

# COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, June 6, 2018; 5:30 PM

City Hall, 226 W. 4th Street, Council Chambers

\*\*\* REVISED June 4, 2018 \*\*\*

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing on the proposed conveyance of vacated former public rights of way, those being, parts of College, Lombard, Denison and a public alley abutting Genesis campus. Genesis Health System, Petitioner. [Ward 5]
2. Public Hearing for an Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1, Agricultural District to R-2, Low Density Residential District. [Ward 6]
3. Public Hearing for an Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [Ward 6]

B. Public Works

1. Public Hearing on the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak Area Sidewalk Program #BG250. [Ward 3]

VII. Presentations

A. Appointment:

Civil Service Commission - Patricia Zamora (New Appointment)

VIII. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderman Dickmann

IX. Action items for Discussion

## COMMUNITY DEVELOPMENT

Kyle Gripp, Chairman; Rich Clewell, Vice Chairman

### I. COMMUNITY DEVELOPMENT

1. Second Consideration: Ordinance for Case No. ORD18-01: Amending Title 17.41 of the Davenport Municipal Code, entitled, "Zoning, HCOD Highway Corridor Overlay District and ECOD Elmore Corners Overlay District", by creating an Elmore Corners Overlay District and Design Standards [Ward 6]
2. First Consideration: Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1, Agricultural District to R-2, Low Density Residential District. [Ward 6]
3. First Consideration: Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [Ward 6]
4. Resolution approving Case No. ANX18-03, the annexation of 8.69 acres, more or less, of territory located east of Hillandale Road south of Slopertown Road. (Kraft Heinz Food Company) [Ward 8 as expanded].
5. Resolution approving Case No. F17-08 being the final plat of Bryr's Addition, being a replat of Lots 4,5,6 and 7 of Block 1 of Parkers Addition, located west of Division Street and along the north side of 2nd Street (1730 & 1738 W 2nd Street), containing 0.83 acre, more or less and two (2) industrial lots. [Ward 3]
6. Resolution setting a public hearing on the proposed conveyance of Parcel F0051-45, 643 East 6<sup>th</sup> Street, to Olivia Aguilera, Petitioner; Parcel F0051-42, 634 East 6<sup>th</sup> Street to Roger LaDue, Petitioner and Parcel F0051-28, 646 East 6<sup>th</sup> Street, to Mary Rothan, Petitioner. [Ward 3]
7. Resolution setting a public hearing on the proposed conveyance of 422 Perry to Y&J Properties, LLC (Joe Erenberger, petitioner). [Ward 3]
8. Resolution in support of Hilltop Campus Village continuing the Main Street program administered by the Iowa Economic Development Authority. [Wards 3,4 & 5]

### II. Motion recommending discussion or consent for Community Development items

## PUBLIC SAFETY

Rita Rawson, Chairman; JJ Condon, Vice Chairman

### III. PUBLIC SAFETY

1. Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Division Street at 76th Street. [Ward 8]
2. First Consideration: Ordinance amending Schedule VIII of Chapter 10.96 entitled "30-Minute Parking" by adding Main Street along the east side from 2nd Street north



to the alley. [Ward 3]

3. Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

Downtown Partnership, Bix Street Fest, July 26-29, 9:00 AM to 12:00 AM; Closure Location: 2nd Street between Ripley and Brady Streets, Main Street from the alley south of 3rd Street to the alley north of River Drive and Harrison Street for the alley south of 3rd Street to the entrance to the Ground Transportation Center [Ward 3]

Andy Lank (Kilkenny's Pub), Bix Fest Block Party, July 26, 5:00 PM to 11:30 PM, July 27th 5:00 PM to 11:30 PM, July 28th, 6:00 AM to 12:00 AM, and July 29, 12:00 AM to 4:00 AM; Closure Location: 3rd Street between Ripley and Harrison Streets and the parking lane and one travel lane on the west side of Harrison Street north to alley.

Quad Cities Visitor's Bureau, RAGBRAI 2018, July 28, 2018, 5:00 AM to 8:00 PM; Closure Location: River Drive from the West City limit, to River Drive to Marquette Street, south on Marquette Street to Beiderbecke Drive, Beiderbecke Drive from Marquette Street to Gaines Street [Wards 1 and 3]

Cornbelt Running Club, Bix Run Events: Junior Bix, Brady Street Sprints, Quick Bix and Bix 7 Race; July 26-July 28 until race ends, 3:00 PM - 10:00 PM Thursday; 1:00 PM Friday until Bix 7 Race concludes on Saturday; Closure Location: Thursday: Brady Street between 4th and Palmer Drive; 4th Street from River Drive to LeClaire Avenue; Friday/Saturday: LeClaire Street from 4th Street to 2nd Street; Iowa Street from 4th Street to 2nd Street; Pershing from 4th to 2nd Street; 3rd Street from River Drive to Pershing Avenue; 4th Street from River Drive to Main; Brady Street from River Drive to Kirkwood Boulevard; Kirkwood Boulevard to Jersey Ridge Road; Jersey Ridge Road from 12th Street to East Street; Middle Road from Jersey Ridge Road to Ridgewood; McClellan Boulevard from Middle Road to River Drive; and 3rd Street from Main to River Drive [Wards 3, 5, 6]

Sippi's Restaurant, 6th Annual Gene Price Memorial Car Show, August 11, 2018, 6:00 AM to 4:00 PM; Closure Location: 2nd Street between Ripley and Scott Streets [Ward 3]

Village of East Davenport Association, Farm Days in the Village, August 24-25, Friday 3:00 PM - 7:00 PM and Saturday August 25 6:30 AM - 6:00 PM; Closure Location: 11th Street between Mound and Jersey Ridge Road and Christy from 11th Street north to the alley [Ward 5]

Beaux Arts Fund Committee, Beaux Arts Fall Fair, September 7-9, 2018, 12:00 PM September 7th through 7:00 PM September 9th; Closure Location: 2nd Street between Harrison and Main Streets [Ward 3]

4. Motion approving noise variance request(s) for various events on the listed dates and times.

Andy Lank (Kilkenny's), 300 West 3rd Street, Bix Fest Block Party, July 26-29, 6:00 AM to 11:30 PM; Over 50 dBa [Ward 3]

Downtown Partnership, 331 West 3rd Street, Bix Street Fest, July 26-29; 9:00 AM - 12:00 AM, Ober 50 dBa [Ward 3]

5. Motion approving beer and liquor license applications.

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

Ward 3

The Filling Station (Bar Management LLC) - 500 W 3rd St. (QC Times Lot) - Outdoor area July 28, 2018 'Bix Event' - License Type: B Beer

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

Ward 1

Emeis Golf Course (City of Davenport) - 4500 W Central Park Ave. - Outdoor Area - License Type: C Liquor

K & K Food and Gas (K & K Food and Gas, Inc.) - 2365 Rockingham Rd. - License Type: C Beer

St. Alphonsus Church Holy Name Society (St. Alphonsus Church of Davenport, Inc.) - 2618 Boise Ave. - License Type: B Beer

Smokin' Joe's Tobacco and Liquor Outlet #1 (The Outlet Inc.) - 3120 Rockingham Rd. - License Type: E Liquor

Ward 2

Hickory Garden Restaurant (Fazliu Inc.) - 3311 Hickory Grove Rd. - Outdoor Area - License Type: Beer / Wine

Hy-Vee Wine and Spirits (Hy-Vee, Inc.) - 3301 W Kimberly Rd. - License Type: E Liquor

Jeno's Little Hungary (Jeno's Little Hungary, Inc.) - 4908 N Pine St. - Outdoor Area - License Type: C Liquor

Red Lantern Fine Chinese Cuisine (Red Lantern Fine Chinese Cuisine Inc.) - 4009 E 53rd St., Ste. 107 - License Type: C Liquor

Walgreens #03595 (Walgreen Co.) - 1720 W Kimberly Rd. - License Type: E Liquor

Ward 3

Driftwood (CRC Investments, LLC) - 1201 E River Dr. - Outdoor Area - License Type: C Liquor

Geezer's Draffhouse (Geezer's, Inc.) - 1654 W 3rd St. - Outdoor Area - License Type: C Liquor

The River's Edge (City of Davenport) - 700 W River Dr. - License Type: B Beer

#### Ward 4

The Circle Tap (The Circle Tap Inc.) - 1345 W Locust St. - Outdoor Area - License Type: C Liquor

CVS/Pharmacy #8659 (Iowa CVS Pharmacy, LLC) - 1777 Division St. - License Type: E Liquor

The Gardens (Washington Gardens, LLC) - 1301 W 13th St. - Outdoor Area - License Type: C Liquor

McButts (Hilltop Tavern, Inc.) - 1516 Harrison St. - Outdoor Area - License Type: C Liquor

Smokin' Joe's Tobacco and Liquor Outlet #2 (The Outlet Inc.) - 1606 W Locust St. - License Type: E Liquor

Spartans Pub (Spartans Pub LLC) - 2025 Hickory Grove Rd. - Outdoor Area - License Type: C Liquor

Walgreens #05239 (Walgreen Co.) - 1660 W Locust St. - License Type: E Liquor

#### Ward 5

Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St. - Outdoor Area - License Type: B Beer **[THIS ITEM WILL BE VOTED ON LATER IN THE AGENDA]**

QC Mart (Bethany Enterprises, Inc.) - 412 E Locust St. - License Type: C Beer

Rookie's Sports Bar (Rookies, Inc.) - 2818 Brady St. - License Type: C Liquor

Walgreens #11709 (Walgreen Co.) - 1805 Brady St. - License Type: E Liquor

#### Ward 6

Duck Creek Golf Course (City of Davenport) - 3000 E Locust St. - Outdoor Area - License Type: B Beer

Holiday Inn Express Hotel and Suites (Davenport Lodging Associates, LLC) - 401 Veteran's Memorial Pkwy. - License Type: B Liquor

Kimberly Mart (Pak Foods, Inc.) - 1714 E Kimberly Rd. - License Type: E Liquor

QC Marts (Bethany Enterprises, Inc.) - 2845 E 53rd St. - License Type: C Beer

Red Robin America's Gourmet Burgers & Spirits (Red Robin International, Inc.) - 3903 E 53rd St. - License Type: C Liquor

Rhythm City Casino (Rhythm City Casino, LLC) - 7077 Elmore Ave. - Outdoor Area - License Type: B Liquor

Saigon Bistro (Saigon Bistro, LLC) - 2660 E 53rd St., Ste. 8 - License Type: Beer / Wine

Sam's Club #8238 (Sam's West Inc.) - 3887 Elmore Ave. - License Type: E Liquor

Walgreens #06186 (Walgreen Co.) - 4011 E 53rd St. - License Type: E Liquor

Ward 7

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) - 1655 W Kimberly Rd. - License Type: E Liquor

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill, Inc.) - 901 E Kimberly Rd., Ste. 15 - License Type: Beer / Wine

Kwik Star #294 (Kwik Trip, Inc.) - 1650 W Kimberly Rd.- License Type: C Beer

Lunardi's (T.S. Lunardi, Inc.) - 102 E Kimberly Rd., Ste. E - License Type: C Liquor

Olive Garden Italian Restaurant #1144 (GMRI Inc.) - 330 W Kimberly Rd. - License Type: C Liquor

Smokin' Joe's Tobacco & Liquor Outlet #8 (The Outlet Inc.) - 902 W Kimberly Rd., Ste. 55-56 - License Type: E Liquor

Tuxedos (Davenport Investments, Inc.) - 5220 Grand Ave. - License Type: C Beer

Walgreens #04041 (Walgreen Co.) - 1525 E Kimberly Rd. - License Type: E Liquor

Ward 8

Red Hawk Golf Course (City of Davenport) - 6364 Northwest Blvd. - Outdoor Area - License Type: B Beer

Thunder Bay Grille (Thunder Bay Grille, LLC) - 6511 Brady St. - Outdoor Area - License Type: C Liquor

C. Request for 19-and 20-year olds on premises:

Ward 3

Daytrotter (Daytrotter Media LLC) - 324 Brady St. - License Type: Beer/Wine

#### IV. Motion recommending discussion or consent for Public Safety items

### PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

#### V. PUBLIC WORKS

1. Third Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by updating stormwater detention and water quality treatment requirements, increasing stream buffer distances in new developments, clarifying drainage easement language, adopting the Unified Sizing Criteria, removing the use of orifice restrictor plates on outlet pipes and restructuring subsections for clarity. [All Wards]
2. Third Consideration: Ordinance amending Chapter 13.38 entitled "Construction Site Erosion and Sediment Control" by updating definitions of redevelopment and topsoil and correlating application procedure information with Chapter 13.34 Stormwater Management. [All Wards]
3. Resolution awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Hagerty Earthworks, LLC, of Muscatine, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001. [All Wards]
4. Resolution awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Hometown Plumbing and Heating Company of Davenport, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001. [All Wards]
5. Resolution awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Legacy Corporation of East Moline, IL in the amount of \$250,000 budgeted in CIP #30044 and #33001. [All Wards]
6. Resolution approving the contract for Lindsay & Slattery Parks restrooms, water and sanitary sewer connection to Hometown Plumbing & Heating Co., Inc. of Davenport, IA in the amount of \$105,238.71. CIP #30010 [Wards 6 & 7]
7. Resolution awarding the contract for the Main Street Landing Parking Phase I Project to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$652,807.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #68004 [Ward 3]
8. Resolution approving a license agreement by and between the City of Davenport and The Hilltop Campus Village allowing The Hilltop Campus Village to install an 11' by 12' sign on the existing brick wall at the north side of Parcel No. C0055-16 a/k/a 506 Brady St. [Ward 3]
9. Resolution approving the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak St Area Sidewalk Program #BG250. [Ward 3]
10. Resolution approving the purchase of a used street sweeper from Mid-Iowa Solid Waste Equipment of Johnston, IA for the amount of \$229,000. [All Wards]

#### VI. Motion recommending discussion or consent for Public Works items

## FINANCE

Kerri Tompkins, Chairman; Marion Meginnis, Vice Chairman

### VII. FINANCE

1. Third Consideration: Ordinance amending various sections in Chapter 2.86 entitled "Administrative Hearing Procedures." [All Wards]
2. Resolution of agreement and support for River Action's application for a state and/or federal grant related to the construction of First Bridge, a pedestrian bridge, over River Drive to River Heritage Park. [Ward 3]
3. Resolution approving changes to the building permit fee schedule by amending the accessibility review fees. [All Wards]
4. Resolution awarding the purchase of seven HP DL380 GEN10 Servers for the IT Department to Genisys Corporation of Redmond WA, in the amount of \$107,541. CIP 67002 [All Wards]

### VIII. Motion recommending discussion or consent for Finance items

#### X. PURCHASES OF \$10,000 TO \$50,000 (For Information Only)

1. Iowa Kenworth, Inc. - Bus engine - Amount: \$30,703
2. Varitech Industries, Inc. - Two brine tanks for PW - Amount: \$28,910
3. Holst Trucking & Excavating - Demolition of 729 Kirkwood Blvd. - Amount: \$14,400
4. Netwrix Corp. - Servers and software for IT - Amount: \$13,922
5. Gierke-Robinson Co. - EZ Drill & Dust Collection System - Amount: \$13,064
6. Davis Equipment - Irrigation controls at Duck Creek Golf Course - Amount: \$12,493
7. Bracke-Hayes-Miller-Mahon Architects - Engineering design for FEMA grant project at Solar Vision - Amount: \$12,000
8. Century Fence Co. - T-Hangar security fence at airport - Amount: \$10,718

#### XI. Other Ordinances, Resolutions and Motions

1. 1. Motion to suspend the rules to vote on the following item.
2. Motion approving annual renewal of beer and liquor license for:

Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St. -  
Outdoor Area - License Type: B Beer

#### XII. Public with Business

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

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group: Community Development  
Department: Legal  
Contact Info: Brian 326-7735  
Wards: 5

**Action / Date**  
**CD6/6/2018**

**Subject:**

Public Hearing on the proposed conveyance of vacated former public rights of way, those being, parts of College, Lombard, Denison and a public alley abutting Genesis campus. Genesis Health System, Petitioner. [Ward 5]

**Recommendation:**

Hold the public hearing.

**Relationship to Goals:**

Revitalized neighborhoods

**Background:**

Iowa law requires a public hearing be held prior to the conveyance of an interest in real property by a city. The rights of way in question were vacated by the city through 2015-194 and 2017-292 and 293. Genesis would like to acquire the vacated rights of way to secure its campus and for the purpose of its Genesis East addition.

**REVIEWERS:**

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	5/8/2018 - 3:32 PM
Finance Committee	Admin, Default	Approved	5/10/2018 - 2:39 PM
City Clerk	Admin, Default	Approved	5/10/2018 - 2:40 PM



City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn, 888-2286  
Wards: 6

**Action / Date**  
**COW6/6/2018**

**Subject:**

Public Hearing for an Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1, Agricultural District to R-2, Low Density Residential District. [Ward 6]

**Recommendation:**

Hold the Public Hearing

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

The property is located immediately east of Jersey Meadows Subdivision and immediately north of the Costco site. The proposed rezoning would facilitate the construction of approximately 64 single family dwellings. Three streets within Jersey Meadows Subdivision would provide access.

The property is designated as RG - Residential General in the Comprehensive Plan.

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-04: Request of Pheasant Creek LLC for the rezoning of approximately 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1 Agricultural District to R-2, Low Density Dwelling District.

**Findings:**

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

**Conditions:**

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

On an affirmative vote of 3-2, the Plan and Zoning Commission accepts the findings and forwards

Case No. REZ18-04 to the City Council for approval.

The protest rate is currently 18.1% with 17 property owners objecting.

See attachments for additional information.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Location Map
▣ Backup Material	Background Material
▣ Backup Material	Public Engagement Summary

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:17 PM
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:21 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 5:36 PM

ORDINANCE NO.

Ordinance offered by Alderman Gripp.

Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1, Agricultural District to R-2, Low Density Residential District. [6th Ward]

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 from A-1 Agricultural District to R-2, Low Density Residential District.

The Legal Description is as follows:

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;  
thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence N01°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

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

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

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 \_\_\_\_\_

\_\_\_\_\_  
Frank J. Klipsch  
Mayor

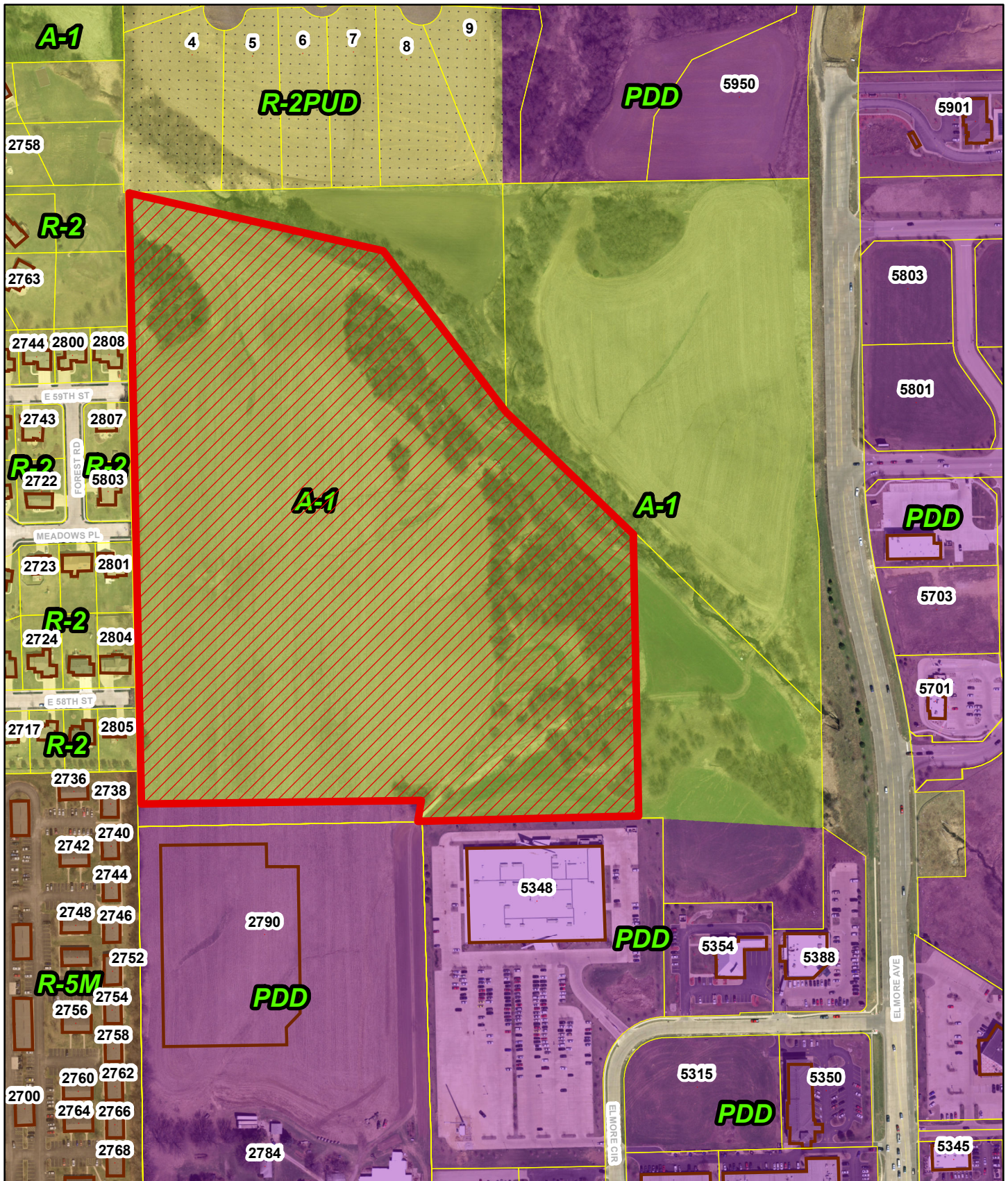
Attest: \_\_\_\_\_  
Jackie Holecek, CMC  
Deputy City Clerk

Published in the *Quad City Times* on \_\_\_\_\_



# LOCATION MAP

## REZ18-04: Pheasant Creek A-1 to R-2



0 70 140 280 420 560 Feet



## **BACKGROUND MATERIAL**

### **CASE NO's REZ18-04 and REZ18-05**

Please note that some earlier material references the acreage of the property proposed to be zoned PDD (Case No. REZ18-05) at 5.55 acres. The legal description was corrected and right size (7.41 acres) has been properly filed in the Legal Notice, neighbor letter for COW and drafted ordinance.



## **PLAN AND ZONING COMMISSION**

**Meeting Date:** May 15, 2018  
**Request:** Request to rezone 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 5.55 acres from A-1 Agricultural to PDD Planned Development District.  
**Case No.:** REZ18-04; REZ18-05 (NOTE THIS IS A COMBINED STAFF REPORT)  
**Applicant:** Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes)  
**Ward:** 6th  
  
**Contact:** Matthew G. Flynn, AICP  
Senior Planning Manager  
matt.flynn@ci.davenport.ia.us  
563-888-2286

### **Recommendation:**

Staff recommends the Plan and Zoning Commission accepts the listed findings and forward both cases to the City Council for approval.

### **Background:**

Petitioner intends to develop an approximate 64 lot single family residential subdivision to the east of Jersey Meadows Subdivision. The proposed R-2 zoning would provide for lots with a minimum of 60 feet of frontage at the building line and a minimum of 10,000 square feet.

The intent is to connect this subdivision by the existing terminated streets on the east side of Jersey Meadows – E 58<sup>th</sup> Street, E 59<sup>th</sup> Street, and Meadows Place. Preliminary and final plats are anticipated to be filed following successful completion of the rezoning effort.

The easternmost 5.55 acres is proposed for PDD, Planned Development District. A portion of the property is already zoned as such. This property presents development challenges as there are topography, drainage and access limitations. Nothing is planned at this time.

### **Site Characteristics:**

**Current Land Use:** The property is currently in row crops. Pheasant creek runs along the east side in a significant swale and creates a natural boundary with properties to the east and the Elmore Corridor.

**Comprehensive Plan.** The property is within the Urban Service District and urban services can be reasonably accessed.

The Future Land Use Plan for this property indicates RG Residential General for the western portion and RC Regional Commercial to the east along Elmore Avenue.



The description of those classifications are as follows:

**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.

**Regional Commercial (RC)** - Designates the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses with connectivity to nearby neighborhoods being less important.

**Existing Zoning:** The property is currently zoned A-1 Agriculture. Surrounding properties are zoned as described on exhibit attached to this report.

### **Technical Review:**

Technical review comments from Davenport Engineering and Traffic Engineering have been received.

Engineering general comments:

1. *No comment from traffic at this time for the layout given*
2. *Natural Resources are having the Storm Water Ordinance revised. It is anticipated to be approved by council the first week in June. It would be recommended to have the site designed per the latest standards being adopted. We can provide them to the developer's engineer.*
3. *To continue our goals of multimodal transportation and connectivity, a pedestrian access to the COSTCO site from this neighborhood would be beneficial*
4. *In addition, the Davenport GO plan has indicated a proposed trail section along this stream corridor. Will that be a requirement here?*
5. *The buffer distance will be 50' by the time the platting is finalized, see note 1.*
6. *The proposed detention area may not be sufficient, given the site topography, this standard will be revised per the ordinance see note 1*
7. *Any detention or quality features must have easement access for maintenance and inspection; contiguous with other City ROW*
8. *No access point or features are shown on the commercial area to comment at this time.*
9. *ROW width 50' minimum, street width 27' minimum*

Traffic Engineering comments:

*The built-out subdivision will have about 220 units. The trips equate to 9.57 per day per unit (we usually round up to 10) so it's 2200 vehicles per day, 50% in and 50% out.*

*During the AM peak hour, the factor is 0.77 with 26% in and 74% out. This equates to 44 vehicles entering and 125 exiting during the AM peak hour.*

*During the PM peak hour, the factor is 1.02 with 64% in and 36% out. This equates to 144 vehicles entering and 81 vehicles exiting during the PM peak hour.*

*The counts on Jersey Ridge Road were obtained from the casino study which assumes full build-out of that commercial corridor on Elmore Avenue.*

*They estimate about 11,000 vehicles per day for Jersey Ridge Road with the AM peak at 1000 vehicles and PM peak at 1100 vehicles.*

*The traffic signal warrant most easily met is Interruption of Continuous Traffic. With the current roadway for the intersection of Jersey Ridge Road and Jersey Meadows Drive, there would need to be 8 separate hours where the volume on Jersey Ridge Road is at least 750 vehicles and the exiting volume on Jersey Meadows Drive is 75 during those same 8 hours. Even though this intersection lines up with the driveway for the apartments across the street, the signal warrants only use the higher volume leg of the minor street.*

*Based on the traffic study for the casino, there could be 8 hours with 750 vehicles or more on Jersey Ridge Road. Some of the estimated hours show 800 vehicles, so Jersey Ridge Road might have enough traffic after everything is built out. Assuming 75% of the traffic in the subdivision uses Jersey Meadows Drive, then 94 vehicles will exit during the AM peak and 61 during the PM peak. Therefore, I expect the AM peak to be 1 of the 8 hours required for signalization and there might not be many more.*

*I do not think traffic signal warrants will be met, even after everything is built out. Keep in mind that this is assuming the subdivision is full of houses and Elmore has been filled in with commercial buildings, so this won't happen overnight.*

*When traffic volumes get higher and delays occur at this intersection, we will study it to see if traffic signals are warranted. If they are, we will install them.*

Staff has also reached out to the Fire Marshall specifically to ensure no particular issues will be encountered with emergency response. A fire station is approximately one mile away.

If the rezoning is approved, more technical comments can be expected as part of the consideration of subdivision plats and construction plans. No construction will be allowed to commence without proper approvals.

### **Discussion:**

The majority of this discussion will be in reference to the proposed rezoning to R-2 (REZ18-04).

The request, if approved, will result in development consistent with the existing Jersey Meadows Subdivision to the west. The proposed development is consistent with the Comprehensive Plan.

Traffic will increase as the development is completed. Future traffic congestion, if it is to occur, will likely be the result of increases in volume on Jersey Ridge Road. Signalization along Jersey Ridge Road cannot be ruled out in the future as the area continues to develop, as planned.

Staff does not recommend connecting this development directly to Elmore as it would encourage cut through traffic and would result in excessive costs in crossing Pheasant Creek. While some neighbors have advocated for this connection, staff sees otherwise and recommends a condition be included prohibiting this from happening.

Also included within this request is the rezoning of 5.55 acres to PDD, Planned Development (REZ18-05). Development of this property for commercial purposes would be consistent with the Comprehensive Plan. It should be noted, however, that topography visibility and access are challenges and development may not occur for some time. Zoning now, however, will facilitate development in the future.

## **Public Input Summary:**

Public Meeting: A public meeting has been scheduled for April 30 at the Public Works Center.

Public Meeting Notice: 43 notices mailed April 18.

Signs Posted: 3 signs were posted on April 16

Public Hearing Notice: The notice was sent to the OCT for publication on April 17.

Public Hearing Mailing: Mailed to approximately 43 neighbors on April 18. To date, three protests have been filed (1.9%) been filed.

Plan and Zoning Commission Public Hearing. Approximately 3 people spoke against the proposal citing traffic, drainage, and improper notification.

Upcoming Committee of the Whole Public Hearing. Assuming action by the Plan and Zoning Commission at this meeting to move this case forward, the Committee of the Whole Public Hearing will be held on June 6, 2018.

## **Recommendation:**

**Since there are two cases, two separate recommendations are presented:**

### **Case No. REZ18-04:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

**Case No. REZ18-05:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

## Zoning Map Amendment Application

226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801  
(563) 326-7765  
Planning@ci.davenport.ia.us

### COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

**Property Address\***  See Attachment A

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

#### **Applicant (Primary Contact)\*\***

Name:  Adam Seitz  
Company:  Pheasant Creek Estates, LLC  
Address:  4215 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-940-4030  
Email:  adamseitz@advancehomesinc.com

*Application Form Type:*

#### **Plan and Zoning Commission**

- Rezoning (Zoning Map Amendment) ☒  
Zoning Ordinance Text Amendment ☐  
Right-of-way or Easement Vacation ☐  
Final Development Plan ☐  
Voluntary Annexation ☐  
Subdivision ☐

#### **Owner** (if different from Applicant)

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

#### **Zoning Board of Adjustment**

- Appeal from an Administrative Decision ☐  
Special Use Permit - New Cell Tower ☐  
Home Occupation Permit ☐  
Special Exception ☐  
Special Use Permit ☐  
Hardship Variance ☐

#### **Engineer** (if applicable)

Name:  David L. Meyer  
Company:  Verbeke-Meyer Consulting Engineers  
Address:  4111 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-359-1348  
Email:  dlm@verbeke-meyer.com

#### **Design Review Board**

- Certificate of Design Approval ☐  
Demolition Request in the Downtown ☐

#### **Architect** (if applicable)

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

#### **Historic Preservation Commission**

- Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

#### **Administrative**

- Floodplain Development ☐  
Cell Tower Co-Location ☐  
Identification Signs ☐  
Site Plan ☐

#### **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.**

**Request:**Existing Zoning: Proposed Zoning Map Amendment: Total Land Area:  Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☒ Yes ☐ No**Submittal Requirements:**

- The following items should be submitted to [Planning@ci.davenport.ia.us](mailto:Planning@ci.davenport.ia.us) for review:
- 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.
  - \$5.00 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) Public Notice for the Plan and Zoning Commission public hearing:**

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to 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. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice 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 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 request:**

- 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 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:

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:

Planning staff

Date:

Date of the Public Hearing:

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

## ATTACHMENT A

### LEGAL DESCRIPTION FOR REZONING

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

Also, to be known as Lot 1, Pheasant Ridge First Addition to the City of Davenport, Iowa.



March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

February 27, 2018  
VMCE # 17361-B

LEGAL DESCRIPTION – SCHAEFER EXTRA TRACT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 8, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8;

thence North 25°-39'-00" West 320.00 feet;

thence North 65°-30'-40" West 560.00 feet to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 672.86 feet along the north line of the Northeast Quarter of said Section 7 to the point of beginning.

Containing 2.75 acres, more or less, subject to easements of record.

March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

March 12, 2018  
VMCE #17361-D  
Page 1 of 2

LEGAL DESCRIPTION – PROPOSED COMMERCIAL DEVELOPMENT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 44°-59'-10" East 358.74 feet to the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 44°-59'-10" East 690.31 feet to a point on the west right of way line of Elmore Avenue as now established in the City of Davenport, Iowa, said point also being on the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8;

thence South 00°-08'-25" West 511.79 feet along the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8 to an angle point on the north line of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 121.43 feet along the north line of Lot 1 of said Lakehurst Commercial Park Fifth Addition to a point on the east line of Lot 1 of Lakehurst Commercial Park Fourth Addition to the City of Davenport, Iowa;

thence North 00°-18'-15" West 65.00 feet along the east line of Lot 1 of said Lakehurst Commercial Park Fourth Addition;

thence South 89°-41'-45" West 260.00 feet along the north line of Lot 1 of said Lakehurst Commercial park Fourth Addition to a point on the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

March 12, 2018  
VMCE # 17361-D  
Page 2 of 2

thence North  $00^{\circ}-18'-15''$  West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

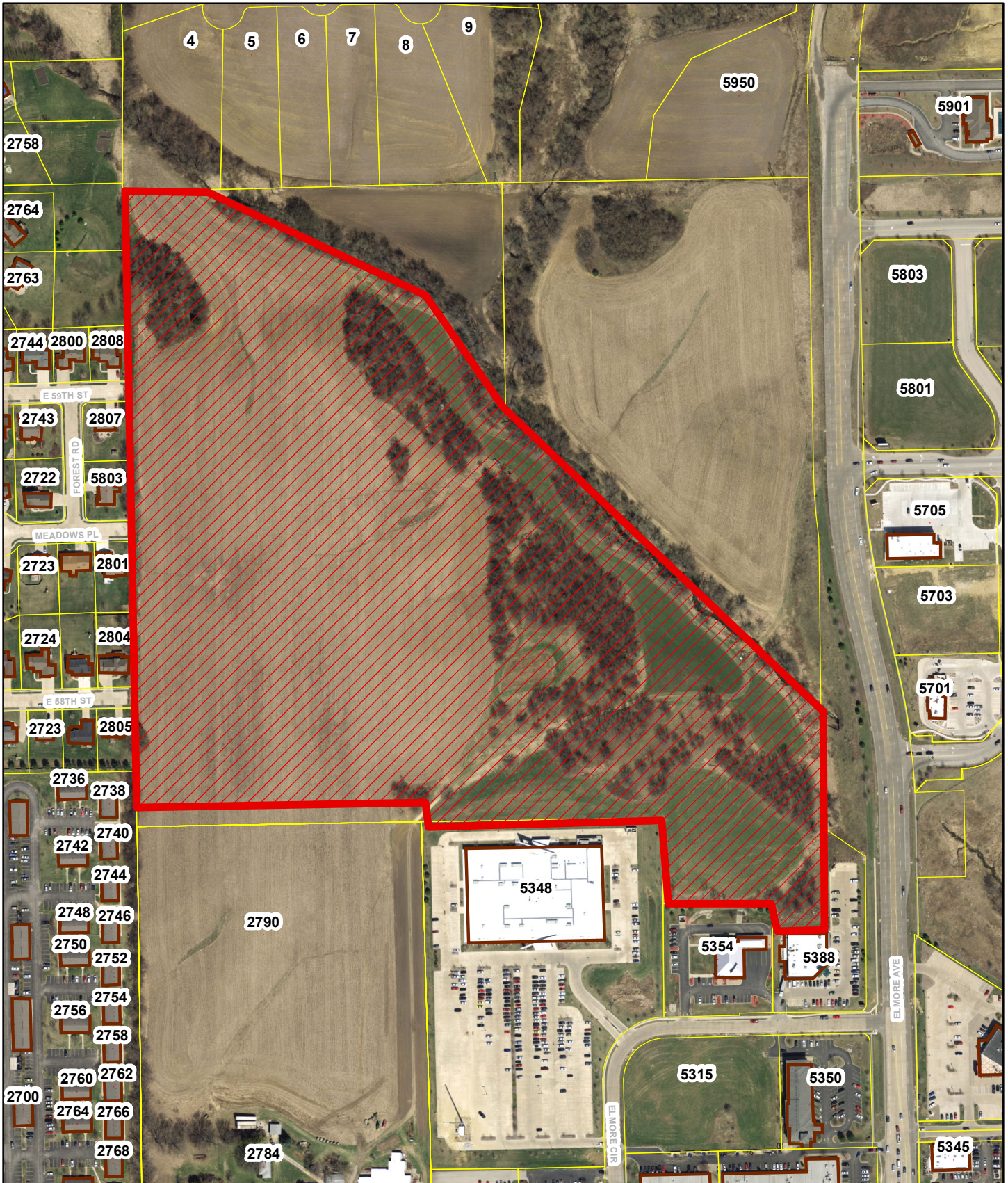
thence South  $89^{\circ}-41'-45''$  West 100.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North  $00^{\circ}-18'-15''$  West 732.61 feet to the point of beginning.

Containing 7.41 acres, more or less, subject to easements of record.



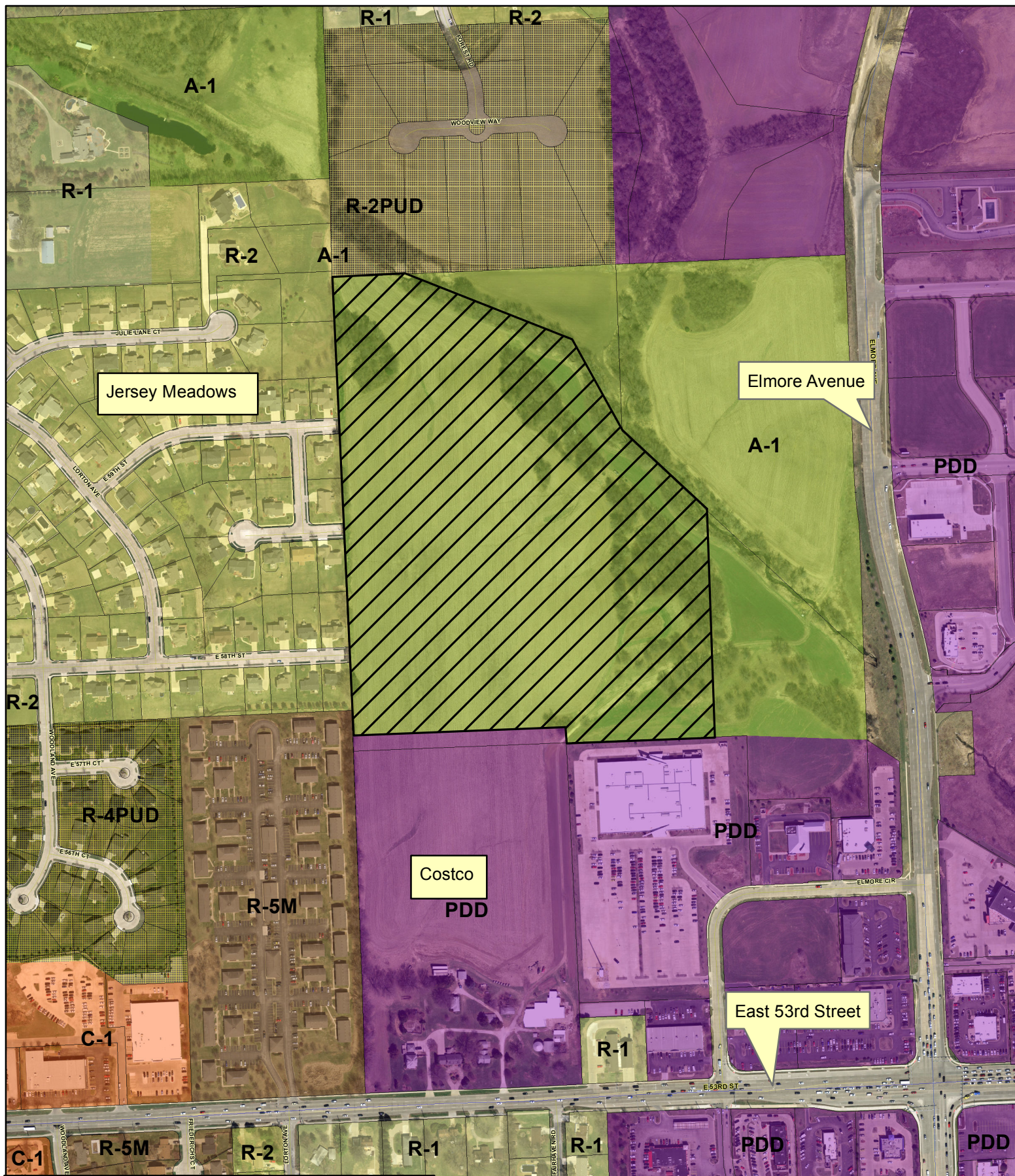
# REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet





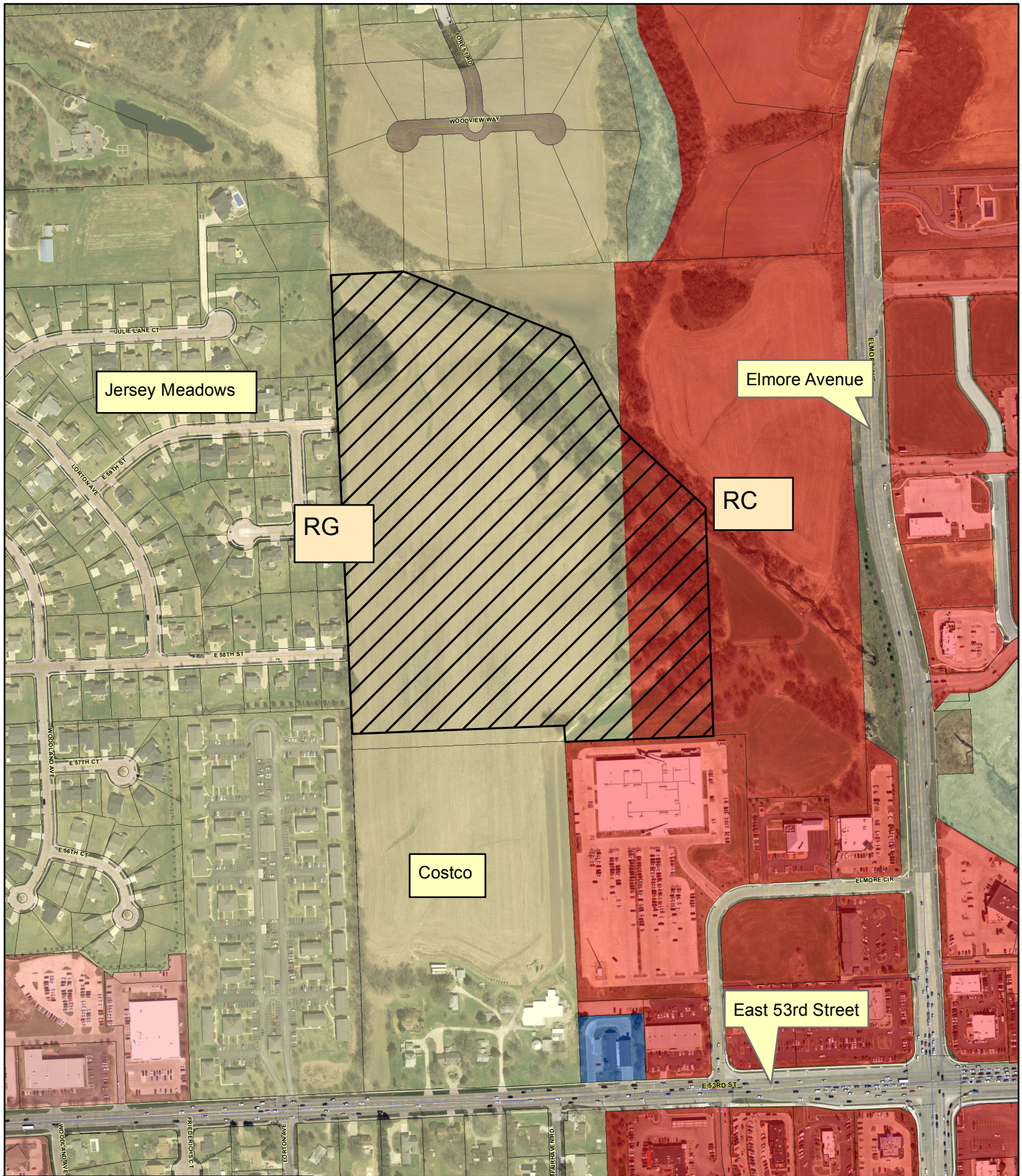


A-1 Agricultural  
R-2 Low Density Dwelling  
R-5M Medium Density Dwelling  
PDD Planned Development

0 200 400 800 Feet



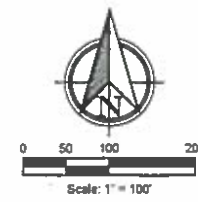
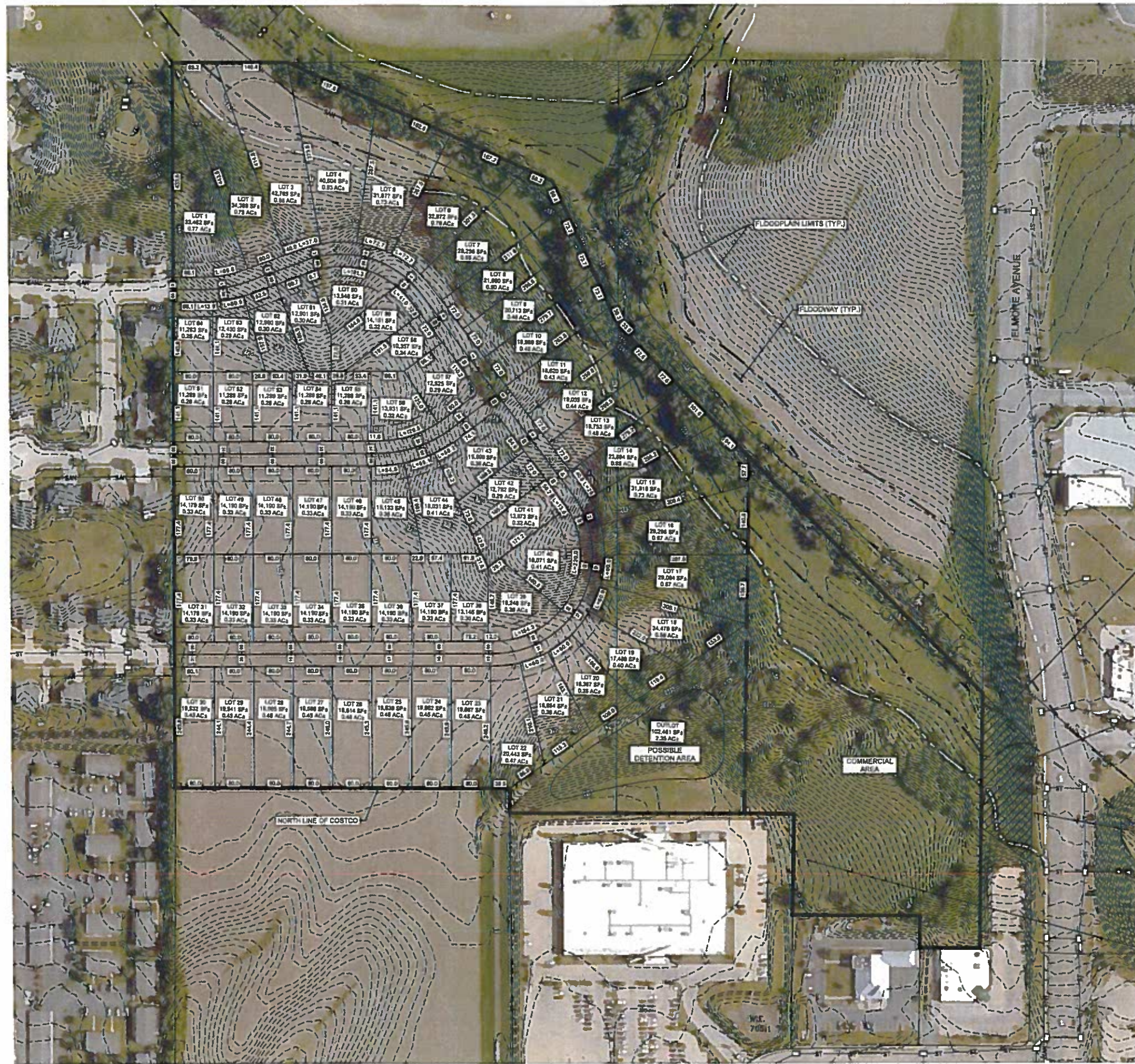




RG Residential General  
RC Regional Commercial







LOT LAYOUT IS BASED ON R-2 ZONING FOR THE CITY OF DAVENPORT WHICH REQUIRES THE FOLLOWING:

- 30' FRONT YARD SETBACK
- 60' LOT WIDTH AT BUILDING LINE
- 10,000 SF MINIMUM LOT AREA



2550 middle road, ste. 300  
bettendorf, ia 52722

www.jmcivildesign.com

revision	
date	
no.	



