the Recipient and the Grantee and the completion of final punch lists and permits are received by Grantee.	__/__/2023

Grantee Initials: _____

Recipient Initials: _____

Contractor Initials: _____

PROJECT BUDGET AND FUNDING SOURCES

In consideration of the terms and obligations of this agreement, the Grantee agrees to provide a grant to the Recipient for development of the property at Parcel # G0056A01. The total amount of funds provided by the Grantee to the Recipient under this Agreement shall not exceed $500,000. The total cost of the Project is based on the Contractor's bid of $1,099,200 and supplied by the Recipient.

Sources of Funds

City of Davenport	$ 500,000
Enhance Iowa Community Attraction and Tourism (CAT) Grant	219,840
Scott County	20,000
Scott County Regional Authority	125,000
Regional Development Authority	125,000
Davenport Downtown Partnership	20,000
Private Donations	89,360
Total	$1,099,200

Change Orders

Change orders are required when the scope of work is changed. This includes any emergency, changes due to unknown conditions, or changing of the price which includes additional charges or reduction of price and work. Also included is the change of specifications/scope of work. Change orders must be approved by the Grantee, the Contractor and the Recipient. Change orders are to be approved prior to the work being completed or paid.

Reimbursement Requests

This is a cost-reimbursement Agreement. Disbursement of funds under this Agreement may be requested only for necessary, reasonable, and allowable costs of this Project.

Payments under this Agreement shall be based upon the value of the work satisfactorily completed at the time the progress payment is requested. It is the intent of the Grantee to make payments directly to the Contractor. In the case that the Recipient is required to pay for a portion of the total project, the Recipient shall be responsible for paying all of their portion of the costs after the Grantee contributing funds.

Reimbursement requests must be remitted to CED by or before each Tuesday at 12:00 noon, so the resulting disbursement can be scheduled for two weeks after the payout is received, unless the contractor is notified otherwise. The Grantee shall pay out the loan amount, less a 5% retainage, after the Contractor has furnished an invoice for payment owed to date, for the materials and labor procured under this contract, including supporting documentation such as materials lists, sub-contractor invoices, certified weekly payroll. The Grantee and the Recipient will sign off on each payment request.

Final disbursement of remaining retainage shall be paid to the Contractor after the completion of construction of the Project, evidenced by the final approval by all code approval by all code agencies and field inspection by Grantee. Only funds spent after the contract has been signed are eligible for reimbursement.

Refusal of the Recipient to Compensate Contractor

If after Recipient fails to pay the Contractor after a reasonable attempt to notify the Recipient of work changes, payment reviews, or final inspections, if the Grantee determines that all work has been satisfactorily completed, the Grantee shall inform Recipient in writing that the work has been satisfactorily completed. In the event the Recipient fails to respond, the Grantee shall pay the Contractor directly without the Recipient's signature.

NOTICES

Notices required by this Agreement shall be in writing and delivered via mail (postage prepaid), commercial courier, or personal delivery or sent by facsimile or other electronic means. Any notice delivered or sent as aforesaid shall be effective on the date of delivery or sending. All notices and other written communications under this Agreement shall be addressed to the office indicated below, unless otherwise modified by subsequent written notice.

Communication and details concerning this contract shall be directed to the following contract representatives:

Grantee	Recipient	Contractor
Community & Economic Development 226 W 4th St Davenport, IA 52801 563.326.6177	Friends of MLK Inc. Davenport, Iowa 52803 222 W 14th Street 563.324.2919	Estes Construction 131 W 2nd Street, #400 Davenport, Iowa 52801 563.322.7301

DOCUMENTATION AND RECORD KEEPING

Maintenance

The Recipient shall maintain all records prescribed by the Grantee, with respect to all matters covered by this Agreement.

Record Requirements

The Recipient shall maintain all records that are pertinent to the Project to be funded under this Agreement. Such records shall include but are not limited to:

a. Records providing a full description of each activity undertaken;
b. Financial records that document all transactions and that can be properly documented and audited;
c. Copies of all bid documents, bids received, RFPs, RFQs, and any other procurement documents;
d. Copies of all third party or subcontracts; and
e. Detailed records on the Recipient's organization, financial and administrative systems, and the Project funded under this Agreement.

Retention of and Access to Records

In accordance with 2 CFR § 200.334 through 200.338, the Recipient agrees to keep the records required by this Agreement. The Recipient shall retain all records for a period of three years from date of project completion. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

The Recipient agrees that the Grantee, or any of their authorized representatives, has access to and the right to examine all documents, papers, or other records which are pertinent to this Agreement, in order to make examinations, excerpts and transcripts.

Documentation of Costs
All costs must be supported by proper documentation evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, invoices, contracts, vouchers, orders or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified and readily accessible.

Maximum Amount and Drawdown
It is expressly agreed and understood that the total amount to be paid by the Grantee under this Agreement shall not exceed the amount stipulated in Project Budget.

OTHER FEDERAL REQUIREMENTS

Compliance with Laws
All parties shall comply with all applicable federal, state and local laws, regulation, and policies governing the funds provided under this Agreement. The Recipient further agrees to use funds available under this Agreement to supplement rather than supplant funds otherwise available.

Hold Harmless
The Recipient, its agents and any assignees shall agree to hold harmless the Grantee and its agents, officials and employees against all suits, claims, damages, and losses, including attorney fees that may be based on any injury to person or property due to negligent acts, errors or omissions of the Recipient.

Insurance & Bonding
The Recipient shall carry sufficient insurance coverage as required by federal regulation, sufficient coverage to protect assets covered in this Agreement from loss due to theft, fraud and/or physical damage.

Amendments
The Grantee or Recipient may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing and signed by a duly authorized representative of both organizations. Such amendments shall not invalidate this Agreement, nor relieve or release the Grantee or Recipient from its obligations under this Agreement. The activity must be completed in full by December 31, 2026 as funds after this date are required to be returned to the Treasury pursuant to 2 C.F.R. 200.344 (d).

The Grantee may amend this Agreement to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendment results in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both Grantee and Recipient.

Recipients of Federal financial assistance from the Treasury are required to meet legal requirements relating to nondiscrimination and nondiscriminatory use of Federal funds. Those requirements include ensuring that entities receiving Federal financial assistance from the Treasury do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI) Public Law 88-352, 42 U.S.C. 2000d-1 et seq., and the Department's

implementing regulations, 31 CFR part 22; Section 504 of the Rehabilitation Act of 1973 (Section 504), Public Law 93-112, as amended by Public Law 93-516, 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and the Department's implementing regulations, 31 CFR part 28; Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et seq., and the Department implementing regulations at 31 CFR part 23. The Recipient is required to meet the City of Davenport local ordinance, Chapter 2.58.

Section 504 Compliance

No otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This includes, but is not limited to, programs and/or activities related to housing, employment, and the delivery of services.

Equal Opportunity/Affirmative Action

Recipient certifies that it is an "Equal Opportunity Employer" and that it will comply with Chapter 2.58 of Davenport Municipal Code, as amended, Chapter 216 (State Civil Rights) of the Iowa Code, and all applicable regulations of the U.S. Department of Housing and Urban Development pertaining to equal opportunity and affirmative action in employment. Further, Recipient shall ensure that all contracts for work under this Agreement contain appropriate equal employment opportunity statements.

Debarment and Suspension (Executive Orders 12549 and 12689):

A contract award (see 2 CFR § 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR Part 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Emerging Business Enterprises

The Recipient will use its best efforts to afford minority and women-owned business enterprises (at least fifty-one (51) percent owned and controlled by minority group member or women) the maximum practicable opportunity to participate in the performance of this Agreement.

Hatch Act

The Recipient agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

ASSIGNMENTS

Assignability

The Recipient shall not assign or transfer any interest in this Agreement without the prior written consent of the Grantee thereto; provided, however, that claims for money due or to become due to the Recipient from the Grantee under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the Grantee.

Third Party Contracts

The Recipients agrees to furnish the Grantee with a copy of any and all third-party contracts that is executes in the performance of the work to be undertaken within the scope of this Agreement.

The Recipient agrees to incorporate or cause to be incorporated in all third-party contracts or subcontracts funded under the Project, provisions requiring all applicable Federal, State, and local laws, rules, and regulations to be adhered to in accordance with all parts of this Agreement. Specifically, the Recipient agrees to require and monitor compliance by all contractors, subcontractors, and other third parties. Any third-party contract that is not in accordance with the outlined budget in this Agreement will be subject to the advance, written approval of the Grantee. Furthermore, the Grantee shall not be obligated or liable hereunder to any party other than the Recipient.

AUDITS AND INSPECTIONS

The Recipient must establish an adequate accounting system on a current basis in accordance with generally accepted accounting principles and standards and in accordance with any specific requirements of the Grantee. Recipient personnel will make available to Grantee and any other auditor authorized by the Grantee, all Project and accounting records and financial statements needed to meet the requirements of 2 CFR § 200.300, 200.302, and 200.303.

REMEDIES FOR NONCOMPLIANCE AND TERMINATION

Remedies for Noncompliance

If the Grantee at any time determines the Recipient materially fails to comply with any term of this Agreement, or with any of the rules, regulations, or provisions referred to herein, the Grantee may use any of the following remedies to ensure compliance:

Warning

Issuance of a written warning citing the violation that has occurred, and a deadline when the violation must be remedied if it is still occurring.

Withholding Payment

Withholding of funds by the Grantee until the Recipient is found in compliance by the Grantee.

Termination

Termination of funds by the Grantee if the Recipient materially fails to comply with any term of this Agreement or with any of the rules, regulations or provisions referred to herein.

Termination for Convenience

This Agreement may be terminated in whole or in part upon the mutual agreement of the parties hereto, in which case the Grantee and Recipient shall agree upon the termination conditions, including the effective date, the disposition of agreement amounts, and in the case of partial termination the portion to be terminated.

MISCELLANEOUS

Legal Authority
By using this Agreement, the Recipient certifies that it possesses legal authority to accept grant funds, execute the activity described in this Agreement, and that the Signatory is authorized and consents on behalf of the Recipient and that they accept the jurisdiction of the Grantee for the purpose of enforcement of their responsibilities.

Waivers
No conditions or provisions of this Agreement can be waived unless approved by the Grantee in writing.

Designation of Officials
The City Administrator or designee is the official authorized to execute any changes in the terms, conditions, or amounts specified in this Agreement.

Waiver of Rights
The Grantee's failure to insist upon the strict performance of any provision of this Agreement or to exercise any right based upon breach will not constitute a waiver of any rights under this Agreement.

Agreement Coverage
This Agreement, along with any attachments contain the entire Agreement between the parties. Any statements, inducements or promises not contained will not be binding upon the parties. This Agreement will be binding upon the successors in office of the respective parties.

Severability
If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the _____ day of _____, 202__.

_____ _____
Recipient, Friends of MLK, Inc. Date

_____ _____
Contractor, Estes Construction Date

_____ _____
Grantee, City of Davenport, Iowa Date

PART B

See BID Attached

Part B

ESTES CONSTRUCTION
estesconstruction.com

CEDAR RAPIDS CORRIDOR
4900 Bowling St. SW, Ste. 100
Cedar Rapids, IA 52404
PHONE 319.213.9066

CENTRAL IOWA
220 SW 9th St., Ste. 180
Des Moines, IA 50309
PHONE 515.645.4481

QUAD CITIES
131 W 2nd St., Ste. 400
Davenport, IA 52801
PHONE 563.322.7301
FAX 563.322.2503

December 21, 2022

Ryan Saddler
Friends of MLK, Inc
501 Brady Street
Davenport, IA 52803

Mr. Saddler:
We offer the following items to help understand and evaluate our proposal.

Revised Base Bid with the following:

a. Updated signage costs from Trackside Solutions, including revised signage board design from Streamline, and costs for donor wall cap (with MLK quote), donor plaques, and MLK Park letters on monument sign.
b. Revised handrail system by Lovewell Fence with Ultralox system.
c. Revised six light bollards from specified bollard to Selux bollards

Revised Base Bid $805,000.

d. Alternate #1 Synthetic Turf – No change in price $99,500.
e. Alternate #2 Gateway – Not accepted.
f. Alternate #3 Display Boards – Revised price $102,000 based on revised design by Streamline. Fourteen total display boards.
g. Alternate #4 – Benches, Bike Racks & Light Bollards – Revised price based on different light bollards and reduced number per our discussions. Benches and Bike Racks remained the same at this time.
h. Alternate #4A - Revised Light Bollards $31,000
i. Alternate #4B - Benches $31,000

Total Construction with all Alternates $1,068,500.
Architectural/Engineering Design $30,700
TOTAL PROJECT COSTS $1,099,200

Budget Items	Cost
Real Estate Acquisition	$0.00
Site Preparation	$40,000.00
Construction/Remodeling	$854,000.00
Fixtures/Furniture/Equipment	0
Public Art & Landscaping	$99,500.00
Architectural/Engineering Design	$30,700.00
Construction Administration/Permits	$75,000.00
Contingencies	$0.00
WORK COMPLETED (PLEASE SUBTRACT)	($0.00)
TOTAL PROJECT COSTS	$1,099,200.00

ESTES CONSTRUCTION
estesconstruction.com

CEDAR RAPIDS CORRIDOR
4900 Bowling St. SW, Ste. 100
Cedar Rapids, IA 52404
PHONE 319.213.9066

CENTRAL IOWA
220 SW 9th St., Ste. 180
Des Moines, IA 50309
PHONE 515.645.4481

QUAD CITIES
131 W 2nd St., Ste. 400
Davenport, IA 52801
PHONE 563.322.7301
FAX 563.322.2503

Sincerely,
ESTES CONSTRUCTION

Brian T. Rossmiller, CPE, LEED AP
Senior Pre-Construction Manager

MLK PARK
streamline
ARCHITECTS

PARK
DONOR WALL

MLK PARK

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/11/2023

Subject:
Resolution approving street, lane, or public ground closure requests for the listed dates and times.

RiverCenter/Adler Theatre; QCSO Symphony Day 2023; 136 East 3rd Street; Thursday, March 2, 2023 8:00 a.m. - 2:30 p.m.; **Closures:** northernmost and center travel lanes on East 3rd Street from Brady Street to Iowa Street. [Ward 3]

Brian Doerrfeld; Easter Egg Scramble; Village of East Davenport; Saturday, April 8, 2023 7:00 a.m. - 11:30 a.m.; **Closures:** ***(beginning at 7:00 a.m.)*** East 11th Street from Mound Street to Jersey Ridge Road; ***(beginning at 8:00 a.m.)*** northbound Jersey Ridge Road from East 11th Street to East Central Park Avenue; East Lombard Street from Jersey Ridge Road to Lorton Avenue; Lorton Avenue from East Lombard Street to East Central Park Avenue; East Central Park Avenue from Lorton Avenue to Jersey Ridge. [Wards 5 & 6]

Recommendation:
Adopt the Resolution.