APPROXIMATE LOCATION OF EXISTING BOX CULVERT



LOOKING SOUTH FROM THIS APPROXIMATE LOCATION

DRAWINGS PROVIDED BY ADVANCE HOMES SHOW THIS AS PART OF PURCHASE.  
DRAWINGS FROM CITY SHOW THIS AS RIGHT-OF-WAY



LOOKING EAST FROM THIS APPROXIMATE LOCATION

Subdivision Concept Plan  
Northeast Davenport Near Elmore Avenue

ADVANCE HOMES

jmad project no.	P16-028
drawn by:	cam
checked by:	
date:	03.08.2018

Concept  
Plan





# City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

## NOTICE

### PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we Joseph & Katherine Palmer who own property located at (be specific as possible)  
2800 E. 59<sup>th</sup> St. - Davenport

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
PUBLIC HEARING  
TUESDAY, MAY 1, 2018  
DAVENPORT CITY PLAN AND ZONING COMMISSION  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).**

**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

---

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.

One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.

The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.

Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.

The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

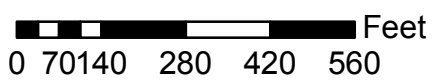
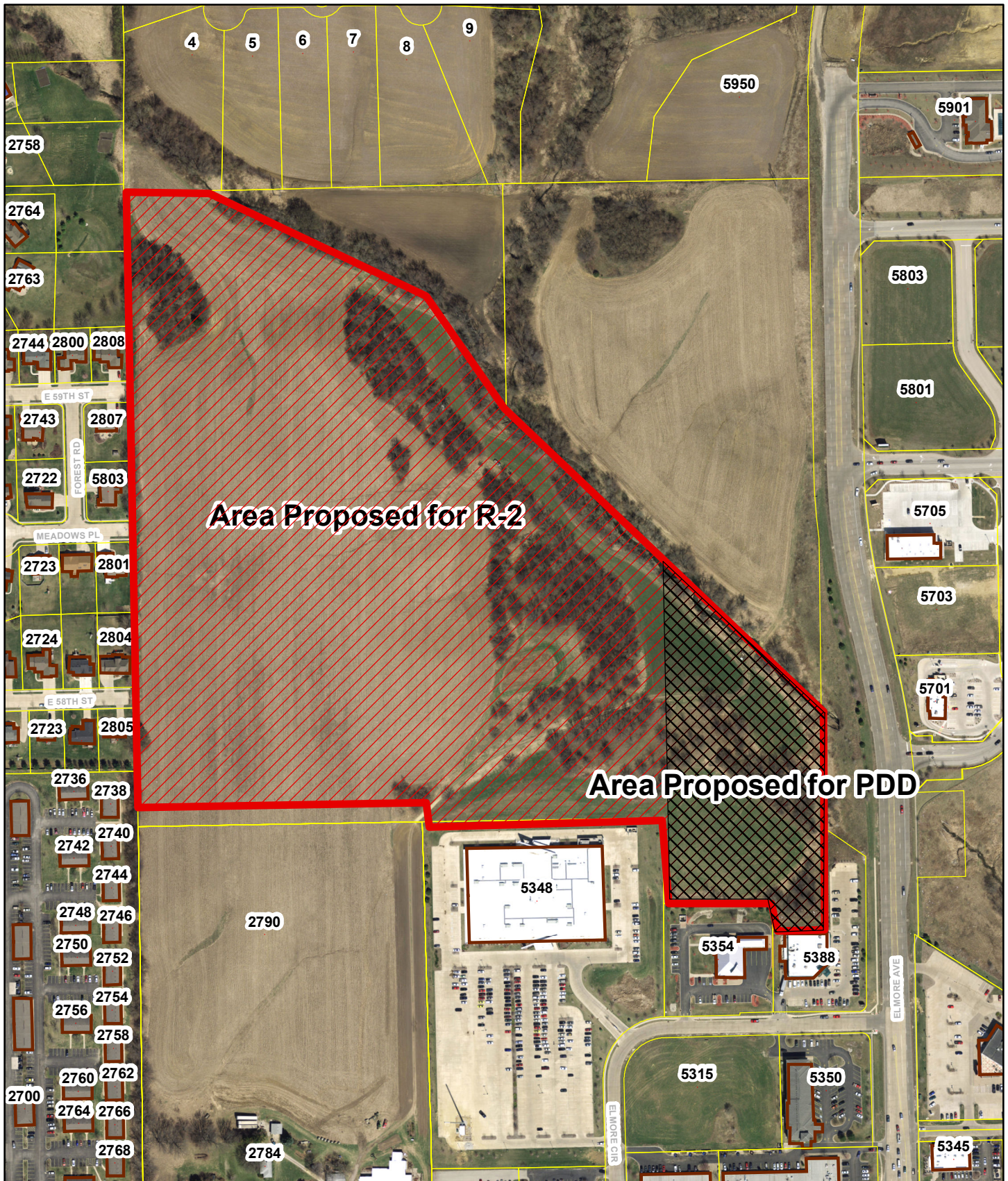
Case No. REZ18-04; REZ18-05

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765



# REZ18-04: Pheasant Creek





## Neighborhood Meeting Attendance List

<b>Case: REZ18-04</b>	<b>REZ18-05</b>	<b>Date: April 30th 2018</b>
Gary Aitchison	563-370-4480	<a href="mailto:aitchisongary@gmail.com">aitchisongary@gmail.com</a>
Gary Andrade	563-676-4102	
Kristan Mitchell	563-650-9580	<a href="mailto:kristinm@mchsi.com">kristinm@mchsi.com</a>
Bill Hurt	563-271-2830	<a href="mailto:bill.hurt615@gmail.com">bill.hurt615@gmail.com</a>
Mike DeJulius	563-529-4457	<a href="mailto:mike@njmiller-hawkeye.com">mike@njmiller-hawkeye.com</a>
Denuis Williams	563-359-0308	Advanced Home
Kathy & Joe Palmer	563-323-9303	<a href="mailto:jkpalm2@mchsi.com">jkpalmer2@mchsi.com</a>
Scott Kelling	2801 Meadows Pl	<a href="mailto:skelling@melfosterco.com">skelling@melfosterco.com</a>
Susie & Jeff Seitz	563-528-0448	<a href="mailto:susieseitz@advancedhomesinc.com">susieseitz@advancedhomesinc.com</a>
Bob Inghram	563-349-0341	<a href="mailto:bingghram@activethermal.net">bingghram@activethermal.net</a>
Pete McGee	563-940-3043	<a href="mailto:pmcghee511@aol.com">pmcghee511@aol.com</a>
Renee McGhee	563-344-4896	
Joe Maluck	708-837-0007	<a href="mailto:j_maluck756@yahoo.com">j_maluck756@yahoo.com</a>
Rich Clewell	563-340-0559	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciusa](mailto:mike crisciusa); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

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Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciusa" <[mike.crisciusa@gmail.com](mailto:mike.crisciusa@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!

Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

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I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434

**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

---

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

--



**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

May 16, 2018

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-04: Request of Pheasant Creek LLC for the rezoning of approximately 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1 Agricultural District to R-2, Low Density Dwelling District.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

On an affirmative vote of 3-2, the Plan and Zoning Commission accepts the findings and forwards Case No. REZ18-04 to the City Council for approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', written over a light gray rectangular background.

Robert Inghram, Chairperson  
City Plan and Zoning Commission

**CITY PLAN AND ZONING COMMISSION  
CITY OF DAVENPORT, IOWA**

**TUESDAY MAY 15, 2018 • 5:00 PM  
COUNCIL CHAMBERS – DAVENPORT CITY HALL  
226 W 4<sup>TH</sup> STREET DAVENPORT, IA**

**MINUTES**

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**PUBLIC HEARING AGENDA**

The public hearing was opened at 5:00 P.M. and the following public hearing was held:

**OLD BUSINESS –**

**NEW BUSINESS –**

- Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning" by amending Section 17.29 in part by clarifying the Design Review Board's consideration of encroachment permits as recommendation only.  
[Wards All]

The public hearing was closed at 5:04 P.M.

**Next Public Hearing:**

Tuesday, June 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall – 226 West 4<sup>th</sup> Street.

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**REGULAR MEETING AGENDA**

The regular meeting was called to order at 5:04 P.M. following the public hearing.

**I. Roll Call of the Membership**

Present: Connell, Hepner, Inghram, Maness, Medd, Quinn, Reinartz and Tallman

Excused: Johnson, Kelling and Lammers

Absent: None

Staff: Flynn, Longlett Rusnak, Statz, Wille and attorney Heyer

**II. Report of the City Council Activity – as presented**

**III. Secretary's Report** May 01, 2018 meeting minutes were corrected to reflect Kelling as abstaining, not Hepner.

**IV. Report of the Comprehensive Plan Committee**

**V. Zoning Activity**

**A. Old Business**

**B. New Business -**

1. Case No REZ18-04 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "R-2" Low Density Dwelling District on 33.11 acres, more or less, located west of Elmore Avenue and north of 53<sup>rd</sup> Street for residential development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

Several members of the audience spoke in favor of a connection to Elmore Avenue while several in the audience living on 58<sup>th</sup> Street spoke against the connection.

A motion by Medd, seconded by Connell to accept the findings and forward Case No REZ18-04 to the City Council for approval subject to the above stated condition was approved on a split vote of 3-yes, 2-no (Hepner & Reinartz) and 2-abstention (Quinn & Tallman).

2. Case No REZ18-05 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "PDD" Planned Development District on 7.41 acres, more or less, located west of Elmore Avenue and south of Pheasant Creek for commercial development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.



Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

On a motion by Medd, seconded by Hepner, the Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval subject to the above stated condition on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VI. Subdivision Activity**

### **A. Old Business –**

### **B. New Business –**

1. Case No. F18-03: Final plat of Pheasant Ridge First Addition on 43.27 acres, more or less located west of Elmore Avenue and north of East 53<sup>rd</sup> Street containing three (3) lots. [Ward 6]

#### Findings:

- The proposed plat facilitates the sale and proposed development of the property.
- The proposed plat complies with the land use portion of Davenport+2035: Comprehensive Plan for the City.

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-03 to the City Council for approval subject to the following conditions:

1. That a drainage easement and the Flood Insurance Rate Map floodplain boundary be shown on the plat as it impacts each lot and potential development within this plat.
2. The drainage easement along Pheasant Creek which includes the floodplain area shall also be designated a greenway easement.

On a motion by Reinartz, seconded by Medd, the Commission forwards Case No. F18-03 to the City Council for approval subject to the above stated conditions on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VII. Other Business – Election of Officers**

A motion by Hepner, seconded by Reinartz, to re-elect the current slate of officers was approved on three separate unanimous voice votes, one for each office, with Tallman being retained as Secretary, Connell being retained as Vice-Chairman and Inghram being retained as Chairman.

## **VIII. Future Business – Preview of items for the June 5<sup>th</sup> public hearing and/or regular meeting (*note-not all items to be heard may be listed*):**

### **IX. Communications (Time open for citizens wishing to address the Commission on matters not on the established agenda)**

### **X. Adjourn – The meeting was adjourned at 6:08 P.M.**

- *Note: Pursuant to §17.60.030 and §2.64.120 of the Davenport City Code the Commission is required to act on this item within 30 days unless the petitioner waives this requirement.*

*Pursuant to the city code if the Commission does not act and report on this item within 30 days' time this agenda item is to be construed as approved by the Commission.*

- *Note: The Plan and Zoning Commission meeting is not a public hearing. It is time for the commission to discuss the issue(s) with City staff and if questions rise, with the developer.*
- *A rezoning or ordinance text amendment has a second public hearing before the City Council at its Committee of the Whole meeting. Notification of that meeting will be sent to surrounding owners following the Plan and Zoning Commission meeting.*

**Next Public Hearing/Regular Plan & Zoning Meeting:**

**Tuesday, June 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall  
226 West 4<sup>th</sup> Street.**

## APPROVED

Name:	Roll Call	REZ18-04 Pheasant Creek LLC	REZ18-05 Pheasant Creek LLC	F18-01 Pheasant Ridge 1st					
Connell	P	Y	Y	Y					
Hepner	P	N	Y	Y					
Inghram	P								
Johnson	EX								
Kelling	EX								
Lammers	EX								
Maness	P	Y	Y	Y					
Medd	P	Y	Y	Y					
Quinn	P	ABS	ABS	ABS					
Reinartz	P	N	Y	Y					
Tallman	P	ABS	ABS	ABS					
		3-YES 2-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN					

## **PUBLIC ENGAGEMENT SUMMARY**

### **Case No's. REZ18-04 and REZ18-05**

**Public Meeting Notice:** Signs Posted: 3 signs were posted on April 16

**Public Meeting:** 43 notices mailed April 18. A public meeting was held on April 30 at the Public Works Center. Approximately 30 people attended

**Public Hearing Notice:** The notice was sent to the QCT for publication on April 17.

**Public Hearing Mailing:** Mailed to approximately 43 neighbors on April 18.

**P&Z Public Hearing:** Held on May 1. 3 people spoke against the proposal citing traffic, drainage, and improper notification.

**P&Z Recommendation:** Held on May 15<sup>th</sup>. Additional comments were received. REZ18-04 was recommended for approval by a vote of 3-2. REZ18-05 was recommended for approval by a vote of 5-0.

**COW Neighbor Mailing:** Sent on approximately May 18.

**COW Public Hearing Notice:** Was published in the QCT on May 25.

**Protest Rate:** To date, 17 protests have been filed (18.1%) been filed for Case No. REZ18-04; none for Case No. REZ18-5 (0.0%)

**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.

One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.

The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.

Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.

The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

Case No. REZ18-04; REZ18-05

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

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**One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.**

**The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.**

**Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.**

**The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.**

**Case No. REZ18-04; REZ18-05**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
PUBLIC HEARING  
TUESDAY, MAY 1, 2018  
DAVENPORT CITY PLAN AND ZONING COMMISSION  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).**

**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
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[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
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**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

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Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801





# City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

## NOTICE

### PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

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If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we Joseph & Katherine Palmer who own property located at (be specific as possible)  
2800 E. 59<sup>th</sup> St. - Davenport

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801

## Neighborhood Meeting Attendance List

<b>Case: REZ18-04</b>	<b>REZ18-05</b>	<b>Date: April 30th 2018</b>
Gary Aitchison	563-370-4480	<a href="mailto:aitchisongary@gmail.com">aitchisongary@gmail.com</a>
Gary Andrade	563-676-4102	
Kristan Mitchell	563-650-9580	<a href="mailto:kristinm@mchsi.com">kristinm@mchsi.com</a>
Bill Hurt	563-271-2830	<a href="mailto:bill.hurt615@gmail.com">bill.hurt615@gmail.com</a>
Mike DeJulius	563-529-4457	<a href="mailto:mike@njmiller-hawkeye.com">mike@njmiller-hawkeye.com</a>
Denuis Williams	563-359-0308	Advanced Home
Kathy & Joe Palmer	563-323-9303	<a href="mailto:jkpalm2@mchsi.com">jkpalmer2@mchsi.com</a>
Scott Kelling	2801 Meadows Pl	<a href="mailto:skelling@melfosterco.com">skelling@melfosterco.com</a>
Susie & Jeff Seitz	563-528-0448	<a href="mailto:susieseitz@advancedhomesinc.com">susieseitz@advancedhomesinc.com</a>
Bob Inghram	563-349-0341	<a href="mailto:bingghram@activethermal.net">bingghram@activethermal.net</a>
Pete McGee	563-940-3043	<a href="mailto:pmcghee511@aol.com">pmcghee511@aol.com</a>
Renee McGhee	563-344-4896	
Joe Maluck	708-837-0007	<a href="mailto:j_maluck756@yahoo.com">j_maluck756@yahoo.com</a>
Rich Clewell	563-340-0559	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciusa](mailto:mike crisciusa); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

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Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciusa" <[mike.crisciusa@gmail.com](mailto:mike.crisciusa@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!

Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

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I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434

**From:** [Orfitelli, Michael](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Case No. REZ18-04 In protest of rezoning Advance Homes/Jersey Meadows  
**Date:** Tuesday, May 01, 2018 11:19:14 AM

---

Dear Planning and Zoning,

RE: Case No REZ18-04

I am writing in protest to the rezoning of the property petitioned to be rezoned from Agricultural to Low Density R-2 to the east of 58<sup>th</sup> street/Meadows Place/59<sup>th</sup> streets in Davenport, 52807. Proposed rezoning will allow for around 64 new homes to be built on the site. This site is now locked in by topography, and business due to the approved Costco construction. Adding 64 homes to the site as currently planned will create an overflow of traffic through the current neighborhood currently serving around 150 homes. The only access points are Jersey Meadows Drive and Lorton. The proposition would almost double the traffic into the access points, the neighborhood and Jersey Ridge Rd. Including 33.11 acres of homes with the current design proposed and access points would create regular unsafe conditions for neighbors, (including children), and emergency access. Although there is no code for the number of residences per required neighborhood access points, if approved the rezoning would result in the highest density of homes with the fewest access points. The access option was closed when Costco was approved, leaving this land locked. I understand the intention years ago was to have residential in the space. The recent development has created access challenges, this past plan must be changed and you must deny or table the decision to rezone the property to R-2.

Furthermore, I also understand the requirement of notification of rezoning; 200 ft. from the proposed area. Although the requirement was fulfilled this proposal has a great effect on far more than those 200 ft. from the site. Again, there are about 150 homes that will be effected. A good neighbor due diligence would have provided the entire neighborhood with a notice to provide for an appropriate voice in this manner. Our entire neighborhood has not had ample opportunity to study and provide a voice. I am again requesting this proposal to be denied and/or tabled at this time. Finally, as a neighbor close to the proposed site, I am very concerned with environmental factors that will result as the land is developed. The most worrisome of these factors is water run-off. Our property is affected during every rain, I can only anticipate greater water run-off and possible damage to our dwelling and property.

There are a number of factors that are of concern related to the petitioned rezoning. I would ask of Planning and Zoning, as well as the city to deny the petition.

Mike Orfitelli  
2723 Meadows Place  
Davenport, IA 52807

**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

---

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

--



**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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**To:** [Planning Division – CPED](#)  
**Subject:** Case REZ18-04 Pheasant Creek LLC Rezoning  
**Date:** Thursday, May 03, 2018 8:15:12 AM

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To whom it may concern:

I am writing in regards to Case REZ18-04 discussed on May 1, 2018 at the city council meeting. This case proposed the rezoning of Pheasant Creek LLC A-1 to R-2 in the lot immediately east of the Jersey Meadows subdivision. My husband and I are new residents of the Jersey Meadows subdivision and reside at 2717 E 58<sup>th</sup> St. We did not know at the time we purchased our home that it would no longer be a dead end, and while we are disappointed about that, we are very concerned about a thoroughfare being built to Elmore. While I understand that some residents of the neighborhood are in favor of an outlet to Elmore, please know that we are not. The residents in favor of this reside on 59<sup>th</sup> St, and the thoroughfare would impact us, not them. I know that many people would use 58<sup>th</sup> to bypass 53<sup>rd</sup>, particularly those residing in the Crystal Ridge subdivision. If we limit the roads to the residences in Jersey Meadows and the new development and not allow an outlet to Elmore, we can almost guarantee traffic will be residential only.

My husband, Joe, and I believe that if the residences are inevitable, it is best for them to be on a loop or in cul-de-sacs for traffic minimization. We are also concerned about the construction equipment and low-boys traveling down our street during the construction of these residences, as the streets are not wide and were not built to support that type of use. In addition, we have concerns about screws or other equipment falling off construction trucks and damaging tires, etc. Please note we are not opposed to the construction of these residences, but we would like some protection if this were to damage our road/property.

We do most certainly believe that reducing the number of homes being built is the best option as residents of the Jersey Meadows subdivision, as 64 homes leaves much more supply than demand, which will make selling our properties difficult in the coming years, and increases traffic drastically more. However, if this is inevitable, please do not allow an outlet to Elmore to be built. I do urge you to consider rezoning to R-1, if that is in the realm of possibility. I know Advance homes has to make a profit, but I don't want the overflow of housing to be detrimental to our bottom lines, either.

Please do not hesitate to contact me if you have any questions.

Best regards,  
Kelsey

**Kelsey Maluck**  
**Internal Control Accountant**  
Deere & Company  
3400 80<sup>th</sup> St.  
Moline, IL 61265  
Work: (309) 748-8477  
Email: [MaluckKelseyA@JohnDeere.com](mailto:MaluckKelseyA@JohnDeere.com)



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MAY 15 2018

## PETITION TO CITY OF DAVENPORT PLANNING &amp; ZONING COMMISSION

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-04 and REZ18-05. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. Furthermore, written notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

NAME	ADDRESS	PHONE	EMAIL
Kevin & Renee Skilllett	2764 Julie Lane Ct.	(563) 343-6429	kskilllett@bettendorf.k12.ia.us
Joel & Tracie Mohr	2723 Julie Lane Ct.	563-508-5204	joe/water@i.com
Jim & Lynn Olsen	2729 Julie Lane Ct.	563-391-9376	50531@aol.com
Tim & Lynn Olsen	2736 Julie Lane Ct.	563-376-7697	Lyonsphone@icloud.com
Kath & Angie Berthel	2755 Julie Lane Ct.	563-940-5745	Berthel@isp.com
John & Stephanie Stork	2763 Julie Lane Ct.	563-370-5147	Stork.f@medison-bb.com
Mark & Nicole Mandke	2758 Julie Lane Ct.	563-209-2883	markmandke@icloud.com
Brian Henderson	2728 Julie Lane Ct.	309-235-6682	bhenders@icloud.com
Chris Silverstein	2728 Julie Lane Ct.	563-271-3790	chrisilverstein@gmail.com
Clay & Wiscam	2722 Julie Lane Ct.	563-940-2036	Wiscam@icloud.com
Mary & Steve Telisak	2735 Julie Lane Ct.	(830) 352-6230	mtelisk@gmail.com
Paul & Anita Ferdinand	2752 Julie Lane Ct.	563-320-5073	aferdinand@icloud.com
Gary Hain	2744 Julie Lane Ct.	(563) 309-7370	garyhain@icloud.com
Reed & Karen Carlsen	2710 Julie Lane Ct.	563-514-7795	reard469191@gmail.com
Monica Adams	5905 Loreton Ave	563-349-3215	adams3883@gmail.com
Pete & Linda McGee	2708 E 59th St	563-940-3043	pmcgee511@gmail.com
Michael Demmer	2721 E 59th Street	309-781-0287	michael@cmthighway.com
Donald Moulton	2744 E 59th St	563-354-6412	d.wisbrenerenchci.com
DAVID EISENBERG	2807 E 59th St	563-271-8663	gibster@me.com
Gary Foster	2743 E 59th St	563-528-5434	billhurst65@gmail.com
Bill Hurst	2731 E 59th St	563-271-2830	timandjankay@regan.com
Tom KAY	5803 Forest Rd	563-508-9538	kristian@icloud.com
Kristen Pultenell	2729 Meadows Pl	563-344-0445	mikeorffelli@yahoo.com
Mike Orffelli	2723 Meadows Pl	563-386-5542	formentor@icloud.com
Formentor	2711 Meadows Pl	563-450-9252	

MAY 15 2018

## PETITION TO CITY OF DAVENPORT PLANNING &amp; ZONING COMMISSION

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-04 and REZ18-05. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. Further, we would like notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

REZ18-04 and REZ18-05  
We believe further notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

NAME	ADDRESS	PHONE	EMAIL
Crystal Miguel	6011 Lorton Ave	(563) 528-5072	cmiguel@gmail.com
David Miguel	6011 Lorton Ave	(563) 658-3126	cmiguel199@gmail.com
Derrick Frost	6056 Lorton Ave	(563) 528-1208	Dfrost46@gmail.com
Holly Frost	6056 Lorton Ave	(563) 271-9822	Hollyd.frost@yahoo.com
WONBOLD AUSTIN	2622 Julie Lane	563-359-4878	awonbold@yahoo.com
Collin Frost	5817 Woodland Ave	563-676-1322	cfrostdave@gmail.com
Karen Westcott	2705 Julie Ln Ct	563-585-4216	westcottkaren@gmail.com
Mike Wilkins	5906 Woodland Ave	563-320-3206	mt.wilkins@hotmail.com
Thomas Wilkins	"	"	"
Andrew Smith	2603	563-579-8668	"
William & Mahli	5829 Woodland	563-650-6420	MohliMA710@yahoo.com
Donell Forrest	5821 Woodland	309-269-3012	dforrest@hotmail.com
Tim Forrest	5821 Woodland	309-286-4650	dforrest@hotmail.com
HUNG PHAM	2610 E. 58th St.	563-355-2676	phamhame@hotmail.com
Mark Van Laune	2611 E. 58th St	563-359-3623	vanlaune@hotmail.com
Connie Van Laune	2611 E. 58th St	563-359-3623	connievanlaune@hotmail.com
Chris Halligan	2618 E. 58th St	563-326-4237	chris119@aol.com
John Halligan	2618 E. 58th St	563-326-4237	handfordsales@aol.com

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-0001. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

[illegible]



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE  
WEDNESDAY, JUNE 6, 2018  
DAVENPORT COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.**

**A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.**

**Please contact the Community Planning Division for additional information.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

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**Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04**

**I/we \_\_\_\_\_ who own property located at (be specific as possible)**

---

**Hereby protest the proposed creation of the Elmore Corners Overlay District**

**Signed: \_\_\_\_\_**

**Date : \_\_\_\_\_**

**Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801**



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
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**Please contact the Community Planning Division for additional information.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





**From:** [Clewell, Rich](#)  
**To:** [Jenny VanGenderen](#)  
**Cc:** [Cale VanGenderen](#); [Gripp, Kyle](#); [Condon, JJ](#); [Flynn, Matt](#)  
**Subject:** Re: Case No. REZ18-04; REZ18-05  
**Date:** Monday, May 21, 2018 2:34:51 PM  
**Attachments:** [image001.png](#)

---

Jenny, thanks for taking the time to let me know your positions on the Pheasant Creek addition. You are in the majority on your positions regarding this project.

Sincerely,

Richard A. Clewell  
Davenport City Council  
6th Ward Alderman  
563.340.0559  
<https://www.facebook.com/Clewell4Council/>

On May 21, 2018, at 12:10, Jenny VanGenderen <[jenny.hinchman@gmail.com](mailto:jenny.hinchman@gmail.com)> wrote:

Hello,

My husband Cale and I previously sent an email in regards to the zoning changes and plans submitted by Pheasant Creek LLC (Advanced Homes) that affect our neighborhood, Jersey Meadows. We are not able to make it to the meeting tonight, and wanted to make sure our voices are heard.

1. We are in favor of the proposed zoning changes and plans submitted by Advanced Homes. However, we do want an **addendum added** saying that at no time will they or another developer be permitted to build anything other than single family homes on the land.
2. We are firmly **against** any plans that will connect Elmore Ave to the proposed subdivision along with Jersey Meadows.

Please feel free to reach out to us with any questions. We appreciate you taking the time to read our email, and make sure our voices are heard. Thank you.

Jennifer and Cale VanGenderen  
2736 East 59th Street

On Tue, May 1, 2018 at 12:20 PM, Cale VanGenderen  
<[cvangenderen@vibrantcreditunion.org](mailto:cvangenderen@vibrantcreditunion.org)> wrote:  
Hello,

Please see the email below that was sent to Matt Flynn. Jennifer and I are residents of the Jersey Meadows subdivision. We are in favor of the proposed zoning changes and the plans as submitted by Pheasant Creek LLC (Advance Homes). We are firmly against any plans that will



connect Elmore Ave to the proposed subdivision along with Jersey Meadows.

We are unable to make the meeting tonight due to work travel and want to ensure our voices are heard.

Thank you!

Cale & Jennifer VanGenderen  
[2736 E 59th Street](#)  
[Davenport, IA 52807](#)

----- Forwarded message -----

From: **Cale VanGenderen** <[cvangenderen@vibrantcreditunion.org](mailto:cvangenderen@vibrantcreditunion.org)>  
Date: Tue, May 1, 2018 at 11:55 AM  
Subject: Re: Case No. REZ18-04; REZ18-05  
To: "Flynn, Matt" <[matt.flynn@ci.davenport.ia.us](mailto:matt.flynn@ci.davenport.ia.us)>, Jen  
<[jenny.hinchman@gmail.com](mailto:jenny.hinchman@gmail.com)>

Hello Matt,

Jennifer and I are unable to attend the meeting tonight pertaining to Pheasant Creek LLC and the Jersey Meadows subdivision. There is a petition circling Jersey Meadows to ask Pheasant Creek LLC and the City of Davenport to add access to Elmore Ave on the southeast corner of the 33 acre plot of land.

Jennifer and I are firmly against adding any access to Elmore Ave from Jersey Meadows and Pheasant Creek LLC. We do not want E 59th and E 58th Streets to become a thoroughfare for WalMart and Cross Creek Apartments. We support the plans as submitted and welcome the new, higher end construction.

Thank you!

Cale & Jennifer VanGenderen  
[2736 E 59th Street](#)  
[Davenport, IA 52807](#)

On Mon, Apr 30, 2018 at 11:37 AM, Flynn, Matt  
<[matt.flynn@ci.davenport.ia.us](mailto:matt.flynn@ci.davenport.ia.us)> wrote:

Thank you Cale - - I have heard rumors that people think there is a street extension proposed to Elmore. That is not the case. Thanks again for sharing your thoughts.

Matt Flynn, AICP

Senior Planning Manager

City of Davenport, Iowa

Direct Phone: 563.888.2286

Visit our new website!

[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

<image001.png>

**From:** Cale VanGenderen [mailto:[cvangenderen@vibrantcreditunion.org](mailto:cvangenderen@vibrantcreditunion.org)]

**Sent:** Monday, April 30, 2018 11:29 AM

**To:** Planning Division – CPED; Flynn, Matt; Jen

**Subject:** RE: Case No. REZ18-04; REZ18-05

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows Pl to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows Pl were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows Pl to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

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[<~WRD161.jpg>](#)

**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning Case No. REZ18-04  
**Date:** Tuesday, May 22, 2018 4:44:11 PM

---



City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE**  
**WEDNESDAY, JUNE 6, 2018 at 5:30 pm**  
**DAVENPORT COMMITTEE OF THE WHOLE**  
**COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET - DAVENPORT, IOWA**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.

A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday June 6, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.

Please contact the Community Planning Division for additional information.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765

Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-04

I/we Gaynell Ben Foster 2011 Estate Trust who own property located at (be specific as possible)

2743 E. 59th St.

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Gaynell Ben Foster signature of Trustee, South Dakota Bank + Trust

Date: May 22, 2018

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): Peter C Rink (and Merriam)

Name 1 (signed): PC Rink Merriam

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 9 Woodview Way

Date: 5/23/15

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): Tom Kay

Name 1 (signed): Thomas W. Kay

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 5803 FOREST RD. DAVENPORT, IA 52807

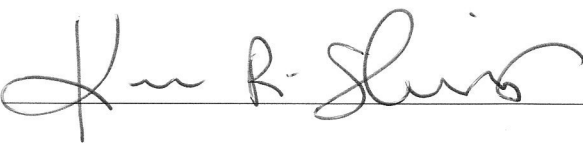
Date: 5/21/2018

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): KEVIN SKILLETT

Name 1 (signed): 

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 2764 Julie Lane CT. DAV. Ia. 52807

Date: May 24<sup>th</sup>, 2018



I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): JED + ANITA FERDINAND

Name 1 (signed): Jed + Anita Ferdinand

Name 2 (printed): JED FERDINAND

Name 2 (signed): Jed Ferdinand

Address: 2752 Julie Ln CT


Date: 5-21-18

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): Nicole Mancha

Name 1 (signed): 

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 2758 Julie Lane Ct Davenport IA 52807


Date: 5/21/18

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): AUGUSTO ANZOLA

Name 1 (signed): 

Name 2 (printed): LUZVELLY ANZOLA

Name 2 (signed): 

Address: 2722 MEADOWS PLACE, DAVENPORT-IA 52807

Date: MAY 19, 2018

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciua](mailto:mike crisciua); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

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Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciua" <[mike.crisciua@gmail.com](mailto:mike.crisciua@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!

Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Orfitelli, Michael](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Case No. REZ18-04 In protest of rezoning Advance Homes/Jersey Meadows  
**Date:** Tuesday, May 01, 2018 11:19:14 AM

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Dear Planning and Zoning,

RE: Case No REZ18-04

I am writing in protest to the rezoning of the property petitioned to be rezoned from Agricultural to Low Density R-2 to the east of 58<sup>th</sup> street/Meadows Place/59<sup>th</sup> streets in Davenport, 52807. Proposed rezoning will allow for around 64 new homes to be built on the site. This site is now locked in by topography, and business due to the approved Costco construction. Adding 64 homes to the site as currently planned will create an overflow of traffic through the current neighborhood currently serving around 150 homes. The only access points are Jersey Meadows Drive and Lorton. The proposition would almost double the traffic into the access points, the neighborhood and Jersey Ridge Rd. Including 33.11 acres of homes with the current design proposed and access points would create regular unsafe conditions for neighbors, (including children), and emergency access. Although there is no code for the number of residences per required neighborhood access points, if approved the rezoning would result in the highest density of homes with the fewest access points. The access option was closed when Costco was approved, leaving this land locked. I understand the intention years ago was to have residential in the space. The recent development has created access challenges, this past plan must be changed and you must deny or table the decision to rezone the property to R-2.

Furthermore, I also understand the requirement of notification of rezoning; 200 ft. from the proposed area. Although the requirement was fulfilled this proposal has a great effect on far more than those 200 ft. from the site. Again, there are about 150 homes that will be effected. A good neighbor due diligence would have provided the entire neighborhood with a notice to provide for an appropriate voice in this manner. Our entire neighborhood has not had ample opportunity to study and provide a voice. I am again requesting this proposal to be denied and/or tabled at this time. Finally, as a neighbor close to the proposed site, I am very concerned with environmental factors that will result as the land is developed. The most worrisome of these factors is water run-off. Our property is affected during every rain, I can only anticipate greater water run-off and possible damage to our dwelling and property.

There are a number of factors that are of concern related to the petitioned rezoning. I would ask of Planning and Zoning, as well as the city to deny the petition.