Background:
Per the City's Special Events Policy, City Council will approve street, lane, and public ground closures based on the recommendation of the Special Events Committee.

QCSO Symphony Day | The southernmost travel lane on East 3rd Street will remain open.

Central Regional CrossFit Competition | This is the same closure as the establishments on 3rd Street do for St. Patrick's Day and Bix weekend with the full block being closed leaving one lane clear for emergency vehicles.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	QCSO Symphony Day Map
🗋	Backup Material	Easter Egg Scramble Map
🗋	Backup Material	Easter Egg Scramble Flyer to Residents

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	12/30/2022 - 8:21 AM

Resolution No. _____

Resolution offered by Alderman Jobgen.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving street, lane, or public ground closure requests for the listed dates and times.

RiverCenter/Adler Theatre; QCSO Symphony Day 2023; 136 East 3rd Street; Thursday, March 2, 2023 8:00 a.m. - 2:30 p.m.; ***Closures:*** *northernmost and center travel lanes on East 3rd Street from Brady Street to Iowa Street. [Ward 3]*

Brian Doerrfeld; Easter Egg Scramble; Village of East Davenport; Saturday, April 8, 2023 7:00 a.m. - 11:30 a.m.; ***Closures: (beginning at 7:00 a.m.)*** *East 11th Street from Mound Street to Jersey Ridge Road;* ***(beginning at 8:00 a.m.)*** *northbound Jersey Ridge Road from East 11th Street to East Central Park Avenue; East Lombard Street from Jersey Ridge Road to Lorton Avenue; Lorton Avenue from East Lombard Street to East Central Park Avenue; East Central Park Avenue from Lorton Avenue to Jersey Ridge. [Wards 5 & 6]*

WHEREAS, the City, through its Special Events Policy, has accepted the above applications for events on the listed date and time that are requesting street, lane, or public ground closures; and

WHEREAS, upon review of the applications, it has been determined that streets, lanes, or public grounds will need to be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the above street, lane, or public ground closure requests are hereby approved and staff is directed to proceed with the closures.

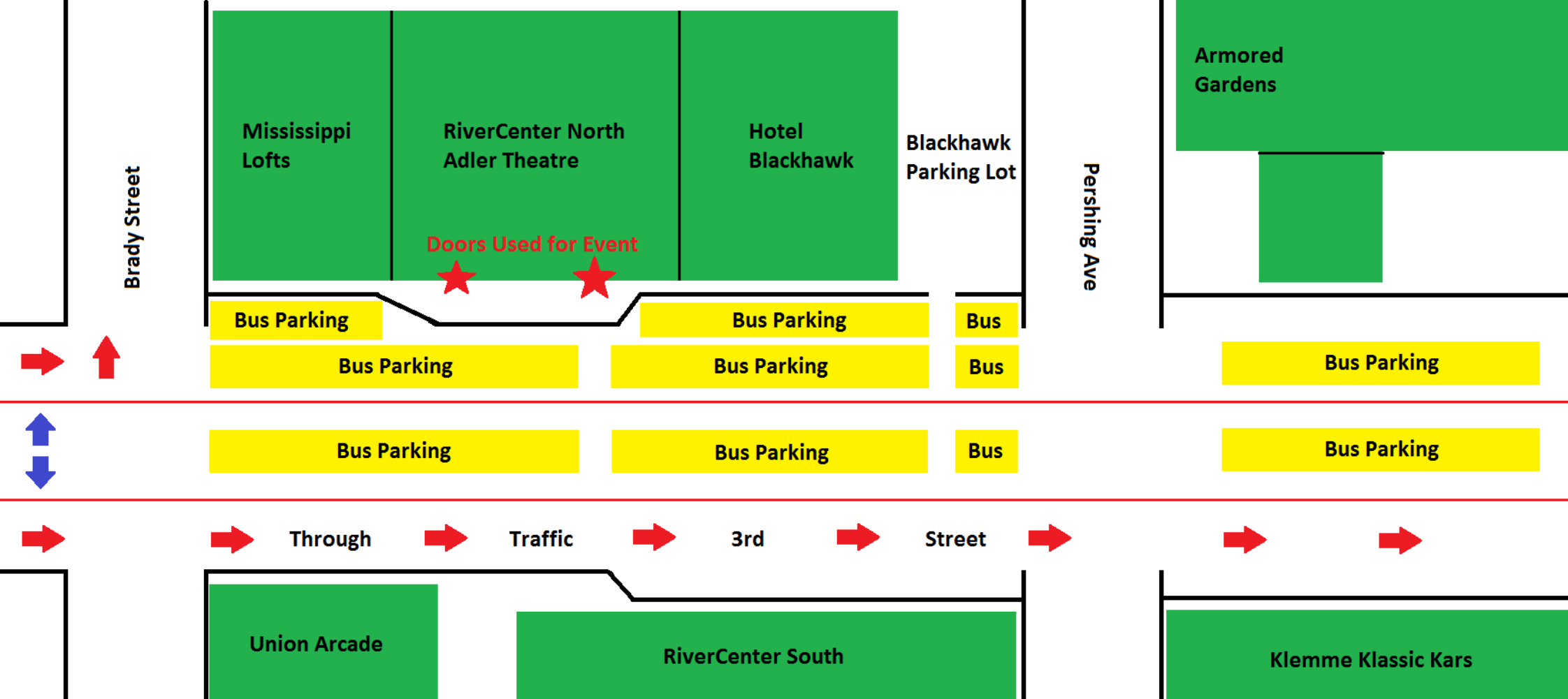
Passed and approved this 11th day of January, 2023.

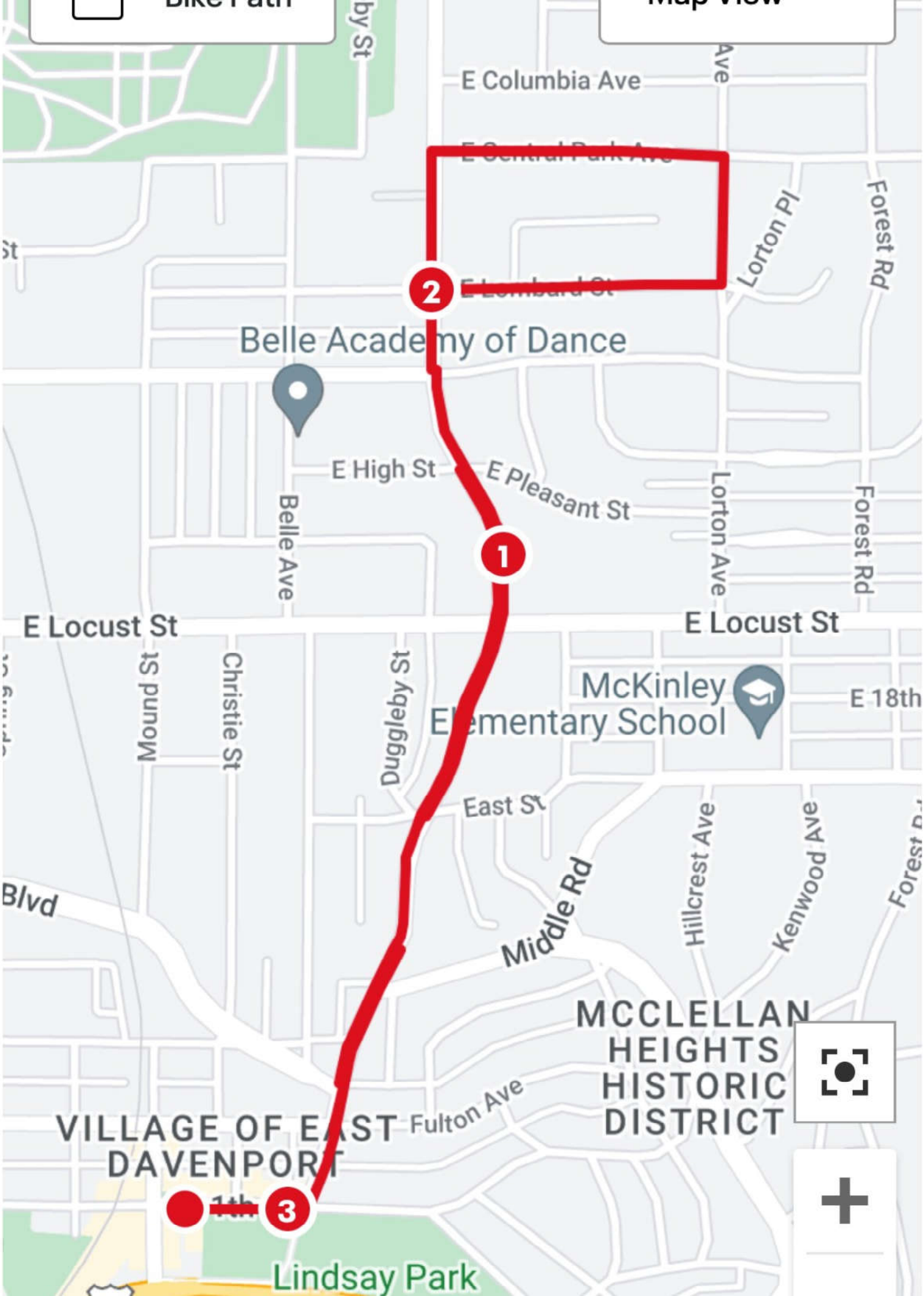
Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk


Mississippi Lofts
RiverCenter North Adler Theatre
Hotel Blackhawk
Blackhawk Parking Lot
Armored Gardens
Brady Street
Pershing Ave
Doors Used for Event
Bus Parking
Bus Parking
Bus Parking
Bus
Bus Parking
Bus Parking
Bus Parking
Bus
Bus Parking
Through Traffic 3rd Street
Union Arcade
RiverCenter South
Klemme Klassic Kars


Bike Path
Map View
E Columbia Ave
Lorton Pl
Forest Rd
2
Belle Academy of Dance
E High St
E Pleasant St
Belle Ave
1
Lorton Ave
Forest Rd
E Locust St
E Locust St
Mound St
Christie St
Dugglegby St
McKinley Elementary School
E 18th
East St
Middle Rd
Hillcrest Ave
Kenwood Ave
Blvd
MCCLELLAN HEIGHTS HISTORIC DISTRICT
Fulton Ave
VILLAGE OF EAST DAVENPORT
3
Lindsay Park

SPRING 2023

Easter EGG SCRAMBLE

FAMILY 5K

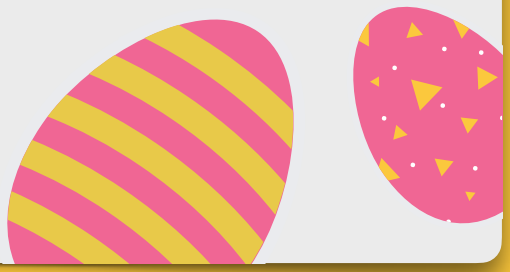
5K Road Race • Kids 'Bunny Hop' & Easter Egg Hunt in The Village!

Hello Neighbor!

On Saturday, April 8th the Easter Egg Scramble 5K will be running by your house from the approximate time of 8:30-9:45am. This is a family-friendly, community-centric event ends in the Village of East Davenport. Part of the proceeds will support the Handicapped Development Center.

For any questions please Email:
Brian Doerrfeld @ bdoerrfeld@yahoo.com
or brian.krup@davenportiowa.com

Estimated Timing: 4/8/22 • 8:30-9:45am



City of Davenport

Department: Public Works - Admin
Contact Info: Kevan Oliver | 563-327-5199

Action / Date
1/11/2023

Subject:
Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Pedestrian Curb Ramp Retrofit Program, CIP #35060. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Sidewalks at intersections altered by the City's in-house asphalt resurfacing crew must be retrofitted to bring them into compliance with the Americans with Disabilities Act and Public Right-of-Way Accessibility Guidelines codes. This program will retrofit pedestrian curb ramps by contract.

Funds for the CY 2023 Pedestrian Curb Ramp Retrofit Program are budgeted in CIP #35060 at $300,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/28/2022 - 10:31 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:31 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 4:49 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the specifications, form of contract, and estimate of Cost for the CY 2023 Pedestrian Curb Ramp Retrofit Program, CIP #35060.

WHEREAS, on the 30th day of December, 2022, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the CY 2023 Pedestrian Curb Ramp Retrofit Program within the City of Davenport, Iowa; and

WHEREAS, notice of Hearing on specifications and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said specifications, form of contract, and estimate of cost are hereby approved as the specifications, form of contract, and estimate of cost for the CY 2023 Pedestrian Curb Ramp Retrofit Program.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **1/11/2023**

Subject:
Resolution adopting the final assessment schedule for the FY 2021 Alley Resurfacing Program in accordance with the Alley Cost Share Program, and amending, confirming, and levying the assessments, CIP #35038. [Wards 4 & 5]

Recommendation:
Adopt the Resolution.

Background:
The Alley Resurfacing Program is a cost share between the City (75%) and property owners (25%) for residential alleys.

Work on this program has been satisfactorily completed and was accepted by City Council on December 14, 2022. Approval of this Resolution will apportion the share assessed to the property owners.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Notice to Property Owners
🗋	Backup Material	Final Schedule
🗋	Backup Material	Final Plat

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:30 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:30 AM
City Clerk	Admin, Default	Approved	12/29/2022 - 9:14 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION adopting the final assessment schedule for the FY 2021 Alley Resurfacing Program in accordance with the Alley Cost Share Program, and amending, confirming, and levying the assessments, CIP #35038.

WHEREAS, heretofore and in strict compliance with Chapter 384 of the Code of Iowa, 2022, as amended, this Council did, pursuant to the Resolution of Necessity duly adopted, order the construction of the 2021 Alley Resurfacing Program, and such improvement having been duly completed, the work accepted, and the Engineers having filed the final assessment schedule, has been fully considered by this Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that:

Section 1. The final assessment schedule filed by the Engineers covering the FY 2021 Alley Resurfacing Program is hereby amended as follows:

None

Section 2. After full consideration, appraisement and apportionment of the special benefits conferred upon the property shown in said schedule of said improvements, this Council finds that the said property is specially benefited by said improvements in the amounts as shown on said schedule and that the said amounts are in proportion to the special benefits conferred upon the property by said improvements, are not in excess of such benefits and are not in excess of 25% of the actual value of the lots, parts of lots and parcels of ground shown in said schedule.