Mike Orfitelli  
2723 Meadows Place  
Davenport, IA 52807

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

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I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434

**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

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Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

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**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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Publication	Quad-City Times		
Contact	CITY OF DAVENPORT - LEGALS	PO Number	1817093
Address 1	226 W 4TH ST	Rate	Legal
Address 2		Order Price	87.00
City St Zip	DAVENPORT IA 52801	Amount Paid	0.00
Phone	5638882074	Amount Due	87.00
Fax			
Section	Notices & Legals	Start/End Dates	05/25/2018 - 05/25/2018
SubSection		Insertions	1
Category	2520 Miscellaneous Notice	Size	165
Ad Key	7165-1	Salesperson(s)	Obits Legals O10
Keywords	NOTICE PUBLIC HEARING WEDNESDA	Taken By	Samantha Greene
Notes	Please release as this is a legal notice. [Samantha Greene 5/21/2018 1:16:17 PM]		

## Ad Proof

**NOTICE  
PUBLIC HEARING  
WEDNESDAY,  
JUNE 6, 2018, 2018 5:30 PM  
CITY OF DAVENPORT  
COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS  
DAVENPORT CITY HALL  
226 WEST 4th STREET  
DAVENPORT, IOWA**

There are on file in the City of Davenport Community Planning and Economic Development Department the following petitions:

Case No. ORD18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District.[6th Ward]

The legal description of the proposed rezoning is as follows:

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described: thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ; thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition; thence N011h 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey

Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa,

to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00

feet to the point of beginning.  
 Containing 33.11 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-04 to the City  
 Council with a recommendation for  
 approval.  
 Case No. REZ18-05: Request of Pheasant  
 Creek, LLC to rezone approximately  
 7.41 acres located immediately west of  
 Elmore Avenue and south of Pheasant  
 Creek from A-1 Agricultural District to  
 PDD, Planned Development District. [6th  
 Ward]  
 The legal description of the proposed  
 rezoning is as follows:  
 Part of the Northwest Quarter of Section  
 8, Township 78 North, Range 4 East of  
 the 5th P.M., Davenport, Scott County,  
 Iowa, being more particularly described s  
 follows:  
 Commencing, as a point of reference, at  
 the northwest corner of the Northwest  
 Quarter of said Section 8; thence South  
 00°-06'-45" West 534.52 feet along the  
 west line of the Northwest Quarter of said  
 Section 8; thence South 44°-59'-10" East  
 358.74 feet to the POINT OF BEGIN-  
 NING of the tract of land hereinafter  
 described:  
 thence continuing South 44°-59'-10" East  
 690.31 feet to a point on the west right of  
 way line of Elmore Avenue as now  
 established in the City of Davenport,  
 Iowa, said point also being on the west  
 line of the South 75 Acres of the East 115  
 Acres of the Northwest Quarter of said  
 Section 8;  
 thence South 00°-08'-25" West 511.79  
 feet along the west line of the South 75  
 Acres of the East 115 Acres of the  
 Northwest Quarter of said Section 8 to an  
 angle point on the north line of Lot 1 of  
 Lakehurst Commercial Park Fifth Addition  
 to the City of Davenport, Iowa;  
 thence South 89°-41'-45" West 121.43  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial Park Fifth Addition  
 to a point on the east line of Lot 1 of  
 Lakehurst Commercial Park Fourth Addi-  
 tion to the City of Davenport, Iowa;  
 thence North 00°-18'-15" West 65.00 feet  
 along the east line of Lot 1 of said  
 Lakehurst Commercial Park Forth Addi-  
 tion;  
 thence South 89°-41'-45" West 260.00  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial park Fourth Addi-  
 tion to a point on the east line of Lot 2 of  
 said Lakehurst Commercial Park Fifth  
 Addition;  
 thence North 00°-18'-15" West 205.00  
 feet along the east line of Lot 2 of said  
 Lakehurst Commercial Park Fifth Addi-  
 tion;  
 thence South 89°-41'-45" West 100.00  
 feet along the north line to the northwest  
 corner of Lot 2 of said Lakehurst  
 Commercial Park Fifth Addition;  
 thence North 00°-18'-15" West 732.61  
 feet to the point of beginning.  
 Containing 7.41 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-05 to the City  
 Council with a recommendation for  
 approval.  
 Public hearing(s) on the above matter(s)  
 are scheduled for 5:30 p.m. or as soon  
 thereafter as possible on Wednesday,  
 June 6, 2018 in the Council Chambers of  
 the Davenport City Hall, 226 West 4th  
 Street, Davenport, Iowa. You may submit  
 written comments on the above item(s) or  
 to attend the public hearing to express  
 your views, or both. Any written com-  
 ments to be reported at the public hearing  
 should be received in the Department of  
 Community Planning & Economic Devel-  
 opment, at the above address, no later  
 than 12:00 noon on the day of the public  
 hearing(s). PO No 1817093.  
 Department of Community Planning &  
 Economic Development  
 E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)  
 PHONE: 563-326-7765

# REZ18-04 Rezoning Protest Area Calculation (Autosaved)

PARCEL NUMBER	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CITY/STATE/ZIP
Y0707-18C	11510.25137	1.0%	Yes	1.0%	2808 E 59TH ST	AITCHISON FAMILY REVOCABLE TRUST	2808 E 59TH ST	DAVENPORT IA 52807
Y0707-28C	6896.403881	0.6%	Yes	0.6%	2722 MEADOWS PL	AUGUSTO ANZOLA	2722 MEADOWS PLACE	DAVENPORT IA 52807
Y0707-44C	15539.96307	1.4%	Yes	1.4%	2804 E 58TH ST	BENJAMIN KIMBELL	2804 E 58TH ST	DAVENPORT IA 52807
Y0707-43C	15252.89917	1.4%		0.0%	2730 E 58TH ST	BRIAN G CARBER	2730 E 58TH ST	DAVENPORT IA 52807
Y0723-02E	106450.6519	9.7%		0.0%	2790 E 53RD ST	COSTCO WHOLESALE CORPORATION	999 LAKE DR	ISSAQUAH WA 98027
Y0707-04	12307.34969	1.1%		0.0%	2729 E 58TH ST	CYNTHIA L KOTHENBEUTEL	2729 E 58TH ST	DAVENPORT IA 52807
Y0707-19C	15171.03955	1.4%	Yes	1.4%	2807 E 59TH ST	EISBRENERLIVING TRUST	2807 E 59TH ST	DAVENPORT IA 52807
Y0707-29C	5681.011385	0.5%	Yes	0.5%	2743 E 59TH ST	GAYNELL BARR FOSTER 2011 ESTATE TRUST	2743 E 59TH ST	DAVENPORT IA 52807
Y0655AOLA	2024.18404	0.2%	Yes	0.2%		JED FERNINAND	2752 JULIE LANE CT	DAVENPORT IA 52807
Y0723-01	47562.90217	4.3%		0.0%	2700 E 53RD ST	JERSEY MEADOWS APARTMENTS	2700 E 53RD ST	DAVENPORT IA 52807
Y0655A05	46994.92505	4.3%		0.0%	4 WOODVIEW WAY	JOE B SLAVENS	4 WOODVIEW WAY	DAVENPORT IA 52807
Y0707-17C	11177.06063	1.0%	Yes	1.0%	2800 E 59TH ST	JOSEPH L PALMER	280 E 59TH ST	DAVENPORT IA 52807
Y0707-14D	4517.737734	0.4%	Yes	0.4%	2764 JULIE LANE CT	KEVIN R SKILLETT	2764 JULIE LANE CT	DAVENPORT IA 52807
Y0707-OLC	27450.17103	2.5%	Yes	2.5%		KEVIN R SKILLETT	2764 JULIE LANE CT	DAVENPORT IA 52807
Y0707-42C	5008.55346	0.5%		0.0%	2724 E 58TH ST	MARIAN INGRAHAM TRUST	2724 E 58TH ST	DAVENPORT IA 52807
Y0655-13C	641.6206695	0.1%	Yes	0.1%	2758 JULIE LANE CT	MARK A MANCHA	2758 JULIE LANE CT	DAVENPORT IA 52807
Y0655A09	2265.115818	0.2%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0655A08	8501.770718	0.8%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0655A07	14809.6326	1.3%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0655A06	25798.29762	2.3%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0707-23C	4442.580086	0.4%	YES	0.4%	2723 MEADOWS PL	MICHAEL C ORFITELLI	2723 MEADOWS PL	DAVENPORT IA 52807
Y0707-03	4102.811295	0.4%		0.0%	2723 E 58TH ST	MICHAEL R KOTULA	2723 E 58TH ST	DAVENPORT IA 52807
Y0707-22C	14347.19281	1.3%	Yes	1.3%	2729 MEADOWS PL	MITCHELL D BRON	2729 MEADOWS PL	DAVENPORT IA 52807
Y0707-01C	280528.0503	25.5%		0.0%		PHEASANT CREEK ESTATES LLC	4215 E 60TH ST	DAVENPORT IA 52807
Y0707-16C	3304.844242	0.3%	Yes	0.3%	2744 E 59TH ST	RONALD C MATHIAS	2744 E 59TH ST	DAVENPORT IA 52807
Y0707-21C	14693.2236	1.3%		0.0%	2801 MEADOWS PL	SCOTT D KELLING	2801 MEADOWS PL	DAVENPORT IA 52807
Y0817-02E	113682.2052	10.3%		0.0%	5348 ELMORE CR	TELECOMMUNICATIONS SPRINGING LLC	1 ATT WAY	BEDMINSER NJ 07921
Y0707-20C	15248.57036	1.4%	Yes	1.4%	5803 FOREST RD	THOMAS W KAY	5803 FOREST RD	DAVENPORT IA 52807
Y0707-05	13579.51314	1.2%		0.0%	2805 E 58TH ST	TIMOTHY S HILTON	2805 E 58TH ST	DAVENPORT IA 52807
Y0707-15D	5238.636761	0.5%	Yes	0.5%	2763 JULIE LANE CT	TODD R STONE	2763 JULIE LANE CT	DAVENPORT IA 52807
Y0707-OLD	30931.30352	2.8%	Yes	2.8%		TODD R STONE	2763 JULIE LN CT	DAVENPORT IA 52807
Y0655AOLB	24459.19148	2.2%	Yes	2.2%		TODD RINEHART	2758 JULIE LANE CT	DAVENPORT IA 52806
Y0801-02A	145267.5814	13.2%		0.0%		VTs FARM LLC PARCEL A	19134 246TH AV	BETTENDORF IA 52722

**PARCELS** 1,055,387.2  
**ROW** 44,161.5

Alderman: Clewell

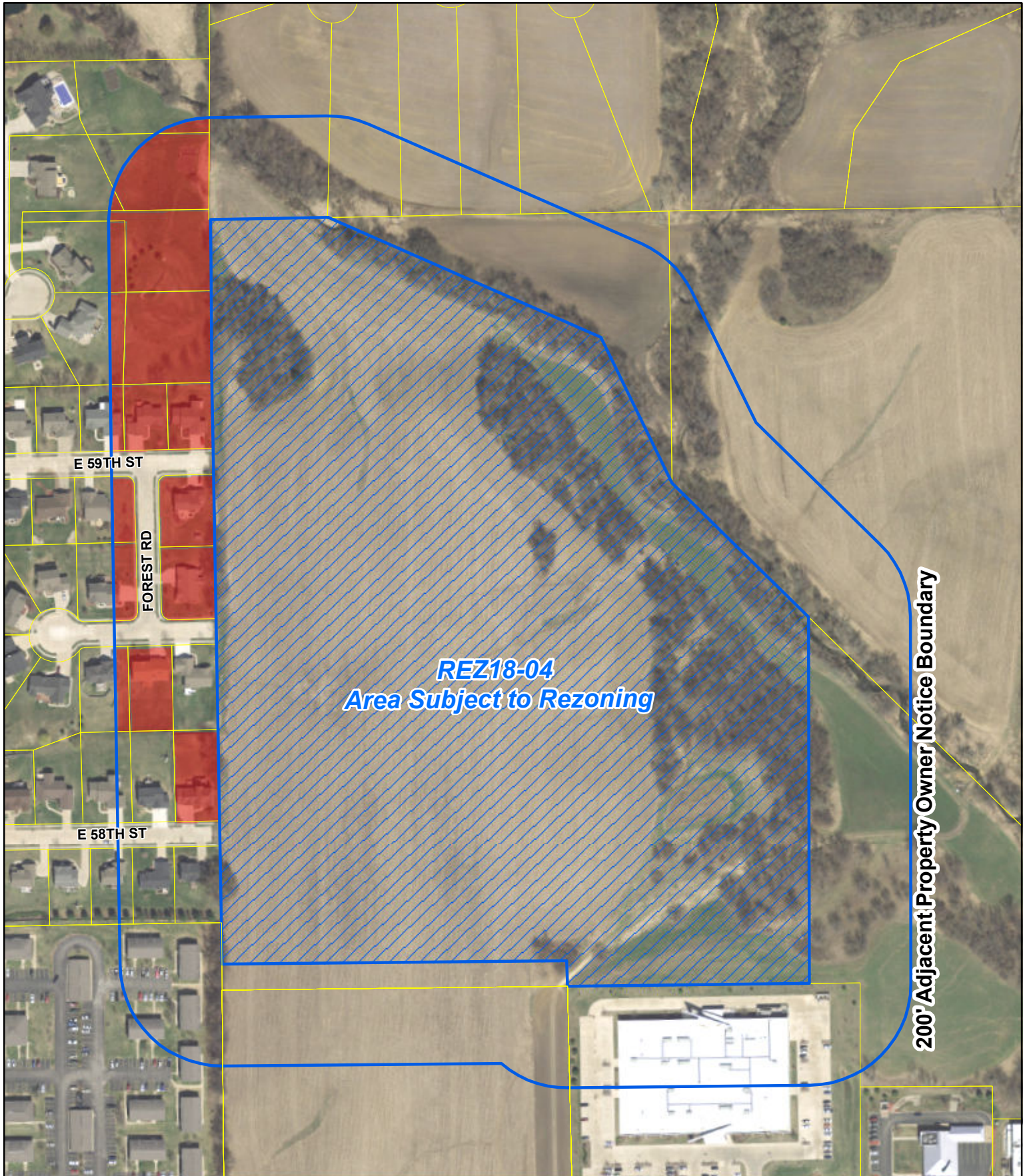
**TOTAL**  
**NOTICE AREA** 1,099,548.8  
**18.1% PROTEST RATE**

Protests: 17

Properties: 33



# REZ18-04 Protest Map



## Legend

### REZ18-04 PROTEST AREA

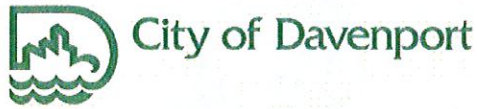
 Property Protesting the Rezoning

0 100 200 400  
Feet

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.







Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE**  
**WEDNESDAY, JUNE 6, 2018 at 5:30 pm**  
**DAVENPORT COMMITTEE OF THE WHOLE**  
**COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.

A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday June 6, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.

Please contact the Community Planning Division for additional information.

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-04

I/we Kevin R. Skillett & Renee C. Skillett who own property located at (be specific as possible)

Jersey Meadows 9th Add Parcel Y0707-14D & Y0707-OLC 2764 Julie Ln. Ct. Davenport IA 52807

Oppose proposed R2 rating and use of Jersey Meadows subdivision entrances as outlined.

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Kevin R. Skillett Renee C. Skillett

Date: May 30, 2018

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801

**From:** [Renee Skillett](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Protest to Case No. REZ18-04  
**Date:** Wednesday, May 30, 2018 3:33:49 PM  
**Attachments:** [Case No. REZ18-04.pdf](#)

---

Dear Members of the Davenport Committee of the Whole,

Please find attached our written protest for Case No. REZ18-04. Kevin and I will be in attendance at the public hearing set for Wednesday, June 6th, 2018 at 5:30 PM.

Our protest is not against urban development, rather it is against:

- The utilization of Jersey Meadows subdivision entrances for the proposed 64 unit Pheasant Creek Subdivision. As it stands, Jersey Meadows has 158 residential/townhome units using two entrances off of a very busy road (Jersey Ridge Road).
- The request for an R-2 Low Density Residential District. As described by the owner/builder Mr. Seitz during the May 15th, 2018 Plan and Zoning Meeting, he believes the price point of his Pheasant Creek Subdivision should be \$350,000 to \$500,000. If that is the case, we do not understand why the need for an R-2 zoning. We know that an R-1 Low Density Residential District has requirements of a larger width lot and greater setback, but in the price point he proposed, we would think a larger lot would be expected. If R-2 Zoning is granted, Mr. Seitz could change his proposed single family residence to multi-unit residence which would affect our home.

We sincerely appreciate your time and consideration.

Best regards,

Renee Skillett

City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn, 888-2286  
Wards: 6

**Action / Date**  
**COW6/6/2018**

**Subject:**

Public Hearing for an Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [Ward 6]

**Recommendation:**

Hold the Public Hearing

**Relationship to Goals:**

Fiscal Vitality

**Background:**

The proposed rezoning would facilitate future commercial development along Elmore Avenue. Nothing is planned at this time.

The Comprehensive Plan designates this property as RC - Regional Commercial. It is located immediately south of the proposed Elmore Corners Overlay District.

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-05: Request of Pheasant Creek LLC for the rezoning of 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District [6<sup>th</sup> Ward].

**Findings:**

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

**Conditions:**

1. No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

On an affirmative vote of 5-0, the Plan and Zoning Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval.

The Plan and Zoning Commission unanimously recommends its approval.

No protests have been filed.

See attachments for additional background information.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Location Map
▣ Backup Material	Background Material
▣ Backup Material	Public Engagement Summary

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:22 PM
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:24 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 5:37 PM



ORDINANCE NO.

Ordinance offered by Alderman Gripp.

Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [6th Ward]

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 from A-1 Agricultural District to PDD, Planned Development District.

The Legal Description is as follows:

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8; thence South 44°-59'-10" East 358.74 feet to the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 44°-59'-10" East 690.31 feet to a point on the west right of way line of Elmore Avenue as now established in the City of Davenport, Iowa, said point also being on the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8;

thence South 00°-08'-25" West 511.79 feet along the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8 to an angle point on the north line of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 121.43 feet along the north line of Lot 1 of said Lakehurst Commercial Park Fifth Addition to a point on the east line of Lot 1 of Lakehurst Commercial Park Fourth Addition to the City of Davenport, Iowa;  
thence North 00°-18'-15" West 65.00 feet along the east line of Lot 1 of said Lakehurst Commercial Park Forth Addition;

thence South 89°-41'-45" West 260.00 feet along the north line of Lot 1 of said Lakehurst Commercial park Fourth Addition to a point on the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-1 5" West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence South 89°-41'-45" West 100.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 732.61 feet to the point of beginning.

Containing 7.41 acres, more or less, subject to easements of record.

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

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

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 \_\_\_\_\_

\_\_\_\_\_  
Frank J. Klipsch  
Mayor

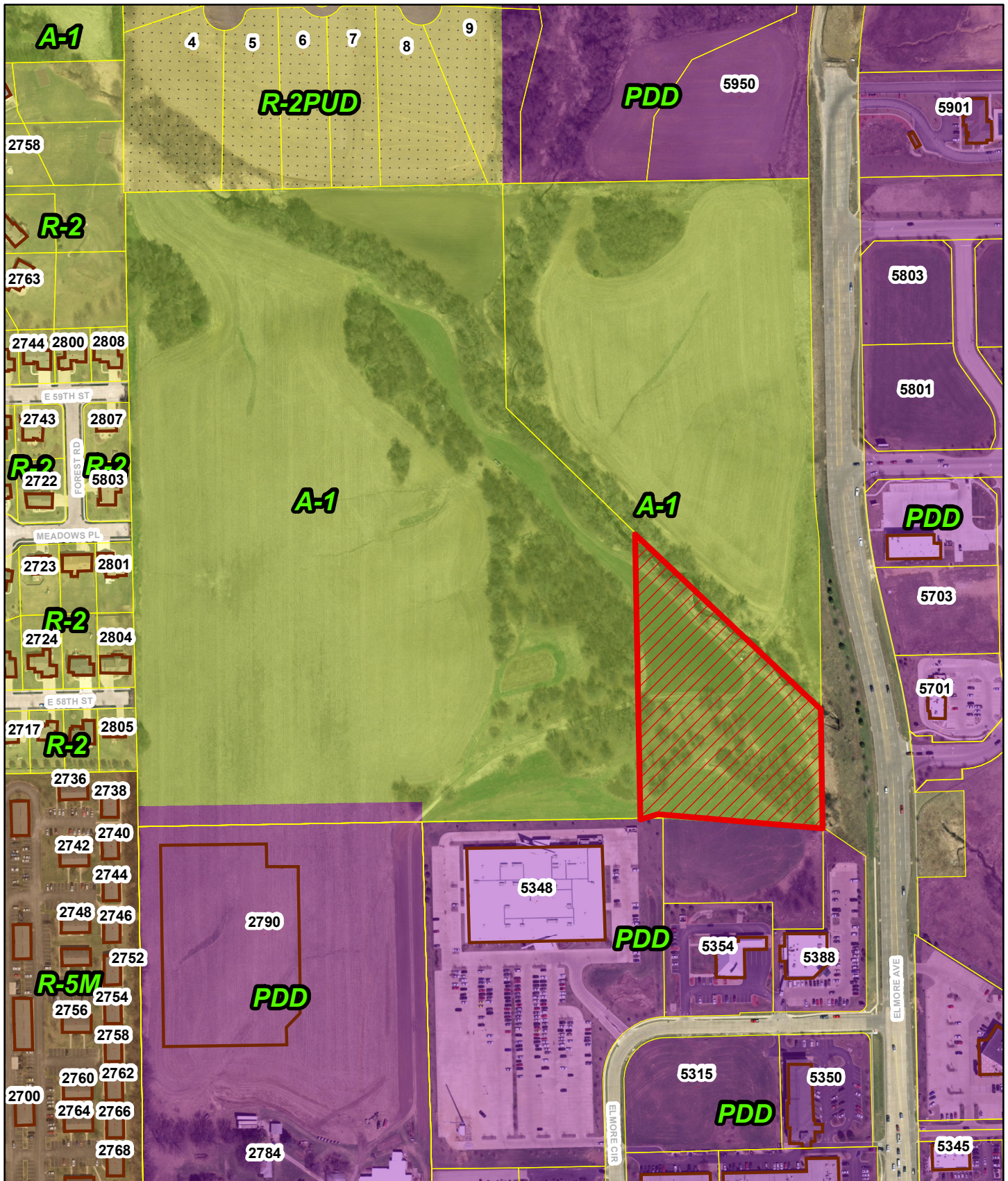
Attest: \_\_\_\_\_

Jackie Holecek, CMC  
Deputy City Clerk

Published in the *Quad City Times* on \_\_\_\_\_

# LOCATION MAP

## REZ18-05: Pheasant Creek A-1 to PDD



0 70 140 280 420 560 Feet



## **BACKGROUND MATERIAL**

### **CASE NO's REZ18-04 and REZ18-05**

Please note that some earlier material references the acreage of the property proposed to be zoned PDD (Case No. REZ18-05) at 5.55 acres. The legal description was corrected and right size (7.41 acres) has been properly filed in the Legal Notice, neighbor letter for COW and drafted ordinance.





## **PLAN AND ZONING COMMISSION**

**Meeting Date:** May 15, 2018  
**Request:** Request to rezone 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 5.55 acres from A-1 Agricultural to PDD Planned Development District.  
**Case No.:** REZ18-04; REZ18-05 (NOTE THIS IS A COMBINED STAFF REPORT)  
**Applicant:** Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes)  
**Ward:** 6th  
  
**Contact:** Matthew G. Flynn, AICP  
Senior Planning Manager  
matt.flynn@ci.davenport.ia.us  
563-888-2286

### **Recommendation:**

Staff recommends the Plan and Zoning Commission accepts the listed findings and forward both cases to the City Council for approval.

### **Background:**

Petitioner intends to develop an approximate 64 lot single family residential subdivision to the east of Jersey Meadows Subdivision. The proposed R-2 zoning would provide for lots with a minimum of 60 feet of frontage at the building line and a minimum of 10,000 square feet.

The intent is to connect this subdivision by the existing terminated streets on the east side of Jersey Meadows – E 58<sup>th</sup> Street, E 59<sup>th</sup> Street, and Meadows Place. Preliminary and final plats are anticipated to be filed following successful completion of the rezoning effort.

The easternmost 5.55 acres is proposed for PDD, Planned Development District. A portion of the property is already zoned as such. This property presents development challenges as there are topography, drainage and access limitations. Nothing is planned at this time.

### **Site Characteristics:**

**Current Land Use:** The property is currently in row crops. Pheasant creek runs along the east side in a significant swale and creates a natural boundary with properties to the east and the Elmore Corridor.

**Comprehensive Plan.** The property is within the Urban Service District and urban services can be reasonably accessed.

The Future Land Use Plan for this property indicates RG Residential General for the western portion and RC Regional Commercial to the east along Elmore Avenue.

The description of those classifications are as follows:

**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.

**Regional Commercial (RC)** - Designates the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses with connectivity to nearby neighborhoods being less important.

**Existing Zoning:** The property is currently zoned A-1 Agriculture. Surrounding properties are zoned as described on exhibit attached to this report.

### **Technical Review:**

Technical review comments from Davenport Engineering and Traffic Engineering have been received.

Engineering general comments:

1. *No comment from traffic at this time for the layout given*
2. *Natural Resources are having the Storm Water Ordinance revised. It is anticipated to be approved by council the first week in June. It would be recommended to have the site designed per the latest standards being adopted. We can provide them to the developer's engineer.*
3. *To continue our goals of multimodal transportation and connectivity, a pedestrian access to the COSTCO site from this neighborhood would be beneficial*
4. *In addition, the Davenport GO plan has indicated a proposed trail section along this stream corridor. Will that be a requirement here?*
5. *The buffer distance will be 50' by the time the platting is finalized, see note 1.*
6. *The proposed detention area may not be sufficient, given the site topography, this standard will be revised per the ordinance see note 1*
7. *Any detention or quality features must have easement access for maintenance and inspection; contiguous with other City ROW*
8. *No access point or features are shown on the commercial area to comment at this time.*
9. *ROW width 50' minimum, street width 27' minimum*

Traffic Engineering comments:

*The built-out subdivision will have about 220 units. The trips equate to 9.57 per day per unit (we usually round up to 10) so it's 2200 vehicles per day, 50% in and 50% out.*

*During the AM peak hour, the factor is 0.77 with 26% in and 74% out. This equates to 44 vehicles entering and 125 exiting during the AM peak hour.*

*During the PM peak hour, the factor is 1.02 with 64% in and 36% out. This equates to 144 vehicles entering and 81 vehicles exiting during the PM peak hour.*

*The counts on Jersey Ridge Road were obtained from the casino study which assumes full build-out of that commercial corridor on Elmore Avenue.*

*They estimate about 11,000 vehicles per day for Jersey Ridge Road with the AM peak at 1000 vehicles and PM peak at 1100 vehicles.*

*The traffic signal warrant most easily met is Interruption of Continuous Traffic. With the current roadway for the intersection of Jersey Ridge Road and Jersey Meadows Drive, there would need to be 8 separate hours where the volume on Jersey Ridge Road is at least 750 vehicles and the exiting volume on Jersey Meadows Drive is 75 during those same 8 hours. Even though this intersection lines up with the driveway for the apartments across the street, the signal warrants only use the higher volume leg of the minor street.*

*Based on the traffic study for the casino, there could be 8 hours with 750 vehicles or more on Jersey Ridge Road. Some of the estimated hours show 800 vehicles, so Jersey Ridge Road might have enough traffic after everything is built out. Assuming 75% of the traffic in the subdivision uses Jersey Meadows Drive, then 94 vehicles will exit during the AM peak and 61 during the PM peak. Therefore, I expect the AM peak to be 1 of the 8 hours required for signalization and there might not be many more.*

*I do not think traffic signal warrants will be met, even after everything is built out. Keep in mind that this is assuming the subdivision is full of houses and Elmore has been filled in with commercial buildings, so this won't happen overnight.*

*When traffic volumes get higher and delays occur at this intersection, we will study it to see if traffic signals are warranted. If they are, we will install them.*

Staff has also reached out to the Fire Marshall specifically to ensure no particular issues will be encountered with emergency response. A fire station is approximately one mile away.

If the rezoning is approved, more technical comments can be expected as part of the consideration of subdivision plats and construction plans. No construction will be allowed to commence without proper approvals.

### **Discussion:**

The majority of this discussion will be in reference to the proposed rezoning to R-2 (REZ18-04).

The request, if approved, will result in development consistent with the existing Jersey Meadows Subdivision to the west. The proposed development is consistent with the Comprehensive Plan.

Traffic will increase as the development is completed. Future traffic congestion, if it is to occur, will likely be the result of increases in volume on Jersey Ridge Road. Signalization along Jersey Ridge Road cannot be ruled out in the future as the area continues to develop, as planned.

Staff does not recommend connecting this development directly to Elmore as it would encourage cut through traffic and would result in excessive costs in crossing Pheasant Creek. While some neighbors have advocated for this connection, staff sees otherwise and recommends a condition be included prohibiting this from happening.

Also included within this request is the rezoning of 5.55 acres to PDD, Planned Development (REZ18-05). Development of this property for commercial purposes would be consistent with the Comprehensive Plan. It should be noted, however, that topography visibility and access are challenges and development may not occur for some time. Zoning now, however, will facilitate development in the future.



## **Public Input Summary:**

Public Meeting: A public meeting has been scheduled for April 30 at the Public Works Center.

Public Meeting Notice: 43 notices mailed April 18.

Signs Posted: 3 signs were posted on April 16

Public Hearing Notice: The notice was sent to the OCT for publication on April 17.

Public Hearing Mailing: Mailed to approximately 43 neighbors on April 18. To date, three protests have been filed (1.9%) been filed.

Plan and Zoning Commission Public Hearing. Approximately 3 people spoke against the proposal citing traffic, drainage, and improper notification.

Upcoming Committee of the Whole Public Hearing. Assuming action by the Plan and Zoning Commission at this meeting to move this case forward, the Committee of the Whole Public Hearing will be held on June 6, 2018.

## **Recommendation:**

**Since there are two cases, two separate recommendations are presented:**

### **Case No. REZ18-04:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

**Case No. REZ18-05:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

## Zoning Map Amendment Application

226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801  
(563) 326-7765  
Planning@ci.davenport.ia.us

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

**Property Address\***  See Attachment A

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

### **Applicant (Primary Contact)\*\***

Name:  Adam Seitz  
Company:  Pheasant Creek Estates, LLC  
Address:  4215 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-940-4030  
Email:  adamseitz@advancehomesinc.com

*Application Form Type:*

### **Plan and Zoning Commission**

- Rezoning (Zoning Map Amendment) ☒  
Zoning Ordinance Text Amendment ☐  
Right-of-way or Easement Vacation ☐  
Final Development Plan ☐  
Voluntary Annexation ☐  
Subdivision ☐

### **Owner** (if different from Applicant)

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

### **Zoning Board of Adjustment**

- Appeal from an Administrative Decision ☐  
Special Use Permit - New Cell Tower ☐  
Home Occupation Permit ☐  
Special Exception ☐  
Special Use Permit ☐  
Hardship Variance ☐

### **Engineer** (if applicable)

Name:  David L. Meyer  
Company:  Verbeke-Meyer Consulting Engineers  
Address:  4111 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-359-1348  
Email:  dlm@verbeke-meyer.com

### **Design Review Board**

- Certificate of Design Approval ☐  
Demolition Request in the Downtown ☐

### **Architect** (if applicable)

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

### **Historic Preservation Commission**

- Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

### **Administrative**

- Floodplain Development ☐  
Cell Tower Co-Location ☐  
Identification Signs ☐  
Site Plan ☐

### **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.**

**Request:**Existing Zoning: Proposed Zoning Map Amendment: Total Land Area:  Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☒ Yes ☐ No**Submittal Requirements:**

- The following items should be submitted to [Planning@ci.davenport.ia.us](mailto:Planning@ci.davenport.ia.us) for review:
- 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.
  - \$5.00 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) Public Notice for the Plan and Zoning Commission public hearing:**

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to 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. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice 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 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 request:**

- 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 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:

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:

Planning staff

Date:

Date of the Public Hearing:

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



## ATTACHMENT A

### LEGAL DESCRIPTION FOR REZONING

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

Also, to be known as Lot 1, Pheasant Ridge First Addition to the City of Davenport, Iowa.

March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

February 27, 2018  
VMCE # 17361-B

LEGAL DESCRIPTION – SCHAEFER EXTRA TRACT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M.,  
Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 8, said  
point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter  
of said Section 8;

thence North 25°-39'-00" West 320.00 feet;

thence North 65°-30'-40" West 560.00 feet to a point on the north line of the  
Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 672.86 feet along the north line of the Northeast  
Quarter of said Section 7 to the point of beginning.

Containing 2.75 acres, more or less, subject to easements of record.

March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.



March 12, 2018  
VMCE #17361-D  
Page 1 of 2

LEGAL DESCRIPTION – PROPOSED COMMERCIAL DEVELOPMENT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 44°-59'-10" East 358.74 feet to the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 44°-59'-10" East 690.31 feet to a point on the west right of way line of Elmore Avenue as now established in the City of Davenport, Iowa, said point also being on the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8;

thence South 00°-08'-25" West 511.79 feet along the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8 to an angle point on the north line of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 121.43 feet along the north line of Lot 1 of said Lakehurst Commercial Park Fifth Addition to a point on the east line of Lot 1 of Lakehurst Commercial Park Fourth Addition to the City of Davenport, Iowa;

thence North 00°-18'-15" West 65.00 feet along the east line of Lot 1 of said Lakehurst Commercial Park Fourth Addition;

thence South 89°-41'-45" West 260.00 feet along the north line of Lot 1 of said Lakehurst Commercial park Fourth Addition to a point on the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

March 12, 2018  
VMCE # 17361-D  
Page 2 of 2

thence North  $00^{\circ}-18'-15''$  West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

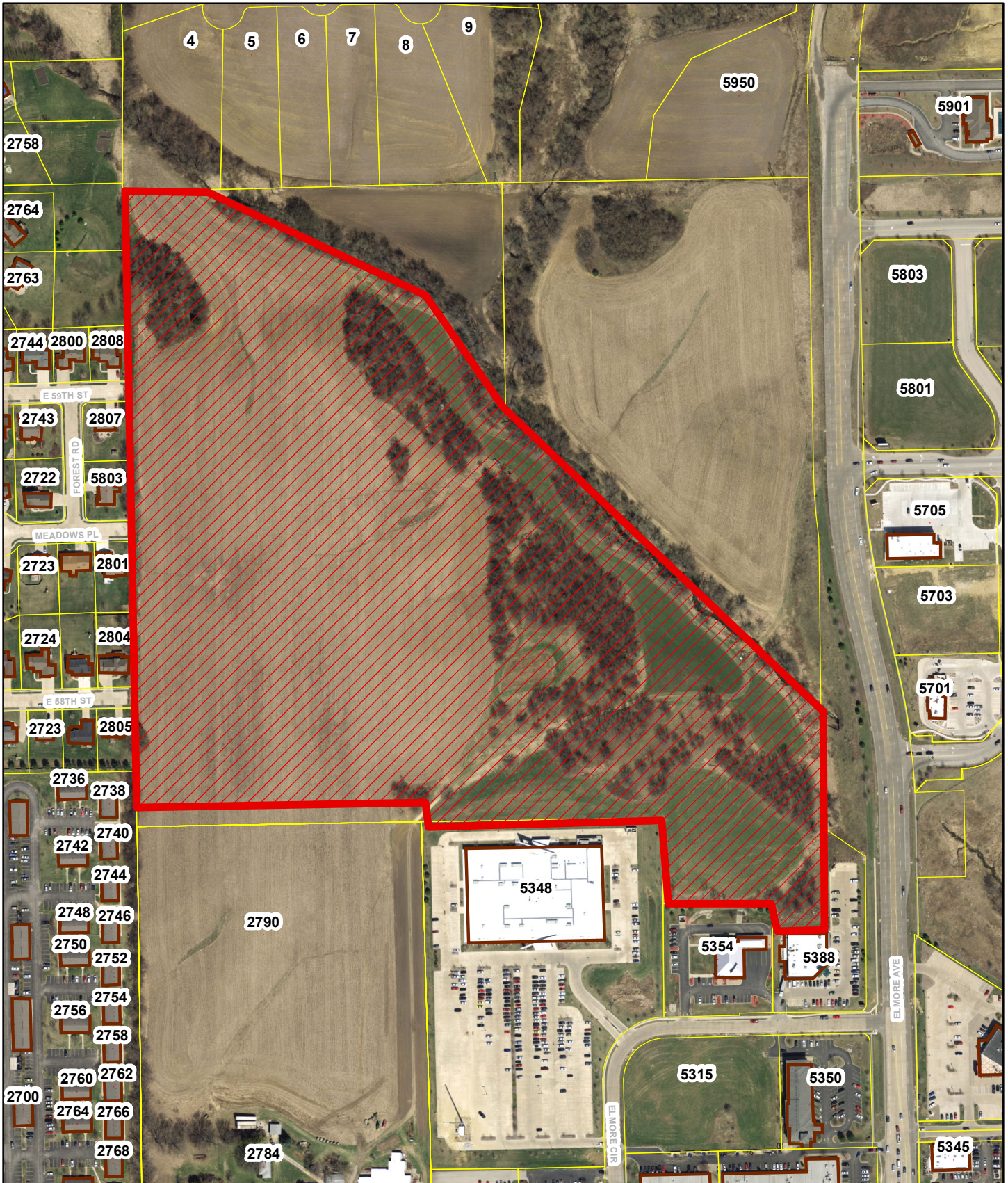
thence South  $89^{\circ}-41'-45''$  West 100.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North  $00^{\circ}-18'-15''$  West 732.61 feet to the point of beginning.

Containing 7.41 acres, more or less, subject to easements of record.



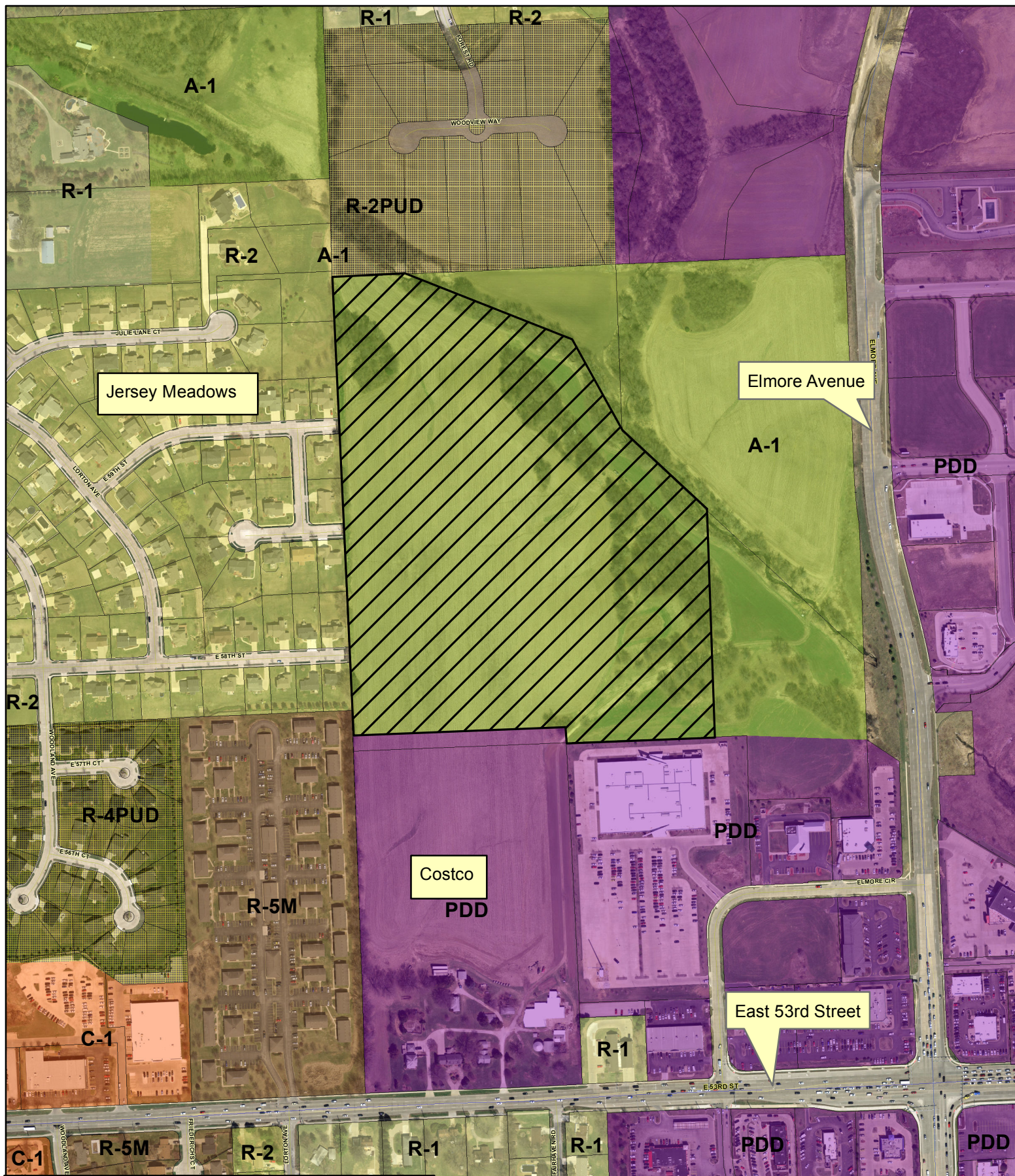
# REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet





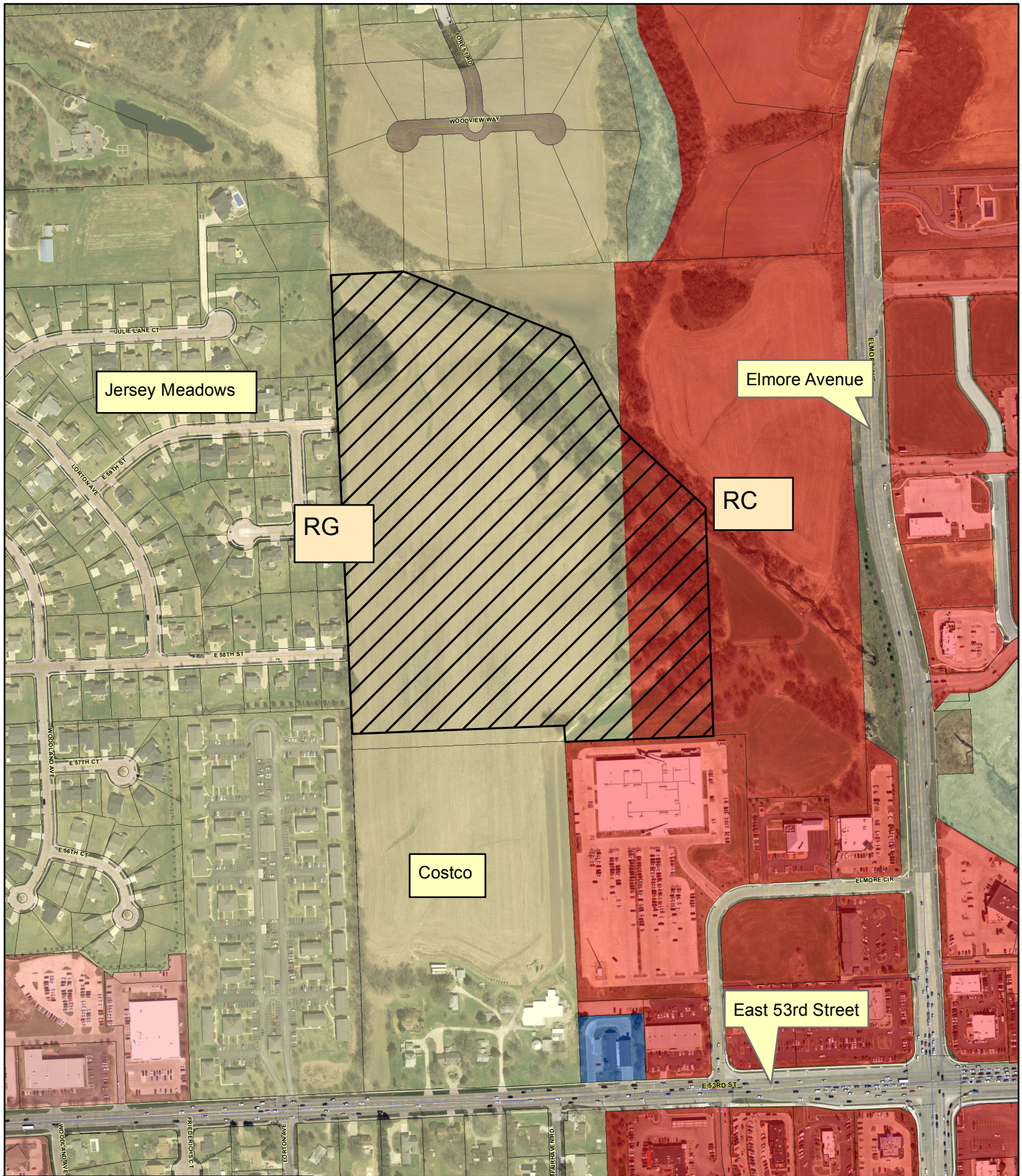


A-1 Agricultural  
R-2 Low Density Dwelling  
R-5M Medium Density Dwelling  
PDD Planned Development

0 200 400 800 Feet



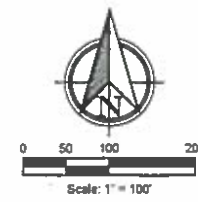
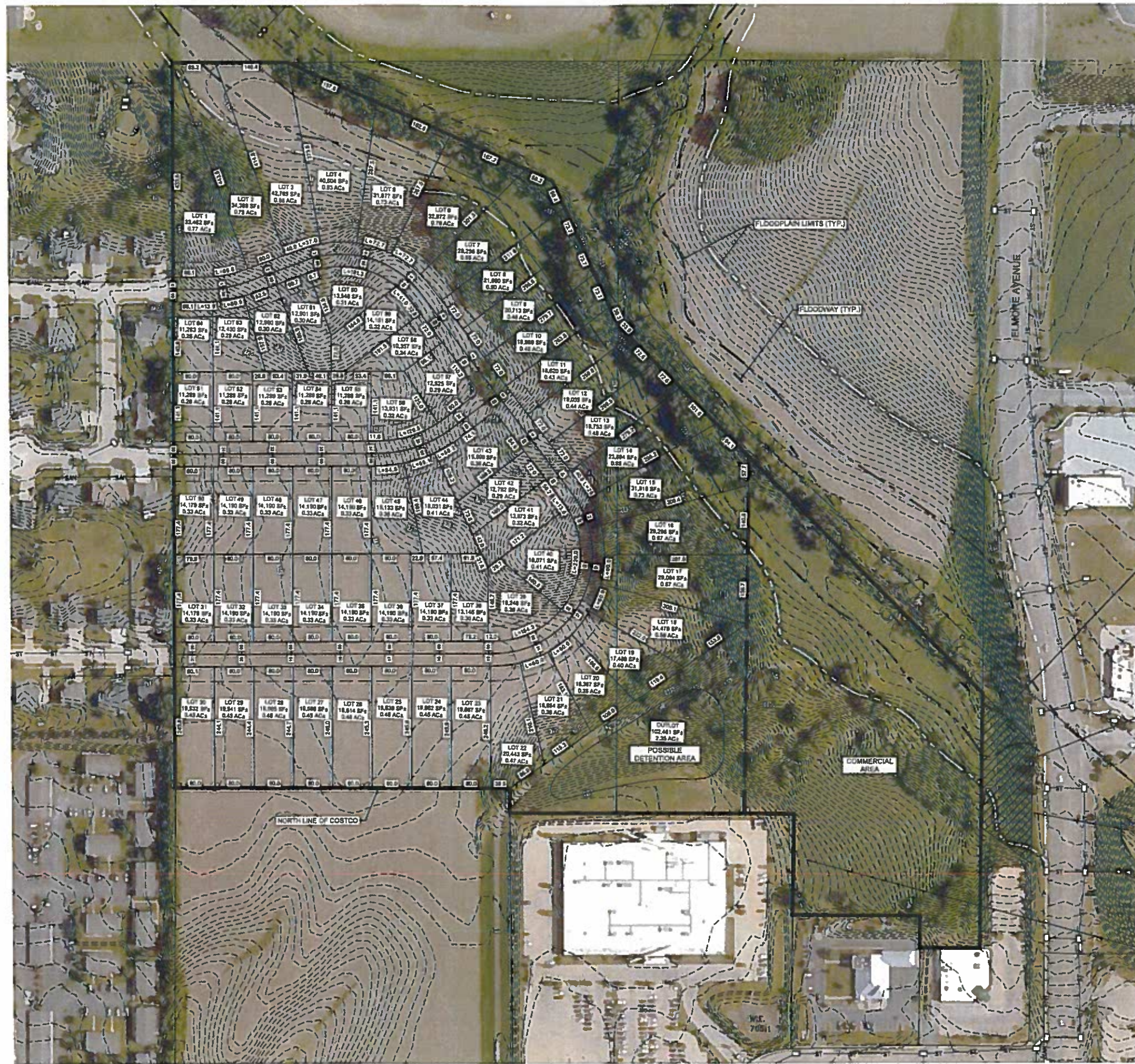




RG Residential General  
RC Regional Commercial







LOT LAYOUT IS BASED ON R-2 ZONING FOR THE CITY OF DAVENPORT WHICH REQUIRES THE FOLLOWING:

- 30' FRONT YARD SETBACK
- 60' LOT WIDTH AT BUILDING LINE
- 10,000 SF MINIMUM LOT AREA



2550 middle road, ste. 300  
bettendorf, ia 52722

www.jmcivildesign.com

revision	
date	
no.	



APPROXIMATE LOCATION OF EXISTING BOX CULVERT



LOOKING SOUTH FROM THIS APPROXIMATE LOCATION

DRAWINGS PROVIDED BY ADVANCE HOMES SHOW THIS AS PART OF PURCHASE.  
DRAWINGS FROM CITY SHOW THIS AS RIGHT-OF-WAY



LOOKING EAST FROM THIS APPROXIMATE LOCATION

Subdivision Concept Plan  
Northeast Davenport Near Elmore Avenue

ADVANCE HOMES

jmad project no.	P16-028
drawn by:	cam
checked by:	
date:	03.08.2018

Concept  
Plan





# City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

## NOTICE

### PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we Joseph & Katherine Palmer who own property located at (be specific as possible)  
2800 E. 59<sup>th</sup> St. - Davenport

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
PUBLIC HEARING  
TUESDAY, MAY 1, 2018  
DAVENPORT CITY PLAN AND ZONING COMMISSION  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

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**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.**

**One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.**

**The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.**

**Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.**

**The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.**

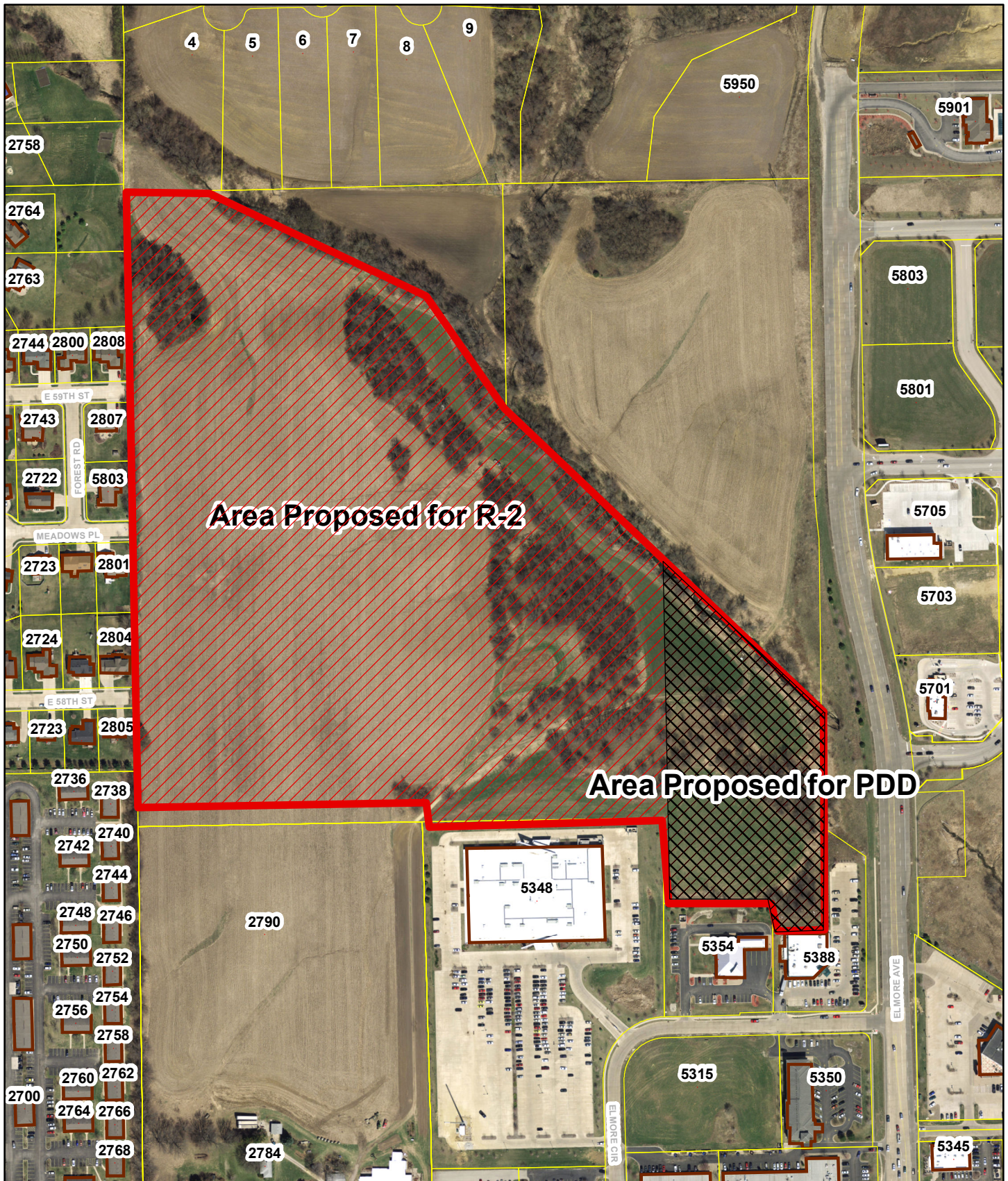
**Case No. REZ18-04; REZ18-05**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**



# REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet





## Neighborhood Meeting Attendance List

<b>Case: REZ18-04</b>	<b>REZ18-05</b>	<b>Date: April 30th 2018</b>
Gary Aitchison	563-370-4480	<a href="mailto:aitchisongary@gmail.com">aitchisongary@gmail.com</a>
Gary Andrade	563-676-4102	
Kristan Mitchell	563-650-9580	<a href="mailto:kristinm@mchsi.com">kristinm@mchsi.com</a>
Bill Hurt	563-271-2830	<a href="mailto:bill.hurt615@gmail.com">bill.hurt615@gmail.com</a>
Mike DeJulius	563-529-4457	<a href="mailto:mike@njmiller-hawkeye.com">mike@njmiller-hawkeye.com</a>
Denuis Williams	563-359-0308	Advanced Home
Kathy & Joe Palmer	563-323-9303	<a href="mailto:jkpalm2@mchsi.com">jkpalmer2@mchsi.com</a>
Scott Kelling	2801 Meadows Pl	<a href="mailto:skelling@melfosterco.com">skelling@melfosterco.com</a>
Susie & Jeff Seitz	563-528-0448	<a href="mailto:susieseitz@advancedhomesinc.com">susieseitz@advancedhomesinc.com</a>
Bob Inghram	563-349-0341	<a href="mailto:bingghram@activethermal.net">bingghram@activethermal.net</a>
Pete McGee	563-940-3043	<a href="mailto:pmcghee511@aol.com">pmcghee511@aol.com</a>
Renee McGhee	563-344-4896	
Joe Maluck	708-837-0007	<a href="mailto:j_maluck756@yahoo.com">j_maluck756@yahoo.com</a>
Rich Clewell	563-340-0559	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciua](mailto:mike crisciua); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

---

Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our 59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciua" <[mike.crisciua@gmail.com](mailto:mike.crisciua@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!

Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

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I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434



**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

---

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

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**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies.

1. Case No REZ18-04 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "R-2" Low Density Dwelling District on 33.11 acres, more or less, located west of Elmore Avenue and north of 53<sup>rd</sup> Street for residential development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

Several members of the audience spoke in favor of a connection to Elmore Avenue while several in the audience living on 58<sup>th</sup> Street spoke against the connection.

A motion by Medd, seconded by Connell to accept the findings and forward Case No REZ18-04 to the City Council for approval subject to the above stated condition was approved on a split vote of 3-yes, 2-no (Hepner & Reinartz) and 2-abstention (Quinn & Tallman).

2. Case No REZ18-05 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "PDD" Planned Development District on 7.41 acres, more or less, located west of Elmore Avenue and south of Pheasant Creek for commercial development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

On a motion by Medd, seconded by Hepner, the Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval subject to the above stated condition on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VI. Subdivision Activity**

### **A. Old Business –**

### **B. New Business –**

1. Case No. F18-03: Final plat of Pheasant Ridge First Addition on 43.27 acres, more or less located west of Elmore Avenue and north of East 53<sup>rd</sup> Street containing three (3) lots. [Ward 6]

#### Findings:

- The proposed plat facilitates the sale and proposed development of the property.
- The proposed plat complies with the land use portion of Davenport+2035: Comprehensive Plan for the City.

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-03 to the City Council for approval subject to the following conditions:

1. That a drainage easement and the Flood Insurance Rate Map floodplain boundary be shown on the plat as it impacts each lot and potential development within this plat.
2. The drainage easement along Pheasant Creek which includes the floodplain area shall also be designated a greenway easement.

On a motion by Reinartz, seconded by Medd, the Commission forwards Case No. F18-03 to the City Council for approval subject to the above stated conditions on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VII. Other Business – Election of Officers**

A motion by Hepner, seconded by Reinartz, to re-elect the current slate of officers was approved on three separate unanimous voice votes, one for each office, with Tallman being retained as Secretary, Connell being retained as Vice-Chairman and Inghram being retained as Chairman.

## **VIII. Future Business – Preview of items for the June 5<sup>th</sup> public hearing and/or regular meeting (*note-not all items to be heard may be listed*):**

### **IX. Communications (Time open for citizens wishing to address the Commission on matters not on the established agenda)**

### **X. Adjourn – The meeting was adjourned at 6:08 P.M.**

- *Note: Pursuant to §17.60.030 and §2.64.120 of the Davenport City Code the Commission is required to act on this item within 30 days unless the petitioner waives this requirement.*

*Pursuant to the city code if the Commission does not act and report on this item within 30 days' time this agenda item is to be construed as approved by the Commission.*

- *Note: The Plan and Zoning Commission meeting is not a public hearing. It is time for the commission to discuss the issue(s) with City staff and if questions rise, with the developer.*
- *A rezoning or ordinance text amendment has a second public hearing before the City Council at its Committee of the Whole meeting. Notification of that meeting will be sent to surrounding owners following the Plan and Zoning Commission meeting.*

**Next Public Hearing/Regular Plan & Zoning Meeting:**

**Tuesday, June 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall  
226 West 4<sup>th</sup> Street.**

## APPROVED

Name:	Roll Call	REZ18-04 Pheasant Creek LLC	REZ18-05 Pheasant Creek LLC	F18-01 Pheasant Ridge 1st					
Connell	P	Y	Y	Y					
Hepner	P	N	Y	Y					
Inghram	P								
Johnson	EX								
Kelling	EX								
Lammers	EX								
Maness	P	Y	Y	Y					
Medd	P	Y	Y	Y					
Quinn	P	ABS	ABS	ABS					
Reinartz	P	N	Y	Y					
Tallman	P	ABS	ABS	ABS					
		3-YES 2-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN					



May 16, 2018

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-05: Request of Pheasant Creek LLC for the rezoning of 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District [6<sup>th</sup> Ward].

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Conditions:

No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

On an affirmative vote of 5-0, the Plan and Zoning Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval.

Respectfully submitted,



Robert Inghram, Chairperson  
City Plan and Zoning Commission

## **PUBLIC ENGAGEMENT SUMMARY**

### **Case No's. REZ18-04 and REZ18-05**

**Public Meeting Notice:** Signs Posted: 3 signs were posted on April 16

**Public Meeting:** 43 notices mailed April 18. A public meeting was held on April 30 at the Public Works Center. Approximately 30 people attended

**Public Hearing Notice:** The notice was sent to the QCT for publication on April 17.

**Public Hearing Mailing:** Mailed to approximately 43 neighbors on April 18.

**P&Z Public Hearing:** Held on May 1. 3 people spoke against the proposal citing traffic, drainage, and improper notification.

**P&Z Recommendation:** Held on May 15<sup>th</sup>. Additional comments were received. REZ18-04 was recommended for approval by a vote of 3-2. REZ18-05 was recommended for approval by a vote of 5-0.

**COW Neighbor Mailing:** Sent on approximately May 18.

**COW Public Hearing Notice:** Was published in the QCT on May 25.

**Protest Rate:** To date, 17 protests have been filed (18.1%) been filed.

**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.

One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.

The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.

Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.

The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

Case No. REZ18-04; REZ18-05

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE**

**PUBLIC HEARING**

**TUESDAY, MAY 1, 2018, 5:00 P.M.**

**DAVENPORT CITY PLAN AND ZONING COMMISSION**

**COUNCIL CHAMBERS - DAVENPORT CITY HALL**

**226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-05: Request of Pheasant Creek, LLC to rezone approximately 5.55 acres located immediately west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD Planned Development District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**PDD allows a variety of commercial development; no development is anticipated at this time.**

**A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).**

**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

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Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

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I/we \_\_\_\_\_ who own property located at (be specific as possible)

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Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet







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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE  
WEDNESDAY, JUNE 6, 2018  
DAVENPORT COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-05: Request of Pheasant Creek, LLC to rezone approximately 5.55 acres located immediately west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.**

**A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.**

**Please contact the Community Planning Division for additional information.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

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Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-05

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





Publication	Quad-City Times		
Contact	CITY OF DAVENPORT - LEGALS	PO Number	1817093
Address 1	226 W 4TH ST	Rate	Legal
Address 2		Order Price	87.00
City St Zip	DAVENPORT IA 52801	Amount Paid	0.00
Phone	5638882074	Amount Due	87.00
Fax			
Section	Notices & Legals	Start/End Dates	05/25/2018 - 05/25/2018
SubSection		Insertions	1
Category	2520 Miscellaneous Notice	Size	165
Ad Key	7165-1	Salesperson(s)	Obits Legals O10
Keywords	NOTICE PUBLIC HEARING WEDNESDA	Taken By	Samantha Greene
Notes	Please release as this is a legal notice. [Samantha Greene 5/21/2018 1:16:17 PM]		

## Ad Proof

**NOTICE  
PUBLIC HEARING  
WEDNESDAY,  
JUNE 6, 2018, 2018 5:30 PM  
CITY OF DAVENPORT  
COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS  
DAVENPORT CITY HALL  
226 WEST 4th STREET  
DAVENPORT, IOWA**

There are on file in the City of Davenport Community Planning and Economic Development Department the following petitions:

Case No. ORD18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District.[6th Ward]

The legal description of the proposed rezoning is as follows:

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described: thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ; thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition; thence N011h 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey

Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa,

to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00

feet to the point of beginning.  
 Containing 33.11 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-04 to the City  
 Council with a recommendation for  
 approval.  
 Case No. REZ18-05: Request of Pheasant  
 Creek, LLC to rezone approximately  
 7.41 acres located immediately west of  
 Elmore Avenue and south of Pheasant  
 Creek from A-1 Agricultural District to  
 PDD, Planned Development District. [6th  
 Ward]  
 The legal description of the proposed  
 rezoning is as follows:  
 Part of the Northwest Quarter of Section  
 8, Township 78 North, Range 4 East of  
 the 5th P.M., Davenport, Scott County,  
 Iowa, being more particularly described s  
 follows:  
 Commencing, as a point of reference, at  
 the northwest corner of the Northwest  
 Quarter of said Section 8; thence South  
 00°-06'-45" West 534.52 feet along the  
 west line of the Northwest Quarter of said  
 Section 8; thence South 44°-59'-10" East  
 358.74 feet to the POINT OF BEGIN-  
 NING of the tract of land hereinafter  
 described:  
 thence continuing South 44°-59'-10" East  
 690.31 feet to a point on the west right of  
 way line of Elmore Avenue as now  
 established in the City of Davenport,  
 Iowa, said point also being on the west  
 line of the South 75 Acres of the East 115  
 Acres of the Northwest Quarter of said  
 Section 8;  
 thence South 00°-08'-25" West 511.79  
 feet along the west line of the South 75  
 Acres of the East 115 Acres of the  
 Northwest Quarter of said Section 8 to an  
 angle point on the north line of Lot 1 of  
 Lakehurst Commercial Park Fifth Addition  
 to the City of Davenport, Iowa;  
 thence South 89°-41'-45" West 121.43  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial Park Fifth Addition  
 to a point on the east line of Lot 1 of  
 Lakehurst Commercial Park Fourth Addi-  
 tion to the City of Davenport, Iowa;  
 thence North 00°-18'-15" West 65.00 feet  
 along the east line of Lot 1 of said  
 Lakehurst Commercial Park Forth Addi-  
 tion;  
 thence South 89°-41'-45" West 260.00  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial park Fourth Addi-  
 tion to a point on the east line of Lot 2 of  
 said Lakehurst Commercial Park Fifth  
 Addition;  
 thence North 00°-18'-15" West 205.00  
 feet along the east line of Lot 2 of said  
 Lakehurst Commercial Park Fifth Addi-  
 tion;  
 thence South 89°-41'-45" West 100.00  
 feet along the north line to the northwest  
 corner of Lot 2 of said Lakehurst  
 Commercial Park Fifth Addition;  
 thence North 00°-18'-15" West 732.61  
 feet to the point of beginning.  
 Containing 7.41 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-05 to the City  
 Council with a recommendation for  
 approval.  
 Public hearing(s) on the above matter(s)  
 are scheduled for 5:30 p.m. or as soon  
 thereafter as possible on Wednesday,  
 June 6, 2018 in the Council Chambers of  
 the Davenport City Hall, 226 West 4th  
 Street, Davenport, Iowa. You may submit  
 written comments on the above item(s) or  
 to attend the public hearing to express  
 your views, or both. Any written com-  
 ments to be reported at the public hearing  
 should be received in the Department of  
 Community Planning & Economic Devel-  
 opment, at the above address, no later  
 than 12:00 noon on the day of the public  
 hearing(s). PO No 1817093.  
 Department of Community Planning &  
 Economic Development  
 E-MAIL: planning@ci.davenport.ia.us  
 PHONE: 563-326-7765



## REZ18-05 Protest Calculation

Note: No Protests have been filed.

City of Davenport

Agenda Group: Public Works  
Department: Public Works - Engineering  
Contact Info: Eric Gravert (563) 327-5125  
Wards: 3

**Action / Date**  
**PW6/6/2018**

**Subject:**

Public Hearing on the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak Area Sidewalk Program #BG250. [Ward 3]

**Recommendation:**

Hold the hearing

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

With the remodeling of 2104 W 6th Street (Old Naval Station) into a senior living complex there will be increased pedestrian traffic. The existing sidewalk is in need of repair and will be funded with a grant obtained from CPED.

Funds for this project have been budgeted in CPED project #BG250. The grant will allow for approximately \$250,000 worth of repairs to the neighborhood.

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	5/30/2018 - 5:09 PM
Public Works Committee	Lechvar, Gina	Approved	5/30/2018 - 5:09 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:36 PM

City of Davenport

Agenda Group: Committee of the Whole  
Department: Office of the Mayor  
Contact Info: Nevada Lemke  
Wards: All

**Action / Date**  
**6/6/2018**

Subject:  
Appointment:

Civil Service Commission - Patricia Zamora (New Appointment)

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	4/25/2018 - 4:56 PM

## City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn, 888-2286

Wards: 6

**Action / Date**

**5/16/2018**

Subject:

Second Consideration: Ordinance for Case No. ORD18-01: Amending Title 17.41 of the Davenport Municipal Code, entitled, "Zoning, HCOD Highway Corridor Overlay District and ECOD Elmore Corners Overlay District", by creating an Elmore Corners Overlay District and Design Standards [Ward 6]

Recommendation:

The Plan and Zoning Commission recommends approval of the ordinance which would establish the ECOD Overlay Zone and Design Standards without the THF First Addition property. This position differs from staff's recommendation to include the property.

Relationship to Goals:

Fiscal Vitality

Background:

The proposed ordinance represents the implementation tool in achieving the vision of the Elmore Corners Plan. The ordinance creates the new zoning overlay district and establishes specific design standards unique to the overlay district.

Individual developments will be required to obtain administrative approval ensuring high quality design, compatibility and cohesiveness with surrounding development. Inability to reach administrative approval will result in additional review by the Design Review Board, and ultimately, City Council.

The Plan and Zoning Commission's original recommendation eliminated property owned and developed by THF Development (Walmart/Dicks Sporting Goods, etc.). At the April 18, 2018 Committee of the Whole, the proposed ordinance was returned to the Plan and Zoning Commission for clarification. At the May 1, 2018 Plan and Zoning Commission meeting, the Commission voted again to not add the THF property within the area subject to the ECOD requirements.

For clarity, a simple majority is required to approve this item as recommended by the P&Z Commission. Similarly, a simple majority vote is required should Council want to amend the boundaries. However, a super majority vote would be required to adopt the ordinance as amended.

### ATTACHMENTS:

Type	Description
▣ Ordinance	Proposed Ordinance
▣ Backup Material	P&Z Staff Report Plus Attachments
▣ Backup Material	P&Z Supplemental Report
▣ Backup Material	P&Z Letter - Updated

### REVIEWERS:

Department	Reviewer	Action	Date
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Community Development Committee	Berger, Bruce	Approved	5/10/2018 - 1:13 PM
City Clerk	Admin, Default	Approved	5/10/2018 - 2:38 PM



ORDINANCE NO. 2018 -

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning", by creating Chapter 17.41.060, entitled, "Elmore Corners Overlay District", and establishing said District and Design Standards. (City of Davenport, petitioner; Case No. ORD18-01, 6<sup>th</sup> Ward)

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

Section 1: Chapter 17.41 of the Davenport Municipal Code is hereby amended to read as follows:

Chapter 17.41 HCOD HIGHWAY CORRIDOR AND ELMORE CORNERS OVERLAY DISTRICT

Sections:

- 17.41.010 Intent.
- 17.41.020 Applicability.
- 17.41.030 Use regulations.
- 17.41.040 Height, yard, lot width and area regulations.
- 17.41.045 Design review.
- 17.41.050 Performance standards.
- 17.41.060 ECOD Elmore Corners Overlay District

17.41.010 Intent.

This district is intended to establish a physically attractive pattern of development on certain major entrance corridors into the city of Davenport, to protect these areas from the negative effects of incompatible development and to protect the traffic carrying of important highways within the city. (Ord. 2011-471 § 6 (part)).

17.41.020 Applicability.

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the regulations in the "HCOD" highway corridor overlay district. (Ord. 2011-471 § 6 (part)).

17.41.030 Use regulations.

Permitted uses shall be all uses allowed in the underlying zoning districts. All future rezonings in the "HCOD" highway corridor overlay district other than single-family residential shall be limited to "PUD" planned development district, "PCP" planned commerce park district, and "M-3" planned industrial district, as these districts allow the degree of review and control necessary to achieve the goals of the "HCOD" highway corridor overlay district and allow a complete range of allowable uses for low density residential to retail to industrial.

This chapter shall not apply to single-family detached homes or single-family subdivisions. (Ord. 2011-471 § 6 (part)).

17.41.040 Height, yard, lot width and area regulations.

All requirements of the underlying zoning districts concerning building height, lot area, and yard depths shall remain applicable with the following exceptions:

A. A twenty-five foot landscape buffer shall be required on all major arterial or minor arterial streets. Parking lot circulation may cross the landscape buffer area but parking may not be developed within the required setback. On all other streets a similar ten foot landscape buffer shall be required. In cases where other provisions of the zoning ordinance requires more restrictive standards, the more restrictive standards shall apply.

B. All immediate structures for non-residential uses shall be set back from any immediately contiguous property used for residential development a minimum of twenty-five feet for a one and one-half story building (maximum height fifteen feet) and forty feet for a two story building (maximum height twenty-five feet). Structures shall be set back an additional one foot for each foot of building height over twenty-five feet to a maximum setback of seventy feet from any immediately contiguous residential property line or residential zone. Property separated by public rights-of-way shall not be considered immediately contiguous property.

The zoning board of adjustment may grant variances in cases where the above setback regulations (subsections A and B) unduly impact the developability of any lot subdivided for development prior to the passage of this chapter. The Board may consider the feasibility of complying with the additional setback requirements based upon all of the following:

1. Existing lot size.
2. Compatibility with adjacent development.
3. Locational and topographical factors. (Ord. 2011-471 § 6 (part)).

#### 17.41.045 Design review.

Prior to the issuance of a building permit for the construction of a building, structure, or sign, as defined in Chapter 17.04, the plans shall be administratively reviewed and approved by the planning and economic director or his/her designee, to ensure that the building, structure, or sign complies with the performance standards and guidelines established in, and pursuant to, Section 17.41.050, Performance Standards (HCOD) and Section 17.41.055, Performance Standards (ECOD).

##### A. Exceptions.

1. Single-family dwellings and accessory structures thereto are not subject to review.
2. The review of public utility structures (except for public utility buildings which are subject to architectural review) shall be limited to requirements for berming and landscaping. Requirements may be extensive and shall include a mix of plant materials having year round effectiveness.
3. Exempted signs, as enumerated in Section 17.45.025 of the zoning ordinance.
4. Temporary signs, which are in compliance with the regulations enumerated Section 17.45.050 of the zoning ordinance.

Notwithstanding the above, the development official, may require the replacement of any of the above signs listed in subsection A, 4 above after one year, if in his or her opinion the sign has become unattractive or deteriorated. Appeals of such administrative decisions shall be made to the zoning board of adjustment within ten days of receipt of the notification of any defect.

##### B. Authority.

1. As part of the review by the commission of a final development plan, as required by the provisions of Chapter 17.32, "PDD" planned development district, Chapter 17.40, "M-3" planned industrial district, or Chapter 17.50, "PUD" planned unit development, the commission shall review the materials referenced in subsection C, 1 of this section and make recommendations to the commission and the city council relative to the commission and the city council relative to the compliance of the application with the criteria set forth in Section 17.41.050.

2. For other construction subject to the provisions of this chapter but not subject to final development plan approval, the community planning and economic director or his/her designee shall review the materials referenced in subsection C, 1 of this section and approve, conditionally approve, continue or deny any application, basing its decisions on the criteria set forth in Section 17.14.050. Approvals shall be valid for a period of one year from the date of approval. If no building permit has been issued pursuant to the development of the approved project within one year of approval, the approval shall expire.

C. Procedure. In the interests of neighborhood harmony and courtesy, a meeting with adjacent property owners and neighbors is strongly encouraged.

1. Prior to the preparation of final architectural drawings and prior to the issuance of any building permit for any proposal, the applicant shall submit the following information and materials:

- a. The completed application form;
- b. A dimensioned site plan, including the locations of any proposed or existing buildings on the subject parcel and on surrounding parcels, if the buildings are within one hundred feet of the subject parcel;
- c. A verifiable legal description, or a land survey, where deemed necessary by the development official;
- d. A map showing the existing topography of the subject parcel and the topography of other properties at two foot contour intervals, extending one hundred feet from the subject parcel;
- e. A preliminary grading plan showing before and after grades at two foot contour intervals;
- f. A landscape plan (although the authority of staff to approve site plans under Section 17.56 of the Zoning Ordinance remains in effect).
- g. Elevation drawings, in color and drawn to scale, of the front, sides, rear, and roof lines of all proposed buildings or structures, illustrating the appearance and treatment of required screening elements for roof-mounted equipment. Outdoor storage areas that are part of any submittal shall be reflected in the elevation drawings submitted and shall show their relationship to the building elevations as well as the material and treatment proposed that would accurately reflect the screening of the storage areas. A second set of elevations (not colored) shall be submitted on eight and one-half by eleven inch paper.
- h. Samples of each type of exterior building materials, including the color.
- i. Samples of the materials, including the color, along with scaled, accurately colored elevations, of any proposed sign and/or sign package.

2. Prior to issuance of a building permit, the development official shall determine that the submitted plans for the building permit are in substantial conformance with those approved as part of the final development plan, as stated in subsection B, 1 of this section, or by the community planning and economic development director or his/her designee, as stated in subsection B, 2 of this section, and that the time period for approvals has not expired. The stamping of the plans and the signature of the development official, and the date of the signature shall indicate that the plans are in conformance.

3. Prior to any external change, including, but not limited to, a remodeling or elevation alteration which includes changes in materials or colors, the property owner or his or her designated representative shall present the change for review to the development official. The development official may approve a sign, a change to the color scheme or an existing building, a building addition or structure, or a revised landscape plan based upon the following criteria:

a. Building addition or structure:

The addition of accessory structure shall not substantially alter the appearance of the site as viewed from off the site; or be visually incompatible with the existing building or structure.

(1) An addition to an existing building or accessory structure of one thousand square feet or less or;

(2) Which shall not increase the area of coverage by more than fifteen percent increase the number of stories or propose substantial changes to building materials. In no case shall increases greater than fifteen percent of the area of the building coverage, increases in the number of stories in a building, or substantial changes in exterior building materials be considered minor.

b. Landscaping:

(1) The quantity, density, and quality of the plant material is increased and upgraded; and

(2) The changes reflect a substantial improvement of the plan.

Exterior changes not meeting the criteria of subsection C, 3a. and b. shall be reviewed pursuant to the provisions of subsection B of this section.

4. Any conditions prescribed through the approval of the final development plan or by the community planning and economic development director or his/her designee shall be considered an integral part of the construction plans. The conditions shall be noted on all plans as may be required to applicable city departments.

5. Any building, structure, or sign which has been approved, constructed, or installed in accordance with the approval of a final development plan or of the community planning and economic development director or his/her designee may be removed. However, it shall not be modified, altered, or changed in any manner without additional review by the development official, who shall decide whether the proposed change shall be reviewed pursuant to the provisions of subsection C of this section.

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



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

8. Lack of maintenance of any portion of an approved project approved through the approval of a final development plan or by the community planning and economic development director or his/her designee of this code.

D. Appeal.

1. The applicant for design review, may appeal any decision of the community planning and economic development director or his/her designee to the design review board by filing written notice of appeal to the community planning and economic development department within ten working days of the date of the decision. Notice of such appeal and the date for its consideration.

2. The design review board shall base its decision to affirm, modify, or reverse the decision of the community planning and economic development director or his/her designee based on the information and materials previously submitted to the community planning and economic development director or his/her designee.

E. Violations and penalties. It shall be unlawful to construct, erect, install, alter, change, maintain, or permit the construction, erection, installation, alteration, change, maintenance of any building, structure, sign, wall, or landscaping, or use or permit the use of any lot or other land contrary to, or in violation of, any of the provisions of this chapter, and is punishable as set forth in Chapter 17.62 of this code. (Ord. 2011-471 § 6 (part)).

17.41.050 Performance standards.

All uses and buildings permitted within the "HCOD" highway corridor overlay district shall comply in total with the following performance standards:

A. Open space and landscaping requirements. The total ground area devoted to open space for natural landscape and landscape beautification shall not be less than twenty percent on any development site within the "HCOD" highway corridor overlay district. Such open spaces will be free of all drives, parking areas, structures, buildings, except for those walkways, monuments, and ornamental features considered to be necessary and essential to the central landscape theme. In the case of underlying zones which require more restrictive standards, the more restrictive standard shall apply.

The minimum site landscaping requirement shall be as required in Chapter 17.56 entitled "Site Plans." Additional plantings, and larger caliper sizes and heights may be required by the

development official to achieve the goals of this chapter. This landscaping shall be designed to minimize the adverse effects of long expanses of wall, exposed parking, and service areas.

Tree planting shall include a combination of evergreen and deciduous trees and shrubs. In the required front yard, canopy trees shall have a minimum caliper of two and one-half inches, multi-stem clumps shall have a minimum height of ten feet, understory trees shall have a minimum height of five feet, deciduous shrubs shall have a minimum height of twenty-four inches, and evergreen shrubs shall have a minimum height of eighteen inches.

"Caliper" shall be defined according to the standards of the American Association of Nurserymen.

Where fences are necessary for commercial projects, masonry, wrought iron/aluminum, moisture resistant wood (other than stockade) and hedges are encouraged. If visible from a public street, galvanized chain link fences are not to be allowed unless complemented by continuous tall shrubbery completely obscuring the fence.

B. Architectural standards. Buildings within the "HCOD" highway corridor overlay district shall be constructed of quality materials that have strength and permanence. Permanence means that buildings will age without deteriorating, given a minimum level of maintenance. The development shall recognize the strength and permanency of stone, brick, concrete, and steel as opposed to the frailty of light gauge sheet metal and constant maintenance of wood veneer. While no specific materials are disallowed, certain materials will be approved for exterior use only if they are an integral part of a design of unusual merit. Among those materials are architectural metal wall panels, plywood and composition siding such as hardboard. Other materials may be appropriate in one use or situation but be totally inappropriate in another.

The city council shall establish design guidelines to help guide the decisions by the design review board, city staff and to aid petitioners with design considerations.

C. Restricted uses. There are some uses that require additional restrictions within the "HCOD" highway corridor overlay district to lessen their negative impact and make them more compatible with the goals of this chapter. The following uses are restricted:

1. Automobile salesroom or showroom, or new or used car sales or vehicle storage lots. Design principles shall be incorporated into the design of auto dealerships which minimize the unattractive aspects of large areas of parked cars. One-car-deep display areas along arterial and collector streets and freeways shall be permitted. Display rows shall be screened from public rights-of-way with an eighteen inch earth berm. Additional rows of cars shall be separated from the initial row by a shrubbery hedge that completely conceals the view of these additional rows of cars from the public right-of-way. Five percent of the balance of the parking lot shall be landscaped and permeable in the form of islands and peninsulas. Signs applied to, located in, or painted onto vehicle bodies or windshields on cars in the display area are prohibited with the exception of factory invoices. The use of pennants and tinsel are prohibited. Elevated or tilted vehicle display platforms are prohibited. An earth berm or other form of

landscape buffer shall be located around the sides and rear of the property to shield the view of stored cars from adjoining residences and streets, if any. Berming and landscaping may be required to shield the view from commercial areas depending on sight lines. Lighting design shall be integrated with the design of the dealership. Non-glare, cut off luminaries shall be required so that lighting does not spill over onto adjacent properties. The leasing or renting of trucks intended for short term lease of less than seven days shall be prohibited either as a primary or an accessory use.

2. Public garages, service stations, car washes, repair shops, auto parts installation shops, auto service malls, and other similar uses. Building forms and materials shall emphasize masonry and be compatible with nearby retail buildings. Canopies over pumps and their supports shall have no lettering, logos, or striping, and shall be integrated with the building design. The use of pennants and tinsel are prohibited. Car wash structures shall be a minimum of fifty feet from any residential property line or residential zone. Outdoor storage shall be confined to areas enclosed by masonry walls. Stacks of tires, oil cans, and promotional items are not permitted. Garage bays shall be concealed from view from adjacent streets and parking lots whenever possible. The leasing or renting of trucks intended for short term lease of less than seven days shall be prohibited either as a primary or an accessory use.

3. Outdoor retailing. Outdoor retailing areas, such as garden centers, shall be orderly and attractive, with low screening walls concealing merchandise, except plant materials, from view. Additional landscaping similar to at least a "G" buffer as shown in Chapter 17.56 entitled "Site Plans" and berming may be required with such uses.

4. Contractor's yards and other similar uses involving the outside storage of materials and/or vehicles and equipment. Contractor's yards and other similar uses shall be orderly with screening walls, berms, and landscape buffers similar to at least a "G" buffer as shown in Chapter 17.56 entitled "Site Plans" to completely screen them from adjacent properties and public roads.

5. Outdoor vending machines. For the purposes of this chapter, outdoor vending machines shall also be considered outdoor retailing. Such vending machines shall be screened from public rights-of-way.

D. Environmental performance standards. Complete abatement, elimination, or reduction of all generally offensive characteristics such as odors, gases, noise, vibration, pollution of air or water or soil, excessive lighting intensity, hazardous activity, etc. which may be detrimental to the general welfare of the community shall be accomplished. The standards for compliance with this paragraph shall be as follows:

1. Air pollution. The use shall not emit any smoke, dust, odorous gases, or other matter in such quantities as to be readily detectable at any point beyond the perimeter of the site area.

2. Noise. Davenport Municipal Code, Chapter 8.16, "Noise Abatement," shall be used to regulate noise within the "HCOD" highway corridor overlay district.

3. Vibration. The use shall not include vibration which is discernible without instruments on any adjoining lot or property.

4. Site lighting and glare. All lights, other than street lights, shall be so situated and installed as to reflect away from adjacent streets and residential areas. Light and pole designs shall be compatible with the overall design of the building(s) and site. In large parking lots, poles are to be located within the landscape islands. The scale of the parking area shall be considered in the selection of pole height and spacing. Pole height shall decrease, where possible, near property lines and in low intensity use areas to further reduce glare. Uplighting trees and fountains, accent lighting on shrubs and entrances, and silhouette lighting may be used to create special effects.

5. Traffic hazard. The use shall not involve any activity substantially increasing the movement of traffic on public streets to a point that capacity and safety limitations are exceeded unless procedures are instituted to limit traffic hazards and congestion.

6. Storm water detention. Davenport Municipal Code, Chapter 13.34, "Storm Water Management" shall be used to regulate storm water run-off and provide detention where required.

7. Erosion control. Davenport Municipal Code 13.34.310–360, "Erosion Control" shall be used to regulate erosion on development sites. All development with a disturbed site in excess of five acres shall submit a copy of State of Iowa Department of Natural Resources Permit Number 2 with accompanying plans. Similarly, sites less than five acres shall submit a copy of the permit and plans if they are part of a larger development, the whole of which exceeds five acres. On sites less than five acres, an erosion control plan shall be required if, in the opinion of the city engineer, it is necessary to protect off-site properties. An approved grading plan shall be required prior to the commencement of any grading.

8. Overtax public utilities and facilities. The use shall not involve any activity substantially increasing the burden on any public facilities or utilities, unless provisions are made for necessary adjustments.

9. All utilities provided as new installation shall be underground and comply in full with the regulations set forth in Section 16.24.110 of the city of Davenport's Municipal Code entitled "Subdivision."

E. Off-street parking and loading. The required number of spaces shall remain the same as that of the underlying zoning districts. In all cases, parking lots created in the "HCOD" highway corridor overlay district shall be constructed with concrete or asphalt curbing. In all cases parking areas shall be screened from any public right-of-way or adjacent residential area by proper siting, the use of earth berms and vegetation. Earth berms shall be a minimum of three

feet in height (with the exception of those on automobile sales display rows) and shall be supplemented with substantially mature trees and shrubs which have year-round effectiveness. Service areas, loading docks, and garbage facilities shall be located properly and screened as well. Landscaped parking islands and peninsulas shall be included in lot layout to reduce the visual impact and produce shade. In parking lots of twenty or more spaces, an area equal to five percent of the total parking lot area must be landscaped and permeable. This shall not include perimeter plantings. This requirement may be waived in the case of industrial properties where interior landscaping may interfere with the necessary movement of trucks and other equipment.

F. Signage requirements. Signage shall be consistent with the central aesthetic theme of the "HCOD" highway corridor overlay district; sign materials shall be permanent or long lasting in quality. The lighting of signs shall be non-intrusive with back lighting or other methods of indirect lighting required.

Refer to Chapter 17.45 of the city of Davenport's zoning ordinance entitled, "Sign Regulations" Section 17.45.090 K. for a complete description of sign regulations in the "HCOD" highway corridor overlay district.

#### 17.41.060 Elmore Corners Overlay District (ECOD)

##### A. Administration

1. Purpose. The purpose of the Elmore Corners Overlay District is to establish high quality design standards and coordination for new development to ensure implementation of the Elmore Corners Area Plan, an element of the Davenport Comprehensive Plan.

2. Subject Area. Attached Exhibit "A" depicts the area subject to the ECOD standards.

3. Process. The review process shall follow the process outlined in Title 17.41.045.

4. Design Standards. Prior to issuance of a building or development permit involving site alterations, new construction, or exterior change to a building or sign, the Highway Corridor Overlay (HCOD) standards and the following standards must be met. Unless otherwise noted, the standards contained herein are mandatory.

a. Use. Permitted uses are dictated based on the underlying zoning district. The following uses are prohibited anywhere within the ECOD: Single Family Detached Residential, Warehouse and Distribution Facilities, Self Storage Facilities, Outdoor Storage, and Billboards.

##### b. Building Composition

(1) Guideline: Buildings shall be of a quality design that contribute to the Elmore Corners destination appearance.



## (2) Base, Middle, Top

Building facades shall be composed to define base, middle and top elements. The base of the building anchors it to the ground and is the interface between the building and people. This element shall be the most articulated. The transition between the middle of the building and the base and top shall be varied by use of materials, composition, repetition or ornamental features. The top terminates the building against the sky and provides an opportunity to create an interesting silhouette.

## (3) Rhythm

Rhythm refers to the regular or harmonious recurrence of building elements. Rhythmic elements need not be boring, but can provide the visual “glue” that links together various buildings on a street. These patterns commonly reflect the building’s repetitive structural bays, often with the end bays given special identity. This articulation of the facade helps provide scale by comprising the facade into smaller visual parts. The variation of rhythm from building to building reaffirms the individuality of each building, while the recurrence of an overall rhythm helps unify the facade. The building’s structural column lines shall in some way be evident or expressed on its facade.

## (4) Scale

In general, distinctive compositional elements of buildings (entries, structural bays, roof elements, windows) shall be distinguishable from both near and far distances. The size and shape of these elements shall give the building scale to relate to pedestrians as well as surrounding buildings. Special attention shall be paid to overall building height and massing in order to maintain a scale and character compatible with the area.