Section 3. The Final Assessment Schedule be and the same is hereby approved and confirmed and that there be and there is hereby assessed and levied as a special tax against and upon each of the lots, parts of lots and parcels of land that the owner or owners thereof are liable to assessment for the cost of said improvements shown in said schedule, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of said improvements; and said assessments against said lots and parcels of ground are hereby declared to be in proportion to the special benefits conferred upon the said property by the said improvements and not in excess thereof, and not in excess of 25% of the value of the same.

Section 4. Assessments may be paid in full without interest within thirty days after the date of the first notice of the final assessment schedule, and thereafter all unpaid special assessments will draw annual interest at 2 percent computed to the December 1 next following the due dates of respective installments, and each installment will be delinquent on September 30 following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Any property owner may elect to pay one-half of any annual installment of principal and interest of a special assessment in advance, with the second semiannual payment of ordinary taxes collected in the year

preceding the due date of such installment. The number of installments into which said assessments greater than $100.00 are to be divided shall be ten (10) and the interest for all unpaid installments shall be at the current interest rate adopted by the city percent per annum, the first installment being due and payable on July 1, 2023 and succeeding installments, with interest on the whole unpaid amount shall become due on July 1, annually thereafter and shall be paid at the same time and in the same manner as the September semi-annual payment of ordinary taxes.

Section 5. The Deputy Clerk is hereby authorized and directed to certify and file the final assessment schedule, herein referred to, with the County Treasurer of Scott County, and the City Clerk shall thereupon give notice of such certification and filing by publication once each week for two successive weeks in the *Quad-City Times*, a legal newspaper printed wholly in the English language, published at least once weekly and of general circulation in Davenport, Iowa, the first publication to be not more than fifteen days after the date of filing of the final schedule, and the Deputy Clerk shall mail said notice by certified mail to each property owner whose property is subject to assessment for said improvement, as shown by the records in the office of the County Auditor of Scott County, Iowa, said notice to be mailed on or before the second publication of said notice, all in accordance with Chapter 384 of the 2022 Code of Iowa, as amended.

Section 6. Such notice shall be in form substantially as follows:

See attached notice.

Section 7. Each and all of the deficiencies which appear on the final assessment schedule with respect to the benefited property are hereby confirmed and conditionally levied to the extent that such deficiencies may be subsequently assessed against each lot under Section 384.63 of the Code of Iowa, 2022, as amended.

Section 8. The Deputy Clerk is hereby authorized and directed to certify and file a listing of said deficiencies with the Scott County Treasurer who shall record them in a separate book entitled "Special Assessment Deficiencies" and to the Chief Building Inspector, being the City Official charged with the responsibility of issuing building permits in the City, who shall notify the Council when a private improvement is subsequently constructed on any lot subject to a deficiency. The certificate to the aforementioned Scott County Treasurer shall include a legal description of each lot.

Section 9. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 11th day of January, 2023.

Approved:

Mike Matson
Mayor

Attest:

Brian Krup
Deputy City Clerk

Notice to Property Owners

Notice is hereby given that the City Council of the City of Davenport, Iowa, has adopted the Final Assessment Schedule covering the 2021 Alley Resurfacing Program which was duly certified to the Scott County Treasurer , (and published on January 24 and 31, 2023), and which was recertified to the Scott County Treasurer all in accordance with Chapter 384 of the 2022 Code of Iowa, as amended. All of the property located with the following described boundaries shall be assessed by reason of such construction:

All property abutting the alleys and within the block as listed in the 2021 Alley Resurfacing Program.

Any assessment may be paid at the office of the Scott County Treasurer, 600 W. 4th Street, Davenport, Iowa, 52801 without interest within thirty (30) days of the first publication date of the notice, which was January 24, 2023 and, thereafter, all unpaid assessments will draw annual interest at two (2) percent computed to the December 1st next following the due dates of respective installments, and each installment will be delinquent on September 30th following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Any property owner may elect to pay one-half of any annual installment of principal and interest of a special assessment in advance, with the second semi-annual payment of ordinary taxes collected in the year preceding the due date of such installment. The number of installments into which said assessments greater than $100.00 are to be divided shall be ten (10) and the interest for all unpaid installments shall be at two (2) percent per annum, the first installment being due and payable on July 1, 2023 and succeeding installments, with interest on the whole unpaid amount shall become due on July 1st, annually thereafter and shall be paid at the same time and in the same manner as the September semi-annual payment of ordinary taxes.

Reference is hereby made to the Final Assessment Schedule for a description of the particular lots or tracts and to said Final Assessment Schedule regarding the amounts of the Final Assessment thereon as determined and fixed by the Council.

By order of the City Council, Davenport, Iowa.

Brian Krup
Deputy City Clerk

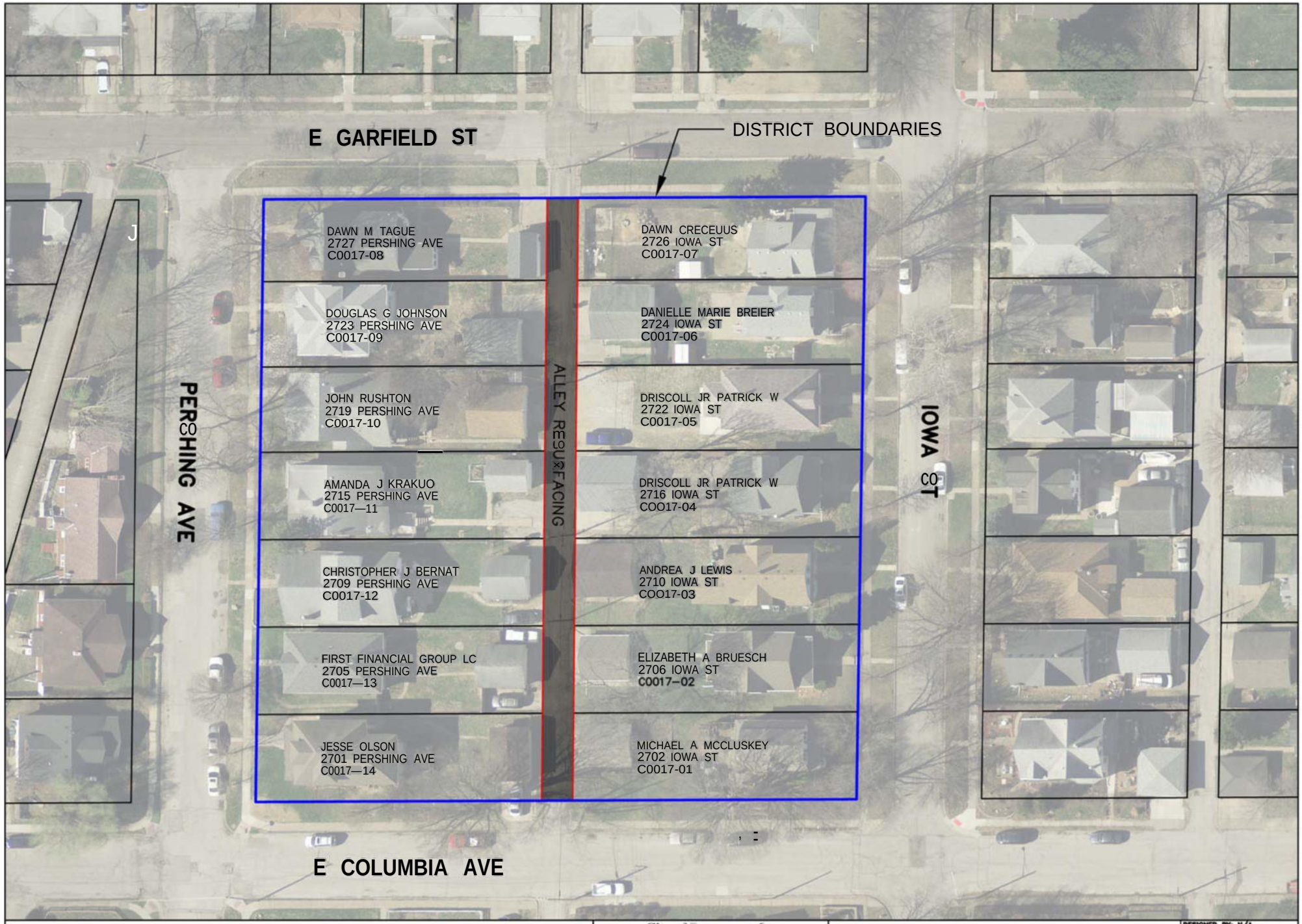
Davenport, Iowa
January 24, 2023

Alley 1

Parcel	Address	Deed1_Name	Deed 1 Address	Deed City, State Zip	Assessed Value	Property Value Limit	Parcel Area (SF)	Assessed Area (SF)	Assessment Amount	Deficiency
C0017-01	2702 IOWA ST	MICHAEL A MCCLUSKEY	2702 IOWA ST	DAVENPORT IA 52803	$ 91,100.00	$ 22,775.00	1,348	1,348	$ 661.14	$ -
C0017-02	2706 IOWA ST	SYDNEY KANE	2706 IOWA ST	DAVENPORT IA 52803-1831	$ 98,730.00	$ 24,682.50	928	928	$ 661.14	$ -
C0017-03	2710 IOWA ST	ANDREA J LEWIS	2710 IOWA ST	DAVENPORT IA 52803	$ 181,820.00	$ 45,455.00	2,446	2,446	$ 661.14	$ -
C0017-04	2716 IOWA ST	DRISCOLL JR PATRICK W	2716 IOWA ST	DAVENPORT IA 52803	$ 87,140.00	$ 21,785.00	1,163	1,163	$ 661.14	$ -
C0017-05	2722 IOWA ST	DRISCOLL JR PATRICK W	2716 IOWA ST	DAVENPORT IA 52803	$ 88,190.00	$ 22,047.50	963	963	$ 645.40	$ -
C0017-06	2724 IOWA ST	DANIELLE MARIE BREIER	2724 IOWA ST	DAVENPORT IA 52803-1831	$ 133,990.00	$ 33,497.50	1,320	1,320	$ 645.40	$ -
C0017-07	2726 IOWA ST	DAWN CRECELIUS	2726 IOWA ST	DAVENPORT IA 52803	$ 71,650.00	$ 17,912.50	1,073	1,073	$ 635.96	$ -
C0017-08	2727 PERSHING AV	DAWN M TAGUE	2727 PERSHING AV	DAVENPORT IA 52803	$ 117,410.00	$ 29,352.50	1,427	1,427	$ 635.96	$ -
C0017-09	2723 PERSHING AVE	DOUGLAS G JOHNSON	2723 PERSHING AVE	DAVENPORT IA 52803-1838	$ 140,920.00	$ 35,230.00	1,808	1,808	$ 645.40	$ -
C0017-10	2719 PERSHING AV	JOHN RUSHTON	2719 PERSHING AV	DAVENPORT IA 52803	$ 110,950.00	$ 27,737.50	1,708	1,708	$ 645.40	$ -
C0017-11	2715 PERSHING AV	AMANDA J KRAKLIO	2715 PERSHING AVE	DAVENPORT IA 52803-1838	$ 80,810.00	$ 20,202.50	1,098	1,098	$ 661.14	$ -
C0017-12	2709 PERSHING AV	CHRISTOPHER J BERNAT	2709 PERSHING AV	DAVENPORT IA 52803-1838	$ 144,310.00	$ 36,077.50	2,177	2,177	$ 661.14	$ -
C0017-13	2705 PERSHING AV	FIRST FINANCIAL GROUP LC	1987 SPRUCE HILLS DR	BETTENDORF IA 52722	$ 72,090.00	$ 18,022.50	862	862	$ 661.14	$ -
C0017-14	2701 PERSHING AV	JESSE OLSON	2701 PERSHING AV	DAVENPORT IA 52803-1838	$ 158,660.00	$ 39,665.00	2,579	2,579	$ 661.14	$ -

Alley 2

Parcel	Address	Deed1 Name	Deed1 Addr	Deed City, State, ZIP	Assessed Value	Property Value Limit	Parcel Area (SF)	Assessed Area (SF)	Assessment Amount	Deficiency
G0016-14	1528 N MYRTLE ST	JERRY D COX	1528 MYRTLE ST	DAVENPORT IA 52804	$ 131,040.00	$ 32,760.00	7,200	7,200	$ 796.99	$ -
G0016-15	1107 W 16TH ST	LINDA JOHNSON	1107 W 16TH ST	DAVENPORT IA 52804-3707	$ 93,100.00	$ 23,275.00	7,200	7,200	$ 796.99	$ -
G0016-16	1111 W 16TH ST	LISA E COONEY	1111 W 16TH ST	DAVENPORT IA 52804-3707	$ 155,290.00	$ 38,822.50	14,400	14,400	$ 1,593.98	$ -
G0016-17	1121 W 16TH ST	LORAN C OUDERKIRK	1121 W 16TH ST	DAVENPORT IA 52804	$ 102,320.00	$ 25,580.00	7,200	7,200	$ 796.99	$ -
G0016-18	1127 W 16TH ST	BERNARD J MASTERSON	1127 W 16TH ST	DAVENPORT IA 52804	$ 96,130.00	$ 24,032.50	7,200	7,200	$ 796.99	$ -
G0016-19	1131 W 16TH ST	HALEY D WIKOFF	1131 W 16TH ST	DAVENPORT IA 52804	$ 104,180.00	$ 26,045.00	7,200	7,200	$ 796.99	$ -
G0016-20	1203 W 16TH ST	HAGEN HELEN J	1203 W 16TH ST	DAVENPORT IA 52804	$ 113,410.00	$ 28,352.50	7,200	7,200	$ 796.99	$ -
G0016-21	1211 W 16TH ST	DONALD LINNENKAMP	1211 W 16TH ST	DAVENPORT IA 52804	$ 111,290.00	$ 27,822.50	6,825	6,825	$ 755.48	$ -
G0016-22	1215 W 16TH ST	PATRICIA CONNELLY	1215 W 16TH ST	DAVENPORT IA 52804-3709	$ 84,000.00	$ 21,000.00	6,825	6,825	$ 1,102.00	$ -
G0016-23	1531 MARQUETTE ST	CHRISTINE LUCAS	1531 MARQUETTE ST	DAVENPORT IA 52804	$ 107,210.00	$ 26,802.50	7,975	7,975	$ 913.22	$ -
G0016-24	1527 N MARQUETTE ST	PAIGE EDNA BANKSON	1527 N MARQUETTE ST	DAVENPORT IA 52804-3753	$ 93,240.00	$ 23,310.00	7,975	7,975	$ 913.22	$ -
G0016-25	1521 MARQUETTE ST	RANDONE JERRY R	1521 MARQUETTE ST	DAVENPORT IA 52804	$ 74,180.00	$ 18,545.00	7,975	7,975	$ 913.22	$ -
G0016-26	1515 MARQUETTE ST	LC FIRST FINANCIAL GROUP	1987 SPRUCE HILLS DR	BETTENDORF IA 52722	$ 108,570.00	$ 27,142.50	10,875	10,875	$ 1,245.30	$ -
G0016-27	1501 MARQUETTE ST	PILGRIM NAZARENE CHURCH IN(	618 W 8TH ST	DAVENPORT IA 52803	$ 215,520.00	$ 53,880.00	13,050	13,050	$ 1,494.35	$ -
G0016-31	1106 W 15TH ST	JOHN T IMMESOETE	1106 W 15TH ST	DAVENPORT IA 52804-3702	$ 274,970.00	$ 68,742.50	15,360	15,360	$ 2,390.97	$ -
G0016-33	1114 W 15TH ST	BRIAN R HEIDGERKEN	1114 W 15TH ST	DAVENPORT IA 52804	$ 118,750.00	$ 29,687.50	7,680	7,680	$ 796.99	$ -
G0016-34	1118 W 15TH ST	PETERSEN JR ANDREW R	1118 W 15TH ST	DAVENPORT IA 52804	$ 76,620.00	$ 19,155.00	7,680	7,680	$ 796.99	$ -
G0016-35	1200 W 15TH ST	LOAN T HUGNH	1200 W 15TH ST	DAVENPORT IA 52803	$ 93,730.00	$ 23,432.50	7,680	7,680	$ 796.99	$ -
G0016-36	1202 W 15TH ST	KEVIN A KOPP	1202 W 15TH ST	DAVENPORT IA 52804	$ 105,690.00	$ 26,422.50	7,680	7,680	$ 796.99	$ -
G0016-37	1204 W 15TH ST	JOSHUA J COLLINS	1204 W 15TH ST	DAVENPORT IA 52804-3704	$ 109,070.00	$ 27,267.50	7,680	7,680	$ 796.99	$ -
G0016-38	1206 W 15TH ST	ERIC A HACKBARTH	1206 W 15TH ST	DAVENPORT IA 52804	$ 104,240.00	$ 26,060.00	7,280	7,280	$ 755.48	$ -
G0016-39	1212 W 15TH ST	RICHARD E BUCKMASTER	1212 W 15TH ST	DAVENPORT IA 52804	$ 99,280.00	$ 24,820.00	7,280	7,280	$ 1,102.00	$ -