## (5) Massing

Large buildings shall be comprised of a hierarchy of masses and forms to give the building a more human scale and visual richness. Techniques include using designed recesses or projections, creating distinct building components, and varying occasional roof forms according to individual building components. However, excessive use of changes in form can create a decidedly confused street façade and disharmony.

## (6) Proportion

Building massing and components shall demonstrate consistent proportional harmonies. Typically, pedestrian friendly streets have building elements that rely more on vertically proportioned elements than horizontally proportioned elements. While no architectural rule is always valid, the use of vertically proportioned facade components seems to offer a traditionally street-friendly composition (regardless of specific architectural styles). The use of proportion is intended to provide a sense of visual harmony among elements of a building.

(7) Architectural Form

- Buildings shall be designed to create a pedestrian friendly and scale neighborhood
- Buildings shall be primarily rectangular in form and sited parallel to public streets
- Buildings are encouraged to have a mix of tenants and uses
- Entrances shall be provided at public streets and on parking sides
- Connect building entrances to public sidewalks and pedestrian pathways
- Articulate building shapes with window bays, cornices, parapets, and towers
- Buildings shall have primarily flat roofs with varied or broken lines
- Roof mechanicals shall be screened
- Locate service areas away from public streets and provide architectural screening
- Drive through facilities shall be located on rear building façades as to not dominate the streetscape
- Modify franchise architecture to fit the desired Elmore Corners character

(8) Inappropriate Design

- Flat, massive, monolithic geometric shapes
- Plain, undersigned buildings with large blank spaces
- Small buildings with single occupants
- Gabled, hipped, or steeply pitched roofs
- Large, monotonous roof forms
- Visible building mechanicals
- Faux-historic buildings

b. Building Facade

- (1) Guideline: Buildings shall have varied facades composed of high quality lasting materials as described under (3) below.

- Façades shall be articulated on all sides to provide visual interest.
- Break up façades and create visual interest and pedestrian scale by:
  - Varying materials and colors
  - Varying façade vertical and horizontal setbacks
  - Incorporate architectural reveals or floor step backs
  - Vary window styles and moldings
  - Design enhanced architectural details on the ground level
- Façades on multiple-tenant buildings shall be broken into design elements that reflect individual tenant spaces through vertical façade plain staggering, window/door groupings, and awnings
- Differentiate ground and above floors through horizontal banding, signage bands, and windows
- First floor façades shall be transparent to allow retail uses to interact with the street and parking-side entrances
- Commercial and retail façades shall have at least 40% transparency on the street façade
- Secondary façades that do not face the public street or parking areas are encouraged to have transparent windows. If

this is not possible, then façades shall contain architectural features that provide interest

- Building at corners shall contain interesting architectural features that address the corner such as towers, entrances, and metal or cloth awnings
- Identify building entrances through permanent awnings, overhangs, or signage

## (2) Inappropriate Façade Treatment

- Large unarticulated wall planes
- Large expanses of walls without windows
- Projecting wall-mounted mechanical units
- Vinyl awnings

- Buildings with no pedestrian scale or defined entryways

### (3) Materials

- High quality materials shall be installed on buildings to promote Elmore Corners
- Long lasting materials such as brick and stone shall be used to withstand weather and provide a feeling of permanence
- Primary building materials shall be natural stone, masonry, brick, and glass and be of natural earth tone colors
- Secondary materials such as decorative metal, wood, stucco, and cement board may be incorporated
- Using a mix of materials is recommended to create visual diversity on the building façade
- Enrichment of the pedestrian realm requires building materials at the street level to be of high quality:
  - These could include items such as brick, stone, decorative concrete masonry units, metal panel systems, or other creatively used high quality and durable building materials
  - Decorative finished block systems can be used along the base of the buildings, and as an accent, but are not recommended as the dominant building material on the entire building
  - Utility grade materials shall only be used on facades of the building not visible from publicly accessible areas
- Freestanding commercial structures shall be designed as four-sided architecture with finish grade materials used consistently on all façades:
  - Recommended primary materials include brick, stone and glass
  - Other materials such as precast concrete, decorative concrete block or decorative facade panels may be appropriate if properly detailed and integrated with the architecture
  - Metal and finished wood may be used as accents, but generally shall not be the primary material for any façade

### (4) Inappropriate Materials

- Unfinished concrete, unless integral to the design of the building

- Corrugated metal typically found in 'pole buildings', vinyl, or aluminum siding
- Plywood siding panels
- Exposed treated lumber
- EIFS as a primary material or located on the first floor
- Windows
- Moderate to highly reflective glazing
- Strongly colored or darkly-tinted glazing
- Colors
- Predominant use of bright, high intensity colors
- Predominant use of metallic and neon colors

#### c. Setbacks

(1) Guideline: To provide a continuous street edge along the Elmore Corners District, buildings shall be sited within setback areas unless not possible due to affecting business operations.

- Along Elmore Avenue and Veterans Memorial Parkway, the primary building façade shall be located within 20-40 feet from the property line
- Along secondary streets, the primary building façade shall be located 0-10 feet from the property line
- To maintain an urban edge that is pedestrian friendly, areas adjacent to parking lots shall be screened with enhanced landscaping

#### (2) Inappropriate design

- Buildings set back over 40 feet from public streets
- Parking lots between public streets and the primary façade of a building

#### d. Density

(1) Guideline: Develop land as densely as possible to increase tax base while providing adequate landscaping, stormwater management, and connections to public ways.



- Development shall be designed to an urban density with minimal spaces between buildings
- Install advanced stormwater management practices to increase density
- Density may increase through vertical mixed-use and shared parking arrangements

e. Signage

(1) Guideline: Signage shall function as a marketing device, complement building architecture and materials, and not dominate the site. All signs must meet City Sign Codes.

- Appropriate and attractively designed site signage is an important component of the overall aesthetic appeal of any commercial or mixed-use area. Good signage based on design and graphic quality is encouraged throughout Elmore Corners.
- Business signage shall be wall mounted (projecting or flat), monument (if located away from the building), and window, canopy or awning style
- Similar materials, colors and styles shall be used to ensure the signage is consistent with the building design
- Signs shall reflect and enhance the nature and appeal of the retail and commercial experience and not be just a list of tenants
- Materials shall be of high quality to prevent premature weathering of the sign
- Signs shall fit within and not overwhelm the architectural features of the buildings
- Signs shall harmonize with their surroundings in terms of size, shape, color, texture, and lighting so that they complement the character of the neighborhood
- Signs shall be professionally constructed using high quality materials such as metal, stone, tile, composites, brass/metal plated, hardwood, and glass
- The creative use of materials, lettering, and interesting use of graphics is allowed and encouraged if the signs work well and complement the overall building and street design
- Signs shall be designed with the purpose of promoting retail and street activity while enhancing the pedestrian experience
- Addresses shall be clearly visible from the public right-of-way
- The use of tastefully designed pedestrian scale directories is encouraged for multi-tenant buildings

- Monument signs shall contain a base and not be pole-mounted
- Monument signs shall contain landscaping at the base that will not grow to cover the sign message
- Lighting shall be designed carefully to avoid excessive glare or over illumination:
- Letters can be illuminated internally or externally
- External lighting must be discreet and unobtrusive, and not shine outward into the pedestrian or driver vision path
- Fixtures shall be simple but attractive
- Lighting signs and letters shall be done in an attractive and subtle technique
- Individual letters that are backlit, halo-lit, reverse illumination channel letters, and neon are encouraged

## (2) Inappropriate Signage

- Pole signs, billboard style wall-mounted and roof mounted signs are not allowed
- without special permission from the City Plan Commission
- Monument signs advertising individual businesses
- Tall mast signs
- Large temporary signs that impede pedestrian traffic
- Inflatable signs
- Overly illuminated signs
- Unshielded sign light sources, allowing upward transmission of light
- LED, animated, flashing, blinking, and video signs
- Plastic box signs
- Generic, un-stylized signs
- Large temporary signage located in windows that reduces transparency
- Large-scale street-level signage that overwhelms the pedestrian environment

- Signage that obscures architectural details
- Glaring and directed spotlights that affects neighboring properties

### (3) Entertainment District Signage

Since the area around the Rhythm City Casino is planned for entertainment purposes, sign design and guidelines may be relaxed to create an exciting sense of place. Signs in this area may be taller along the interstate corridors, contain additional illumination, and may have moving components to advertise this district and its activities.

### f. Site Design Guidelines

(1) Parking Lots – Design and Location Guideline: Parking lots shall be located behind buildings or interior of sites whenever possible and contain landscaping to buffer views from public ways.

- Parking lots shall be designed to allow for ease of vehicular circulation and meet all parking lot requirements set in this Title
- Locating parking lots at corners shall be avoided, when possible
- Safe pedestrian ways shall be provided between parking spaces and building entrances
- Canopy trees shall be planted at a minimum of every 12 parking stalls to reduce heat islands
- Edge landscaping shall be installed to screen parking lots from public streets
- Planting areas shall be incorporated into landscape islands and planting areas between parking bays
- Bio-swales and stormwater best management practices shall be used to collect and infiltrate stormwater run off
- Parking lot lights shall be 18-25 feet in height along pedestrian ways and edges
- Tall pole lights may be installed in parking lot internal bays with a maximum height of 30 feet
- Site lighting along pedestrian walkways is encouraged in bollards to provide safe lighting, but not over-illumination
- Lighting shall cast downward and be full cut-off
- Illumination levels shall not exceed 0.5 foot candles at the property line

- Businesses shall provide bicycle parking
- Short-term bicycle parking areas shall be provided within 20 feet of each commercial primary building entrance when possible
- Long-term bicycle parking areas shall be provided within 100 feet of each commercial primary building entrance when possible
- One bicycle parking space per 2,000 gross square feet shall be provided for retail uses. A minimum of two spaces is required
- One bicycle parking space per 10,000 gross square feet shall be provided for office. A minimum of two spaces is required
- A minimum of one bicycle parking spaces per residential unit shall be provided. In-building or covered bicycle parking is encouraged

## (2) Inappropriate Parking Lot Design

- Parking lots located between buildings and public streets
- Parking areas located on corners
- Individual parking lots for each development/business
- Numerous access drives into disconnected parking areas
- No parking lot landscaping
- No bicycle parking

## (3) Parking Management Guideline: Connect parking lots between developments and share parking between uses to minimize large parking lots and automobile traffic on public streets.

- Parking management shall promote effective economic activity, maximize the sharing of parking areas for commercial activity, and avoid inefficiencies in parking in which parking occupancy patterns discourage higher density and compact development
- Shared parking strategies are encouraged to eliminate redundant and unnecessarily large parking areas and to provide more land for taxable development. Parking lots are encouraged to be shared between building uses that require parking at separate times such as office parking during the day and residential parking at night
- New uses shall be required to produce a parking design and management study which documents the level of use at regular and peak times, the degree of sharing for parking with

nearby users, the way in which the owner/user intends to maximize efficient use, and sharing of the parking

- Cross access and/or joint parking easements may need to be developed in the event of the parcel being subdivided.
- Shared driveways shall be used to serve groups of buildings with shared parking courts between buildings
- Sharing arrangements shall be codified in covenants, deed restrictions, and developer agreements
- Connecting parking lots between development lots is encouraged to reduce traffic congestion on public streets

(4) Inappropriate Parking Management

- Individual parking lots by building, use, or development project
- Parking lots that are overbuilt and unused

(5) Site Circulation Guideline: A pedestrian friendly environment is encouraged to provide safe circulation within the site and between sites. Private development shall connect into existing public infrastructure.

- Concrete or similar material pedestrian walkways shall connect parking areas to building entrances
- Pedestrian walkways shall connect development sites to existing public sidewalks and paths such as the Urban Greenway
- Walkways shall be located outside of vehicle parking areas
- Walkways shall be safely illuminated

(6) Inappropriate Site Circulation

- Unpaved pedestrian walkways
- Parking lots with no pedestrian walkways
- Dark, unlit walkways

(7) Drive-Through and Service Guideline: Drive-throughs shall be located at the rear or side of buildings and shall not be placed between a public street/easement and the main building structure.



- Every effort shall be made to coordinate and integrate drive-through facilities into the overall architectural treatment of the main building
- Creative design solutions such as remote kiosks are encouraged to minimize the impact of the drive-through facility on the overall site design
- Clearly defined pedestrian crossings shall be provided where walkways intersect drive-through access lanes. In all cases drive-through facilities shall be designed to operate without endangering the public safety

#### (8) Inappropriate Drive-Through

- Drive-through window and service line visible from public streets

#### (9) Service, Storage, and Utility Areas Guideline: Service, loading, and utility areas, while necessary for business operation, shall be located away from the public view.

- Refuse and recycling areas shall be integrated into the building architecture with high quality design and/or screened with similar building materials to the main architecture. The areas shall be kept clean and avoid accumulation of excess disposal materials and the enclosure shall be locked
- When possible, service and utility areas shall be inside the building or integrated into the architecture of the building
- Loading areas shall be located behind buildings, away from parking areas and public streets
- Loading doors shall not be visible from public streets
- To reduce the amount of area dedicated to these needs, shared service areas between adjacent users and buildings shall be allowed and encouraged
- If indoor reuse is not possible, outdoor refuse areas shall be enclosed with attractive design and materials that match building architecture. Recommended enclosures would be of masonry or stone with gated access and surrounding landscaping. The gate and enclosure opening shall not be visible from public ways
- Rooftop mechanicals shall be screened with materials that match the building architecture

#### (10) Inappropriate Service Area

- Service areas and utility equipment along public streets
- Prefabricated storage sheds

- Visible garbage dumpsters
- Unscreened service, storage, or utility areas

(11) Landscaping Guideline: Create pedestrian-friendly landscapes that are functional, visually appealing, and relate to building activities and architecture. Use landscaping to screen undesirable views.

- Incorporate landscape elements that complement the character of the building and provide a pleasing relationship with adjoining properties, the public sidewalk, and the street
- Use appropriate landscape elements to establish continuity between buildings and to define the block face where there are no buildings
- Plant shade trees in surface parking lots to reduce heat islands
- Incorporate mid-level plantings and ground covers into parking planting areas
- Native plants shall be installed whenever possible
- Consider prairie plantings instead of turf to minimize maintenance and establish animal and insect habitat
- Use plant materials that provide year-round interest, add desirable color, texture, and smells to a site's experience
- Install plants to screen parking areas from public streets.
- Install plants to screen building mechanicals
- Incorporate rain gardens and bioretention basins to collect runoff and filter pollutants
- Install bioretention areas in surface parking lots for stormwater infiltration
- Use plant materials that are compatible with urban environments and will maintain their health with the expected amount of care
- Use salt tolerant plants due to the urban pedestrian environment

(12) Inappropriate Site Landscaping

- Single species planting schemes
- Residential or suburban landscape treatment such as boulders, bark chips, plastic edging, railroad ties, etc.

- Chain link, metal mesh, wire or barbed wire fencing
- Site furnishings not located adjacent to common spaces

(13) Urban Greenway Guideline: An urban greenway shall be established on the west edge of the planning area to both buffer new development from existing neighborhoods and provide an open space corridor for recreation and natural habitat.

- The urban greenway corridor shall be a 100 foot wide minimum public corridor
- Naturalized landscaping shall be installed to establish the natural space and buffer
- Low-maintenance native species including trees, shrubs and grasses shall be planted
- A 10 foot wide asphalt path may be constructed to provide an alternative transportation route and recreation trail
- The path shall connect to private development, public streets, and sidewalks

(14) Site Features and Urban Spaces Guideline: Private development is encouraged to establish urban spaces and install site features to enhance the Elmore Corners District and contribute to a pedestrian friendly streetscape.

- Commercial uses are encouraged to have public plaza spaces to provide space for activities such as outdoor dining or seating areas
- Commercial urban spaces shall be accessible from public ways
- Any security fencing shall consist of decorative materials (such as wrought iron, brick or stone)
- Select and locate site furnishings (benches, trash receptacles, bicycle racks, etc.) to unify the Elmore Corners District and provide a pleasing relationship with adjoining properties, the public sidewalk, and street
- Site furnishings shall be of high-quality materials that last in all-weather environments

(15) Inappropriate Site Features & Urban Spaces

- Urban gathering spaces that are closed off from public ways
- Site features of low quality that do not complement building architecture

(16) Public Streets and Streetscaping Guideline: Public streets shall be designed as complete streets serving all modes of transportation users including vehicles, bicycles, and pedestrians.

Streets shall contain streetscape elements to enhance the visual aesthetics of these public spaces.

- Primary public streets shall contain streetscape elements of a vehicular scale including:
  - Street lights – tall poles to safely illuminate the street
  - Sidewalk on one side and bicycle path on the other side
  - Turf terraces
  - District gateway features
  - Wayfinding sign directing visitors to district destinations
  - Light pole banners advertising special events
- Secondary streets shall contain streetscape elements of a pedestrian scale including:
  - Street lights – pedestrian scale with decorative fixtures
  - Concrete sidewalks on both sides of the street
  - Decorative brick, paver, or stamped concrete terraces
  - Wayfinding signs or kiosks directing visitors to district locations
  - Light pole banners advertising locations, uses, or events
  - Landscape planters with flowers and grasses
  - All street lights shall contain LED energy efficient fixtures
  - Street lights shall contain decorative poles and bases
  - Street lights shall be down casting to reduce light pollution
  - Stormwater management could be incorporated into the street terrace through stormwater planters, inlets, and swales
- Secondary streets may designate bicycle access through painted sharrows on street lanes

(17) Stormwater Management Guideline: All future developments must meet City Stormwater Ordinance requirements. In general, stormwater best management practices are encouraged and shall be incorporated into site designs, limiting large, monolithic retention ponds.

- Incorporate stormwater systems into development site plans and landscape plans
- Encourage regional ponds or ponds that serve multiple developments to density development and allow development to occur in urban form
- Utilize stormwater management techniques that maximize infiltration and filter runoff
- Incorporate bio-swales into parking lots to collect surface water and infiltrate on-site
- Install urban stormwater management systems where appropriate such as stormwater planters, rain gardens, underground cisterns and cells, porous pavement, and green street terraces
- Green roofs are encouraged to aid in reducing the amount of impervious surfaces
- Collect roof water into "purple pipe" grey water systems to reuse for irrigation, toilets or other non-potable uses
- If water does run off buildings, direct it into planting areas and rain barrels
- Include stormwater pond aeration systems and fountains to improve water quality and appearance
- Inappropriate Stormwater Management
- Direct stormwater runoff into the Pheasant Creek
- Large, unnaturally shaped stormwater detention ponds with no landscaping or aeration

B. Appeals. Appeals of any administrative decision made under this section shall be made in writing by the owner(s) of record of the property to the City Design Review Board no less than thirty (30) days prior to any rescheduled meeting of the Board. Appeals of any decision of the Design Review Board shall be made in writing by the owner(s) of record of the property to the City Council no less than thirty (30) days prior to the scheduled Council meeting.

Section 2. That the ECOD, Elmore Corners Overlay District is hereby created and encompasses the property described as follows:

Part of Sections 5, 6, 7 and 8 of Township 78 North, Range 4 East of the 5th P.M. being more particularly described as follows: River 80 First Addition; Jersey Farms Commercial Park First Addition; Jersey Farms Commercial Park Second Addition; and Parcel No. Y0801-02A being a 15.43 acre, more or less, tract of land owned by Schaefer Living Trust as general partner of the V & T Schaefer Family Partnership LP and described as Tract A in the following documents filed for record in Scott County as Trustee's Quit Claim Deed document No. 2006-4757, Plat of Survey document No. 2001-37358. Boundary of the property contains 342 acres, more or less (area includes rights-of-way).



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 upon final passage and publication as by law provided.

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Frank Klipsch, Mayor

Attest: \_\_\_\_\_

Jackie Holecek, MMC  
Deputy City Clerk

Published in the *Quad City Times* on \_\_\_\_\_



## **PLAN AND ZONING COMMISSION**

**Meeting Date:** April 3, 2018  
**Request:** Proposed Zoning Ordinance Text Amendment adopting Design Standards for Elmore Corners.  
**Ward:** 6th  
**Case No.:** ORD18-01  
**Applicant:** City of Davenport  
  
**Contact:** Matthew G. Flynn, AICP  
Senior Planning Manager  
matt.flynn@ci.davenport.ia.us  
563-888-2286

### **Recommendation:**

Staff recommends the Plan and Zoning Commission forward Case No. ORD18-01 to the City Council for approval.

### **Introduction:**

Case No. ORD18-01: Zoning Ordinance Text Amendment adopting Design Standards for Elmore Corners and creating the Elmore Corners Overlay District (ECOD).

### **Background:**

Commercial Corridor Revitalization is a major goal of the City Council.

The Elmore Corners Plan and Design Standards project was authorized by City Council. Following a national search, Vandewalle Associates of Madison Wisconsin was selected to lead the City through the process.

The study area of the Plan closely matches the area proposed to be the overlay district.

The preliminary draft of the design standards is attached. Changes suggested the Plan and Zoning Commission at the Public Hearing are in blue type.

The design standards are intended to ensure a high quality level of coordinated development within the area designed to attract quality national and local retailers while protecting investment.

Following adoption, the new regulations will be incorporated into the new zoning ordinance as well.

**Public Input:**

Public input has been sought throughout the process.

There was a kick off meeting on July 18, 2017, where key stakeholders were interviewed and provided an overview of the project.

On October 25, 2017, the draft plan was presented to the steering committee. Comments were incorporated into the final draft.

On January 22, 2018, a public meeting was held to review the draft plan. Approximately 80 people attended.

On January 29, 2018, the draft plan was discussed at a 6th Ward meeting.

On February 22, 2018, a follow up public meeting was held.

A public hearing was held by the Plan and Zoning Commission at its March 20, 2018 meeting. No one from the public spoke.

Notices of this public hearing were sent to properties within and adjacent to the Proposed Overlay Area. Signs were posted and an ad run in the Quad City Times. As of this writing, no comments have been received.

**Discussion:**

These proposed regulations are an important implementation tool of the Comprehensive Plan and more specifically, the Elmore Corners Area Plan. The vision of the Area Plan cannot be reasonably expected to be achieved without the zoning changes.

Like any major zoning change (which would include the future complete zoning ordinance revamp) amendments may be necessary to repair errors and omissions from the current draft under consideration.

**Recommendation:**

Findings:

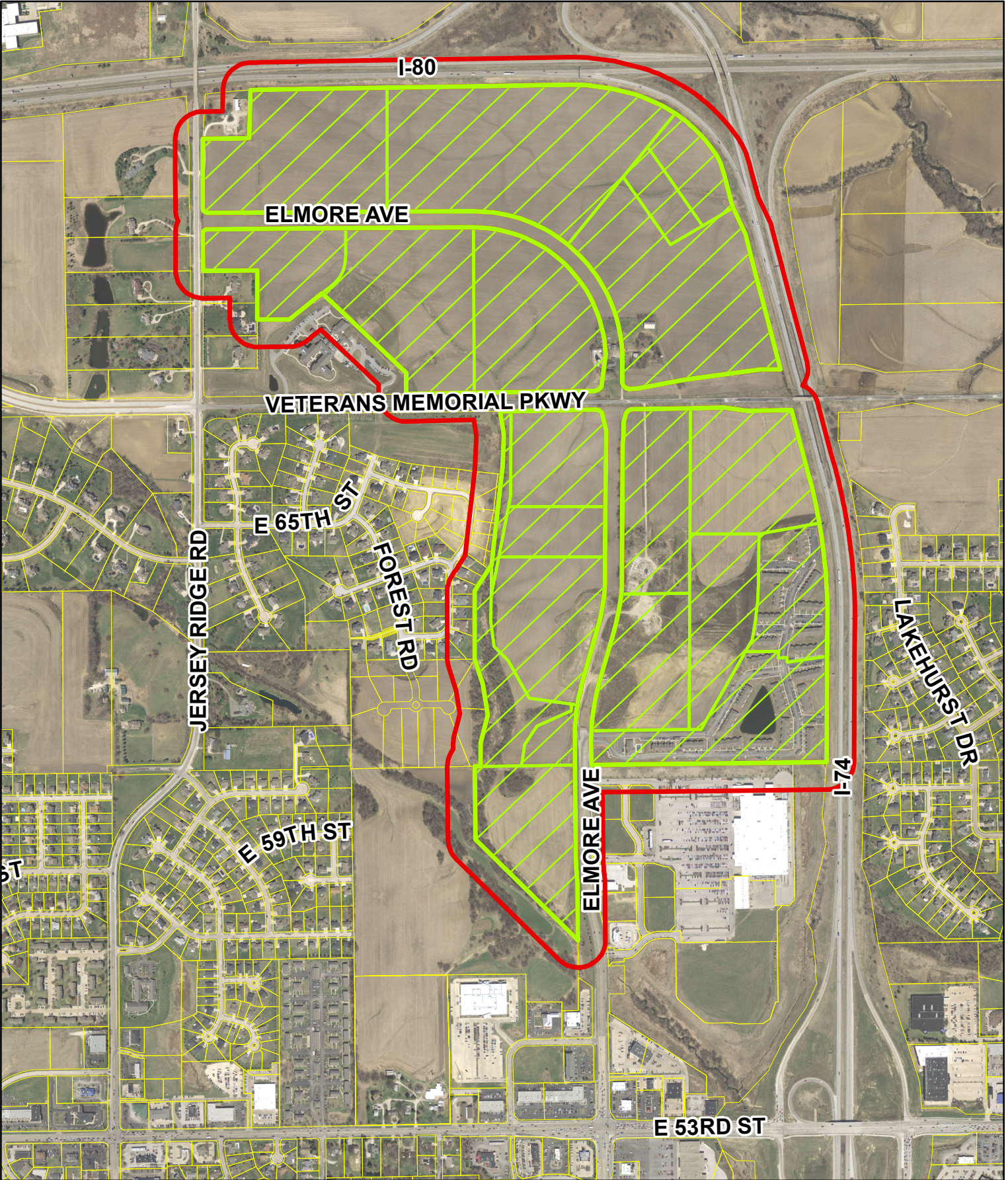
Proposed ordinance will serve as an effective tool in the implementation of the Elmore Corners Master Plan



Recommendation:

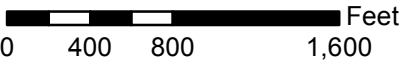
Staff recommends the Plan and Zoning Commission forward Case No. ORD18-01 to the City Council for approval.



Plan & Zoning Commission: Adjacent Property Owner Notice Area



-  Adjacent Owner Notice Boundary
-  Elmore Corners Overlay Area





## Elmore Corners Notice List - Mailing List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	City of Davenport			
P&Z Chair:	Bob Inghram		<a href="mailto:binghram@activethermal.net">binghram@activethermal.net</a>	
Council Clerk:	Tiffany Hickman		<a href="mailto:tiffanyh@ci.davenport.ia.us">tiffanyh@ci.davenport.ia.us</a>	
Neighborhood:	Jersey Farms NA	Tom Jacobson (563) 343-4352	<a href="mailto:tljacobson@mediacommbb.net">tljacobson@mediacommbb.net</a> ; <a href="mailto:tomjacobson52@gmail.com">tomjacobson52@gmail.com</a>	
Ward/Ald:	6th Ward	Alderman Clewell	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>	39 Notices Sent
Ward/Ald:	8th Ward	Alderman Tompkins	<a href="mailto:ktompkins@ci.davenport.ia.us">ktompkins@ci.davenport.ia.us</a>	
Ward/Ald:	At-Large	Alderman Condon		
Ward/Ald:	At-Large	Alderman Gripp	<a href="mailto:kgripp@ci.davenport.ia.us">kgripp@ci.davenport.ia.us</a>	
Y0655-08A	2913 E 63RD ST	A.J. MURPHY	2913 E 63RD ST	DAVENPORT IA 52807
Y0533B01	6600 ELMORE AV	ARROWHEAD LLC	6600 ELMORE AV	DAVENPORT IA 52807
Y0533B02	6500 ELMORE AV	ARROWHEAD LLC		
Y0501A03A		BAXTER CONSTRUCTION CO LLC	3225 AVE N	FORT MADISON IA 52627
Y0801-11	5701 ELMORE AV	BEATON HOLDING COMPANY LC	5805 COUNCIL ST NE STE D	CEDAR RAPIDS IA 52402
Y0655-05A	6315 FAIRHAVEN RD	BRETT L FELS LIVING TRUST	6315 FAIRHAVEN RD	DAVENPORT IA 52807
Y0639-01A	6403 FAIRHAVEN RD	BRIAN S SMITH	6403 FAIRHAVEN RD	DAVENPORT IA 52807
Y0549-01A		CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801
Y0533BOLA		CITY OF DAVENPORT		
Y0501A03B		CITY OF DAVENPORT		
Y0639-19F		CITY OF DAVENPORT IOWA		
Y0655A11	10 WOODVIEW WAY	DOUGLAS N WATTERS	10 WOODVIEW WAY	DAVENPORT IA 52807
Y0655-07A	6301 FAIRHAVEN RD	DUEKER LIVING TRUST	C/O A DUEKER	DAVENPORT IA 52807
Y0551A04	6403 ELMORE AV	ELMORE STORAGE LLC	3245 E. 35TH ST CT	DAVENPORT IA 52807
Y0621-25	6901 JERSEY RIDGE RD	ERIC G VANSEVEREN	6901 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0801-09	5705 ELMORE AV	HALLE PROPERTIES LLC	20225 N SCOTTSDALE RD	SCOTTSDALE AZ 85255
Y0639-03A	6329 FAIRHAVEN RD	JAMES M SULLIVAN	6329 FAIRHAVEN RD	DAVENPORT IA 52807
Y0549A03		JCO PROPERTIES INC	3885 ELMORE AV STE 100	DAVENPORT IA 52807
Y0655-06A	6307 FAIRHAVEN RD	JEFF M HYLAND	6307 FAIRHAVEN RD	DAVENPORT IA 52807
Y0535A06	6551 ELMORE AV	JJO LLC	6215 UTICA RIDGE RD	DAVENPORT IA 52807
Y0621A01		KAHL HOME FOR AGED AND INFIRM	6701 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0623A06		KAHL HOME FOR AGED AND INFIRM		
Y0605-25B	7403 JERSEY RIDGE RD	KARLL FARM L C	3211 E 35TH CT	DAVENPORT IA 52807
Y0639-05F	6455 FAIRHAVEN RD	LAURIE A DOBESH	6455 FAIRHAVEN RD	DAVENPORT IA 52807
Y0639-QLF		LAURIE A DOBESH		
Y0621-01		LEON S ERNESTO	2921 E 46TH ST	DAVENPORT IA 52807
Y0605-01	7400 JERSEY RIDGE RD	LINDA R DUFFY REV TRUST	7400 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0655A09		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0639-QLC		MEADOW BUILDERS INC	4929 UTICA RIDGE RD	DAVENPORT IA 52807
Y0655-04A	6321 FAIRHAVEN RD	MICHAEL A INGLEBY	6321 FAIRHAVEN RD	DAVENPORT IA 52807
Y0655A12		MINH B LAI	921 W 66TH ST	DAVENPORT IA 52806
Y0605-02	7200 JERSEY RIDGE RD	NARIDER KUMAR	7200 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0621-02	7000 JERSEY RIDGE RD	NIDAL H HARB TRUST	7000 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0639-08F	6435 FAIRHAVEN RD	NORTHWEST BANK & TRUST COMPANY	100 E KIMBERLY RD	DAVENPORT IA 52806
Y0535A05	3250 VETERANS MEM PARKWAY	O'BROS L.L.C.	3885 ELMORE AVE	DAVENPORT IA 52807
Y0500-01B		PEDCOR INVESTMENTS	PO BOX 574	CARMEL IN 46082
Y0535-01N		PEDCOR INVESTMENTS		
Y0605A01		QC EQUITY INVESTMENTS LLC	201 HARRISON ST STE 402	DAVENPORT IA 52801
Y0621A07		QC EQUITY INVESTMENTS LLC		
Y0501A04		QC EQUITY INVESTMENTS LLC		
Y0517A05		QC EQUITY INVESTMENTS LLC		
Y0533B03	6300 ELMORE AV	QC SOUTH LANDS EQUITY INVESTMENTS LLC		
Y0549A02		QC SOUTH LANDS EQUITY INVESTMENTS LLC		
Y0639-02A	6335 FAIRHAVEN RD	RANDALL E BOLDT	6335 FAIRHAVEN RD	DAVENPORT IA 52807
Y0621-26	6801 JERSEY RIDGE RD	RICK W HOLLINGSWORTH	6801 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0607A02	7077 ELMORE AV	RYTHYM CITY CASINO LLC	7077 ELMORE AVE	DAVENPORT IA 52807
Y0707-01C		WEBBER LIVING TRUST	19134 246TH AVE	BETTENDORF IA 52722
Y0801-06		THF DAVENPORT NORTH DEVELOPMEN	211 N STADIUM BD STE 201	COLUMBIA MO 65203
Y0801-07		THF DAVENPORT NORTH DEVELOPMEN		
Y0801-08		THF DAVENPORT NORTH DEVELOPMEN		
Y0801-10		THF DAVENPORT NORTH DEVELOPMEN		
Y0801-QLC		THF DAVENPORT NORTH DEVELOPMEN		
Y0803-01	5811 ELMORE AV	THF DAVENPORT NORTH DEVELOPMEN		
Y0819AOLA1		THF DAVENPORT NORTH DEVELOPMENT		
Y0639-09F		TOWNE & COUNTRY MANOR DEVELOPMENT CORP	2660 E 53RD ST STE 7	DAVENPORT IA 52807
Y0639-OLE		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-OLD		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-OLB		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-OLA		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-10F	6411 FAIRHAVEN RD	TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-07F		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-06F		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0639-04F		TOWNE & COUNTRY MANOR DEVELOPMENT CORP		
Y0801-02A		VTS FARM PARCEL A LLC	19134 246TH AV	BETTENDORF IA 52722
Y0621-24	7001 JERSEY RIDGE RD	WALTER J BRADLEY	7001 JERSEY RIDGE RD	DAVENPORT IA 52807
Y0655A10	9 WOODVIEW WAY	WOOD TRUST CMA	2805 E 43RD ST	DAVENPORT IA 52807



		APPROVED	APPROVED	APPROVED	FAILED	APPROVED	APPROVED		
Name:	Roll Call	CP18-01 Elmore Corners Plan	Amend ORD18-01 Amend 17.41 Elmore Corners Overlay District	ORD18-01 Amend 17.41 Elmore Corners Overlay District	Table ORD18-03 Amend 17.36 M-1 Uses	ORD18-03 Amend 17.36 M-1 Uses	F18-02 Bett's Corporation 2nd Add'n		
Connell	EX								
Hepner	P	Y	Y	Y	N	Y	Y		
Inghram	P								
Kelling	P	Y	Y	Y	Y	N	Y		
Lammers	P	Y	Y	Y	Y	N	Y		
Maness	EX								
Martinez	A								
Medd	P	Y	Y	Y	N	Y	Y		
Quinn	A								
Reinartz	P	Y	N	N	N	Y	Y		
Tallman	P	Y	Y	Y	N	Y	Y		
	7	6-YES 0-NO 0-ABSTAIN	5-YES 1-NO 0-ABSTAIN	5-YES 1-NO 0-ABSTAIN	2-YES 4-NO 0-ABSTAIN	4-YES 2-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN		

**PASTRNAK LAW FIRM, P.C.**

**Attorneys at Law**

**313 W. 3rd Street**

**Davenport IA 52801**

**Phone: (563) 323-7737, Ext. 230**

**Fax: (563) 323-7739**

**E-mail: [gjager@pastrnak.com](mailto:gjager@pastrnak.com)**

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Candy K. Pastrnak\*

Troy D. Venner\*

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6300 75<sup>th</sup> Ave., Suite A  
Milan, IL 61264

Thomas R. Schulz – Of Counsel \*  
Gregory S. Jager – Of Counsel\*\*  
Dee Runnells – Of Counsel\*

\* Admitted in Iowa and Illinois

\*\* Admitted in Iowa Only

Planning and Zoning Commission

C/o Matt Flynn

City of Davenport

226 W. 4th St

Davenport, Iowa 52801

March 30, 2018

Re: Elmore Corridor Overlay District and  
Design Standards

Dear members of the Commission:

We represent THF Davenport North Development, L.L.C., the owner of the Walmart, Dick's, Golf Galaxy and other vacant parcels referred to as Lots 1,4,5,6,7,8, and 10 in the THF First Addition to the City of Davenport, and on behalf of the owner, we object to any rezoning of these parcels or zoning overlay districts being added thereto.

We have thoroughly reviewed the proposed design standards and building restrictions proposed for the Elmore Corners Overlay District and believe they will make it more difficult to market and find tenants or purchasers of the remaining vacant parcels.

The Walmart store was constructed at a time when no one was considering developing Elmore Ave. Recently there has been more than 160,000 sq. ft. of commercial use added to the site with the location/expansion of Dick's Sporting Goods, Golf Galaxy, Field and Stream, and Hobby Lobby. The owner's investment in this area has totaled \$43,158,467. We have worked with Davenport councils and staff for over 17 years to make development on this site possible.

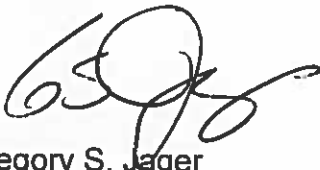
***PASTRNAK LAW FIRM, P.C.***

Gregory S. Jager  
March 30, 2018  
Page 2

When Walmart first located in Davenport, the City Council established numerous conditions upon the ultimate development of the site. (ordinances #94-644, 2001-229. 2001-230) with which we have complied. Those conditions were in response to concerns of the Council and neighbors regarding the development, and time has shown that we have not had the adverse impact that some had feared. We consider our development to be a main destination for many shoppers in Davenport and throughout the Quad City area. To impose additional regulations on property which is in the process of development and already subject to council review via the planned development district process is unnecessarily expensive and burdensome.

If the council must impose zoning restrictions beyond those already established by law on properties within the area, we ask that our ground be removed from the overlay district. Otherwise, we are opposed to the ECOD Elmore Corners Overlay District, and ask our objection be placed of record.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Jager', with a large circular flourish at the end.

Gregory S. Jager  
Attorney at Law  
For: Pastrnak Law Firm  
On Behalf of: THF Davenport North Development, L.L.C.



## **PLAN AND ZONING COMMISSION**

**Meeting Date:** May 1, 2018  
**Request:** Proposed Zoning Ordinance Text Amendment establishing an Elmore Corners Overlay District and adopting Design Standards for Elmore Corners.  
**Ward:** 6th  
**Case No.:** ORD18-01  
**Applicant:** City of Davenport  
  
**Contact:** Matthew G. Flynn, AICP  
Senior Planning Manager  
matt.flynn@ci.davenport.ia.us  
563-888-2286

### **Recommendation:**

Staff recommends the Plan and Zoning Commission forward Case No. ORD18-01 to the City Council for approval, including the entire THF First Addition being part of the area subject to the proposed ECOD Overlay District.

### **Update:**

This case was remanded back to the Plan and Zoning Commission by the Committee of the Whole on April 18, 2018 for clarification of its recommendation.

Recall that at its April 3, 2018 meeting, the Commission heard from representatives of THF Development requesting that the area known as THF First Addition (Davenport Commons; Walmart/Dick's Shopping Center) be removed from the area subject to proposed ECOD Design Standards.

Staff did not oppose removal of the area at the April 3, 2018 meeting. This, however, did not reflect the position of overall City staff and was presented in error. The Commission voted in favor of removing the property from the proposed overlay district.

Staff advertised for the Public Hearing before the Committee of the Whole with the THF First development removed. There is uncertainty of what exactly is the intent of the Plan and Zoning Commission's recommendation. Further, what effect, if any, does this recommendation have on a possible requirement of a supermajority vote by the Council in order to approve.

**Discussion:**

- 1) Staff reiterates its position to keep the THF First Addition within the area subject to the proposed ECOD Design standards for the following reasons:
  - The area has always been part of the Elmore Corners Plan project area with no opposition being expressed until the day before the Plan and Zoning Commission vote.
  - Pheasant Creek provides a clear physical boundary for Elmore Corners.
  - The ECOD Design standards will ensure quality development strived for on the existing vacant parcels and possible expansion or development on the currently developed portions of the THF property.
- 2) Procedurally, the City Council is seeking to clarify whether the Plan and Zoning Commission recommendation is to approve the Elmore Corners Overlay District and Design Standards *only* if the aforementioned THF properties are removed OR if the Commission recommends approval of the District and Standards regardless of whether the THF properties are removed.

Obviously, the Commission could choose to take other action on this particular case as well. But the primary need is to clarify when a Council supermajority would be necessary.

The previous staff report (attached) contains additional information.





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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

May 2, 2018

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 1, 2018, per your request to clarify its recommendation made on April 3, 2018, the City Plan and Zoning Commission considered Case No. ORD18-01: Request of the City of Davenport to create an ECOD, Elmore Corners Overlay District and to establish design standards for said district.

A motion to add the THF First Addition into the area subject to the proposed overlay failed by a vote of 3-yes and 5-no.

The Commission maintains its original recommendation and recommends approval of the ordinance deleting the property owned and developed by THF development from the overlay and corresponding design standards.

Finding:

- 1) Proposed ordinance will serve as an effective tool in the implementation of the Elmore Corners Master Plan

Conditions:

None.

The Plan and Zoning Commission accepts the finding and forwards Case No. ORD18-01 to the City Council for approval. The vote to approve was 5 – yes and 1 – no (Reinartz).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', written over a light gray rectangular background.

Robert Inghram, Chairperson  
City Plan and Zoning Commission

City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn, 888-2286  
Wards: 6

**Action / Date**  
**COW6/6/2018**

Subject:

First Consideration: Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1, Agricultural District to R-2, Low Density Residential District. [Ward 6]

Recommendation:

Adopt the Ordinance

Relationship to Goals:

Welcoming Neighborhoods

Background:

The property is located immediately east of Jersey Meadows Subdivision and immediately north of the Costco site. The proposed rezoning would facilitate the construction of approximately 64 single family dwellings. Three streets within Jersey Meadows Subdivision would provide access.

The property is designated as RG - Residential General in the Comprehensive Plan.

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-04: Request of Pheasant Creek LLC for the rezoning of approximately 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1 Agricultural District to R-2, Low Density Dwelling District.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

On an affirmative vote of 3-2, the Plan and Zoning Commission accepts the findings and forwards

Case No. REZ18-04 to the City Council for approval.

The protest rate is currently 18.1% with 17 property owners objecting.

See attachments for additional information.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Location Map
▣ Backup Material	Background Material
▣ Backup Material	Public Engagement Summary

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:25 PM
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:25 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 5:31 PM

ORDINANCE NO.

Ordinance offered by Alderman Gripp.

Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1, Agricultural District to R-2, Low Density Residential District. [6th Ward]

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 from A-1 Agricultural District to R-2, Low Density Residential District.