City of Davenport, Iowa
Engineering Division
1200 E. 46th Street (563) 326-7728
Davenport, Iowa 52807 Fax (563) 327-5182

Alley 1

DESIGNED BY: N/A
DRAWN BY: NHK
CHECKED BY: N/a
DWG.FILE:
SCALE: 1"=60'

SCOTT COUNTY

PROJECT NUMBER | PLAT

STATE	FHWA REGION	LOCAL FISCAL YEAR	SHEET NO.	TOTAL SHEETS
IOWA	7	FY	1	1

City of Davenport, Iowa
Engineering Division
1200 E. 46th Street (563) 326-7729
Davenport, Iowa 52807 Fax (563) 327-5182

Alley 2

DESIGNED BY: N/A
DRAWN BY: NHK
CHECKED BY: N/A
DWG.FILE:
SCALE: 1"=60'

SCOTT COUNTY

PROJECT NUMBER

PLAT

STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
IOWA	7	FY	1	2

City of Davenport

Department: Public Works - Admin
Contact Info: Amy Kay | 563-327-5160

Action / Date
1/4/2023

Subject:
Resolution adopting the final assessment schedule for the FY 2022 Streambank Stabilization Cost-share Program project at West 62nd Street and North Elmwood Avenue, and amending, confirming, and levying the assessments. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
Within the City of Davenport, maintenance of streams that flow through private property is considered the responsibility of the property owner. A resident or business owner petitions the City to have their stream bank stabilized through the Streambank Stabilization Cost-share Program. This program is an assessment program where ½ of the total cost to reconstruct or stabilize the stream is paid for by the City and the other ½ is paid for by the abutting property owners based on the area of their lot affected by the project.

This project was completed at the east-west section of an unnamed tributary to Silver Creek starting from west of North Linwood Avenue to just west of North Thornwood Avenue between West 62nd and West 63rd Streets. Work on this project has been satisfactorily completed by the City and a Certificate of Completion will be filed with the Deputy City Clerk as required by the Code of Iowa. The final cost of the project was $75,000 of which $48,295 shall be assessed against private property within the assessable district.

Work on this program has been satisfactorily completed and accepted by City Council on December 14, 2022. Adoption of this Resolution will apportion the share assessed to the property owners.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Notice
🗋	Backup Material	Plat Map
🗋	Backup Material	Assessment Schedule

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Kay, Amy	Approved	12/28/2022 - 8:51 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION adopting the final assessment schedule for the FY 2022 Streambank Stabilization Cost-share Program project at West 62nd Street and North Elmwood Avenue, and amending, confirming, and levying the assessments.

WHEREAS, heretofore and in strict compliance with Chapter 384 of the Code of Iowa, 2022, as amended, this Council did, pursuant to the Resolution of Necessity duly adopted, order the construction of the FY 2022 Streambank Stabilization Cost-share Program project, and such improvement having been duly completed, the work accepted, and the Engineers having filed the final assessment schedule, which has been fully considered by this Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that:

Section 1. The final assessment schedule filed by the Engineers covering the FY 2022 Streambank Stabilization Cost-share Program project at West 62nd Street and North Elmwood Avenue is hereby amended as follows:

None

Section 2. After full consideration, appraisement and apportionment of the special benefits conferred upon the property shown in said schedule of said improvements, this Council finds that the said property is specially benefited by said improvements in the amounts as shown on said schedule and that the said amounts are in proportion to the special benefits conferred upon the property by said improvements, are not in excess of such benefits and are not in excess of 25% of the actual value of the lots, parts of lots and parcels of ground shown in said schedule.

Section 3. The final assessment schedule be and the same is hereby approved and confirmed and that there be and there is hereby assessed and levied as a special tax against and upon each of the lots, parts of lots and parcels of land that the owner or owners thereof are liable to assessment for the cost of said improvements shown in said schedule, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of said improvements; and said assessments against said lots and parcels of ground are hereby declared to be in proportion to the special benefits conferred upon the said property by the said improvements and not in excess thereof, and not in excess of 25% of the value of the same.

Section 4. Assessments may be paid in full without interest within thirty days after the date of the first notice of the final assessment schedule, and thereafter all unpaid special assessments will draw annual interest at 0 percent computed to the December 1 next following the due dates of respective installments, and each installment will be delinquent on September 30 following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Any property owner may elect to pay one-half of any annual installment of principal and interest of a special assessment in advance, with the second semiannual payment of ordinary taxes collected in the year preceding the due date of such installment. The number of installments into which said assessments

greater than $500.00 are to be divided shall be ten (10) and the interest for all unpaid installments shall be at the current interest rate adopted by the city percent per annum, the first installment being due and payable on July 1, 2023 and succeeding installments, with interest on the whole unpaid amount shall become due on July 1, annually thereafter and shall be paid at the same time and in the same manner as the September semi-annual payment of ordinary taxes; and

Section 5. The Deputy Clerk is hereby authorized and directed to certify and file the final assessment schedule, herein referred to, with the County Treasurer of Scott County, and the City Clerk shall thereupon give notice of such certification and filing by publication once each week for two successive weeks in the *Quad-City Times*, a legal newspaper printed wholly in the English language, published at least once weekly and of general circulation in Davenport, Iowa, the first publication to be not more than fifteen days after the date of filing of the final schedule, and the Deputy Clerk shall mail said notice by certified mail to each property owner whose property is subject to assessment for said improvement, as shown by the records in the office of the County Auditor of Scott County, Iowa, said notice to be mailed on or before the second publication of said notice, all in accordance with Chapter 384 of the 2022 Code of Iowa, as amended.

Section 6. Such notice shall be in form substantially as follows:

See attached notice

Section 7. Each and all of the deficiencies which appear on the final assessment schedule with respect to the benefited property are hereby confirmed and conditionally levied to the extent that such deficiencies may be subsequently assessed against each lot under Section 384.63 of the Code of Iowa, 2022, as amended.

Section 8. The Deputy Clerk is hereby authorized and directed to certify and file a listing of said deficiencies with the Scott County Treasurer who shall record them in a separate book entitled "Special Assessment Deficiencies" and to the Chief Building Inspector, being the City Official charged with the responsibility of issuing building permits in the City, who shall notify the Council when a private improvement is subsequently constructed on any lot subject to a deficiency. The certificate to the aforementioned Scott County Treasurer shall include a legal description of each lot.

Section 9. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 11th day of January, 2023.

Approved: Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Publish twice: January 15 and 22, 2023
Quad City Times

Notice to Property Owners

Notice is hereby given that the City Council of the City of Davenport, Iowa, has adopted the Final Assessment Schedule covering the FY 2022 Stream Stabilization Cost Share Project which was duly certified to the Scott County Treasurer , (and published on January 15 and 22, 2023), and which was recertified to the Scott County Treasurer all in accordance with Chapter 384 of the 2022 Code of Iowa, as amended. All of the property located with the following described boundaries shall be assessed by reason of such construction:

All property abutting the stream and within the project limits as listed in the FY 2022 Stream Stabilization Cost Share Project.

Any assessment may be paid at the office of the Scott County Treasurer, 600 W. 4th Street, Davenport, Iowa, 52801 without interest within thirty (30) days of the first publication date of the notice, which was January 15, 2023 and, thereafter, all unpaid assessments will draw annual interest at zero (0) percent computed to the December 1st next following the due dates of respective installments, and each installment will be delinquent on September 30th following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Any property owner may elect to pay one-half of any annual installment of principal and interest of a special assessment in advance, with the second semi-annual payment of ordinary taxes collected in the year preceding the due date of such installment. The number of installments into which said assessments greater than $500.00 are to be divided shall be ten (10) and the interest for all unpaid installments shall be at zero (0) percent per annum, the first installment being due and payable on July 1, 2023 and succeeding installments, with interest on the whole unpaid amount shall become due on July 1st, annually thereafter and shall be paid at the same time and in the same manner as the September semi-annual payment of ordinary taxes.

Reference is hereby made to the Final Assessment Schedule for a description of the particular lots or tracts and to said Final Assessment Schedule regarding the amounts of the Final Assessment thereon as determined and fixed by the Council.

By order of the City Council, Davenport, Iowa.

Brian Krup
Deputy City Clerk

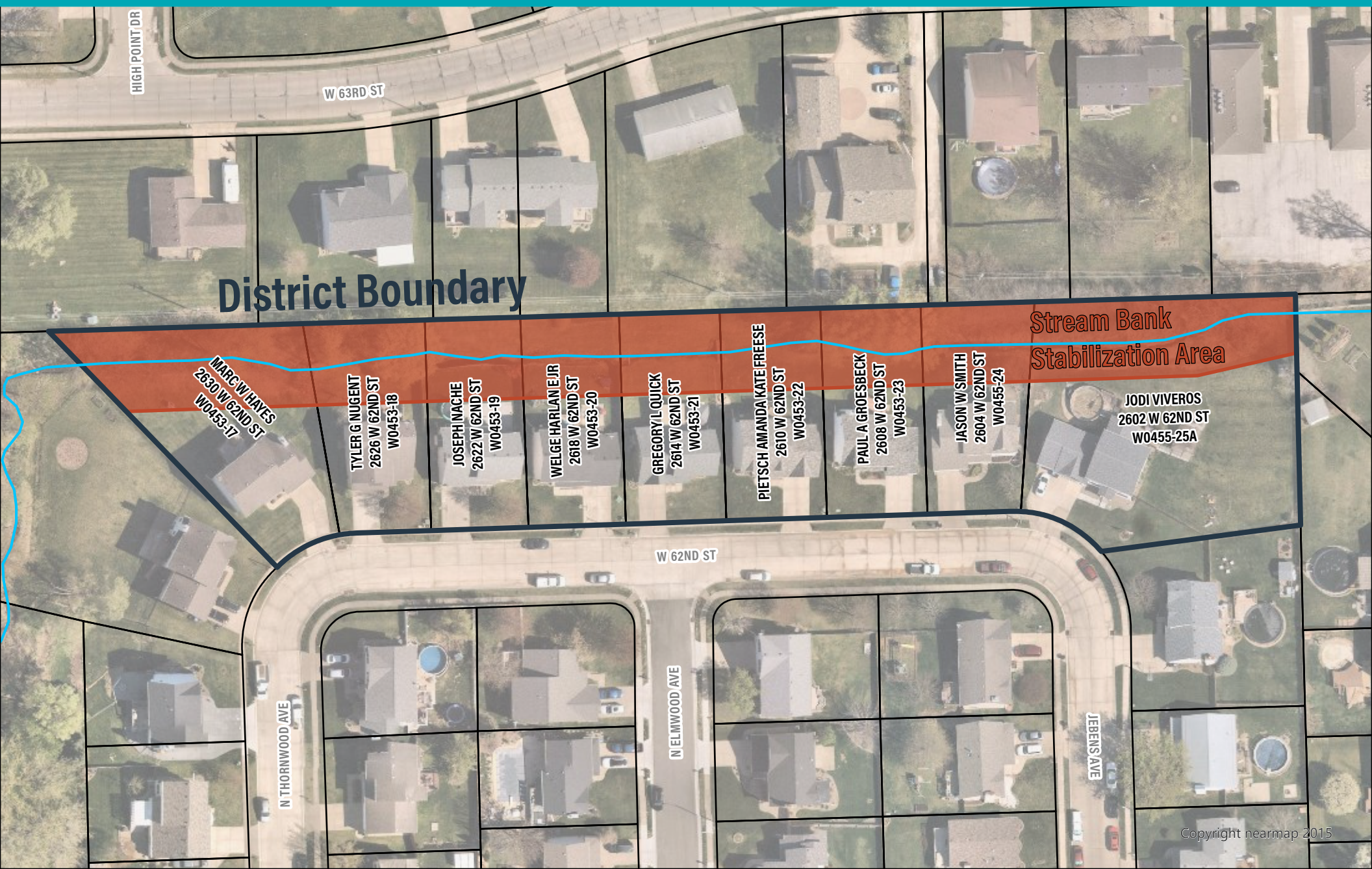
Davenport, Iowa
January 15, 2023

THE CITY OF DAVENPORT
IOWA | USA

Preliminary Plat Map

Stream Bank Stabilization Area
District Boundary

Feet
0 80



FINAL STREAM BANK ASSESSMENT SCHEDULE							
Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Legal_Desc	Assessment Amount	Deficiency Amount
W0453-19	2622 W 62ND ST	TIMOTHY J SHEA	2622 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 19	$3,131.00	$ -
W0453-18	2626 W 62ND ST	TYLER G NUGENT	2626 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 18	$3,686.50	$ -
W0453-17	2630 W 62ND ST	MARC W HAYES	2630 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 17	$7,373.00	$ -
W0453-20	2618 W 62ND ST	WELGE HARLAN E JR	2618 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 20	$3,131.00	$ -
W0453-22	2610 W 62ND ST	PIETSCH AMANDA KATE FREESE	2610 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 22	$3,232.00	$ -
W0453-21	2614 W 62ND ST	GREGORY L QUICK	2614 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 21	$3,232.00	$ -
W0455-25A	2602 W 62ND ST	JODI VIVEROS	2602 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 25	$6,969.00	$ -
W0455-24	2604 W 62ND ST	JASON W SMITH	2604 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 24	$3,535.00	$ -
W0453-23	2608 W 62ND ST	PAUL A GROESBECK	2608 W 62ND ST	DAVENPORT IA 52806	OLYMPIA FIELDS 10TH ADD LOT 23	$3,232.00	$ -

City of Davenport

Department: Public Works - Admin
Contact Info: Nicole Gleason | 563-326-7734

Action / Date
1/11/2023

Subject:
Resolution awarding a contract for the 66th Street Storm Sewer Extension project to Americore LLC of Blue Grass, Iowa in the amount of $159,717.90, CIP #33051. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on November 17, 2022 and sent to contractors. On December 8, 2022 the Purchasing Division opened and read ten (10) responsive and responsible bids. See attached bid tab.