The Legal Description is as follows:

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;  
thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence N01°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

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

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

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 \_\_\_\_\_

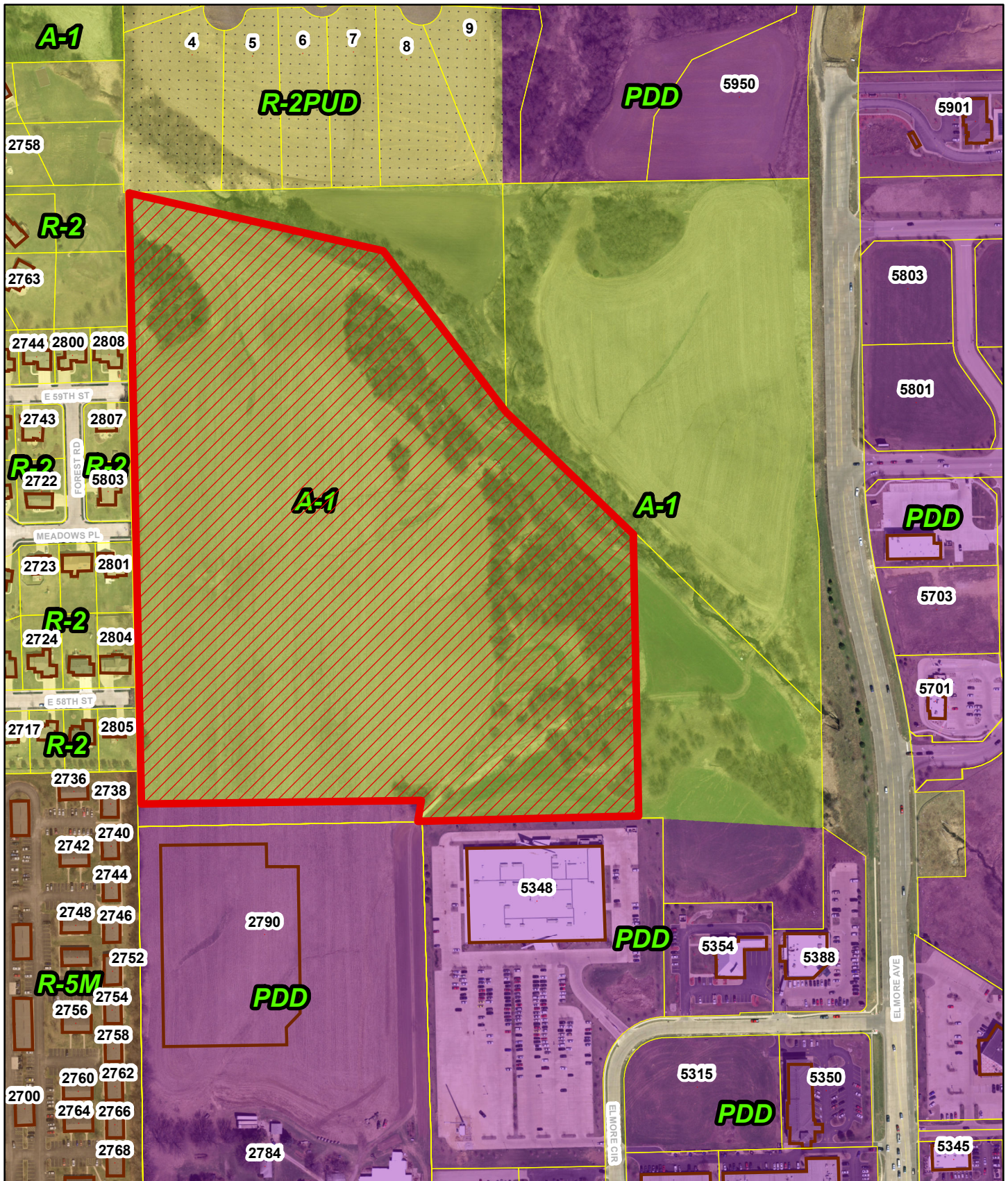
\_\_\_\_\_  
Frank J. Klipsch  
Mayor

Attest: \_\_\_\_\_  
Jackie Holecek, CMC  
Deputy City Clerk

Published in the *Quad City Times* on \_\_\_\_\_

# LOCATION MAP

## REZ18-04: Pheasant Creek A-1 to R-2



0 70 140 280 420 560 Feet



## **BACKGROUND MATERIAL**

### **CASE NO's REZ18-04 and REZ18-05**

Please note that some earlier material references the acreage of the property proposed to be zoned PDD (Case No. REZ18-05) at 5.55 acres. The legal description was corrected and right size (7.41 acres) has been properly filed in the Legal Notice, neighbor letter for COW and drafted ordinance.





## **PLAN AND ZONING COMMISSION**

**Meeting Date:** May 15, 2018  
**Request:** Request to rezone 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 5.55 acres from A-1 Agricultural to PDD Planned Development District.  
**Case No.:** REZ18-04; REZ18-05 (NOTE THIS IS A COMBINED STAFF REPORT)  
**Applicant:** Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes)  
**Ward:** 6th  
  
**Contact:** Matthew G. Flynn, AICP  
Senior Planning Manager  
matt.flynn@ci.davenport.ia.us  
563-888-2286

### **Recommendation:**

Staff recommends the Plan and Zoning Commission accepts the listed findings and forward both cases to the City Council for approval.

### **Background:**

Petitioner intends to develop an approximate 64 lot single family residential subdivision to the east of Jersey Meadows Subdivision. The proposed R-2 zoning would provide for lots with a minimum of 60 feet of frontage at the building line and a minimum of 10,000 square feet.

The intent is to connect this subdivision by the existing terminated streets on the east side of Jersey Meadows – E 58<sup>th</sup> Street, E 59<sup>th</sup> Street, and Meadows Place. Preliminary and final plats are anticipated to be filed following successful completion of the rezoning effort.

The easternmost 5.55 acres is proposed for PDD, Planned Development District. A portion of the property is already zoned as such. This property presents development challenges as there are topography, drainage and access limitations. Nothing is planned at this time.

### **Site Characteristics:**

**Current Land Use:** The property is currently in row crops. Pheasant creek runs along the east side in a significant swale and creates a natural boundary with properties to the east and the Elmore Corridor.

**Comprehensive Plan.** The property is within the Urban Service District and urban services can be reasonably accessed.

The Future Land Use Plan for this property indicates RG Residential General for the western portion and RC Regional Commercial to the east along Elmore Avenue.

The description of those classifications are as follows:

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.

Regional Commercial (RC) - Designates the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses with connectivity to nearby neighborhoods being less important.

Existing Zoning: The property is currently zoned A-1 Agriculture. Surrounding properties are zoned as described on exhibit attached to this report.

### **Technical Review:**

Technical review comments from Davenport Engineering and Traffic Engineering have been received.

Engineering general comments:

1. *No comment from traffic at this time for the layout given*
2. *Natural Resources are having the Storm Water Ordinance revised. It is anticipated to be approved by council the first week in June. It would be recommended to have the site designed per the latest standards being adopted. We can provide them to the developer's engineer.*
3. *To continue our goals of multimodal transportation and connectivity, a pedestrian access to the COSTCO site from this neighborhood would be beneficial*
4. *In addition, the Davenport GO plan has indicated a proposed trail section along this stream corridor. Will that be a requirement here?*
5. *The buffer distance will be 50' by the time the platting is finalized, see note 1.*
6. *The proposed detention area may not be sufficient, given the site topography, this standard will be revised per the ordinance see note 1*
7. *Any detention or quality features must have easement access for maintenance and inspection; contiguous with other City ROW*
8. *No access point or features are shown on the commercial area to comment at this time.*
9. *ROW width 50' minimum, street width 27' minimum*

Traffic Engineering comments:

*The built-out subdivision will have about 220 units. The trips equate to 9.57 per day per unit (we usually round up to 10) so it's 2200 vehicles per day, 50% in and 50% out.*

*During the AM peak hour, the factor is 0.77 with 26% in and 74% out. This equates to 44 vehicles entering and 125 exiting during the AM peak hour.*

*During the PM peak hour, the factor is 1.02 with 64% in and 36% out. This equates to 144 vehicles entering and 81 vehicles exiting during the PM peak hour.*

*The counts on Jersey Ridge Road were obtained from the casino study which assumes full build-out of that commercial corridor on Elmore Avenue.*

*They estimate about 11,000 vehicles per day for Jersey Ridge Road with the AM peak at 1000 vehicles and PM peak at 1100 vehicles.*



*The traffic signal warrant most easily met is Interruption of Continuous Traffic. With the current roadway for the intersection of Jersey Ridge Road and Jersey Meadows Drive, there would need to be 8 separate hours where the volume on Jersey Ridge Road is at least 750 vehicles and the exiting volume on Jersey Meadows Drive is 75 during those same 8 hours. Even though this intersection lines up with the driveway for the apartments across the street, the signal warrants only use the higher volume leg of the minor street.*

*Based on the traffic study for the casino, there could be 8 hours with 750 vehicles or more on Jersey Ridge Road. Some of the estimated hours show 800 vehicles, so Jersey Ridge Road might have enough traffic after everything is built out. Assuming 75% of the traffic in the subdivision uses Jersey Meadows Drive, then 94 vehicles will exit during the AM peak and 61 during the PM peak. Therefore, I expect the AM peak to be 1 of the 8 hours required for signalization and there might not be many more.*

*I do not think traffic signal warrants will be met, even after everything is built out. Keep in mind that this is assuming the subdivision is full of houses and Elmore has been filled in with commercial buildings, so this won't happen overnight.*

*When traffic volumes get higher and delays occur at this intersection, we will study it to see if traffic signals are warranted. If they are, we will install them.*

Staff has also reached out to the Fire Marshall specifically to ensure no particular issues will be encountered with emergency response. A fire station is approximately one mile away.

If the rezoning is approved, more technical comments can be expected as part of the consideration of subdivision plats and construction plans. No construction will be allowed to commence without proper approvals.

### **Discussion:**

The majority of this discussion will be in reference to the proposed rezoning to R-2 (REZ18-04).

The request, if approved, will result in development consistent with the existing Jersey Meadows Subdivision to the west. The proposed development is consistent with the Comprehensive Plan.

Traffic will increase as the development is completed. Future traffic congestion, if it is to occur, will likely be the result of increases in volume on Jersey Ridge Road. Signalization along Jersey Ridge Road cannot be ruled out in the future as the area continues to develop, as planned.

Staff does not recommend connecting this development directly to Elmore as it would encourage cut through traffic and would result in excessive costs in crossing Pheasant Creek. While some neighbors have advocated for this connection, staff sees otherwise and recommends a condition be included prohibiting this from happening.

Also included within this request is the rezoning of 5.55 acres to PDD, Planned Development (REZ18-05). Development of this property for commercial purposes would be consistent with the Comprehensive Plan. It should be noted, however, that topography visibility and access are challenges and development may not occur for some time. Zoning now, however, will facilitate development in the future.

## **Public Input Summary:**

Public Meeting: A public meeting has been scheduled for April 30 at the Public Works Center.

Public Meeting Notice: 43 notices mailed April 18.

Signs Posted: 3 signs were posted on April 16

Public Hearing Notice: The notice was sent to the OCT for publication on April 17.

Public Hearing Mailing: Mailed to approximately 43 neighbors on April 18. To date, three protests have been filed (1.9%) been filed.

Plan and Zoning Commission Public Hearing. Approximately 3 people spoke against the proposal citing traffic, drainage, and improper notification.

Upcoming Committee of the Whole Public Hearing. Assuming action by the Plan and Zoning Commission at this meeting to move this case forward, the Committee of the Whole Public Hearing will be held on June 6, 2018.

## **Recommendation:**

**Since there are two cases, two separate recommendations are presented:**

### **Case No. REZ18-04:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

**Case No. REZ18-05:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

## Zoning Map Amendment Application

226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801  
(563) 326-7765  
Planning@ci.davenport.ia.us

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

**Property Address\***  See Attachment A

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

### **Applicant (Primary Contact)\*\***

Name:  Adam Seitz  
Company:  Pheasant Creek Estates, LLC  
Address:  4215 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-940-4030  
Email:  adamseitz@advancehomesinc.com

*Application Form Type:*

### **Plan and Zoning Commission**

- Rezoning (Zoning Map Amendment) ☒  
Zoning Ordinance Text Amendment ☐  
Right-of-way or Easement Vacation ☐  
Final Development Plan ☐  
Voluntary Annexation ☐  
Subdivision ☐

### **Owner (if different from Applicant)**

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

### **Zoning Board of Adjustment**

- Appeal from an Administrative Decision ☐  
Special Use Permit - New Cell Tower ☐  
Home Occupation Permit ☐  
Special Exception ☐  
Special Use Permit ☐  
Hardship Variance ☐

### **Engineer (if applicable)**

Name:  David L. Meyer  
Company:  Verbeke-Meyer Consulting Engineers  
Address:  4111 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-359-1348  
Email:  dlm@verbeke-meyer.com

### **Design Review Board**

- Certificate of Design Approval ☐  
Demolition Request in the Downtown ☐

### **Architect (if applicable)**

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

### **Historic Preservation Commission**

- Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

### **Administrative**

- Floodplain Development ☐  
Cell Tower Co-Location ☐  
Identification Signs ☐  
Site Plan ☐

### **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.**

**Request:**Existing Zoning: Proposed Zoning Map Amendment: Total Land Area:  Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☒ Yes ☐ No**Submittal Requirements:**

- The following items should be submitted to [Planning@ci.davenport.ia.us](mailto:Planning@ci.davenport.ia.us) for review:
- 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.
  - \$5.00 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) Public Notice for the Plan and Zoning Commission public hearing:**

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to 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. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice 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 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 request:**

- 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 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:

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:

Planning staff

Date:

Date of the Public Hearing:

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

## ATTACHMENT A

### LEGAL DESCRIPTION FOR REZONING

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

Also, to be known as Lot 1, Pheasant Ridge First Addition to the City of Davenport, Iowa.

March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

February 27, 2018  
VMCE # 17361-B

LEGAL DESCRIPTION – SCHAEFER EXTRA TRACT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 8, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8;

thence North 25°-39'-00" West 320.00 feet;

thence North 65°-30'-40" West 560.00 feet to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 672.86 feet along the north line of the Northeast Quarter of said Section 7 to the point of beginning.

Containing 2.75 acres, more or less, subject to easements of record.



March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

March 12, 2018  
VMCE #17361-D  
Page 1 of 2

LEGAL DESCRIPTION – PROPOSED COMMERCIAL DEVELOPMENT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 44°-59'-10" East 358.74 feet to the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 44°-59'-10" East 690.31 feet to a point on the west right of way line of Elmore Avenue as now established in the City of Davenport, Iowa, said point also being on the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8;

thence South 00°-08'-25" West 511.79 feet along the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8 to an angle point on the north line of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 121.43 feet along the north line of Lot 1 of said Lakehurst Commercial Park Fifth Addition to a point on the east line of Lot 1 of Lakehurst Commercial Park Fourth Addition to the City of Davenport, Iowa;

thence North 00°-18'-15" West 65.00 feet along the east line of Lot 1 of said Lakehurst Commercial Park Fourth Addition;

thence South 89°-41'-45" West 260.00 feet along the north line of Lot 1 of said Lakehurst Commercial park Fourth Addition to a point on the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

March 12, 2018  
VMCE # 17361-D  
Page 2 of 2

thence North  $00^{\circ}-18'-15''$  West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

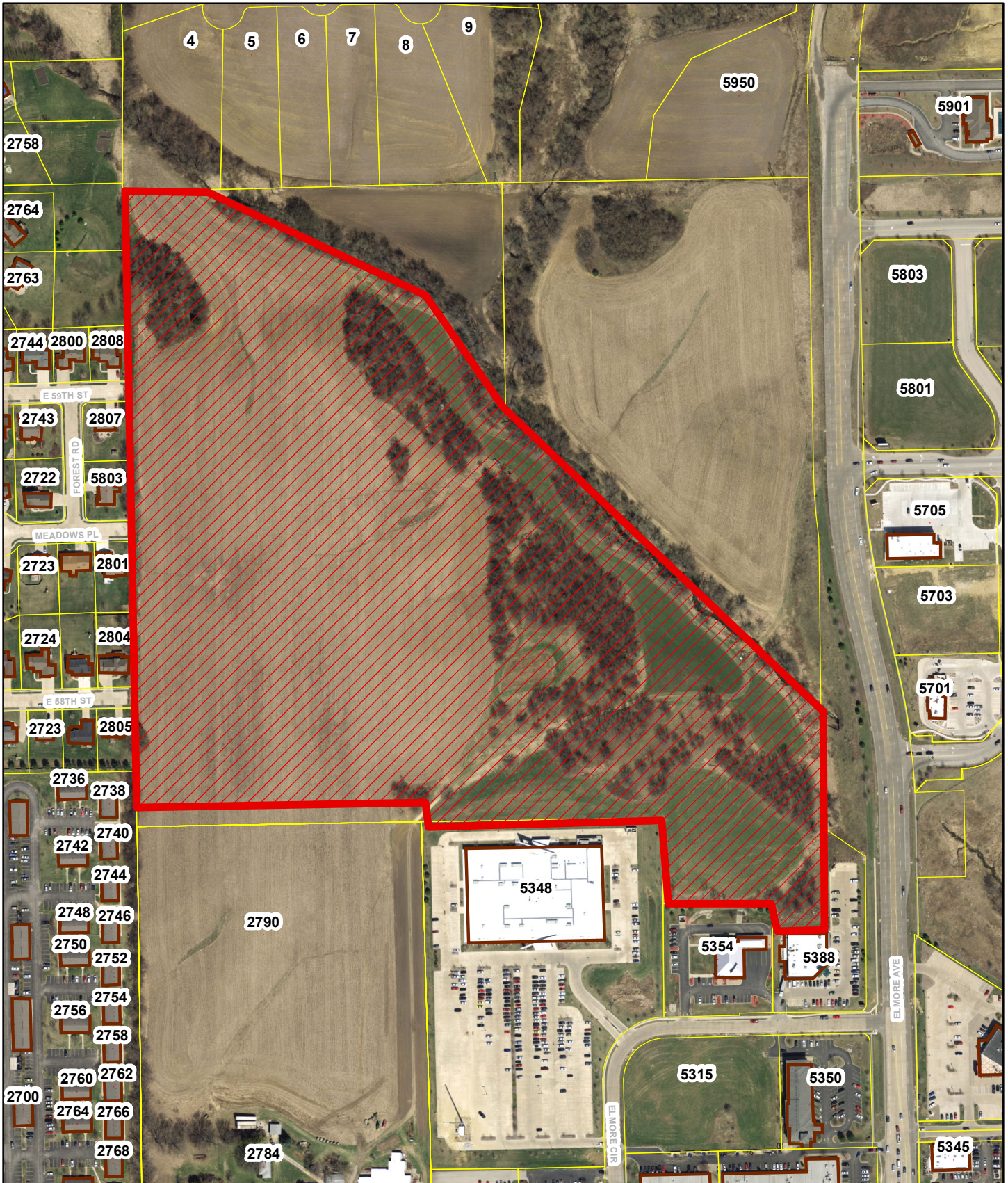
thence South  $89^{\circ}-41'-45''$  West 100.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North  $00^{\circ}-18'-15''$  West 732.61 feet to the point of beginning.

Containing 7.41 acres, more or less, subject to easements of record.



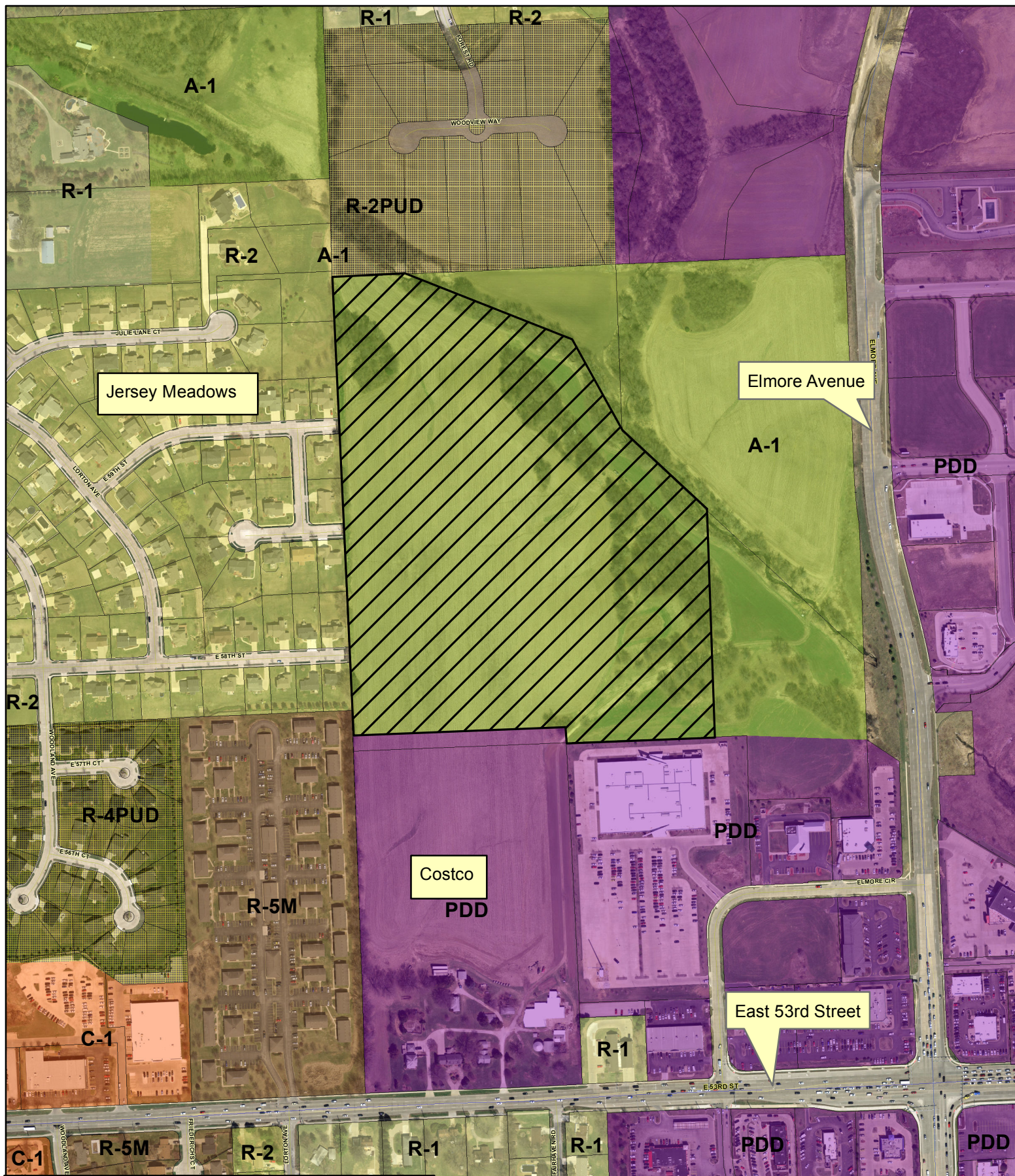
# REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet





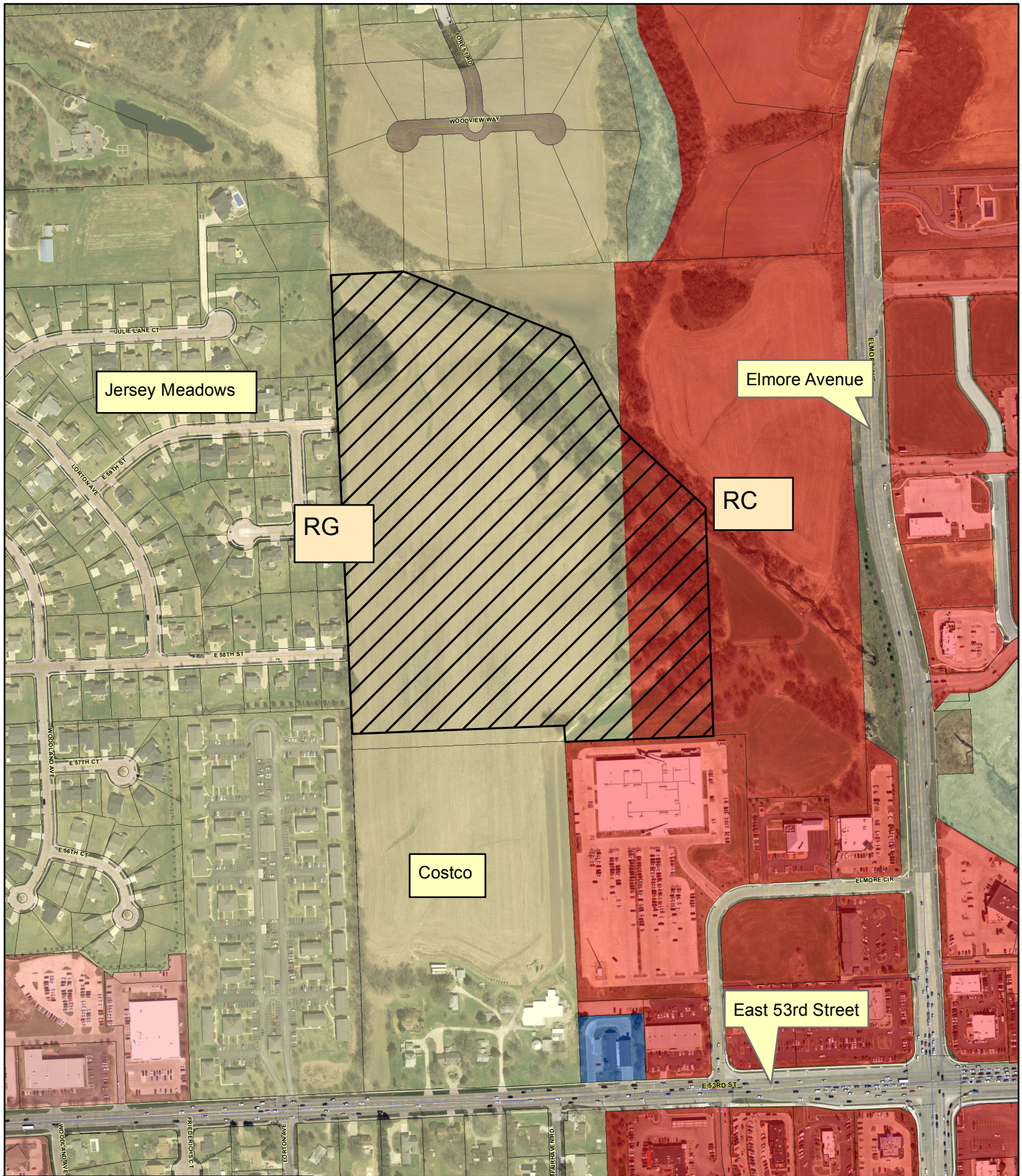


A-1 Agricultural  
R-2 Low Density Dwelling  
R-5M Medium Density Dwelling  
PDD Planned Development

0 200 400 800 Feet







RG Residential General  
RC Regional Commercial

0 200 400 800  
Feet











## City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

### NOTICE

#### PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we Joseph & Katherine Palmer who own property located at (be specific as possible)  
2800 E. 59<sup>th</sup> St. - Davenport

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
PUBLIC HEARING  
TUESDAY, MAY 1, 2018  
DAVENPORT CITY PLAN AND ZONING COMMISSION  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

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**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

---

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.

One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.

The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.

Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.

The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

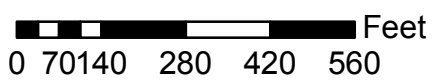
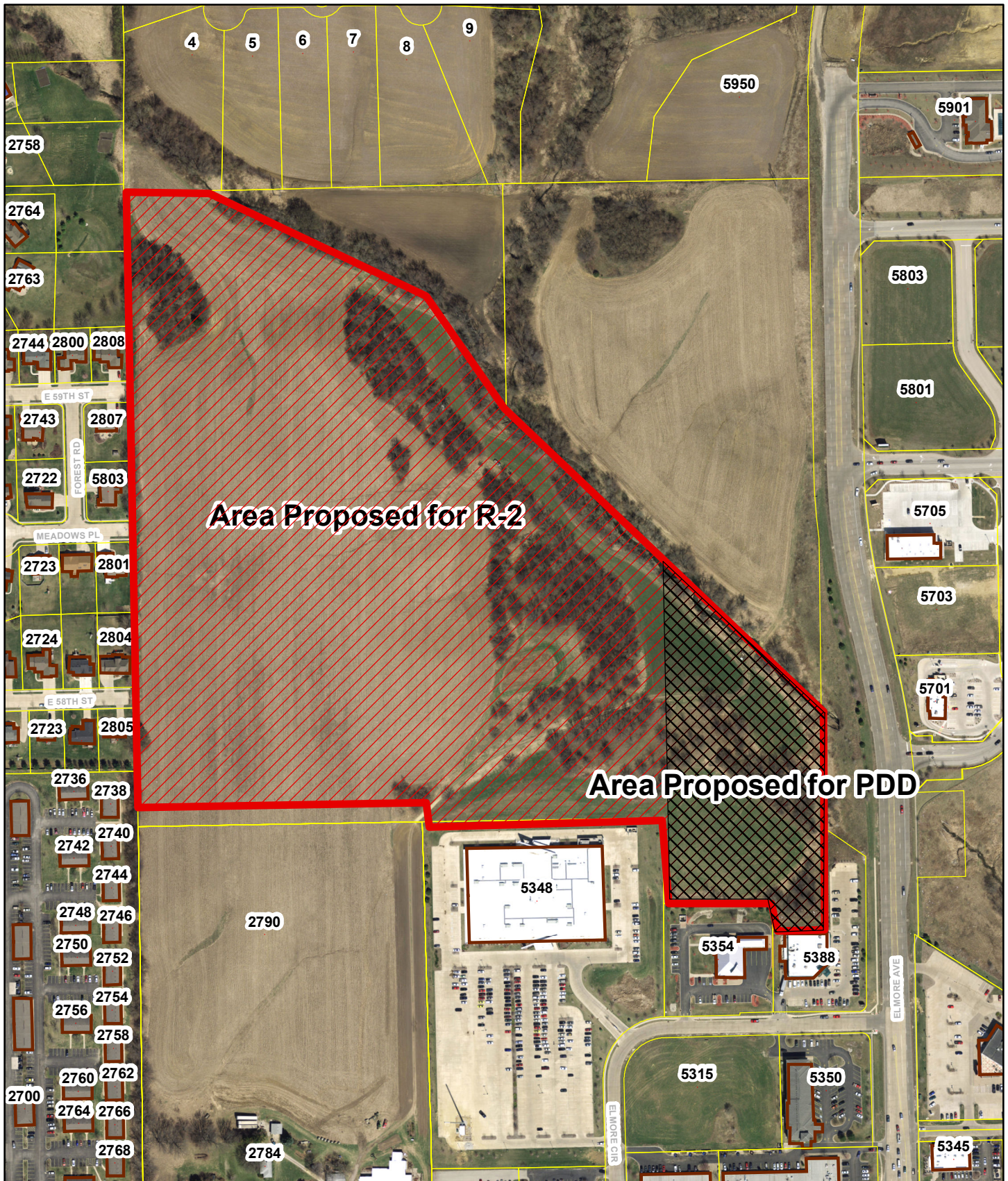
Case No. REZ18-04; REZ18-05

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765



# REZ18-04: Pheasant Creek





## Neighborhood Meeting Attendance List

<b>Case: REZ18-04</b>	<b>REZ18-05</b>	<b>Date: April 30th 2018</b>
Gary Aitchison	563-370-4480	<a href="mailto:aitchisongary@gmail.com">aitchisongary@gmail.com</a>
Gary Andrade	563-676-4102	
Kristan Mitchell	563-650-9580	<a href="mailto:kristinm@mchsi.com">kristinm@mchsi.com</a>
Bill Hurt	563-271-2830	<a href="mailto:bill.hurt615@gmail.com">bill.hurt615@gmail.com</a>
Mike DeJulius	563-529-4457	<a href="mailto:mike@njmiller-hawkeye.com">mike@njmiller-hawkeye.com</a>
Denuis Williams	563-359-0308	Advanced Home
Kathy & Joe Palmer	563-323-9303	<a href="mailto:jkpalm2@mchsi.com">jkpalmer2@mchsi.com</a>
Scott Kelling	2801 Meadows Pl	<a href="mailto:skelling@melfosterco.com">skelling@melfosterco.com</a>
Susie & Jeff Seitz	563-528-0448	<a href="mailto:susieseitz@advancedhomesinc.com">susieseitz@advancedhomesinc.com</a>
Bob Inghram	563-349-0341	<a href="mailto:bingghram@activethermal.net">bingghram@activethermal.net</a>
Pete McGee	563-940-3043	<a href="mailto:pmcghee511@aol.com">pmcghee511@aol.com</a>
Renee McGhee	563-344-4896	
Joe Maluck	708-837-0007	<a href="mailto:j_maluck756@yahoo.com">j_maluck756@yahoo.com</a>
Rich Clewell	563-340-0559	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciua](mailto:mike crisciua); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

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Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciua" <[mike.crisciua@gmail.com](mailto:mike.crisciua@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!

Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

---

I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434



**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

---

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

--



**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies.



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

May 16, 2018

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-04: Request of Pheasant Creek LLC for the rezoning of approximately 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53<sup>rd</sup> Street from A-1 Agricultural District to R-2, Low Density Dwelling District.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

On an affirmative vote of 3-2, the Plan and Zoning Commission accepts the findings and forwards Case No. REZ18-04 to the City Council for approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', written over a light gray rectangular background.

Robert Inghram, Chairperson  
City Plan and Zoning Commission

**CITY PLAN AND ZONING COMMISSION  
CITY OF DAVENPORT, IOWA**

**TUESDAY MAY 15, 2018 • 5:00 PM  
COUNCIL CHAMBERS – DAVENPORT CITY HALL  
226 W 4<sup>TH</sup> STREET DAVENPORT, IA**

**MINUTES**

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**PUBLIC HEARING AGENDA**

The public hearing was opened at 5:00 P.M. and the following public hearing was held:

**OLD BUSINESS –**

**NEW BUSINESS –**

- Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning" by amending Section 17.29 in part by clarifying the Design Review Board's consideration of encroachment permits as recommendation only.  
[Wards All]

The public hearing was closed at 5:04 P.M.

**Next Public Hearing:**

Tuesday, June 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall – 226 West 4<sup>th</sup> Street.

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**REGULAR MEETING AGENDA**

The regular meeting was called to order at 5:04 P.M. following the public hearing.

**I. Roll Call of the Membership**

Present: Connell, Hepner, Inghram, Maness, Medd, Quinn, Reinartz and Tallman

Excused: Johnson, Kelling and Lammers

Absent: None

Staff: Flynn, Longlett Rusnak, Statz, Wille and attorney Heyer

**II. Report of the City Council Activity – as presented**

**III. Secretary's Report** May 01, 2018 meeting minutes were corrected to reflect Kelling as abstaining, not Hepner.

**IV. Report of the Comprehensive Plan Committee**

**V. Zoning Activity**

**A. Old Business**

**B. New Business -**

1. Case No REZ18-04 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "R-2" Low Density Dwelling District on 33.11 acres, more or less, located west of Elmore Avenue and north of 53<sup>rd</sup> Street for residential development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

Several members of the audience spoke in favor of a connection to Elmore Avenue while several in the audience living on 58<sup>th</sup> Street spoke against the connection.

A motion by Medd, seconded by Connell to accept the findings and forward Case No REZ18-04 to the City Council for approval subject to the above stated condition was approved on a split vote of 3-yes, 2-no (Hepner & Reinartz) and 2-abstention (Quinn & Tallman).

2. Case No REZ18-05 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "PDD" Planned Development District on 7.41 acres, more or less, located west of Elmore Avenue and south of Pheasant Creek for commercial development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

On a motion by Medd, seconded by Hepner, the Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval subject to the above stated condition on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VI. Subdivision Activity**

### **A. Old Business –**

### **B. New Business –**

1. Case No. F18-03: Final plat of Pheasant Ridge First Addition on 43.27 acres, more or less located west of Elmore Avenue and north of East 53<sup>rd</sup> Street containing three (3) lots. [Ward 6]

#### Findings:

- The proposed plat facilitates the sale and proposed development of the property.
- The proposed plat complies with the land use portion of Davenport+2035: Comprehensive Plan for the City.

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-03 to the City Council for approval subject to the following conditions:

1. That a drainage easement and the Flood Insurance Rate Map floodplain boundary be shown on the plat as it impacts each lot and potential development within this plat.
2. The drainage easement along Pheasant Creek which includes the floodplain area shall also be designated a greenway easement.

On a motion by Reinartz, seconded by Medd, the Commission forwards Case No. F18-03 to the City Council for approval subject to the above stated conditions on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VII. Other Business – Election of Officers**

A motion by Hepner, seconded by Reinartz, to re-elect the current slate of officers was approved on three separate unanimous voice votes, one for each office, with Tallman being retained as Secretary, Connell being retained as Vice-Chairman and Inghram being retained as Chairman.

## **VIII. Future Business – Preview of items for the June 5<sup>th</sup> public hearing and/or regular meeting (*note-not all items to be heard may be listed*):**

### **IX. Communications (Time open for citizens wishing to address the Commission on matters not on the established agenda)**

### **X. Adjourn – The meeting was adjourned at 6:08 P.M.**

- *Note: Pursuant to §17.60.030 and §2.64.120 of the Davenport City Code the Commission is required to act on this item within 30 days unless the petitioner waives this requirement.*



*Pursuant to the city code if the Commission does not act and report on this item within 30 days' time this agenda item is to be construed as approved by the Commission.*

- *Note: The Plan and Zoning Commission meeting is not a public hearing. It is time for the commission to discuss the issue(s) with City staff and if questions rise, with the developer.*
- *A rezoning or ordinance text amendment has a second public hearing before the City Council at its Committee of the Whole meeting. Notification of that meeting will be sent to surrounding owners following the Plan and Zoning Commission meeting.*

**Next Public Hearing/Regular Plan & Zoning Meeting:**

**Tuesday, June 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall  
226 West 4<sup>th</sup> Street.**

## APPROVED

Name:	Roll Call	REZ18-04 Pheasant Creek LLC	REZ18-05 Pheasant Creek LLC	F18-01 Pheasant Ridge 1st					
Connell	P	Y	Y	Y					
Hepner	P	N	Y	Y					
Inghram	P								
Johnson	EX								
Kelling	EX								
Lammers	EX								
Maness	P	Y	Y	Y					
Medd	P	Y	Y	Y					
Quinn	P	ABS	ABS	ABS					
Reinartz	P	N	Y	Y					
Tallman	P	ABS	ABS	ABS					
		3-YES 2-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN					

## **PUBLIC ENGAGEMENT SUMMARY**

### **Case No's. REZ18-04 and REZ18-05**

**Public Meeting Notice:** Signs Posted: 3 signs were posted on April 16

**Public Meeting:** 43 notices mailed April 18. A public meeting was held on April 30 at the Public Works Center. Approximately 30 people attended

**Public Hearing Notice:** The notice was sent to the QCT for publication on April 17.

**Public Hearing Mailing:** Mailed to approximately 43 neighbors on April 18.

**P&Z Public Hearing:** Held on May 1. 3 people spoke against the proposal citing traffic, drainage, and improper notification.

**P&Z Recommendation:** Held on May 15<sup>th</sup>. Additional comments were received. REZ18-04 was recommended for approval by a vote of 3-2. REZ18-05 was recommended for approval by a vote of 5-0.

**COW Neighbor Mailing:** Sent on approximately May 18.

**COW Public Hearing Notice:** Was published in the QCT on May 25.

**Protest Rate:** To date, 17 protests have been filed (18.1%) been filed for Case No. REZ18-04; none for Case No. REZ18-5 (0.0%)

**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

Please be aware of possible zoning changes that may impact your property or neighborhood.

A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.

One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.

The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.

Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.

The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

Case No. REZ18-04; REZ18-05

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
PUBLIC HEARING  
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DAVENPORT CITY PLAN AND ZONING COMMISSION  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).**

**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

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Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

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I/we \_\_\_\_\_ who own property located at (be specific as possible)

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Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



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I/we \_\_\_\_\_ who own property located at (be specific as possible)

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Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



## City of Davenport

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### NOTICE

#### PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

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Phone: (563) 326-7765

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we Joseph & Katherine Palmer who own property located at (be specific as possible)  
2800 E. 59<sup>th</sup> St. - Davenport

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801

## Neighborhood Meeting Attendance List

<b>Case: REZ18-04</b>	<b>REZ18-05</b>	<b>Date: April 30th 2018</b>
Gary Aitchison	563-370-4480	<a href="mailto:aitchisongary@gmail.com">aitchisongary@gmail.com</a>
Gary Andrade	563-676-4102	
Kristan Mitchell	563-650-9580	<a href="mailto:kristinm@mchsi.com">kristinm@mchsi.com</a>
Bill Hurt	563-271-2830	<a href="mailto:bill.hurt615@gmail.com">bill.hurt615@gmail.com</a>
Mike DeJulius	563-529-4457	<a href="mailto:mike@njmiller-hawkeye.com">mike@njmiller-hawkeye.com</a>
Denuis Williams	563-359-0308	Advanced Home
Kathy & Joe Palmer	563-323-9303	<a href="mailto:jkpalm2@mchsi.com">jkpalmer2@mchsi.com</a>
Scott Kelling	2801 Meadows Pl	<a href="mailto:skelling@melfosterco.com">skelling@melfosterco.com</a>
Susie & Jeff Seitz	563-528-0448	<a href="mailto:susieseitz@advancedhomesinc.com">susieseitz@advancedhomesinc.com</a>
Bob Inghram	563-349-0341	<a href="mailto:bingghram@activethermal.net">bingghram@activethermal.net</a>
Pete McGee	563-940-3043	<a href="mailto:pmcghee511@aol.com">pmcghee511@aol.com</a>
Renee McGhee	563-344-4896	
Joe Maluck	708-837-0007	<a href="mailto:j_maluck756@yahoo.com">j_maluck756@yahoo.com</a>
Rich Clewell	563-340-0559	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciua](mailto:mike crisciua); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

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Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciua" <[mike.crisciua@gmail.com](mailto:mike.crisciua@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!



Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

---

I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434

**From:** [Orfitelli, Michael](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Case No. REZ18-04 In protest of rezoning Advance Homes/Jersey Meadows  
**Date:** Tuesday, May 01, 2018 11:19:14 AM

---

Dear Planning and Zoning,

RE: Case No REZ18-04

I am writing in protest to the rezoning of the property petitioned to be rezoned from Agricultural to Low Density R-2 to the east of 58<sup>th</sup> street/Meadows Place/59<sup>th</sup> streets in Davenport, 52807. Proposed rezoning will allow for around 64 new homes to be built on the site. This site is now locked in by topography, and business due to the approved Costco construction. Adding 64 homes to the site as currently planned will create an overflow of traffic through the current neighborhood currently serving around 150 homes. The only access points are Jersey Meadows Drive and Lorton. The proposition would almost double the traffic into the access points, the neighborhood and Jersey Ridge Rd. Including 33.11 acres of homes with the current design proposed and access points would create regular unsafe conditions for neighbors, (including children), and emergency access. Although there is no code for the number of residences per required neighborhood access points, if approved the rezoning would result in the highest density of homes with the fewest access points. The access option was closed when Costco was approved, leaving this land locked. I understand the intention years ago was to have residential in the space. The recent development has created access challenges, this past plan must be changed and you must deny or table the decision to rezone the property to R-2.

Furthermore, I also understand the requirement of notification of rezoning; 200 ft. from the proposed area. Although the requirement was fulfilled this proposal has a great effect on far more than those 200 ft. from the site. Again, there are about 150 homes that will be effected. A good neighbor due diligence would have provided the entire neighborhood with a notice to provide for an appropriate voice in this manner. Our entire neighborhood has not had ample opportunity to study and provide a voice. I am again requesting this proposal to be denied and/or tabled at this time. Finally, as a neighbor close to the proposed site, I am very concerned with environmental factors that will result as the land is developed. The most worrisome of these factors is water run-off. Our property is affected during every rain, I can only anticipate greater water run-off and possible damage to our dwelling and property.