Americore LLC of Blue Grass, Iowa was the lowest responsive and responsible bidder. The work includes the furnishing of all labor, materials, equipment and services necessary for removal and construction of pavement, sidewalks, and storm sewer pipes and structures. Work shall include, but not be limited to, construction survey, driveway removal, and sidewalk removal. Also included is installation/construction of footing drain collector pipe, Type A-1 and B cleanouts, granular backfilling, PCC pavement, curb and gutter, sidewalk, restoration of turf areas adjacent to these items, and traffic control.

Funding for this project is from CIP #33051 Storm Sewer Extension 66th Street.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/28/2022 - 10:32 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:32 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 2:29 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a contract for the 66th Street Storm Sewer Extension project to Americore LLC of Blue Grass, Iowa in the amount of $159,717.90, CIP #33051.

WHEREAS, the City needs to contract for the 66th Street Storm Sewer Extension project; and

WHEREAS, Americore LLC of Blue Grass, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the 66th Street Storm Sewer Extension project is hereby awarded to Americore LLC in the amount of $159,717.90.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 66th Street Storm Sewer Extension (Re-Issue)

BID NUMBER: 23-42

OPENING DATE: December 8, 2022

FUNDING: 71057675 530350 33051 | Storm Sewer Ext-66th St

RECOMMENDATION: Award the contract to Americore LLC of Blue Grass, Iowa

VENDOR NAME	PRICE
Americore LLC of Blue Grass, IA	**$159,717.90**
Ethics Contracting LLC of Bettendorf, IA	$163,431.90
Legacy Corporation of East Moline, IL	$164,852.90
N.J. Miller, Inc of Bettendorf, IA	$166,912.50
Hometown Mechanical of Davenport, IA	$168,635.00
Langman Construction, Inc. of Rock Island, IL	$174,774.40
Rivers Edge Site Services of Dubuque, IA	$185,814.50
McClintock Trucking & Excavating of Silvis, IL	$190,426.00
Miller Trucking & Excavating of Silvis, IL	$193,559.50
Phoenix Corporation of the Quad Cities of Port Byron, IL	$229,250.00

Approved By Kari Thoren 12/27/2022
Purchasing Date

Approved By Nicole McLaren 12-27-22
Dept Director Date

Approved By Brenda Cox 12-27-22
Budget/CIP Date

Approved By Matthew J. Wendt 12/27/2022
Assist. City Administrator/ CFO Date

City of Davenport

Department: Public Works - Admin
Contact Info: Nicole Gleason | 563-326-7734

Action / Date
1/11/2023

Subject:
Resolution awarding a contract for the Kelling Street Sump Pump Abatement project to Americore LLC of Blue Grass, Iowa in the amount of $149,882, CIP #33050. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on November 17, 2022 and sent to contractors. On December 8, 2022 the Purchasing Division opened and read seven (7) responsive and responsible bids. See attached bid tab.

Americore LLC of Blue Grass, Iowa was the lowest responsive and responsible bidder. This project is located along the alley west of Kelling Street, north of West Central Park Avenue. The proposed improvements include, but are not limited to, the furnishing of all labor for the removal of the PCC alley and roadway for the length of the project, full depth aggregate stone base material, geo fabric/grid materials if needed, reconstruction of the alley and roadway with a PCC rigid pavement section, reset all existing utility surface features to finish grade, replacement of the adjacent driveway approaches, reconstruction of sidewalk, topsoil and seeding, and erosion control.

Funding for this project is from CIP #33051 Sump Pump Abatement-Permeable Alley.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/28/2022 - 10:34 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:34 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 2:30 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a contract for the Kelling Street Sump Pump Abatement project to Americore LLC of Blue Grass, Iowa in the amount of $149,882, CIP #33050.

WHEREAS, the City needs to contract for the Kelling Street Sump Pump Abatement project; and

WHEREAS, Americore LLC of Blue Grass, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Kelling Street Sump Pump Abatement project is hereby awarded to Americore LLC of Blue Grass, Iowa in the amount of $149,882.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Sump Pump Abatement (Re-Issue)

BID NUMBER: 23-41

OPENING DATE: December 8, 2022

FUNDING: 71056675 530350 33050 | Sump Pump Abatement

RECOMMENDATION: Award the contract to Americore LLC of Blue Grass, Iowa

VENDOR NAME	PRICE
Americore LLC of Blue Grass, IA	**$149,882.00**
N.J. Miller, Inc of Bettendorf, IA	$166,857.00
Rivers Edge Site Services of Dubuque, IA	$167,002.50
McClintock Trucking & Excavating of Silvis, IL	$175,577.00
Ethics Contracting LLC of Bettendorf, IA	$177,959.75
Miller Trucking & Excavating of Silvis, IL	$198,709.00
Langman Construction, Inc. of Rock Island, IL	$235,874.00

Approved By Kari Thoren 12/28/2022
Purchasing Date

Approved By Nicole Gleason 12-27-22
Dept Director Date

Approved By Brandi Coy 12-27-22
Budget/CIP Date

Approved By Jamie J. Merritt 12/27/2022
Assist. City Administrator/ CFO Date

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
1/11/2023

Subject:
Resolution awarding a contract for the South Marquette Street Public Works Building Sanitary Sewer Separation project to Central Excavating Inc of Bettendorf, Iowa in the amount of $169,989, CIP #30057. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on November 21, 2022 and sent to contractors. On December 21, 2022 the Purchasing Division opened and read eight (8) responsive and responsible bids. See the attached bid tab. Central Excavating Inc of Bettendorf, Iowa was the lowest bidder.

This City-owned building has floor drains connected to the storm sewer system which is not allowed by Environmental Protection Agency rules. This item is listed on the City's Iowa Department of Natural Recourses Consent Order. This project will disconnect the floor drains from the storm sewer and connect them to the sanitary sewer system. Work will be completed during the 2023 construction season.

Funding for this project is from CIP #30057 - Inflow & Infiltration Removal Program.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/28/2022 - 10:35 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:36 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 12:59 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a contract for the South Marquette Street Public Works Building Sanitary Sewer Separation project to Central Excavating Inc of Bettendorf, Iowa in the amount of $169,989, CIP #30057.

WHEREAS, the City needs to contract for the South Marquette Street Public Works Building Sanitary Sewer Separation project; and

WHEREAS, Central Excavating Inc of Bettendorf, Iowa was the lowest responsible and responsive bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the South Marquette Street Public Works Building Sanitary Sewer Separation project is hereby awarded to Central Excavating Inc of Bettendorf, Iowa in the amount of $169,989.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Marquette St Public Works Building Sewer Separation

BID NUMBER: 23-44

OPENING DATE: December 21, 2022

FUNDING: 71583683 530350 30057 | Inflow & Infiltration Removal Prog

RECOMMENDATION: Award the contract to Central Excavating Inc of Bettendorf, Iowa

VENDOR NAME	PRICE
Central Excavating Inc of Bettendorf, IA	**$169,989.00**
Ethics Contracting LLC of Bettendorf, IA	$183,893.75
Five Cities Construction Company of Coal Valley, IL	$216,702.00
McClintock Trucking & Excavating of Silvis, IL	$236,535.00
McCarthy Improvement Company of Davenport, IA	$238,664.00
N.J. Miller, Inc of Bettendorf, IA	$260,275.00
Langman Construction, Inc. of Rock Island, IL	$291,025.02
Miller Trucking & Excavating of Silvis, IL	$307,682.00

Approved By _____ 12-27-22
Purchasing Date

Approved By _____ 12-27-22
Dept. Director Date

Approved By _____ 12-27-22
Budget/CIP Date

Approved By _____ 12/27/2022
Assist. City Administrator/CFO Date

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Nicole Gleason | 563-326-7734 **1/11/2023**

Subject:
Resolution awarding a contract for the RiverCenter Electrical Upgrades project to Tri-City Electrical Co of Davenport, Iowa in the amount of $316,720, CIP #69014. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on November 16, 2022 and sent to contractors. On December 22, 2022 the Purchasing Division opened and read one (1) responsive and responsible bid. See the attached bid tab. Tri-City Electric Co of Davenport, Iowa was the lowest bidder.

This project is for electrical upgrades on portions of the North and South buildings of the RiverCenter located at 201 East 3rd Street and 136 East 3rd Street. This project will correct code issues and increase capacity of the existing electrical system.

Funding for this project is from CIP #69014 - RiverCenter Renovation.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution
Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/28/2022 - 10:35 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:35 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 12:58 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a contract for the RiverCenter Electrical Upgrades project to Tri-City Electric Co of Davenport, Iowa in the amount of $316,720, CIP #69014.

WHEREAS, the City needs to contract for the RiverCenter Electrical Upgrades project; and

WHEREAS, Tri-City Electric Co of Davenport, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the RiverCenter Electrical Upgrades project is hereby awarded to Tri-City Electric Co of Davenport, Iowa in the amount of $316,720.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: River Center Electrical Upgrades

BID NUMBER: 23-39

OPENING DATE: December 22, 2022

FUNDING: 76024675 530350 69014 | RiverCenter Renovation

RECOMMENDATION: Award the contract to Tri-City Electric Co of Davenport, Iowa for $316,720.

VENDOR NAME	PRICE
Tri-City Electric Co of Davenport, IA	**$316,720**

Approved By _____ 12-27-22
Purchasing Date

Approved By _____ 12-27-22
Dept. Director Date

Approved By _____ 12-27-22
Budget/CIP Date

Approved By _____ 12/27/2022
Assist. City Administrator/CFO Date

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **1/11/2023**

Subject:
Resolution introducing the Proposed Resolution of Necessity covering the FY 2023 Alley Cost Share Program. [Wards 3, 5, & 6]

Recommendation:
Adopt the Resolution.

Background:
Costs for the Alley Cost Share Program are according to the following percentages:

- Residential | 25% property owner/75% City funds
- Commercial | 50% property owner/50% City funds.

The below alleys have requested to be included in the upcoming program.

1. East-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end.
2. East-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street.
3. North-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard.
4. East-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road.
5. East-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street.

During the process, if greater than 50% of the adjacent property owners declare they wish to opt out of the program, that alley will be removed from the program. Alleys removed during the process are eligible to participate in future years. The total estimated cost of these improvements is $600,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:35 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:35 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 2:32 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION introducing the Proposed Resolution of Necessity covering the FY 2023 Alley Cost Share Program.

WHEREAS, this Council has adopted a Preliminary Resolution pursuant to Section 384.42 of the Code of Iowa covering the resurfacing of the following alleys also known as the FY 2023 Alley Cost Share Program (herein referred to as the "Improvement Project"):

- east-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end,
- east-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street,
- north-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard,
- east-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road,
- east-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street; and

WHEREAS, pursuant thereto, the Project Engineers have prepared preliminary plans and specifications, an estimated cost of the work, and a plat and preliminary schedule, including the valuation of each lot as previously determined by this Council, and the same have been duly adopted and are now on file with the Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that:

Section 1. It is hereby found and determined to be necessary and for the best interest of the City and its inhabitants to proceed with the aforementioned Improvement Project, and to assess the cost thereof to the property benefited thereby.

Section 2. The Improvement Project shall constitute a single improvement and shall consist of, generally, resurfacing of a certain alley with approximately a 2-inch thickness of Hot Mix Asphalt (HMA), and all associated work, all as more particularly described in the preliminary resolution relating to the Improvement Project previously adopted by this Council, which resolution is hereby referred to for a more complete description of the location and terminal points of the Improvement Project and the property benefited thereby and proposed to be assessed to pay the cost of such improvement.

Section 3. It is hereby found and determined that there is now on file in the office of the Clerk an estimated total cost of the proposed work and a preliminary plat and schedule showing the amount proposed to be assessed to each lot by reason of such improvement project.

Section 4. This Council will meet at 5:30 P.M. on the 18th day of January, 2023 at Davenport City Hall, 226 West 4th Street, at which time and place it will hear the property owners subject to the proposed assessment or assessments and interested parties for or against the Improvement Project, its cost, the assessment thereof, or the boundaries of the properties to be assessed. Unless a property owner files an objection with the Clerk at the time of the hearing on the Resolution of Necessity, he shall have deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using the special assessment procedure.

Section 5. The Clerk is hereby authorized and directed to give notice as required by Section 384.50 of the Code of Iowa, 2021, as amended, by publication once each week for two consecutive weeks in the Quad-City Times, a newspaper published at least once weekly and having general circulation in the City and shall likewise mail a copy of such notice to each property owner whose property is subject to assessment for the Improvement Project as shown by the records in the office of the County Auditor not less than fifteen days prior to the hearing on this resolution. The first publication of such notice shall not be less than ten (10) nor more than twenty (20) days prior to the hearing.

Section 6. That such notice shall be in the form substantially at that as follows section G.