There are a number of factors that are of concern related to the petitioned rezoning. I would ask of Planning and Zoning, as well as the city to deny the petition.

Mike Orfitelli  
2723 Meadows Place  
Davenport, IA 52807

**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

---

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

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**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies.

**To:** [Planning Division – CPED](#)  
**Subject:** Case REZ18-04 Pheasant Creek LLC Rezoning  
**Date:** Thursday, May 03, 2018 8:15:12 AM

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To whom it may concern:

I am writing in regards to Case REZ18-04 discussed on May 1, 2018 at the city council meeting. This case proposed the rezoning of Pheasant Creek LLC A-1 to R-2 in the lot immediately east of the Jersey Meadows subdivision. My husband and I are new residents of the Jersey Meadows subdivision and reside at 2717 E 58<sup>th</sup> St. We did not know at the time we purchased our home that it would no longer be a dead end, and while we are disappointed about that, we are very concerned about a thoroughfare being built to Elmore. While I understand that some residents of the neighborhood are in favor of an outlet to Elmore, please know that we are not. The residents in favor of this reside on 59<sup>th</sup> St, and the thoroughfare would impact us, not them. I know that many people would use 58<sup>th</sup> to bypass 53<sup>rd</sup>, particularly those residing in the Crystal Ridge subdivision. If we limit the roads to the residences in Jersey Meadows and the new development and not allow an outlet to Elmore, we can almost guarantee traffic will be residential only.

My husband, Joe, and I believe that if the residences are inevitable, it is best for them to be on a loop or in cul-de-sacs for traffic minimization. We are also concerned about the construction equipment and low-boys traveling down our street during the construction of these residences, as the streets are not wide and were not built to support that type of use. In addition, we have concerns about screws or other equipment falling off construction trucks and damaging tires, etc. Please note we are not opposed to the construction of these residences, but we would like some protection if this were to damage our road/property.

We do most certainly believe that reducing the number of homes being built is the best option as residents of the Jersey Meadows subdivision, as 64 homes leaves much more supply than demand, which will make selling our properties difficult in the coming years, and increases traffic drastically more. However, if this is inevitable, please do not allow an outlet to Elmore to be built. I do urge you to consider rezoning to R-1, if that is in the realm of possibility. I know Advance homes has to make a profit, but I don't want the overflow of housing to be detrimental to our bottom lines, either.

Please do not hesitate to contact me if you have any questions.

Best regards,  
Kelsey

**Kelsey Maluck**  
**Internal Control Accountant**  
Deere & Company  
3400 80<sup>th</sup> St.  
Moline, IL 61265  
Work: (309) 748-8477  
Email: [MaluckKelseyA@JohnDeere.com](mailto:MaluckKelseyA@JohnDeere.com)



shall be maintained in confidence and not disclosed to third parties without the written consent of the sender. If you are not the intended recipient or the person responsible for delivering the electronic mail to the intended recipient, be advised that you have received this electronic mail in error and that any use, dissemination, forwarding, printing, or copying of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please immediately notify the sender by return mail.

MAY 15 2018

## PETITION TO CITY OF DAVENPORT PLANNING &amp; ZONING COMMISSION

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-04 and REZ18-05. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. Furthermore, written notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

NAME	ADDRESS	PHONE	EMAIL
Kevin & Renee Skilllett	2764 Julie Lane Ct.	(563) 343-6429	kskilllett@bettendorf.k12.ia.us
Joel & Tracie Mohr	2723 Julie Lane Ct.	563-508-5204	joe/water@i.com
Jim & Lynn Olsen	2729 Julie Lane Ct.	563-391-9376	50531@aol.com
Tim & Lynn McFarland	2736 Julie Lane Ct.	563-376-7697	Lynnsphone@icloud.com
Kath & Angie Berthel	2755 Julie Lane Ct.	563-940-5745	Berthel@usd.com
John & Stephanie Stork	2763 Julie Lane Ct.	563-370-5147	Stork.f@medison-bb.com
Mark & Nicole Mandke	2758 Julie Lane Ct.	563-209-2883	markmandke@icloud.com
Brian Henderson	2728 Julie Lane Ct.	309-235-6682	bhenders@smail.com
Chris Silverstein	2728 Julie Lane Ct.	563-271-3790	chrisilverstein@gmail.com
Clara Wiseman	2722 Julie Lane Ct.	563-940-2036	
Mary & Steve Telisak	2735 Julie Lane Ct.	(830) 352-6230	mtelisk@gmail.com
Lee & Anita Ferdinand	2752 Julie Lane Ct.	563-320-5673	aferdinand@icloud.com
Gayle Hawn	2744 Julie Lane Ct.	(563) 309-7370	gayle.hawn.378@gmail.com
Reed & Karen Carls	2710 Julie Lane Ct.	563-514-7795	Jrkar469191@gmail.com
Monica Adams	5905 Loreton Ave	563-349-3215	adams3883@gmail.com
Pete & Linda McGee	2708 E 59th St	563-940-3043	pmcgee511@gmail.com
Michael Demmer	2721 E 59th Street	309-781-0287	Michael@cmthighway.com
Donald Mauer	2744 E 59th St	563-354-6412	d.wisbrenerenchci.com
David Eisbrener	2807 E 59th St	563-271-8663	gibster@me.com
Garnell Foster	2743 E 59th St	563-528-5434	bill.hurt65@gmail.com
Bill Hurt	2731 E 59th St	563-271-2830	timandjankay@regan.com
Tom Kay	5803 Forest Rd	563-508-9538	kristian@icloud.com
Kristen Pultenell	2729 Meadows Pl	563-344-0445	mikeorffelli@yahoo.com
Mike Orffelli	2723 Meadows Pl	563-386-5542	formentor@icloud.com
Terese Mena	2711 Meadows Pl	563-450-9252	

MAY 15 2018

## PETITION TO CITY OF DAVENPORT PLANNING &amp; ZONING COMMISSION

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-04 and REZ18-05. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. Further, we would like notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

REZ18-04 and REZ18-05  
We believe further notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

NAME	ADDRESS	PHONE	EMAIL
Crystal Miguel	6011 Lorton Ave	(563) 528-5072	Cmiguie@gmail.com
David Miguel	6011 Lorton Ave	(563) 658-3126	cmiguie199@gmail.com
Derrick Frost	6056 Lorton Ave	(563) 528-1208	Dfrost46@gmail.com
Holly Frost	6056 Lorton Ave	(563) 271-9822	Hollyd.frost@yahoo.com
WONELD AUGUSTO	2622 Julie Lane	563-359-4878	augusto11@gmail.com
Collin Frost	5817 Woodland Ave	563-676-1322	cmfrost@gmail.com
Kenneth West	2705 Julie Lane	563-585-4216	westkenneth@gmail.com
Mike Wilkins	5826 Woodland Ave	563-320-3206	mt.wilkins@hotmail.com
Thomas Wilkins	5826 Woodland Ave	563-320-3206	mt.wilkins@hotmail.com
Andrew Smith	2603	563-579-8668	
William Smith	5826 Woodland	563-650-6420	Moham710@yahoo.com
Donnell Forrest	5821 Woodland	309-269-3012	dforrest@hotmail.com
Tim Forrest	5821 Woodland	309-269-4650	dforrest@hotmail.com
HUNG PHAM	2610 E. 58th St.	563-355-2676	phamhung@hotmail.com
Mark Van Laune	2611 E. 58th St	563-359-3623	vanlaune@hotmail.com
Connie Van Laune	2611 E. 58th St	563-359-3623	connievanlaune@hotmail.com
Chris Halligan	2618 E. 58th St	563-326-4237	chrsullivan@aol.com
John Halligan	2618 E. 58th St	563-326-4237	handfordsales@aol.com

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-0001. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. Notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

[illegible]



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE  
WEDNESDAY, JUNE 6, 2018  
DAVENPORT COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.**

**A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.**

**Please contact the Community Planning Division for additional information.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801





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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE  
WEDNESDAY, JUNE 6, 2018  
DAVENPORT COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

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**Please contact the Community Planning Division for additional information.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

---

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





**From:** [Clewell, Rich](#)  
**To:** [Jenny VanGenderen](#)  
**Cc:** [Cale VanGenderen](#); [Gripp, Kyle](#); [Condon, JJ](#); [Flynn, Matt](#)  
**Subject:** Re: Case No. REZ18-04; REZ18-05  
**Date:** Monday, May 21, 2018 2:34:51 PM  
**Attachments:** [image001.png](#)

---

Jenny, thanks for taking the time to let me know your positions on the Pheasant Creek addition. You are in the majority on your positions regarding this project.

Sincerely,

Richard A. Clewell  
Davenport City Council  
6th Ward Alderman  
563.340.0559  
<https://www.facebook.com/Clewell4Council/>

On May 21, 2018, at 12:10, Jenny VanGenderen <[jenny.hinchman@gmail.com](mailto:jenny.hinchman@gmail.com)> wrote:

Hello,

My husband Cale and I previously sent an email in regards to the zoning changes and plans submitted by Pheasant Creek LLC (Advanced Homes) that affect our neighborhood, Jersey Meadows. We are not able to make it to the meeting tonight, and wanted to make sure our voices are heard.

1. We are in favor of the proposed zoning changes and plans submitted by Advanced Homes. However, we do want an **addendum added** saying that at no time will they or another developer be permitted to build anything other than single family homes on the land.
2. We are firmly **against** any plans that will connect Elmore Ave to the proposed subdivision along with Jersey Meadows.

Please feel free to reach out to us with any questions. We appreciate you taking the time to read our email, and make sure our voices are heard. Thank you.

Jennifer and Cale VanGenderen  
2736 East 59th Street

On Tue, May 1, 2018 at 12:20 PM, Cale VanGenderen  
<[cvangenderen@vibrantcreditunion.org](mailto:cvangenderen@vibrantcreditunion.org)> wrote:  
Hello,

Please see the email below that was sent to Matt Flynn. Jennifer and I are residents of the Jersey Meadows subdivision. We are in favor of the proposed zoning changes and the plans as submitted by Pheasant Creek LLC (Advance Homes). We are firmly against any plans that will

connect Elmore Ave to the proposed subdivision along with Jersey Meadows.

We are unable to make the meeting tonight due to work travel and want to ensure our voices are heard.

Thank you!

Cale & Jennifer VanGenderen  
[2736 E 59th Street](#)  
[Davenport, IA 52807](#)

----- Forwarded message -----

From: **Cale VanGenderen** <[cvangenderen@vibrantcreditunion.org](mailto:cvangenderen@vibrantcreditunion.org)>  
Date: Tue, May 1, 2018 at 11:55 AM  
Subject: Re: Case No. REZ18-04; REZ18-05  
To: "Flynn, Matt" <[matt.flynn@ci.davenport.ia.us](mailto:matt.flynn@ci.davenport.ia.us)>, Jen  
<[jenny.hinchman@gmail.com](mailto:jenny.hinchman@gmail.com)>

Hello Matt,

Jennifer and I are unable to attend the meeting tonight pertaining to Pheasant Creek LLC and the Jersey Meadows subdivision. There is a petition circling Jersey Meadows to ask Pheasant Creek LLC and the City of Davenport to add access to Elmore Ave on the southeast corner of the 33 acre plot of land.

Jennifer and I are firmly against adding any access to Elmore Ave from Jersey Meadows and Pheasant Creek LLC. We do not want E 59th and E 58th Streets to become a thoroughfare for WalMart and Cross Creek Apartments. We support the plans as submitted and welcome the new, higher end construction.

Thank you!

Cale & Jennifer VanGenderen  
[2736 E 59th Street](#)  
[Davenport, IA 52807](#)

On Mon, Apr 30, 2018 at 11:37 AM, Flynn, Matt  
<[matt.flynn@ci.davenport.ia.us](mailto:matt.flynn@ci.davenport.ia.us)> wrote:

Thank you Cale - - I have heard rumors that people think there is a street extension proposed to Elmore. That is not the case. Thanks again for sharing your thoughts.

Matt Flynn, AICP

Senior Planning Manager

City of Davenport, Iowa

Direct Phone: 563.888.2286

Visit our new website!

[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

<image001.png>

**From:** Cale VanGenderen [mailto:[cvangenderen@vibrantcreditunion.org](mailto:cvangenderen@vibrantcreditunion.org)]

**Sent:** Monday, April 30, 2018 11:29 AM

**To:** Planning Division – CPED; Flynn, Matt; Jen

**Subject:** RE: Case No. REZ18-04; REZ18-05

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!



Cale VanGenderen

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[<~WRD161.jpg>](#)

**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning Case No. REZ18-04  
**Date:** Tuesday, May 22, 2018 4:44:11 PM

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City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE**  
**WEDNESDAY, JUNE 6, 2018 at 5:30 pm**  
**DAVENPORT COMMITTEE OF THE WHOLE**  
**COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET - DAVENPORT, IOWA**

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.

A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday June 6, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.

Please contact the Community Planning Division for additional information.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765

Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-04

I/we Gaynell Ben Foster 2011 Estate Trust who own property located at (be specific as possible)

2743 E. 59th St.

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Gaynell Ben Foster signature of Trustee, South Dakota Bank + Trust

Date: May 22, 2018

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

I/we strongly oppose the rezoning and development of this property unless a third access point is created. It is understood that Advance Homes has also purchased a parcel of land at the southeast corner of the proposed housing area. This land lies between the housing area and Elmore Avenue. Advance Homes is requesting this land be rezoned from A-1 to PDD (planned development district). Since this property fronts Elmore Avenue, it is prime commercial real estate and will require access to Elmore Avenue at some time. I/we believe it would be wise to create a street connecting this area, and the proposed housing area, to Elmore Avenue now, rather than later. Advance Homes should consider this a real selling point to their prospective 64 home buyers. It would also alleviate many of the concerns of the current residents of Jersey Meadows.

Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): Peter C Rink (and Merriam)

Name 1 (signed): PC Rink Merriam

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 9 Woodview Way

Date: 5/23/15

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

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Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): Tom Kay

Name 1 (signed): Thomas W. Kay

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 5803 FOREST RD. DAVENPORT, IA 52807

Date: 5/21/2018

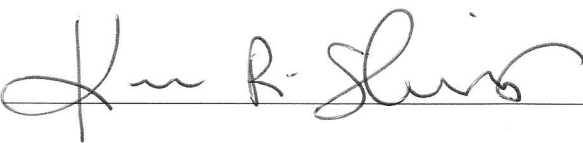


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Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): KEVIN SKILLETT

Name 1 (signed): 

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 2764 Julie Lane CT. DAV. Ia. 52807

Date: May 24<sup>th</sup>, 2018

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

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Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): JED + ANITA FERDINAND

Name 1 (signed): Jed + Anita Ferdinand

Name 2 (printed): JED FERDINAND

Name 2 (signed): Jed Ferdinand

Address: 2752 Julie Ln CT


Date: 5-21-18

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.

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Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): Nicole Mancha

Name 1 (signed): 

Name 2 (printed): \_\_\_\_\_

Name 2 (signed): \_\_\_\_\_

Address: 2758 Julie Lane Ct Davenport IA 52807


Date: 5/21/18

I/we understand that Advance Homes has purchased a parcel of land east of our Jersey Meadows neighborhood. They are requesting the property be rezoned from A-1 (agricultural) to R-2 (low density residential) and plan to build 64 houses on this land. Unfortunately, there are currently only two access points to this area from Jersey Ridge Road . The additional 64 homes will create a 43% increase in the amount of traffic flowing through our neighborhood. I/we also have grave concerns about all the heavy construction equipment that will be tearing up our streets for the next five years. Obviously, this will also greatly impact the safety of our children.


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Based on the above, I/we respectfully protest the proposed Rezoning Case No. REZ18-04.

Name 1 (printed): AUGUSTO ANZOLA

Name 1 (signed): 

Name 2 (printed): LUZVELLY ANZOLA

Name 2 (signed): 

Address: 2722 MEADOWS PLACE, DAVENPORT-IA 52807

Date: MAY 19, 2018

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciua](mailto:mike crisciua); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

---

Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciua" <[mike.crisciua@gmail.com](mailto:mike.crisciua@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!



Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST

**From:** [Orfitelli, Michael](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Case No. REZ18-04 In protest of rezoning Advance Homes/Jersey Meadows  
**Date:** Tuesday, May 01, 2018 11:19:14 AM

---

Dear Planning and Zoning,

RE: Case No REZ18-04

I am writing in protest to the rezoning of the property petitioned to be rezoned from Agricultural to Low Density R-2 to the east of 58<sup>th</sup> street/Meadows Place/59<sup>th</sup> streets in Davenport, 52807. Proposed rezoning will allow for around 64 new homes to be built on the site. This site is now locked in by topography, and business due to the approved Costco construction. Adding 64 homes to the site as currently planned will create an overflow of traffic through the current neighborhood currently serving around 150 homes. The only access points are Jersey Meadows Drive and Lorton. The proposition would almost double the traffic into the access points, the neighborhood and Jersey Ridge Rd. Including 33.11 acres of homes with the current design proposed and access points would create regular unsafe conditions for neighbors, (including children), and emergency access. Although there is no code for the number of residences per required neighborhood access points, if approved the rezoning would result in the highest density of homes with the fewest access points. The access option was closed when Costco was approved, leaving this land locked. I understand the intention years ago was to have residential in the space. The recent development has created access challenges, this past plan must be changed and you must deny or table the decision to rezone the property to R-2.

Furthermore, I also understand the requirement of notification of rezoning; 200 ft. from the proposed area. Although the requirement was fulfilled this proposal has a great effect on far more than those 200 ft. from the site. Again, there are about 150 homes that will be effected. A good neighbor due diligence would have provided the entire neighborhood with a notice to provide for an appropriate voice in this manner. Our entire neighborhood has not had ample opportunity to study and provide a voice. I am again requesting this proposal to be denied and/or tabled at this time. Finally, as a neighbor close to the proposed site, I am very concerned with environmental factors that will result as the land is developed. The most worrisome of these factors is water run-off. Our property is affected during every rain, I can only anticipate greater water run-off and possible damage to our dwelling and property.

There are a number of factors that are of concern related to the petitioned rezoning. I would ask of Planning and Zoning, as well as the city to deny the petition.

Mike Orfitelli  
2723 Meadows Place  
Davenport, IA 52807

**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

---

I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434

**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

---

Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

--



**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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Publication	Quad-City Times		
Contact	CITY OF DAVENPORT - LEGALS	PO Number	1817093
Address 1	226 W 4TH ST	Rate	Legal
Address 2		Order Price	87.00
City St Zip	DAVENPORT IA 52801	Amount Paid	0.00
Phone	5638882074	Amount Due	87.00
Fax			
Section	Notices & Legals	Start/End Dates	05/25/2018 - 05/25/2018
SubSection		Insertions	1
Category	2520 Miscellaneous Notice	Size	165
Ad Key	7165-1	Salesperson(s)	Obits Legals O10
Keywords	NOTICE PUBLIC HEARING WEDNESDA	Taken By	Samantha Greene
Notes	Please release as this is a legal notice. [Samantha Greene 5/21/2018 1:16:17 PM]		

## Ad Proof

**NOTICE  
PUBLIC HEARING  
WEDNESDAY,  
JUNE 6, 2018, 2018 5:30 PM  
CITY OF DAVENPORT  
COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS  
DAVENPORT CITY HALL  
226 WEST 4th STREET  
DAVENPORT, IOWA**

There are on file in the City of Davenport Community Planning and Economic Development Department the following petitions:

Case No. ORD18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District.[6th Ward]

The legal description of the proposed rezoning is as follows:

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described: thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ; thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition; thence N011h 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey

Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa,

to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00



feet to the point of beginning.  
 Containing 33.11 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-04 to the City  
 Council with a recommendation for  
 approval.  
 Case No. REZ18-05: Request of Pheasant  
 Creek, LLC to rezone approximately  
 7.41 acres located immediately west of  
 Elmore Avenue and south of Pheasant  
 Creek from A-1 Agricultural District to  
 PDD, Planned Development District. [6th  
 Ward]  
 The legal description of the proposed  
 rezoning is as follows:  
 Part of the Northwest Quarter of Section  
 8, Township 78 North, Range 4 East of  
 the 5th P.M., Davenport, Scott County,  
 Iowa, being more particularly described s  
 follows:  
 Commencing, as a point of reference, at  
 the northwest corner of the Northwest  
 Quarter of said Section 8; thence South  
 00°-06'-45" West 534.52 feet along the  
 west line of the Northwest Quarter of said  
 Section 8; thence South 44°-59'-10" East  
 358.74 feet to the POINT OF BEGIN-  
 NING of the tract of land hereinafter  
 described:  
 thence continuing South 44°-59'-10" East  
 690.31 feet to a point on the west right of  
 way line of Elmore Avenue as now  
 established in the City of Davenport,  
 Iowa, said point also being on the west  
 line of the South 75 Acres of the East 115  
 Acres of the Northwest Quarter of said  
 Section 8;  
 thence South 00°-08'-25" West 511.79  
 feet along the west line of the South 75  
 Acres of the East 115 Acres of the  
 Northwest Quarter of said Section 8 to an  
 angle point on the north line of Lot 1 of  
 Lakehurst Commercial Park Fifth Addition  
 to the City of Davenport, Iowa;  
 thence South 89°-41'-45" West 121.43  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial Park Fifth Addition  
 to a point on the east line of Lot 1 of  
 Lakehurst Commercial Park Fourth Addi-  
 tion to the City of Davenport, Iowa;  
 thence North 00°-18'-15" West 65.00 feet  
 along the east line of Lot 1 of said  
 Lakehurst Commercial Park Forth Addi-  
 tion;  
 thence South 89°-41'-45" West 260.00  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial park Fourth Addi-  
 tion to a point on the east line of Lot 2 of  
 said Lakehurst Commercial Park Fifth  
 Addition;  
 thence North 00°-18'-15" West 205.00  
 feet along the east line of Lot 2 of said  
 Lakehurst Commercial Park Fifth Addi-  
 tion;  
 thence South 89°-41'-45" West 100.00  
 feet along the north line to the northwest  
 corner of Lot 2 of said Lakehurst  
 Commercial Park Fifth Addition;  
 thence North 00°-18'-15" West 732.61  
 feet to the point of beginning.  
 Containing 7.41 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-05 to the City  
 Council with a recommendation for  
 approval.  
 Public hearing(s) on the above matter(s)  
 are scheduled for 5:30 p.m. or as soon  
 thereafter as possible on Wednesday,  
 June 6, 2018 in the Council Chambers of  
 the Davenport City Hall, 226 West 4th  
 Street, Davenport, Iowa. You may submit  
 written comments on the above item(s) or  
 to attend the public hearing to express  
 your views, or both. Any written com-  
 ments to be reported at the public hearing  
 should be received in the Department of  
 Community Planning & Economic Devel-  
 opment, at the above address, no later  
 than 12:00 noon on the day of the public  
 hearing(s). PO No 1817093.  
 Department of Community Planning &  
 Economic Development  
 E-MAIL: planning@ci.davenport.ia.us  
 PHONE: 563-326-7765

# REZ18-04 Rezoning Protest Area Calculation (Autosaved)

PARCEL NUMBER	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CITY/STATE/ZIP
Y0707-18C	11510.25137	1.0%	Yes	1.0%	2808 E 59TH ST	AITCHISON FAMILY REVOCABLE TRUST	2808 E 59TH ST	DAVENPORT IA 52807
Y0707-28C	6896.403881	0.6%	Yes	0.6%	2722 MEADOWS PL	AUGUSTO ANZOLA	2722 MEADOWS PLACE	DAVENPORT IA 52807
Y0707-44C	15539.96307	1.4%	Yes	1.4%	2804 E 58TH ST	BENJAMIN KIMBELL	2804 E 58TH ST	DAVENPORT IA 52807
Y0707-43C	15252.89917	1.4%		0.0%	2730 E 58TH ST	BRIAN G CARBER	2730 E 58TH ST	DAVENPORT IA 52807
Y0723-02E	106450.6519	9.7%		0.0%	2790 E 53RD ST	COSTCO WHOLESALE CORPORATION	999 LAKE DR	ISSAQUAH WA 98027
Y0707-04	12307.34969	1.1%		0.0%	2729 E 58TH ST	CYNTHIA L KOTHENBEUTEL	2729 E 58TH ST	DAVENPORT IA 52807
Y0707-19C	15171.03955	1.4%	Yes	1.4%	2807 E 59TH ST	EISBRENERLIVING TRUST	2807 E 59TH ST	DAVENPORT IA 52807
Y0707-29C	5681.011385	0.5%	Yes	0.5%	2743 E 59TH ST	GAYNELL BARR FOSTER 2011 ESTATE TRUST	2743 E 59TH ST	DAVENPORT IA 52807
Y0655AOLA	2024.18404	0.2%	Yes	0.2%		JED FERNINAND	2752 JULIE LANE CT	DAVENPORT IA 52807
Y0723-01	47562.90217	4.3%		0.0%	2700 E 53RD ST	JERSEY MEADOWS APARTMENTS	2700 E 53RD ST	DAVENPORT IA 52807
Y0655A05	46994.92505	4.3%		0.0%	4 WOODVIEW WAY	JOE B SLAVENS	4 WOODVIEW WAY	DAVENPORT IA 52807
Y0707-17C	11177.06063	1.0%	Yes	1.0%	2800 E 59TH ST	JOSEPH L PALMER	280 E 59TH ST	DAVENPORT IA 52807
Y0707-14D	4517.737734	0.4%	Yes	0.4%	2764 JULIE LANE CT	KEVIN R SKILLETT	2764 JULIE LANE CT	DAVENPORT IA 52807
Y0707-OLC	27450.17103	2.5%	Yes	2.5%		KEVIN R SKILLETT	2764 JULIE LANE CT	DAVENPORT IA 52807
Y0707-42C	5008.55346	0.5%		0.0%	2724 E 58TH ST	MARIAN INGRAHAM TRUST	2724 E 58TH ST	DAVENPORT IA 52807
Y0655-13C	641.6206695	0.1%	Yes	0.1%	2758 JULIE LANE CT	MARK A MANCHA	2758 JULIE LANE CT	DAVENPORT IA 52807
Y0655A09	2265.115818	0.2%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0655A08	8501.770718	0.8%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0655A07	14809.6326	1.3%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0655A06	25798.29762	2.3%		0.0%		MCCARTNEY IMPROVEMENT CO	5715 NW BD	DAVENPORT IA 52806
Y0707-23C	4442.580086	0.4%	YES	0.4%	2723 MEADOWS PL	MICHAEL C ORFITELLI	2723 MEADOWS PL	DAVENPORT IA 52807
Y0707-03	4102.811295	0.4%		0.0%	2723 E 58TH ST	MICHAEL R KOTULA	2723 E 58TH ST	DAVENPORT IA 52807
Y0707-22C	14347.19281	1.3%	Yes	1.3%	2729 MEADOWS PL	MITCHELL D BRON	2729 MEADOWS PL	DAVENPORT IA 52807
Y0707-01C	280528.0503	25.5%		0.0%		PHEASANT CREEK ESTATES LLC	4215 E 60TH ST	DAVENPORT IA 52807
Y0707-16C	3304.844242	0.3%	Yes	0.3%	2744 E 59TH ST	RONALD C MATHIAS	2744 E 59TH ST	DAVENPORT IA 52807
Y0707-21C	14693.2236	1.3%		0.0%	2801 MEADOWS PL	SCOTT D KELLING	2801 MEADOWS PL	DAVENPORT IA 52807
Y0817-02E	113682.2052	10.3%		0.0%	5348 ELMORE CR	TELECOMMUNICATIONS SPRINGING LLC	1 ATT WAY	BEDMINSER NJ 07921
Y0707-20C	15248.57036	1.4%	Yes	1.4%	5803 FOREST RD	THOMAS W KAY	5803 FOREST RD	DAVENPORT IA 52807
Y0707-05	13579.51314	1.2%		0.0%	2805 E 58TH ST	TIMOTHY S HILTON	2805 E 58TH ST	DAVENPORT IA 52807
Y0707-15D	5238.636761	0.5%	Yes	0.5%	2763 JULIE LANE CT	TODD R STONE	2763 JULIE LANE CT	DAVENPORT IA 52807
Y0707-OLD	30931.30352	2.8%	Yes	2.8%		TODD R STONE	2763 JULIE LN CT	DAVENPORT IA 52807
Y0655AOLB	24459.19148	2.2%	Yes	2.2%		TODD RINEHART	2758 JULIE LANE CT	DAVENPORT IA 52806
Y0801-02A	145267.5814	13.2%		0.0%		VTs FARM LLC PARCEL A	19134 246TH AV	BETTENDORF IA 52722

**PARCELS** 1,055,387.2  
**ROW** 44,161.5

Alderman: Clewell

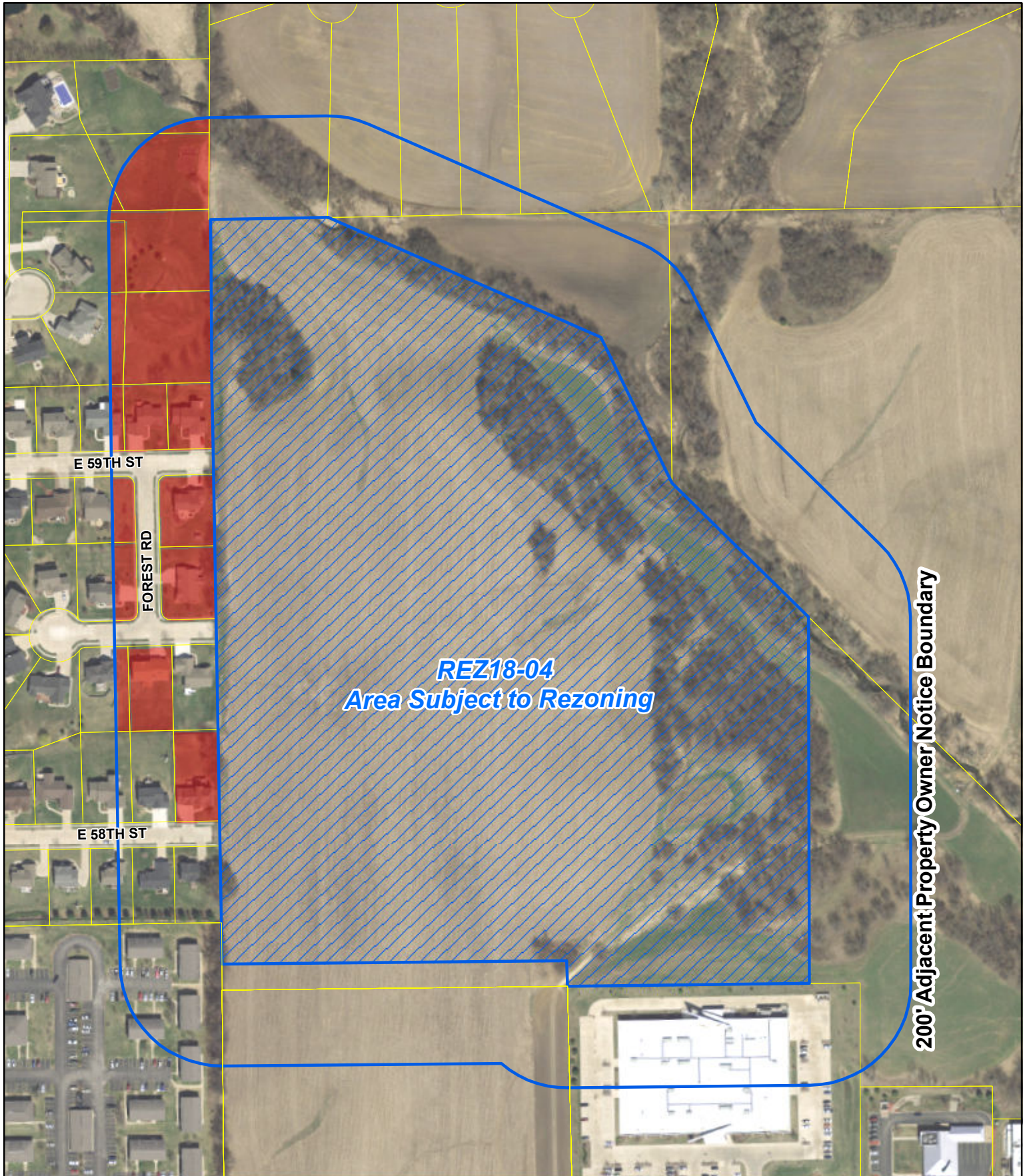
**TOTAL**  
**NOTICE AREA** 1,099,548.8  
**18.1% PROTEST RATE**

Protests: 17

Properties: 33



# REZ18-04 Protest Map



## Legend

### REZ18-04 PROTEST AREA

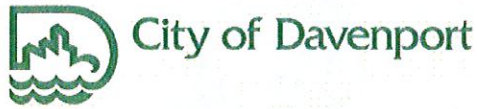
 Property Protesting the Rezoning

0 100 200 400  
Feet

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.







Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE**  
**WEDNESDAY, JUNE 6, 2018 at 5:30 pm**  
**DAVENPORT COMMITTEE OF THE WHOLE**  
**COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.

A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday June 6, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.

Please contact the Community Planning Division for additional information.

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-04

I/we Kevin R. Skillett & Renee C. Skillett who own property located at (be specific as possible)

Jersey Meadows 9th Add Parcel Y0707-14D & Y0707-OLC 2764 Julie Ln. Ct. Davenport IA 52807

Oppose proposed R2 rating and use of Jersey Meadows subdivision entrances as outlined.

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Kevin R. Skillett Renee C. Skillett

Date: May 30, 2018

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801

**From:** [Renee Skillett](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Protest to Case No. REZ18-04  
**Date:** Wednesday, May 30, 2018 3:33:49 PM  
**Attachments:** [Case No. REZ18-04.pdf](#)

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Dear Members of the Davenport Committee of the Whole,

Please find attached our written protest for Case No. REZ18-04. Kevin and I will be in attendance at the public hearing set for Wednesday, June 6th, 2018 at 5:30 PM.

Our protest is not against urban development, rather it is against:

- The utilization of Jersey Meadows subdivision entrances for the proposed 64 unit Pheasant Creek Subdivision. As it stands, Jersey Meadows has 158 residential/townhome units using two entrances off of a very busy road (Jersey Ridge Road).
- The request for an R-2 Low Density Residential District. As described by the owner/builder Mr. Seitz during the May 15th, 2018 Plan and Zoning Meeting, he believes the price point of his Pheasant Creek Subdivision should be \$350,000 to \$500,000. If that is the case, we do not understand why the need for an R-2 zoning. We know that an R-1 Low Density Residential District has requirements of a larger width lot and greater setback, but in the price point he proposed, we would think a larger lot would be expected. If R-2 Zoning is granted, Mr. Seitz could change his proposed single family residence to multi-unit residence which would affect our home.

We sincerely appreciate your time and consideration.

Best regards,

Renee Skillett



City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn, 888-2286  
Wards: 6

**Action / Date**  
**COW6/6/2018**

Subject:

First Consideration: Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [Ward 6]

Recommendation:

Adopt the ordinance

Relationship to Goals:

Fiscal Vitality

Background:

The proposed rezoning would facilitate future commercial development along Elmore Avenue. Nothing is planned at this time.

The Comprehensive Plan designates this property as RC - Regional Commercial. It is located immediately south of the proposed Elmore Corners Overlay District.

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-05: Request of Pheasant Creek LLC for the rezoning of 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District [6<sup>th</sup> Ward].

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Conditions:

1. No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

On an affirmative vote of 5-0, the Plan and Zoning Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval.

No protests have been filed.

See attachments for additional background information.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Location Map
▣ Backup Material	Background Material
▣ Backup Material	Public Engagement Summary

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:27 PM
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:27 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 5:35 PM

ORDINANCE NO.

Ordinance offered by Alderman Gripp.

Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [6th Ward]

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 from A-1 Agricultural District to PDD, Planned Development District.

The Legal Description is as follows:

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8; thence South 44°-59'-10" East 358.74 feet to the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 44°-59'-10" East 690.31 feet to a point on the west right of way line of Elmore Avenue as now established in the City of Davenport, Iowa, said point also being on the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8;

thence South 00°-08'-25" West 511.79 feet along the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8 to an angle point on the north line of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 121.43 feet along the north line of Lot 1 of said Lakehurst Commercial Park Fifth Addition to a point on the east line of Lot 1 of Lakehurst Commercial Park Fourth Addition to the City of Davenport, Iowa;  
thence North 00°-18'-15" West 65.00 feet along the east line of Lot 1 of said Lakehurst Commercial Park Forth Addition;

thence South 89°-41'-45" West 260.00 feet along the north line of Lot 1 of said Lakehurst Commercial park Fourth Addition to a point on the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-1 5" West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence South 89°-41'-45" West 100.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 732.61 feet to the point of beginning.

Containing 7.41 acres, more or less, subject to easements of record.

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

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

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 \_\_\_\_\_

\_\_\_\_\_  
Frank J. Klipsch  
Mayor

Attest: \_\_\_\_\_

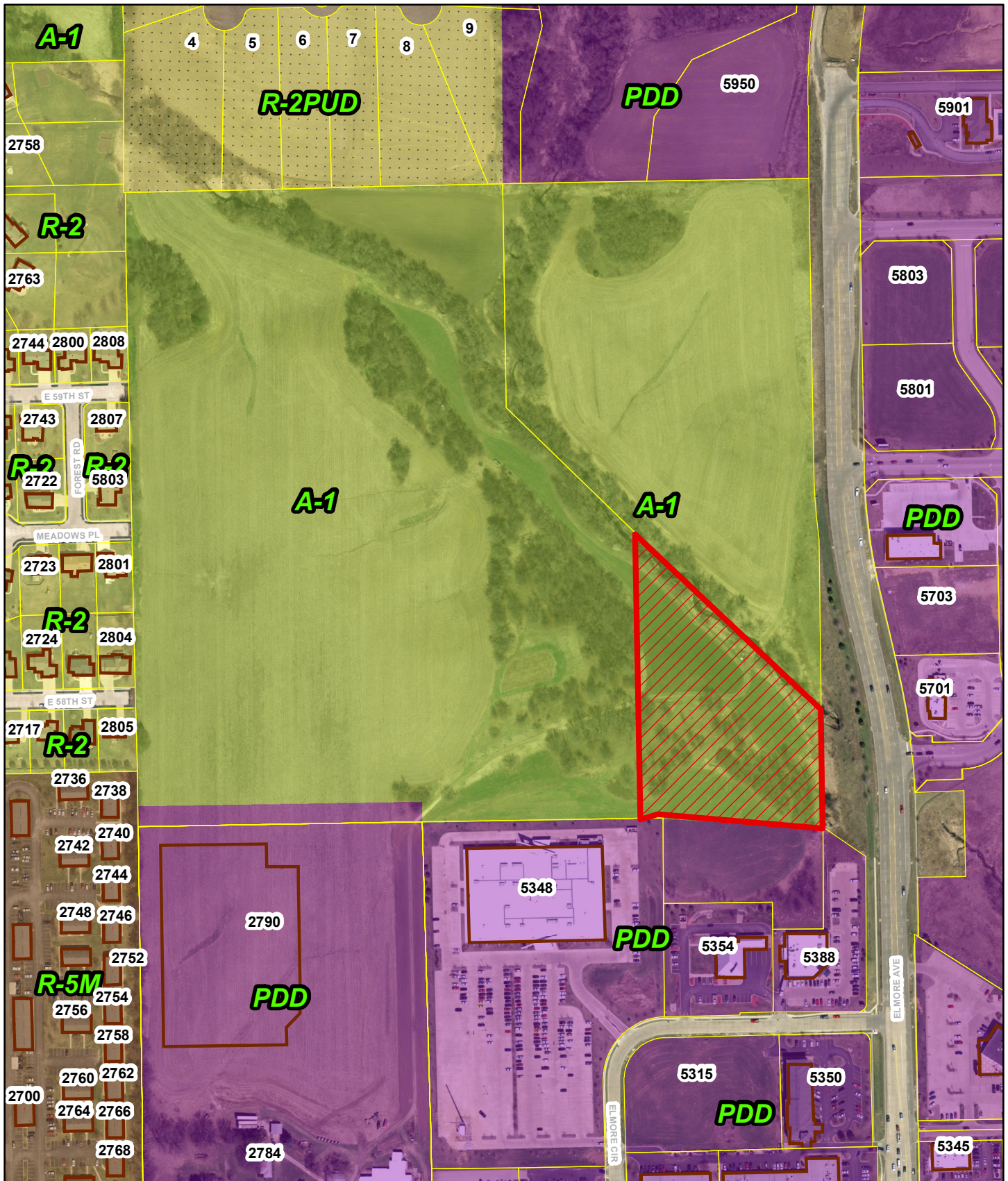
Jackie Holecek, CMC  
Deputy City Clerk

Published in the *Quad City Times* on \_\_\_\_\_



# LOCATION MAP

## REZ18-05: Pheasant Creek A-1 to PDD



0 70 140 280 420 560 Feet



## **BACKGROUND MATERIAL**

### **CASE NO's REZ18-04 and REZ18-05**

Please note that some earlier material references the acreage of the property proposed to be zoned PDD (Case No. REZ18-05) at 5.55 acres. The legal description was corrected and right size (7.41 acres) has been properly filed in the Legal Notice, neighbor letter for COW and drafted ordinance.



## **PLAN AND ZONING COMMISSION**

**Meeting Date:** May 15, 2018  
**Request:** Request to rezone 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 5.55 acres from A-1 Agricultural to PDD Planned Development District.  
**Case No.:** REZ18-04; REZ18-05 (NOTE THIS IS A COMBINED STAFF REPORT)  
**Applicant:** Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes)  
**Ward:** 6th  
  
**Contact:** Matthew G. Flynn, AICP  
Senior Planning Manager  
matt.flynn@ci.davenport.ia.us  
563-888-2286

### **Recommendation:**

Staff recommends the Plan and Zoning Commission accepts the listed findings and forward both cases to the City Council for approval.

### **Background:**

Petitioner intends to develop an approximate 64 lot single family residential subdivision to the east of Jersey Meadows Subdivision. The proposed R-2 zoning would provide for lots with a minimum of 60 feet of frontage at the building line and a minimum of 10,000 square feet.

The intent is to connect this subdivision by the existing terminated streets on the east side of Jersey Meadows – E 58<sup>th</sup> Street, E 59<sup>th</sup> Street, and Meadows Place. Preliminary and final plats are anticipated to be filed following successful completion of the rezoning effort.

The easternmost 5.55 acres is proposed for PDD, Planned Development District. A portion of the property is already zoned as such. This property presents development challenges as there are topography, drainage and access limitations. Nothing is planned at this time.

### **Site Characteristics:**

**Current Land Use:** The property is currently in row crops. Pheasant creek runs along the east side in a significant swale and creates a natural boundary with properties to the east and the Elmore Corridor.

**Comprehensive Plan.** The property is within the Urban Service District and urban services can be reasonably accessed.

The Future Land Use Plan for this property indicates RG Residential General for the western portion and RC Regional Commercial to the east along Elmore Avenue.



The description of those classifications are as follows:

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.

Regional Commercial (RC) - Designates the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses with connectivity to nearby neighborhoods being less important.

Existing Zoning: The property is currently zoned A-1 Agriculture. Surrounding properties are zoned as described on exhibit attached to this report.

### **Technical Review:**

Technical review comments from Davenport Engineering and Traffic Engineering have been received.