Section 7. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Passed and approved this 11th day of January, 2023.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
1/11/2023

Subject:
Resolution accepting work completed and an assessment for the 2022 Commercial Alley Resurfacing Program in accordance with the Alley Cost Share Program, CIP #35038. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The Commercial Alley Resurfacing Program is a 50% cost share between the City and property owners. Asphalt milling and overlay work was completed at the following three alleys:

- North-south alley from 4th Street to 5th Street between Brady and Perry Streets.
- East-west alley from Western Avenue to Scott Street between West 3rd Street and West 4th Street.
- North-south alley from West 4th Street north to the alley end between Harrison and Main Streets.

Work on this project has been satisfactorily completed by Langman Construction, Inc of Rock Island, Illinois and an Engineer's Certificate of Completion will be filed with the Deputy City Clerk as required by the Code of Iowa. The final cost of the work was $150,747.84 of which the sum of $53,098.48 shall be assessed against private property within the assessable district.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Exhibit	Project Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:32 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:33 AM
City Clerk	Admin, Default	Approved	12/29/2022 - 9:14 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed and an assessment for the 2022 Commercial Alley Resurfacing Program in accordance with the Alley Cost Share Program.

WHEREAS, the engineers have duly filed a certificate in accordance with Section 384.58 of the Code of Iowa, 2022, as amended, showing that they have inspected the completed work for the 2022 Commercial Alley Resurfacing Program, CIP #35038, and that the same has been performed in compliance with the terms of the project plans and specifications and showing the total cost thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that:

Section 1. It is hereby found and determined that the work of constructing the above-named project has been duly and fully completed by Langman Construction, Inc of Rock Island, Illinois in accordance with the terms of the project plans and specifications, and the same is hereby accepted and approved.

Section 2. It is hereby found and determined that the total construction cost of said project is in the total amount of $150,747.84 of which the sum of $53,098.48 shall be assessed against private property within the assessable district.

Section 3. The amount due to Langman Construction, Inc of Rock Island, Illinois is hereby ordered paid by the issuance to Langman Construction, Inc of anticipatory warrant or warrants, in accordance with Section 384.57 of the Code of Iowa, 2022, as amended, or from such other fund or funds as may be available for that purpose, such warrant or warrants and amounts paid from any such fund or funds to be paid and replaced to the extent possible from the proceeds of special assessments and the sale of special assessment bonds.

Section 4. The engineers are hereby instructed to prepare the final schedule of assessments, as provided in Section 384.59 of the Code of Iowa, 2022, as amended.

Section 5. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 11th day of January, 2023.

Approved:

_____

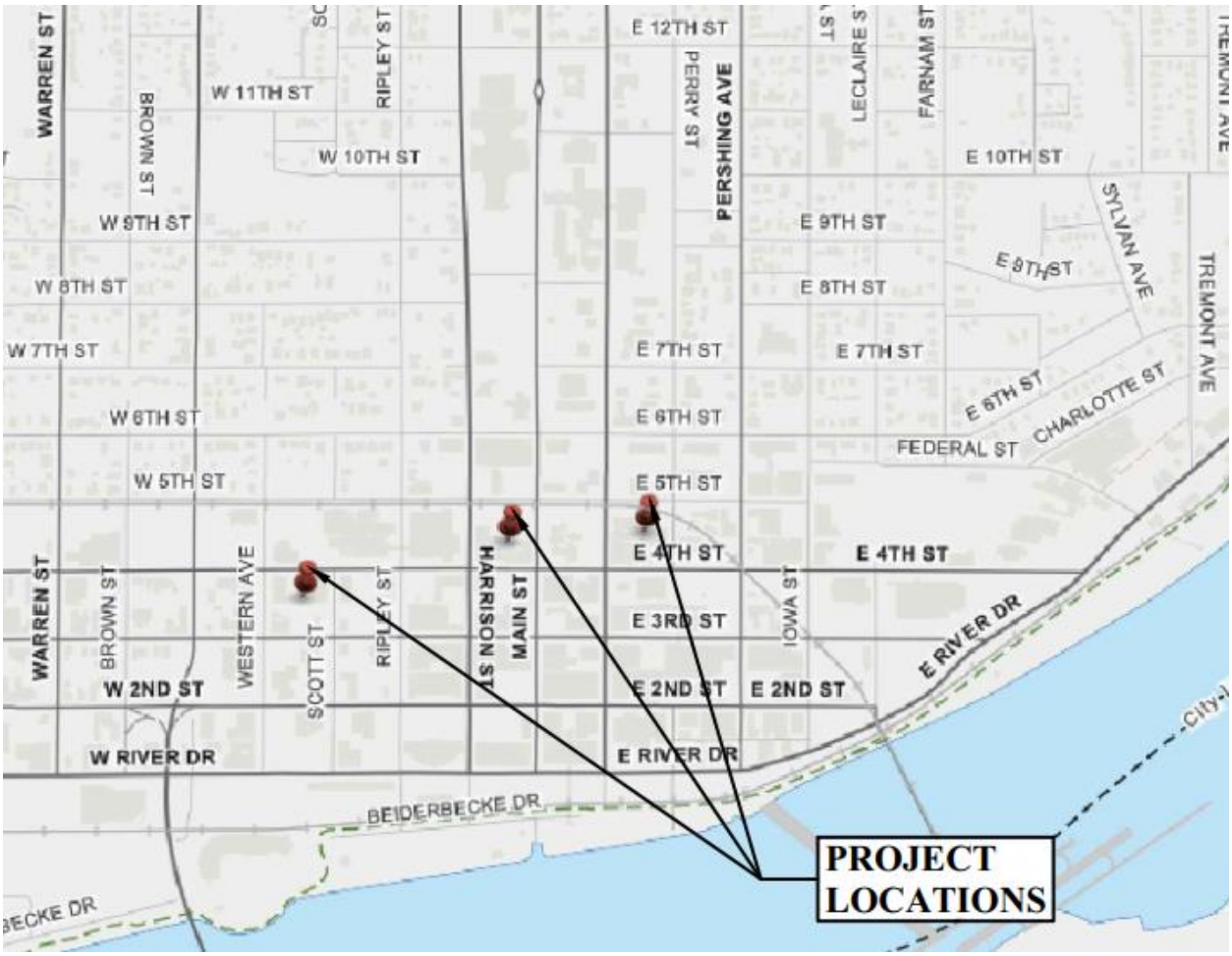
Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

2022 Commercial Alley Resurfacing Program



City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
1/11/2023

Subject:
Resolution accepting work completed and an assessment for the 2022 Residential Alley Resurfacing Program in accordance with the Alley Cost Share Program, CIP #35038. [Ward 5]

Recommendation:
Adopt the Resolution.

Background:
The Residential Alley Resurfacing Program is a cost share between the City (75%) and property owners (25%). Asphalt milling and overlay work was completed at the following two alleys:

- North-south alley from East 17th Street to East 18th Street between Perry Street and Pershing Avenue.
- North-south alley from East Rusholme Street to Denison Avenue between Brady Street and Pershing Avenue.

Work on this project has been satisfactorily completed by Langman Construction, Inc of Rock Island, Illinois and an Engineer's Certificate of Completion will be filed with the Deputy City Clerk as required by the Code of Iowa. The final cost of the work was $68,456.18 of which the sum of $14,636.42 shall be assessed against private property within the assessable district.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Cert of Completion

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:43 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:43 AM
City Clerk	Admin, Default	Approved	12/29/2022 - 9:15 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed and an assessment for the 2022 Residential Alley Resurfacing Program in accordance with the Alley Cost Share Program.

WHEREAS, the engineers have duly filed a certificate in accordance with Section 384.58 of the Code of Iowa, 2022, as amended, showing that they have inspected the completed work for the 2022 Residential Alley Resurfacing Program, CIP #35038, and that the same has been performed in compliance with the terms of the project plans and specifications and showing the total cost thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that:

Section 1. It is hereby found and determined that the work of constructing the above-named project has been duly and fully completed by Langman Construction, Inc of Rock Island, Illinois in accordance with the terms of the project plans and specifications, and the same is hereby accepted and approved.

Section 2. It is hereby found and determined that the total construction cost of said project is in the total amount of $68,456.18 of which the sum of $14,636.42 shall be assessed against private property within the assessable district.

Section 3. The amount due to Langman Construction, Inc of Rock Island, Illinois is hereby ordered paid by the issuance to Langman Construction, Inc of anticipatory warrant or warrants, in accordance with Section 384.57 of the Code of Iowa, 2022, as amended, or from such other fund or funds as may be available for that purpose, such warrant or warrants and amounts paid from any such fund or funds to be paid and replaced to the extent possible from the proceeds of special assessments and the sale of special assessment bonds.

Section 4. The engineers are hereby instructed to prepare the final schedule of assessments, as provided in Section 384.59 of the Code of Iowa, 2022, as amended.

Section 5. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 11th day of January, 2023.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

DAVENPORT
PUBLIC WORKS

ENGINEER'S CERTIFICATE OF COMPLETION FOR:

2022 Residential Alley Resurfacing Program

I, Nichole Kuzniewicz, hereby certify that I acted as engineer on behalf of the City of Davenport, Iowa, in connection with the above titled project; that I, in conjunction with the project manager, Jen Walker, have made a final inspection of the completed project and have found it to be in reasonable compliance with all terms and particulars of the contract between the City of Davenport, Iowa and Langman Construction, Inc.with the following listed exceptions:

Work is needed to repair fence located at 124 E. Rusholme St.

In addition, we have determined the total cost of said improvement to be $68,456.18.

Nichole Kuzniewicz, PE
Engineering
Public Works Department
City of Davenport, Iowa

Jen Walker
Capital Planning & Implementation
Public Works Department
City of Davenport, Iowa

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
1/11/2023

Subject:
Resolution accepting work completed under the CY 2022 Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $202,629.05, CIP #28028. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This sidewalk program was used to repair existing sidewalks throughout the Davenport. Locations were based on citizens that had elected to utilize the 50/50 cost share program, areas where City tree roots had caused problems, and Cartegraph requests. Funding for this contract was from the sale of General Obligation Bonds. The contract of $202,629.05 was budgeted in CIP #28028.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:31 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:31 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 12:57 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the CY 2022 Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $202,629.05, CIP #28028.

WHEREAS, the City of Davenport entered into a contract with Centennial Contractors of the Quad Cities, Inc of Moline, Illinois for construction work; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that work completed under the CY 2022 Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $202,629.05 is hereby accepted.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
1/11/2023

Subject:
Resolution accepting work completed under the CY 2022 City Property Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $153,966.08, CIP #28028. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This sidewalk program was used to repair existing sidewalks adjacent to City facilities and parks. The project was estimated at $300,000 and funded by the sale of the General Obligation Bonds and local option sales tax. The contract of $153,966.08 was budgeted in CIP #28028.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:30 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:31 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 12:56 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the CY 2022 City Property Sidewalk Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $153,966.08, CIP #28028.

WHEREAS, the City of Davenport entered into a contract with Centennial Contractors of the Quad Cities, Inc of Moline, Illinois for construction work; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that work completed under the CY 2022 City Property Sidewalk Program by Centennial Contractors of the Quad Cities,Inc of Moline, Illinois in the amount of $153,966.08 is hereby accepted.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
1/11/2023

Subject:
Resolution accepting work completed under the West 76th Street (east of Hancock Court to Division Street) Extension project completed by Valley Construction of Rock Island, Illinois in the amount of $3,851,945.19, CIP #01629. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
76th Street Extension is a connection between the Industrial Park area east of Division Street and the 76th Street Industrial Park area just east of Northwest Boulevard. The extension provides a vital link between the two areas, provides access for prospective development, and improves interstate access.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:36 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:36 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the West 76th Street (east of Hancock Court to Division Street) Extension project by Valley Construction Company of Rock Island, Illinois in the amount of $3,851,945.19, CIP #01629.

WHEREAS, the City of Davenport entered into a contract with Valley Construction Company of Rock, Island, Illinois for construction work; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the West 76th Street (east of Hancock Court to Division Street) Extension project by Valley Construction Company of Rock Island, Illinois in the amount of $3,851,945.19 is hereby accepted.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Hanna Whitehurst | 563-326-7772

Action / Date
1/11/2023

Subject:
Resolution setting a Public Hearing for the FY 2024 proposed maximum property tax levy rate and amount. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This Resolution sets a Public Hearing for February 1, 2022 Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport city Hall, 226 West 4th Street, for the purpose of receiving public comment on the City of Davenport's proposed maximum property tax levy rate and amount for the FY 2024 Budget.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Resolution
	Exhibit	Publication Notice

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/28/2022 - 4:11 PM
Finance Committee	Merritt, Mallory	Approved	12/28/2022 - 4:12 PM
City Clerk	Admin, Default	Approved	12/29/2022 - 10:00 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION setting a Public Hearing for the FY 2024 proposed maximum property tax levy rate and amount.

WHEREAS, a Public Hearing is required for the purpose of receiving public comment on the City of Davenport's proposed maximum property tax levy rate and amount for the FY 2024 Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Public Hearing for the FY 2024 proposed maximum property tax levy rate and amount will be held at the February 1, 2023 Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

NOTICE OF PUBLIC HEARING - CITY OF DAVENPORT - PROPOSED PROPERTY TAX LEVY
Fiscal Year July 1, 2023 - June 30, 2024

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

Meeting Date: 2/1/2023 **Meeting Time:** 05:30 PM **Meeting Location:** 226 West 4th Street, Davenport, Iowa, 52801 City Council Chambers

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)
www.davenportiowa.com

City Telephone Number
(563) 326-7772

	Current Year Certified Property Tax 2022 - 2023	Budget Year Effective Property Tax 2023 - 2024	Budget Year Proposed Maximum Property Tax 2023 - 2024	Annual % CHG
Regular Taxable Valuation	4,976,226,877	5,073,765,008	5,073,765,008	
Tax Levies:				
Regular General	40,307,438	40,307,438	41,097,497	
Contract for Use of Bridge			0	
Opr & Maint Publicly Owned Transit	4,528,366	4,528,366	4,617,126	
Rent, Ins. Maint. Of Non-Owned Civ. Ctr.			0	
Opr & Maint of City-Owned Civic Center			0	
Planning a Sanitary Disposal Project			0	
Liability, Property & Self-Insurance Costs	1,244,057	1,244,057	1,268,441	
Support of Local Emer. Mgmt. Commission			0	
Emergency	1,343,581	1,343,581	1,369,917	
Police & Fire Retirement	6,065,217	6,065,217	5,921,544	
FICA & IPERS	2,873,713	2,873,713	3,037,437	
Other Employee Benefits	15,593,869	15,593,869	16,054,680	
Total Tax Levy	71,956,241	71,956,241	73,366,642	1.96
Tax Rate	14.46000	14.18202	14.46000	

Explanation of significant increases in the budget:
The FY 2024 Budget increases include primarily negotiated wages, contract escalations, and other miscellaneous operational needs.

If applicable, the above notice also available online at:
www.davenportiowa.com

*Total city tax rate will also include voted general fund levy, debt service levy, and capital improvement reserve levy.
**Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming budget year

City of Davenport

Department: Finance
Contact Info: Sarah Ott | 563-326-6167

Action / Date
1/11/2023

Subject:
Resolution adopting the City of Davenport's 2023 State Legislative Program. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
For the 2023 state legislative session, the City of Davenport has prepared a legislative packet in which the City will take formal positions on issues as directed by the City Council through the adoption of this packet. Staff has prepared formal position papers on five areas that are of importance to the City including tax increment financing, automatic traffic enforcement, high risk unit funding, uniform building codes and property tax reform. In addition, the City of Davenport supports the preservation of local control by the State on all matters that impact the City.

As part of the 2023 legislative strategy, staff has coordinated delegation meetings to discuss the City's legislative priorities. Legislative updates will be distributed as needed to the City Council throughout the legislative session to keep the City Council abreast of current and upcoming issues that may need further discussion. The proposed platform serves only as a base, and the City will stay engaged as new topics arise during the session.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	2023 Legislative Packet

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	12/30/2022 - 8:11 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION adopting the City of Davenport's 2023 State Legislative Program.

WHEREAS, the City of Davenport has identified several legislative issues as priorities in advance of the 2023 state legislative session in Des Moines; and

WHEREAS, the City of Davenport intends to encourage state legislators to introduce and adopt legislation in accord with said identified legislative priorities; and

WHEREAS, the City of Davenport supports the preservation of local control by the State on all matters that impact the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that the City of Davenport, through its elected officials, staff, and lobbyists, is authorized to conduct, engage in, and carry on actions with Iowa state legislators in order to put into effect the City of Davenport's 2023 legislative priorities.

Passed and approved this 11th day of January, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

ISSUE PAPER 23-01 | Tax Increment Financing

December 1, 2022 (S. Ott & S. Knutsen)

STATEMENT OF ISSUE & BACKGROUND

The City of Davenport utilizes Tax Increment Financing (TIF) to incent businesses that are making a large capital investment and creating new jobs in Davenport and/or reversing blight in areas needing redevelopment. TIF has been consistently targeted by the state legislature in past sessions for modification. The City of Davenport, and the developers and businesses that invest in our City, would be directly impacted by any legislation that seeks to further regulate the use of TIF.

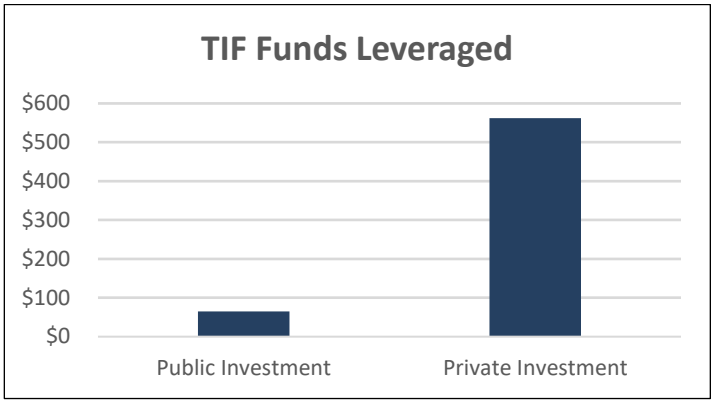
Iowa Code 403 allows for municipalities to use Tax Increment Financing (TIF) for a variety of economic development purposes. Davenport utilizes TIF for projects with significant job creation and capital investment. Davenport's standard TIF agreement provides companies with a 60% rebate over 15 years. Since 2009, every dollar spent in TIF has leveraged $10.30 in private investment, resulting in over $696M in development in Davenport. In addition, over 1,805 jobs have been created through projects supported with TIF.

In a globally competitive world, TIF helps position the City of Davenport and the State of Iowa as a business-friendly place to do business. Davenport uses economic development agreements to help existing businesses expand and thrive in Iowa. Over the past 10 years, 10 out of 11 projects were used to assist existing business expansions.

The City of Davenport consults with local taxing jurisdictions as required by Iowa Code before utilizing TIF for a new project or expanding an Urban Renewal Area. Davenport actively engages in this process and provides taxing jurisdictions information about all projects being considered for TIF. The City does not support any legislation that would give the State or other taxing jurisdictions authority over how the City utilizes TIF.

RELEVANT DATA

Exhibit 1: Private investment leveraged as a result of public TIF investment since 2009.



OPERATIONAL/FISCAL IMPACTS

Over the past 10 years the City has seen over 1,618 jobs created and $624M in capital investment in projects assisted by TIF. This capital investment has a direct effect on increasing the City's tax base and has led to an increase in assessed value of over $210M. This will result in over $7.12M in annual property taxes once the TIF payment schedules are complete. All other taxing jurisdictions benefit from development incented with TIF as the City only rebates a portion of the increment back to projects, meaning that all taxing jurisdictions see a net gain in property tax revenue.

Any legislation that seeks to limit municipalities' use of TIF would have substantial impacts on cities and potential economic development. The dexterity to rebate a portion of a growing company's property taxes or to utilize some of the property tax revenue stream to create infrastructure improvements is a critical tool in the race for business growth. The City of Davenport partners with the State of Iowa Economic Development Authority for the creation of new high-quality jobs within primary job sectors. A part of the requirement for the State's High Quality Jobs program is to match a portion of the State's award. The TIF program is one manner in which cities can meet this requirement.

REQUESTED ACTIONS

Oppose any legislation that may arise that seeks to limit the City's ability to use Tax Increment Financing, allowing it to be a flexible and powerful tool for business retention and attraction.

THE CITY OF DAVENPORT
IOWA | USA

ISSUE PAPER 23-02 | High Risk Unit Funding

December 1, 2022 (S. Ott & J. Bladel)

STATEMENT OF ISSUE & BACKGROUND

The City of Davenport and the Davenport Police Department are committed to collaborating with local law enforcement and public safety partners to ensure our community is a safe place for all residents to reside. One such partner is the Department of Correctional Services 7th Judicial District of Iowa. They are charged with overseeing offenders who are currently on court-ordered supervised release to ensure they are complying with the terms and conditions of their probation as to not reoffend in the community.

Currently, half of Iowa Department of Correctional Service's eight districts have deployed High Risk Units in their jurisdictions, while the 7th Judicial District has not. High Risk Units are parole or probation officers that are sworn law enforcement officers. High Risk Units are responsible for the supervision and monitoring of high-risk, violent offenders, those at most risk of reoffending in our community. Although the number of offenders in this category are relatively small, they are responsible for the majority of violent crimes in our community and recidivate at rates exceeding 80%.

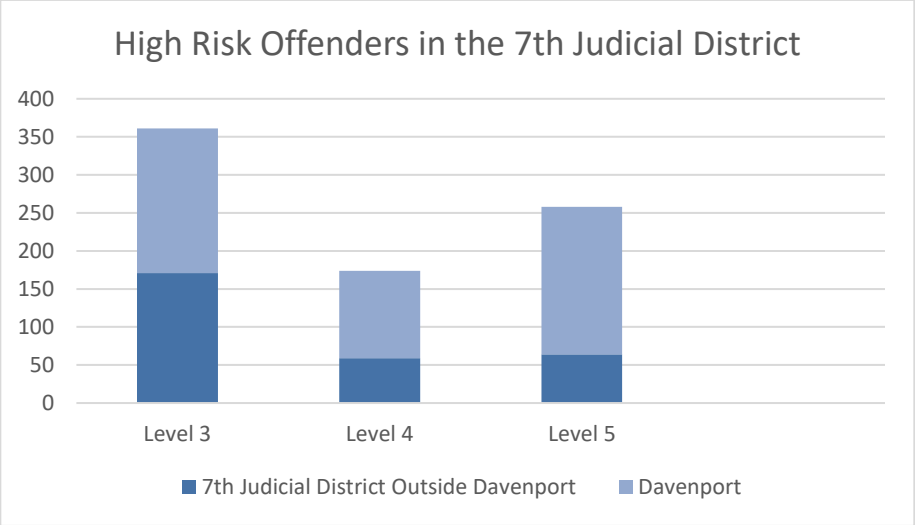
They are responsible for conducting residential check-ins throughout the district and ensuring parolees are complying with the conditions of supervision, including electronic monitoring of parolees. They also execute warrants and apprehend absconders throughout the community before they are able to reoffend. As sworn law enforcement officers, the High Risk Unit assists local law enforcement agencies with fugitive captures, special enforcement projects, task force operations, and seizures of firearms and narcotics.

Davenport, Iowa's third largest community, is located within the Correctional Services 7th Judicial District. The Board of Directors has previously identified the need for a High Risk Unit within the 7th Judicial District which does not currently have one. The 7th Judicial District would like to enhance their oversight of parolees in our community with the creation of the High Risk Unit within their district but needs State funding in order to do so. As the Davenport Police Department works diligently to combat crime in our community, funding a High Risk Unit within the Correctional Services 7th Judicial District would have a direct impact on public safety within the City of Davenport and would increase DPD's ability to prevent crime in our community. DPD sees the High Risk Unit as an essential component of our overarching violent crime reduction strategy.

By funding a High Risk Unit, the Department of Corrections 7th Judicial District will work closely with the Davenport Police Department to safely monitor this population to lower recidivism and therefore reduce violent crime in Davenport.

RELEVANT DATA

Exhibit 1: Number of high risk offenders in Department of Corrections 7th Judicial District



OPERATIONAL/FISCAL IMPACTS

The creation of a High Risk Unit in the Department of Corrections 7th Judicial District will directly contribute to the safety of our residents by providing more intensive oversight of those violent offenders at highest risk of reoffending in our communities.

REQUESTED ACTIONS

Support funding through the Department of Corrections for a High Risk Unit in the Department of Correctional Services 7th Judicial District High Risk Unit.

THE CITY OF DAVENPORT
IOWA | USA

ISSUE PAPER 23-03 | State Uniform Building Codes

December 1, 2022 (S. Ott, J. Morris, T. Pradhan)

STATEMENT OF ISSUE & BACKGROUND

During the 2022 legislative session, Governor Reynolds introduced an omnibus workforce housing bill that included a section that would preempt local building and fire codes and replace them with a State Building Code. The State Building Code as proposed would have adopted the 2015 editions of several International Code Council model codes, two of which are the International Fire Code and the International Building Code.

The City of Davenport has currently adopted the 2015 International Building Code and the 2015 International Fire Code and plans to adopt the 2021 code editions in the next year. Throughout the state, many local jurisdictions have already adopted these 2021 code editions, or are in the process of doing so.

The legislation as drafted during the 2022 legislative session would not allow jurisdictions to add local amendments or exceed the 2015 International Building Code.

The City of Davenport opposes the preemption of local building codes to be replaced by a State Building Code that does not allow for local amendments or for jurisdictions to adopt newer code versions.

New code editions take into account new technology and building processes that are already being used in the field, often unregulated. State-wide adoption of 2015 editions of the model would mean Cities would have the inability to adapt to changing construction methods and leave issues that have arisen since 2015 unregulated. This is a major safety concern for fire and building code officials and is a danger to both the safety of citizens as well as first responders who are dispatched to mitigate a large variety of emergency situations.

The City understands the intent of the legislation to make construction more uniform for developers across the state; however, we do not believe this should be done in a way that preempts local municipalities, but rather done in a way that provides base uniformity across the state. This would still allow local jurisdictions to adopt amendments or new versions of the code to address safety concerns as they arise.

REQUESTED ACTIONS

Do not approve any bill that creates a State Building Code that does not allow for local jurisdictions to make amendments or adopt newer versions of the code. There is precedent for this in the State with the plumbing, electrical, and mechanical codes.

If a State Building Code will be adopted, it should include the newest editions of model codes. A board of stakeholders, including fire and building code officials, should be established to review new model codes and make recommendations for amendments to and adoption of such codes.

THE CITY OF DAVENPORT
IOWA | USA

ISSUE PAPER 23-04 | Tax Reform Implications

December 1, 2022 (S. Ott)

STATEMENT OF ISSUE & BACKGROUND

The General Fund levy is currently capped at $8.10 per $1,000 in valuation and has been set at this rate since the 1980's. The City of Davenport utilizes its general fund to fund the ongoing operations of the City, including public safety.

Public safety resources are paid for through the City's General Fund. As urban metro areas have grown, the need to provide more public safety resources to protect their communities has also grown, yet the cap on the General Fund levy has made it increasingly difficult to do so in Davenport.

Public safety costs accounted for approximately 64.7% of the City of Davenport's FY 2022 annual general fund budget. The remaining portion of the budget accounts for all other municipal services provided by the City. Any property tax reform that impacts the general fund will have a direct impact on the City's ability to provide public safety resources to our citizens, including the need to cut public safety personnel.

In 2013, the State of Iowa adopted Senate File 295 which reformed the property tax structure in Iowa. The legislation reduced the commercial rollback from 100% to 90% and created a new multi-residential category that reduced multi-residential properties from 100% to a phased in rollback equal to the residential rollback. At the time, the State pledged to make cities whole through FY 2017 and would appropriate backfill monies each year after that.

In 2021, the State discontinued its ongoing commitment to this promise to appropriate dollars to cities and began to phase out the backfill over a series of years. In FY 2022, the last year that Davenport received the full amount of commercial backfill from the State, the City received approximately $3.1 million in commercial backfill funds, with $1.5 million of this in the general fund. Davenport is on an eight-year phase out schedule with the last payment anticipated to be received in FY 2029. This means that Davenport will have to absorb a loss of over $3.1 million in revenue by July 2029.

The City has been able to absorb this loss of revenue from the State without cutting public safety personnel; however, if there is further tax reform that impacts the general fund budget of the City, public safety personnel staffing levels are likely to be negatively impacted.

REQUESTED ACTIONS

Oppose any legislation that may arise that seeks to cut the City's general fund budget.

THE CITY OF DAVENPORT
IOWA | USA

ISSUE PAPER 23-05 | Automated Traffic Enforcement Cameras

December 1, 2022 (S. Ott)

STATEMENT OF ISSUE & BACKGROUND

In past legislative sessions, there have been several bills proposed in the Iowa Senate aiming to prohibit or regulate the placement and use of all automated traffic enforcement (ATE) systems throughout the State. It is expected that these legislative proposals will continue to be made during the 2023 legislative session.

The City of Davenport would be directly affected by ATE prohibition legislation as the City utilizes this technology along its primary highway system for both red light enforcement at three signalized intersections and speed enforcement along two urban arterials. Red light citations are issued to drivers who are completely behind the stop bar when the signal turns red and still proceed through the intersection. Speed violation citations are issued to drivers who exceed the speed limit by 12 mph or more. All infractions are reviewed by a Davenport Police Department sworn officer or by a trained Community Services Specialist prior to the issuance of a citation. Additionally, it should be noted that all camera placement locations are clearly marked with signage, and all cameras are calibrated once per month to ensure measurement accuracy. The City's use of ATE cameras has shown to reduce the annual number of crashes where these cameras are located.

In 2018, the Iowa Supreme Court issued multiple rulings in regards to ATE cameras. First, the court ruled that the Iowa DOT lacked authority to turn off or remove camera, which opened the door for cities to operate ATE programs under their own rules. Then, the court ruled that cities could not impose liability for ATE camera violation without filing a municipal infraction. Davenport and other Iowa ATE communities do not use the municipal infraction process for ATE violations because of the significant impact that tens of thousands of tickets would have on county courts. Iowa Code already carves out an exception for a comparable ticket type: parking tickets. Iowa Code 321.236 permits liability to be imposed on parking violations outside of the municipal infraction process. The City of Davenport asserts that it is in the best interest of efficient police departments, city governments, county governments, and ATE violators to have similar language authorizing the collection of uncontested ATE fines by city clerks.

Rather than banning the use of ATE cameras, or undermining the financial penalty or deterrent with the municipal infraction process, the City of Davenport supports legislation that will create uniformity in the use of ATE cameras and the collection of fines across the State. The City supports enabling legislation that includes the following:

- A prohibition of placement of ATEs on interstates
- Uniform threshold requirements, including a minimum speed in excess of 12 mph over the posted speed limit and uniform seconds delay after a light change
- A uniform violation process that includes the ability for ATE violations to be handled outside the municipal infraction process

RELEVANT DATA

EXHIBIT 1: *Exhibit 1 illustrates the average annual crashes for ATE camera intersections.*

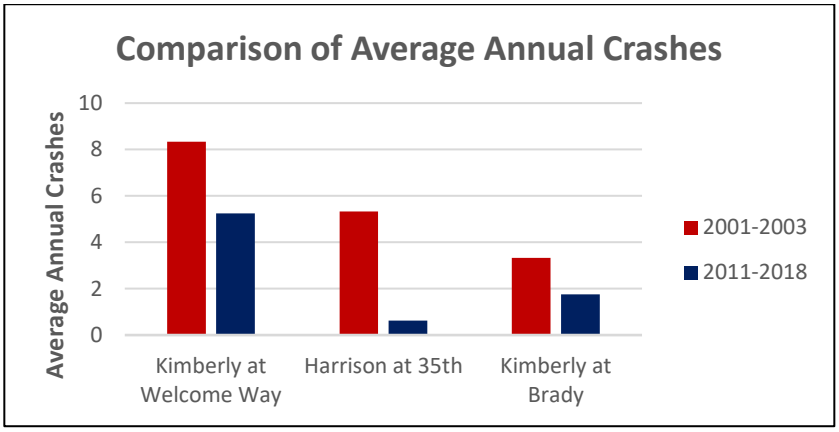


EXHIBIT 2: *Exhibit 2 illustrates the average speed at ATE camera locations.*

Speed Camera Location	Speed Limit	Median Speed
Brady Street (Near Columbia)	35 mph	35.1 mph
River Drive (Near College)	40 mph	38.8 mph
Kimberly & Brady	35 mph	38.2 mph
Kimberly & Welcome Way	35 mph	34.6 mph
Harrison & 35th	35 mph	36.2 mph

OPERATIONAL/FISCAL IMPACTS

If ATEs are prohibited, it would have substantial operational and fiscal impacts. Operationally, enforcement in the current ATE areas would need to substantially increased, and fewer resources would be available to increase the enforcement. Statistically, crashes would increase and require an increased response and investigation by other public safety entities such as Davenport Fire and MEDIC EMS. Financially, ATEs generate a portion of revenue that goes directly to the City's General Fund which directly supports the public safety budget.

REQUESTED ACTIONS

Support legislation that creates uniformity in the use of ATE cameras.

Support legislation that enables a change to impose liability for failure to contest citations within a specified window.

Oppose any bills that are presented as complete bans on all automated traffic enforcement systems due to their connection with reducing crashes and speeds.

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/11/2023

Subject:
Motion approving noise variance requests for outdoor events on the listed dates and times.

Downtown Davenport Partnership; Icestravaganza; Freight House and LeClaire Park; 5:00 p.m. - 10:00 p.m. Friday, January 13, 2023 and 10:00 a.m. - 10:00 p.m. Saturday, January 14, 2023; Outdoor music, over 50 dBA. [Ward 3]

Daiquiri Factory; The Central Regional CrossFit Competition; 303 West 3rd Street; 4:00 p.m. - 8:30 p.m. Friday, June 23, 2023 and 8:00 a.m. - 5:00 p.m. Saturday, June 24, 2023; Outdoor music, over 50 dBA. [Ward 3]

Recommendation:
Pass the Motion.

Background:
These requests for a noise variance have been received pursuant to the Municipal Code of Davenport, Iowa, Chapter 8.19 Noise Abatement, SEction 8.19.090 Special Variances.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	12/30/2022 - 8:12 AM

City of Davenport

Department: Public Safety **Action / Date**
Contact Info: Jamie Swanson | 563-326-7795 **1/11/2023**

Subject:
Motion approving beer and liquor license applications.

A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 3

Neon Moon (Neon Moon of Davenport, LLC) - 246 West 3rd Street - New License - License Type: Class C Liquor

D'Lua on the River (D'Lua on the River Co) - 1201 East River Drive - Outdoor Area - New License - License Type: Class C Liquor

Ward 4

Kwik Star #123 (Kwik Trip, Inc) - 2850 West Locust Street - New License - License Type: Class C Beer

B. Annual license renewals (with outdoor area renewals as noted):

Ward 1

Hy-Vee #1 (Hy-Vee, Inc) - 3019 Rockingham Road - License Type: Class E Liquor

Ward 2

Big 10 Mart (Molo Oil Company) - 2308 West 53rd Street - License Type: Class C Beer

Ward 3

Abarrotes Carillo, LLC (Abarrotes Carillo, LLC) - 903 West 3rd Street - License Type: Class B Beer

Bootleg Hill Honey Meads (Bootleg Hill, LLC) - 321 East 2nd Street #200 - Outdoor Area - License Type: Class C Native Wine

Carriage Haus (Smoking Haus Entertainment) - 312 West 3rd Street - Outdoor Area - License Type: Class C Liquor

Gilly's Corner Tap, LLC (Alicia Goossens) - 2148 West 3rd Street - Outdoor Area - License Type: Class C Liquor

Hilltop Grocery (Hilltop Grocery, LLC) - 1312 North Harrison Street - License Type: Class E Liquor

The New Wooden Nickel, Inc (Angela Bribriesco) - 2042 West 3rd Street - License Type: Class C Liquor

Ward 4

Happy Joe's Pizza (Dynamic Restaurant Acquisition, Inc) - 1616 West Locust Street - License Type: Class C Liquor

Stoeger's Bar and Grill (Stoeger's, Inc) - 1520 Washington Street - License Type: Class C Liquor

Ward 6

Buffalo Wild Wings (Blazin' Wings, Inc) - 4860 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

The Coffee House QC (Area 309 Coffee, LLC) - 1315 Jersey Ridge Road - License Type: Beer/Wine

HuHot Mongolian Grill (CCW, LLC) - 3006 East 53rd Street - License Type: Beer/Wine

Hy-Vee #4 (Hy-Vee, Inc) - 4064 East 53rd Street - License Type: Class E Liquor

La Flama Restaurant (Jam Brothers, Inc) - 3871 Elmore Avenue - License Type: Class C Liquor

Ward 8

Cracker Barrel #161 (Cracker Barrel Old Country Store) - 300 Jason Way Court - Outdoor Area - License Type: Beer/Wine

Exotic Thai Restaurant (Exotic Thai Restaurant, Inc) - 2303 East 53rd Street - Outdoor Area - License Type: Class C Liquor

GD Xpress (Ram II, LLC) - 4607 North Pine Street - License Type: Class E Liquor

Happy Joe's Pizza (Dynamic Restaurant Acquisition, Inc) - 201 West 50th Street - License Type: Beer/Wine

Recommendation:
Pass the Motion.

Background:
These applications have been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	12/30/2022 - 3:27 PM

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
1/11/2023

Subject:
Motion approving a four-year collective bargaining agreement between the City of Davenport and the Union of Professional Police, Inc of Davenport, Iowa for the term beginning July 1, 2023 through June 30, 2027. [All Wards]

Recommendation:
Pass the Motion.

Background:
Beginning in November, the City and the Union have worked cooperatively through good faith negotiations to renegotiate the current contract ending on June 30, 2023.

The parties have voluntarily agreed to a number of compensation and operational contract modifications. Some of the main components include agreement to 3.5% general wage increases applied on 7/1/2023, 1/1/2024, 7/1/2025, and 7/1/2026 and the implementation of a revised salary schedule that tops out at twelve years of service. Additionally, the contract includes an annual 1.5% critical demand incentive and longevity incentive for those employed after 25 years or more. The tentative agreement provides for modest increases in uniform allowances, replacement allowances, fitness program incentives, shift differentials, and education incentives. Current benefits were reviewed, and the agreement also reflects modest increases in group insurance premiums and prescription co-pays, a maximum annual dental benefit of $3,000, and an escalated RHSP contribution schedule.

A full summary of the tentative agreement is attached for review.

The City thanks the Union of Professional Police, Inc for their cooperation and professionalism during the course of these negotiations. It is anticipated that this tentative agreement will be ratified by union membership on or before January 9, 2023 and is subject to full ratification by both entities before its implementation. A full contract will be prepared and posted as a public document by May 1, 2023.

ATTACHMENTS:

	Type	Description
🗋	Executive Summary	Summary of Tentative Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/20/2022 - 2:41 PM
Finance Committee	Merritt, Mallory	Approved	12/28/2022 - 3:57 PM
City Clerk	Admin, Default	Approved	12/30/2022 - 9:10 AM

THE CITY OF
DAVENPORT
IOWA | USA

Tentative Agreement

Total Compensation Package

1. Contract Term: 4 years (July 2023 – June 2027)

2. GWI

Effective Date	Percentage
7/1/2023	3.5%
1/1/2024	3.5%
7/1/2025	3.5%
7/1/2026	3.5%

Parties will execute an MOU establishing June 25, 2023 as the implementation date for the new salary schedule and GWI application shown as July 1, 2023.

Section 8.2. Promotions. If an employee is promoted to a higher ranking position within the union, he shall begin receiving, upon the effective date of promotion, a 7% salary increase between Officer to Corporal, and a 10% salary increase from Corporal to Sergeant.

3. Compressed Salary Schedule: Implement compressed salary schedule as presented 11/29/2022 at 9:00 am

4. Critical Demand Incentive: Employees shall receive an annual 1.5% incentive based on their current salaries as shown in Appendix A. Payments will be dispersed in a one-time lump sum payment in the first pay period in February. This provision will sunset on June 30, 2027.

5. Longevity Incentive | Section 8.3
Employees who have 25 years or more of service in a sworn position as of February 1 in a given year shall receive 2.0% in a one-time lump sum payment each year based on their current salaries as shown in Appendix A. This shall be payable in the first pay period in February.

6. Group Insurance

Effective Date	Single	Employee +1	Family
1/1/2024	$37.23	$64.71	$93.08
1/1/2025	$39.09	$67.95	$97.73
1/1/2026	$39.09	$67.95	$97.73
1/1/2027	$39.09	$67.95	$97.73

Tier Prescription Copays | Effective 1/1/2024
Tier I: $5.00
Tier II: $25.00
Tier III: $45.00

7. Life Insurance: Two times base salary effective 1/1/2024

8. Dental: Maximum annual benefit of $3,000 effective 1/1/2024

9. Vision: Maximum annual benefit of $400 effective 1/1/2024

10. Uniform Allowance:

Effective Date	Allowance Amount
1/1/2024	$1,300
1/1/2025	$1,400
1/1/2026	$1,400
1/1/2027	$1,500

    a. Motorcycle Officers: $650.00

11. Allowance for Personal Items
    a. Watches: $100.00
    b. Flashlights: $200.00
    c. Urban Rifle: $1,500.00
    d. Cell Phone: $200.00

12. Educational Incentive:
    Minimum of 30 hours. . . . . $ 400.00
    A.A. and A.S. Degrees . . . . . $ 1,100.00
    B.A. and B.S. Degrees . . . . . $ 1,500.00
    M.A. and M.S. Degrees. . . . . $ 1,900.00

13. Tuition Reimbursement: Maximum of $4,000

14. Shift Differential
    Second Shift: 2.5%
    Third Shift: 3.0%

15. Field Training Officers: 7.0% during training assignments; 3.0% on standby

16. Evidence Technician: 6.0% during assignments; 1.0% on standby

17. Special Assignment Pay: Current contract (1.0% for Units listed in Section 8.15 plus Training Bureau and Computer Forensic Officer)

18. Retirement Health Plan (RHS)

Effective Date	Percentage
7/1/2023	4.0%
7/1/2024	4.0%
7/1/2025	5.0%
7/1/2026	5.0%

19. Fitness Program: Participation required; $500.00 incentive for participation; $850.00 for passing all steps.

20. Hazardous Duty Pay: 6.0% when performing duties

21. Holiday Pay: City accepts concept of Union's proposal; actual language to be drafted

Other conditions:

This tentative agreement shall also include all previously agreed upon language clean-up items and changes.

This tentative agreement is subject to ratification by both entities.

Parties agree to review and finalize a final contract on or before May 1, 2023.

Principal Negotiators:

Union of Professional Police, Inc.

Signature 643 Date 12-20-2022

City of Davenport

Signature Date 12/20/2022

Witness:

Signature 812 Date 12-20-22

Signature Date 12/20/22

City of Davenport

Department: City Clerk
Contact Info: Corri Spiegel | 563-888-2066

Action / Date
1/11/2023

Subject:
Motion for suspension of the rules to add and vote on the item below.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/10/2023 - 4:37 PM

City of Davenport

Department: Public Safety
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
1/11/2023

Subject:
Motion approving a beer and liquor license application.

A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1001 North Brady Street - January 20 “Chili Cook-Off” - License Type: Beer/Wine

Recommendation:
Pass the Motion.

Background:
This application has been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	1/10/2023 - 4:34 PM