Engineering general comments:

1. *No comment from traffic at this time for the layout given*
2. *Natural Resources are having the Storm Water Ordinance revised. It is anticipated to be approved by council the first week in June. It would be recommended to have the site designed per the latest standards being adopted. We can provide them to the developer's engineer.*
3. *To continue our goals of multimodal transportation and connectivity, a pedestrian access to the COSTCO site from this neighborhood would be beneficial*
4. *In addition, the Davenport GO plan has indicated a proposed trail section along this stream corridor. Will that be a requirement here?*
5. *The buffer distance will be 50' by the time the platting is finalized, see note 1.*
6. *The proposed detention area may not be sufficient, given the site topography, this standard will be revised per the ordinance see note 1*
7. *Any detention or quality features must have easement access for maintenance and inspection; contiguous with other City ROW*
8. *No access point or features are shown on the commercial area to comment at this time.*
9. *ROW width 50' minimum, street width 27' minimum*

Traffic Engineering comments:

*The built-out subdivision will have about 220 units. The trips equate to 9.57 per day per unit (we usually round up to 10) so it's 2200 vehicles per day, 50% in and 50% out.*

*During the AM peak hour, the factor is 0.77 with 26% in and 74% out. This equates to 44 vehicles entering and 125 exiting during the AM peak hour.*

*During the PM peak hour, the factor is 1.02 with 64% in and 36% out. This equates to 144 vehicles entering and 81 vehicles exiting during the PM peak hour.*

*The counts on Jersey Ridge Road were obtained from the casino study which assumes full build-out of that commercial corridor on Elmore Avenue.*

*They estimate about 11,000 vehicles per day for Jersey Ridge Road with the AM peak at 1000 vehicles and PM peak at 1100 vehicles.*

*The traffic signal warrant most easily met is Interruption of Continuous Traffic. With the current roadway for the intersection of Jersey Ridge Road and Jersey Meadows Drive, there would need to be 8 separate hours where the volume on Jersey Ridge Road is at least 750 vehicles and the exiting volume on Jersey Meadows Drive is 75 during those same 8 hours. Even though this intersection lines up with the driveway for the apartments across the street, the signal warrants only use the higher volume leg of the minor street.*

*Based on the traffic study for the casino, there could be 8 hours with 750 vehicles or more on Jersey Ridge Road. Some of the estimated hours show 800 vehicles, so Jersey Ridge Road might have enough traffic after everything is built out. Assuming 75% of the traffic in the subdivision uses Jersey Meadows Drive, then 94 vehicles will exit during the AM peak and 61 during the PM peak. Therefore, I expect the AM peak to be 1 of the 8 hours required for signalization and there might not be many more.*

*I do not think traffic signal warrants will be met, even after everything is built out. Keep in mind that this is assuming the subdivision is full of houses and Elmore has been filled in with commercial buildings, so this won't happen overnight.*

*When traffic volumes get higher and delays occur at this intersection, we will study it to see if traffic signals are warranted. If they are, we will install them.*

Staff has also reached out to the Fire Marshall specifically to ensure no particular issues will be encountered with emergency response. A fire station is approximately one mile away.

If the rezoning is approved, more technical comments can be expected as part of the consideration of subdivision plats and construction plans. No construction will be allowed to commence without proper approvals.

### **Discussion:**

The majority of this discussion will be in reference to the proposed rezoning to R-2 (REZ18-04).

The request, if approved, will result in development consistent with the existing Jersey Meadows Subdivision to the west. The proposed development is consistent with the Comprehensive Plan.

Traffic will increase as the development is completed. Future traffic congestion, if it is to occur, will likely be the result of increases in volume on Jersey Ridge Road. Signalization along Jersey Ridge Road cannot be ruled out in the future as the area continues to develop, as planned.

Staff does not recommend connecting this development directly to Elmore as it would encourage cut through traffic and would result in excessive costs in crossing Pheasant Creek. While some neighbors have advocated for this connection, staff sees otherwise and recommends a condition be included prohibiting this from happening.

Also included within this request is the rezoning of 5.55 acres to PDD, Planned Development (REZ18-05). Development of this property for commercial purposes would be consistent with the Comprehensive Plan. It should be noted, however, that topography visibility and access are challenges and development may not occur for some time. Zoning now, however, will facilitate development in the future.



## **Public Input Summary:**

Public Meeting: A public meeting has been scheduled for April 30 at the Public Works Center.

Public Meeting Notice: 43 notices mailed April 18.

Signs Posted: 3 signs were posted on April 16

Public Hearing Notice: The notice was sent to the OCT for publication on April 17.

Public Hearing Mailing: Mailed to approximately 43 neighbors on April 18. To date, three protests have been filed (1.9%) been filed.

Plan and Zoning Commission Public Hearing. Approximately 3 people spoke against the proposal citing traffic, drainage, and improper notification.

Upcoming Committee of the Whole Public Hearing. Assuming action by the Plan and Zoning Commission at this meeting to move this case forward, the Committee of the Whole Public Hearing will be held on June 6, 2018.

## **Recommendation:**

**Since there are two cases, two separate recommendations are presented:**

### **Case No. REZ18-04:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

**Case No. REZ18-05:**

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Conditions:

1. No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

# Zoning Map Amendment Application

226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801  
(563) 326-7765  
Planning@ci.davenport.ia.us

## COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

**Property Address\***  See Attachment A

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

### Applicant (Primary Contact)\*\*

Name:  Adam Seitz  
Company:  Pheasant Creek Estates, LLC  
Address:  4215 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-940-4030  
Email:  adamseitz@advancehomesinc.com

Application Form Type:

### Plan and Zoning Commission

- Rezoning (Zoning Map Amendment) ☒  
Zoning Ordinance Text Amendment ☐  
Right-of-way or Easement Vacation ☐  
Final Development Plan ☐  
Voluntary Annexation ☐  
Subdivision ☐

### Owner (if different from Applicant)

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

### Zoning Board of Adjustment

- Appeal from an Administrative Decision ☐  
Special Use Permit - New Cell Tower ☐  
Home Occupation Permit ☐  
Special Exception ☐  
Special Use Permit ☐  
Hardship Variance ☐

### Engineer (if applicable)

Name:  David L. Meyer  
Company:  Verbeke-Meyer Consulting Engineers  
Address:  4111 East 60th Street  
City/State/Zip:  Davenport, IA 52807  
Phone:  563-359-1348  
Email:  dlm@verbeke-meyer.com

### Design Review Board

- Certificate of Design Approval ☐  
Demolition Request in the Downtown ☐

### Architect (if applicable)

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

### Historic Preservation Commission

- Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

### Attorney (if applicable)

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

### Administrative

- Floodplain Development ☐  
Cell Tower Co-Location ☐  
Identification Signs ☐  
Site Plan ☐

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

**Request:**Existing Zoning: Proposed Zoning Map Amendment: Total Land Area:  Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☒ Yes ☐ No**Submittal Requirements:**

- The following items should be submitted to [Planning@ci.davenport.ia.us](mailto:Planning@ci.davenport.ia.us) for review:
- 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.
  - \$5.00 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) Public Notice for the Plan and Zoning Commission public hearing:**

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to 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. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice 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 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 request:**

- 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 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:

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:

Planning staff

Date:

Date of the Public Hearing:

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



## ATTACHMENT A

### LEGAL DESCRIPTION FOR REZONING

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

Also, to be known as Lot 1, Pheasant Ridge First Addition to the City of Davenport, Iowa.

March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;

March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

February 27, 2018  
VMCE # 17361-B

LEGAL DESCRIPTION – SCHAEFER EXTRA TRACT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M.,  
Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 8, said  
point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter  
of said Section 8;

thence North 25°-39'-00" West 320.00 feet;

thence North 65°-30'-40" West 560.00 feet to a point on the north line of the  
Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 672.86 feet along the north line of the Northeast  
Quarter of said Section 7 to the point of beginning.

Containing 2.75 acres, more or less, subject to easements of record.

March 12, 2018  
VMCE #17361-C  
Page 1 of 2

LEGAL DESCRIPTION – SCHAEFER DEVELOPMENT GROUND  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" East 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;

thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7;



March 12, 2018  
VMCE #17361-C  
Page 2 of 2

thence North  $89^{\circ}-43'-55''$  East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South  $65^{\circ}-30'-40''$  East 586.00 feet;

thence South  $25^{\circ}-39'-00''$  East 320.00 feet to the point of beginning.

Containing 33.11 acres, more or less, subject to easements of record.

March 12, 2018  
VMCE #17361-D  
Page 1 of 2

LEGAL DESCRIPTION – PROPOSED COMMERCIAL DEVELOPMENT  
ADVANCE HOMES PURCHASE  
DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5<sup>th</sup> P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 44°-59'-10" East 358.74 feet to the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 44°-59'-10" East 690.31 feet to a point on the west right of way line of Elmore Avenue as now established in the City of Davenport, Iowa, said point also being on the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8;

thence South 00°-08'-25" West 511.79 feet along the west line of the South 75 Acres of the East 115 Acres of the Northwest Quarter of said Section 8 to an angle point on the north line of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 121.43 feet along the north line of Lot 1 of said Lakehurst Commercial Park Fifth Addition to a point on the east line of Lot 1 of Lakehurst Commercial Park Fourth Addition to the City of Davenport, Iowa;

thence North 00°-18'-15" West 65.00 feet along the east line of Lot 1 of said Lakehurst Commercial Park Fourth Addition;

thence South 89°-41'-45" West 260.00 feet along the north line of Lot 1 of said Lakehurst Commercial park Fourth Addition to a point on the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

March 12, 2018  
VMCE # 17361-D  
Page 2 of 2

thence North  $00^{\circ}-18'-15''$  West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

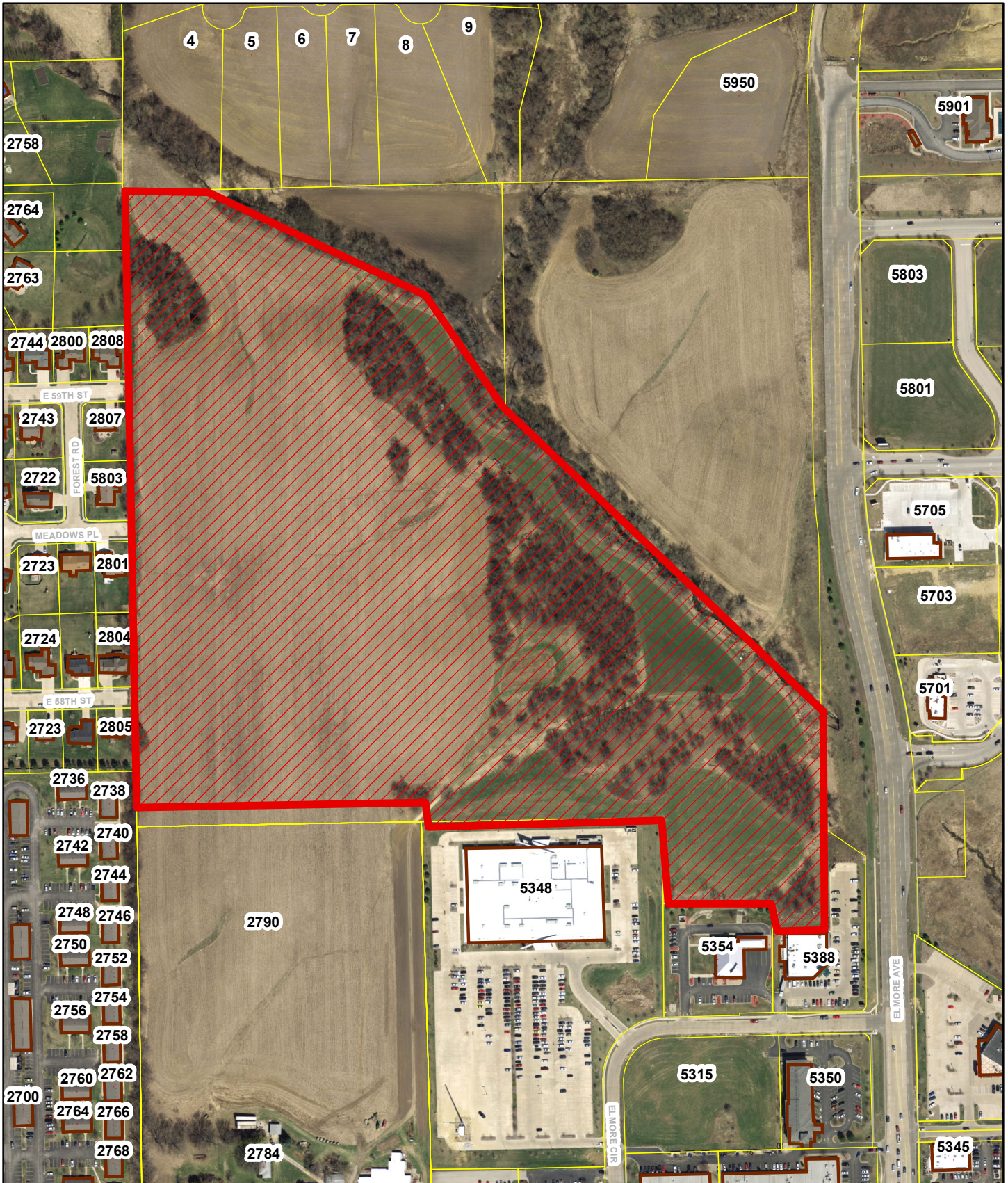
thence South  $89^{\circ}-41'-45''$  West 100.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

thence North  $00^{\circ}-18'-15''$  West 732.61 feet to the point of beginning.

Containing 7.41 acres, more or less, subject to easements of record.



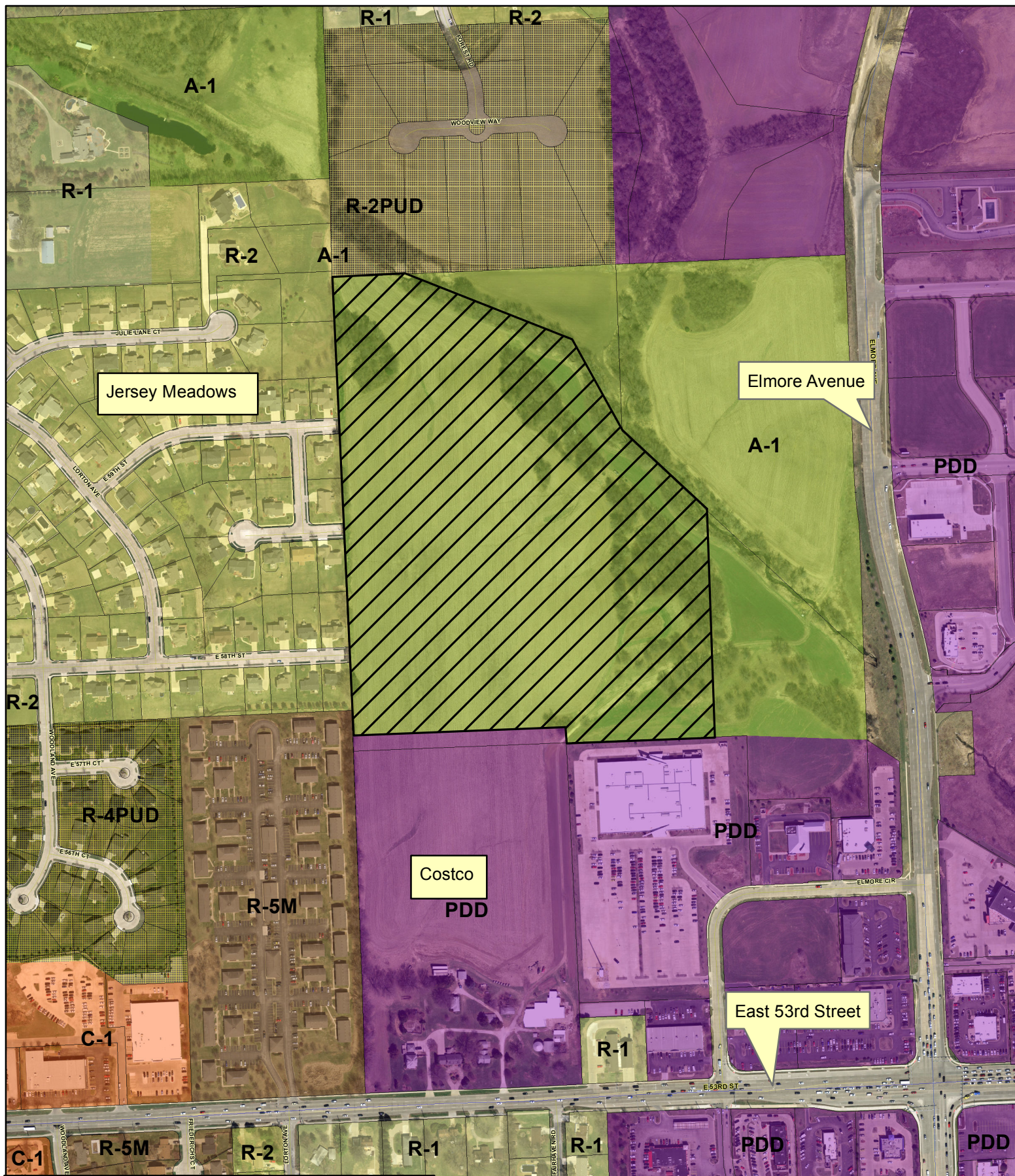
# REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet





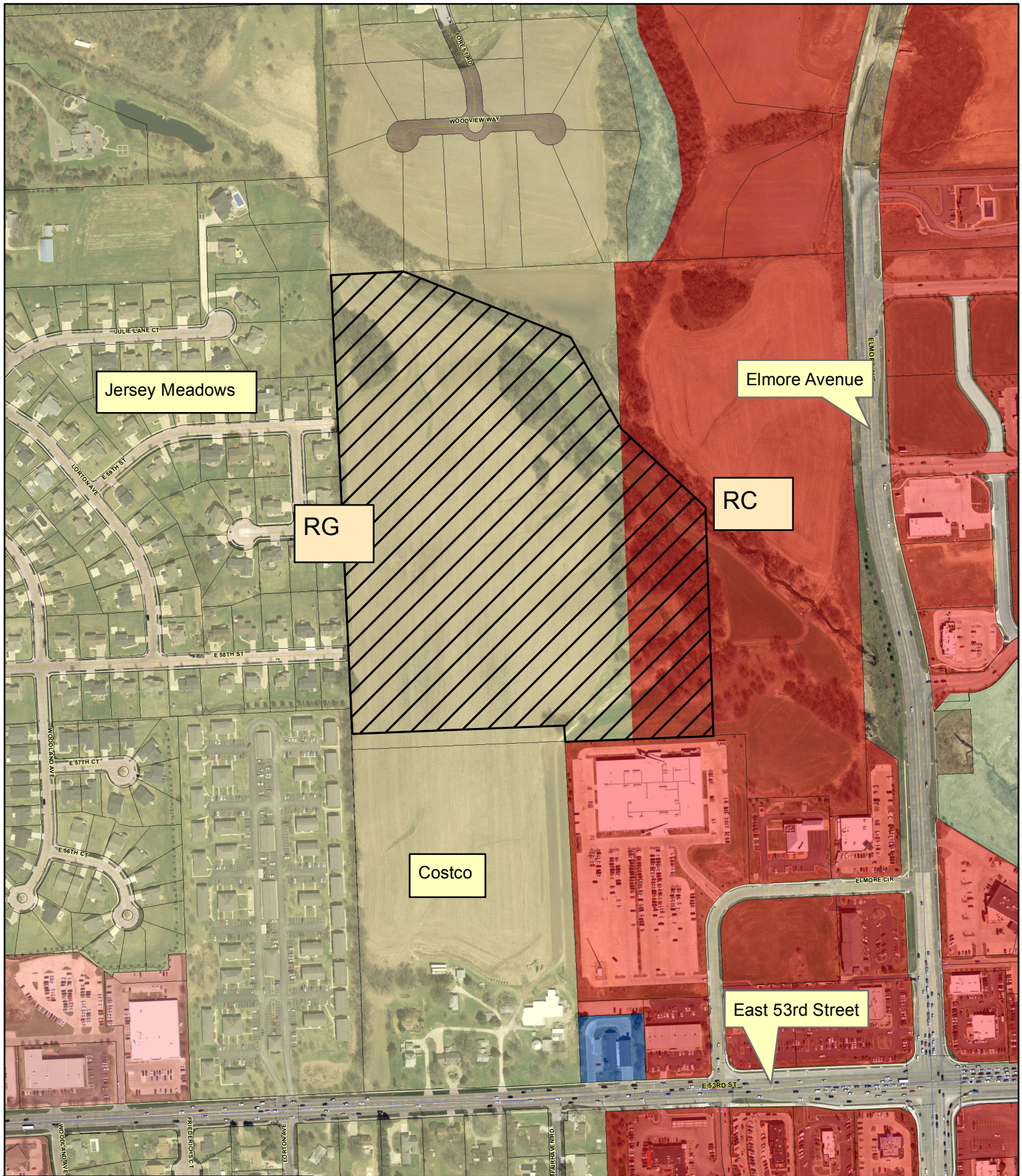


A-1 Agricultural  
R-2 Low Density Dwelling  
R-5M Medium Density Dwelling  
PDD Planned Development

0 200 400 800 Feet





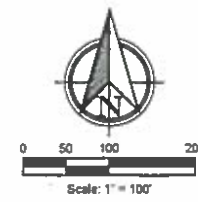
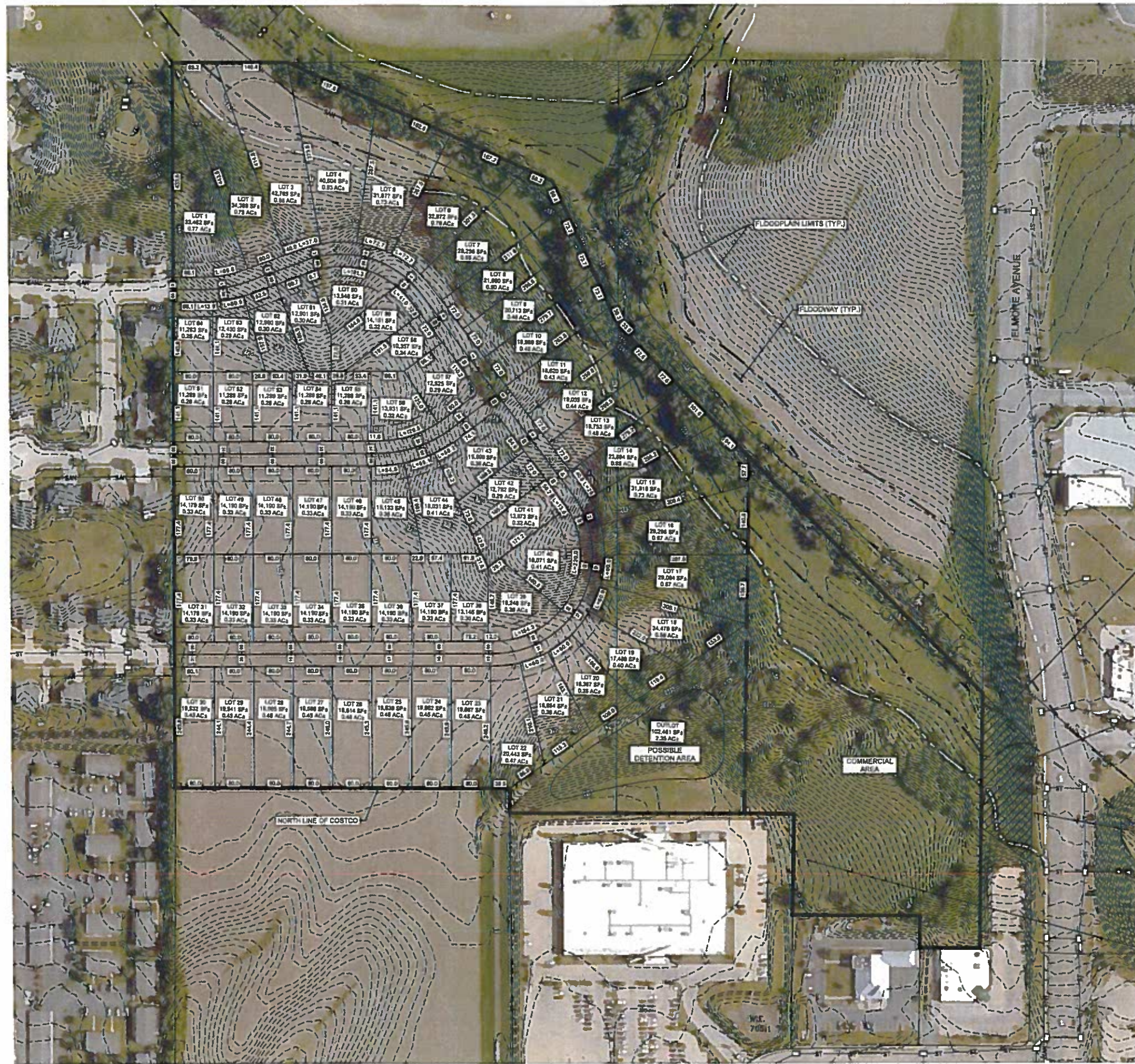


RG Residential General  
RC Regional Commercial

0 200 400 800  
Feet







LOT LAYOUT IS BASED ON R-2 ZONING FOR THE CITY OF DAVENPORT WHICH REQUIRES THE FOLLOWING:

- 30' FRONT YARD SETBACK
- 60' LOT WIDTH AT BUILDING LINE
- 10,000 SF MINIMUM LOT AREA



2550 middle road, ste. 300  
bettendorf, ia 52722

www.jmcivildesign.com

revision	
date	
no.	



APPROXIMATE LOCATION OF EXISTING BOX CULVERT



LOOKING SOUTH FROM THIS APPROXIMATE LOCATION

DRAWINGS PROVIDED BY ADVANCE HOMES SHOW THIS AS PART OF PURCHASE.  
DRAWINGS FROM CITY SHOW THIS AS RIGHT-OF-WAY



LOOKING EAST FROM THIS APPROXIMATE LOCATION

Subdivision Concept Plan  
Northeast Davenport Near Elmore Avenue

ADVANCE HOMES

jmad project no.	P16-028
drawn by:	cam
checked by:	
date:	03.08.2018

Concept  
Plan





## City of Davenport

Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

### NOTICE

#### PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

Please be aware of possible zoning changes that may impact your property or neighborhood.

Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.

Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.

E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765

Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we Joseph & Katherine Palmer who own property located at (be specific as possible)  
2800 E. 59<sup>th</sup> St. - Davenport

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE  
PUBLIC HEARING  
TUESDAY, MAY 1, 2018  
DAVENPORT CITY PLAN AND ZONING COMMISSION  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).**

**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

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Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

---

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.**

**One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.**

**The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.**

**Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.**

**The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.**

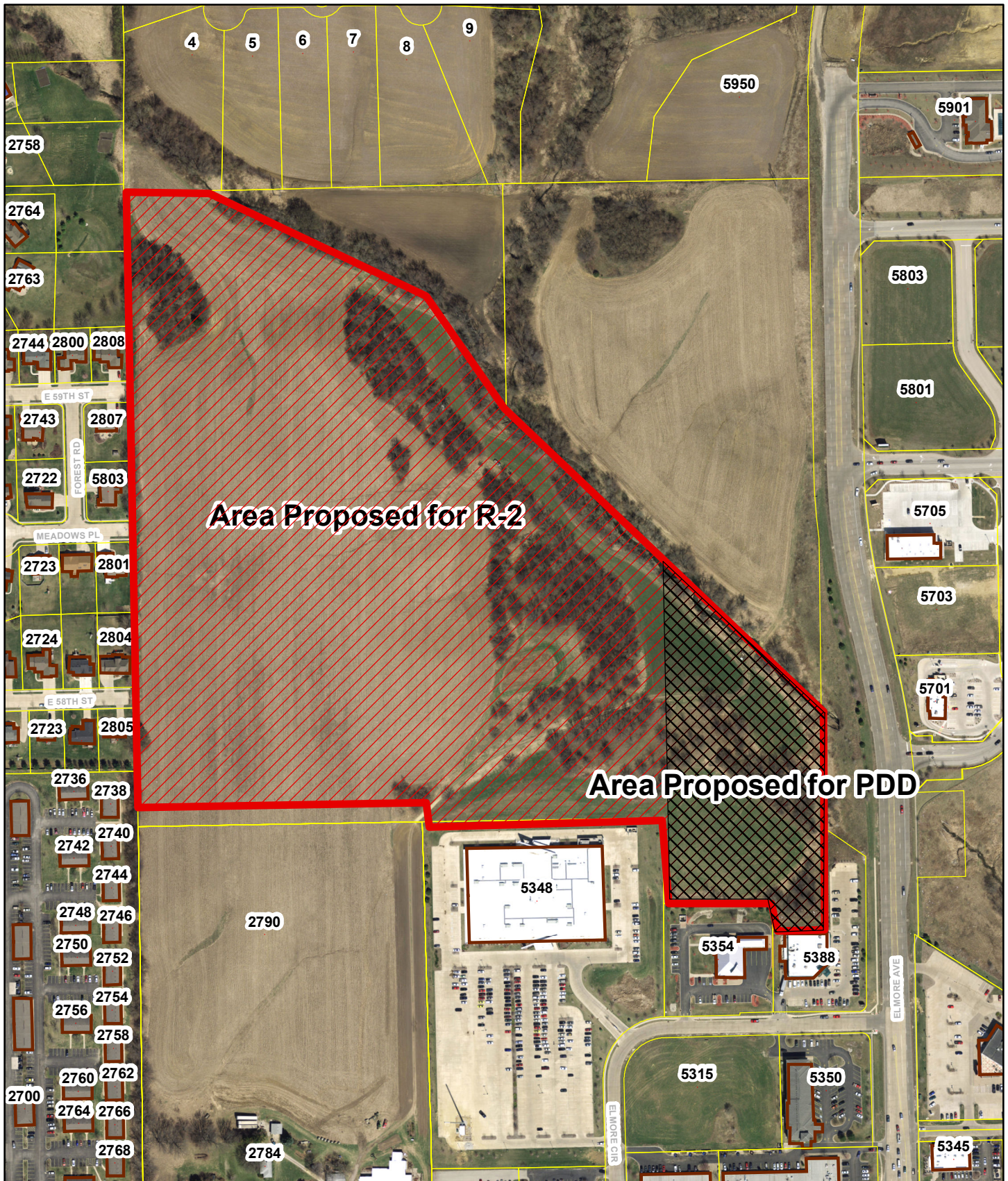
**Case No. REZ18-04; REZ18-05**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**



# REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet





## Neighborhood Meeting Attendance List

<b>Case: REZ18-04</b>	<b>REZ18-05</b>	<b>Date: April 30th 2018</b>
Gary Aitchison	563-370-4480	<a href="mailto:aitchisongary@gmail.com">aitchisongary@gmail.com</a>
Gary Andrade	563-676-4102	
Kristan Mitchell	563-650-9580	<a href="mailto:kristinm@mchsi.com">kristinm@mchsi.com</a>
Bill Hurt	563-271-2830	<a href="mailto:bill.hurt615@gmail.com">bill.hurt615@gmail.com</a>
Mike DeJulius	563-529-4457	<a href="mailto:mike@njmiller-hawkeye.com">mike@njmiller-hawkeye.com</a>
Denuis Williams	563-359-0308	Advanced Home
Kathy & Joe Palmer	563-323-9303	<a href="mailto:jkpalm2@mchsi.com">jkpalmer2@mchsi.com</a>
Scott Kelling	2801 Meadows Pl	<a href="mailto:skelling@melfosterco.com">skelling@melfosterco.com</a>
Susie & Jeff Seitz	563-528-0448	<a href="mailto:susieseitz@advancedhomesinc.com">susieseitz@advancedhomesinc.com</a>
Bob Inghram	563-349-0341	<a href="mailto:bingghram@activethermal.net">bingghram@activethermal.net</a>
Pete McGee	563-940-3043	<a href="mailto:pmcghee511@aol.com">pmcghee511@aol.com</a>
Renee McGhee	563-344-4896	
Joe Maluck	708-837-0007	<a href="mailto:j_maluck756@yahoo.com">j_maluck756@yahoo.com</a>
Rich Clewell	563-340-0559	<a href="mailto:rclewell@ci.davenport.ia.us">rclewell@ci.davenport.ia.us</a>

**From:** [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com)  
**To:** [Mack Stephens](#)  
**Cc:** [adams3883@gmail.com](mailto:adams3883@gmail.com); [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com); [Kathy cameron](#); [msangellab@hotmail.com](mailto:msangellab@hotmail.com); [mike crisciua](mailto:mike crisciua); [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com); [david eisbrener](mailto:david eisbrener); [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com); [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com); [director@revealed.net](mailto:director@revealed.net); [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net); [chrishllgn@aol.com](mailto:chrishllgn@aol.com); [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com); [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com); [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com); [samos1961@gmail.com](mailto:samos1961@gmail.com); [3beetles@mchsi.com](mailto:3beetles@mchsi.com); [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com); [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com); [mcguire0397@msn.com](mailto:mcguire0397@msn.com); [anatcraig@aol.com](mailto:anatcraig@aol.com); [kristanm@mchsi.com](mailto:kristanm@mchsi.com); [molina910@yahoo.com](mailto:molina910@yahoo.com); [swnelson82@gmail.com](mailto:swnelson82@gmail.com); [ananikolop@gmail.com](mailto:ananikolop@gmail.com); [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com); [sp paudel](mailto:sp paudel); [spauli40@aol.com](mailto:spauli40@aol.com); [fxpham@hotmail.com](mailto:fxpham@hotmail.com); [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com); [kelimneal@gmail.com](mailto:kelimneal@gmail.com); [lcragone@gmail.com](mailto:lcragone@gmail.com); [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com); [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com); [brschrack@yahoo.com](mailto:brschrack@yahoo.com); [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com); [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com); [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com); [Cale vangenderen](mailto:Cale vangenderen); [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com); [weipertl@msn.com](mailto:weipertl@msn.com); [cinwink@gmail.com](mailto:cinwink@gmail.com); [zepeda@mchsi.com](mailto:zepeda@mchsi.com); [mkotula@reagan.com](mailto:mkotula@reagan.com); [leseymaluck@gmail.com](mailto:leseymaluck@gmail.com); [ingra123@aol.com](mailto:ingra123@aol.com); [Planning Division – CPED](#); [Gripp, Kyle](#); [Condon, JJ](#); [Clew, Rich](#); [mattflynn@ci.davenport.ia.us](mailto:mattflynn@ci.davenport.ia.us)  
**Subject:** Re: URGENT MEETING TONIGHT PLEASE ATTEND!  
**Date:** Tuesday, May 01, 2018 12:55:39 PM

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Mack,

Thanks for the email. I have lived at the end of 58th street right next to the cornfield for 12 years. I can see them building Costco from my front door and will have construction equipment for all of the houses going right by my house, so obviously there is some change that you cannot stop. However, can you help me understand the recommendation for a street connection to Elmore on the Southeast side (presuming connecting to 58th)? I understand the thought that traffic from the extra homes would add traffic to our/59th streets, but I really think that a connection from Elmore to our neighborhood would have people coming off Elmore through our neighborhood to get to Jersey Ridge to avoid Costco and 53rd especially given Davenport's upcoming construction of widening 53rd. I would rather have the contained traffic from the extra 64 houses versus that situation of people racing down our street and past our kids to get from point A to point B.

Since receiving this email, I have spoken with several neighbors who live on 58th who agree that this is not what they would like either. They were not on the original email (you most likely didn't have them yet), but I have included them now. Unfortunately I cannot attend the meeting tonight as I have a prior commitment with my kids, but I have cc'd our Davenport city planner and Aldermen to show our concerns with the proposal of a connecting street to Elmore.

Thank you,  
Brian Carber

----- Original Message -----

From: "Mack Stephens" <[jerseymeadows52807@gmail.com](mailto:jerseymeadows52807@gmail.com)>  
To: [adams3883@gmail.com](mailto:adams3883@gmail.com), [aitchisonsharon@gmail.com](mailto:aitchisonsharon@gmail.com), "Kathy cameron" <[Kathy.cameron@mchsi.com](mailto:Kathy.cameron@mchsi.com)>, [carberfamily@mchsi.com](mailto:carberfamily@mchsi.com), [msangellab@hotmail.com](mailto:msangellab@hotmail.com), "mike crisciua" <[mike.crisciua@gmail.com](mailto:mike.crisciua@gmail.com)>, [Nan4285@yahoo.com](mailto:Nan4285@yahoo.com), "david eisbrener" <[david.eisbrener@gkn.com](mailto:david.eisbrener@gkn.com)>, [Jenniferfrandsen7@gmail.com](mailto:Jenniferfrandsen7@gmail.com), [robinsnest1985@aol.com](mailto:robinsnest1985@aol.com), [director@revealed.net](mailto:director@revealed.net), [par4greens@mediacombb.net](mailto:par4greens@mediacombb.net), [chrishllgn@aol.com](mailto:chrishllgn@aol.com), [mlhayman75@hotmail.com](mailto:mlhayman75@hotmail.com), [duhmoin54@gmail.com](mailto:duhmoin54@gmail.com), [Dkitchen@perryreid.com](mailto:Dkitchen@perryreid.com), [samos1961@gmail.com](mailto:samos1961@gmail.com), [3beetles@mchsi.com](mailto:3beetles@mchsi.com), [Teresalavonnelandon@yahoo.com](mailto:Teresalavonnelandon@yahoo.com), [pmccauley7@mchsi.com](mailto:pmccauley7@mchsi.com), [mcguire0397@msn.com](mailto:mcguire0397@msn.com), [anatcraig@aol.com](mailto:anatcraig@aol.com), [kristanm@mchsi.com](mailto:kristanm@mchsi.com), [molina910@yahoo.com](mailto:molina910@yahoo.com), [swnelson82@gmail.com](mailto:swnelson82@gmail.com), [ananikolop@gmail.com](mailto:ananikolop@gmail.com), [jkpalm1@mchsi.com](mailto:jkpalm1@mchsi.com), "sp paudel" <[sp\\_paudel@yahoo.com](mailto:sp_paudel@yahoo.com)>, [spauli40@aol.com](mailto:spauli40@aol.com), [fxpham@hotmail.com](mailto:fxpham@hotmail.com), [Angelasav75@gmail.com](mailto:Angelasav75@gmail.com), [kelimneal@gmail.com](mailto:kelimneal@gmail.com), [lcragone@gmail.com](mailto:lcragone@gmail.com), [rnkrice@mchsi.com](mailto:rnkrice@mchsi.com), [nathanschramm@yahoo.com](mailto:nathanschramm@yahoo.com), [brschrack@yahoo.com](mailto:brschrack@yahoo.com), [Danielsherman911@yahoo.com](mailto:Danielsherman911@yahoo.com), [sierrabe3@gmail.com](mailto:sierrabe3@gmail.com), [kevinskillett@gmail.com](mailto:kevinskillett@gmail.com), "Cale vangenderen" <[Cale.vangenderen@gmail.com](mailto:Cale.vangenderen@gmail.com)>, [connievanlauwe@hotmail.com](mailto:connievanlauwe@hotmail.com), [weipertl@msn.com](mailto:weipertl@msn.com), [cinwink@gmail.com](mailto:cinwink@gmail.com), [zepeda@mchsi.com](mailto:zepeda@mchsi.com)  
Sent: Tuesday, May 1, 2018 11:00:01 AM  
Subject: URGENT MEETING TONIGHT PLEASE ATTEND!

Here is a little more info that I was going to circulate in the neighborhood but I ran out of time. This whole thing is moving rather fast...Scott Kelling is trying to slow it down.

CONCERNED ABOUT TRAFFIC ?

PLANS ARE TO BUILD 64 HOMES EAST OF OUR SUBDIVISION, NORTH OF COSTCO  
(corn field)

ALL ADDITIONAL TRAFFIC WILL ENTER/EXIT ON 58TH AND 59TH STREETS

WE'RE SUGGESTING ADDING A STREET AT SOUTHEAST CORNER CONNECTING TO ELMORE

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

ZONING MEETING TONITE MAY 1ST AT 5:00  
COUNCIL CHAMBERS, CITY HALL  
226 WEST 4th ST



**From:** [Gaynell Foster](#)  
**To:** [Planning Division – CPED](#)  
**Subject:** Rezoning filed by Pheasant Creek Properties  
**Date:** Monday, April 30, 2018 4:41:44 PM

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I am objecting to this rezoning as it has been presented. My concern is the traffic overload on E. 58th and 59th Streets.

These streets were built for light residential traffic. Their carrying capacity is not up to more traffic.

I believe a traffic study must be done for this to legitimately proceed.

Also, the routes from Jersey Ridge to the subject property are circuitous at the very least. Coming in from Jersey via 58th or 59th, a full four turns are required, some only a block long. Children and dog walkers frequent this route. The turns are tight enough as it is.

These other streets would be overloaded also: Julie Lane, Lorton Ave., and Woodland Ct.

There is no street that can become a collector street available.

I am Gaynell Foster  
2743 E. 59th St.  
Davenport

I hold a Master's Degree in Urban and Regional Planning  
I have served on the Davenport Historic Preservation Commission,  
The Riverboat Development Authority, and numerous non profit boards, such as the Putnam.

I can be reached at 563- 528-5434.

Gaynell Foster  
563.528.5434

**From:** [Cale VanGenderen](#)  
**To:** [Planning Division – CPED](#); [Flynn, Matt](#); [Jen](#)  
**Subject:** RE: Case No. REZ18-04; REZ18-05  
**Date:** Monday, April 30, 2018 11:28:44 AM

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Hello,

I am writing this email in response to the rezoning request east of the Jersey Meadows Subdivision. We live at 2736 E 59th Street in the subdivision. We have no issue with the plans that have been submitted and can be viewed and retrieved online as of 4/30/2018.

We do want to ensure that there is no access planned to Elmore Ave with this new subdivision. We do not want E 58th St, E 59th St, and Meadows PI to become a through street similar to 53rd Street. This would bring unwanted traffic through this residential neighborhood creating a concern on home values and safety. The streets of E 58th St, E 59th St, and Meadows PI were not built to be through streets. This would eliminate parking and create a severe safety hazard.

Please let us know if the plans change and include access from E 58th, E 59th, and Meadows PI to Elmore Ave. We are firmly against any access to Elmore Ave from the Jersey Meadows subdivision.

Thank you for your consideration!

Cale VanGenderen

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**Cale VanGenderen**

VP Mortgage Sales | NMLS # 772698 | Vibrant Credit Union  
800-323-5109 x2003

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1. Case No REZ18-04 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "R-2" Low Density Dwelling District on 33.11 acres, more or less, located west of Elmore Avenue and north of 53<sup>rd</sup> Street for residential development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing to the west.
3. Existing street network can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected. This may require the installation of traffic signals at East 58th Street and Jersey Ridge Road sometime in the future.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-04 to the City Council for approval.

Several members of the audience spoke in favor of a connection to Elmore Avenue while several in the audience living on 58<sup>th</sup> Street spoke against the connection.

A motion by Medd, seconded by Connell to accept the findings and forward Case No REZ18-04 to the City Council for approval subject to the above stated condition was approved on a split vote of 3-yes, 2-no (Hepner & Reinartz) and 2-abstention (Quinn & Tallman).

2. Case No REZ18-05 being the request of Adam Seitz dba Pheasant Creek Estates LLC for a rezoning from "A-1" Agricultural District to "PDD" Planned Development District on 7.41 acres, more or less, located west of Elmore Avenue and south of Pheasant Creek for commercial development.

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Condition:

1. No street connection from the proposed Pheasant Creek Subdivision east to Elmore Avenue shall be made.

Final Recommendation: Staff recommends the Plan Commission accept the findings and condition and forward Case No. REZ18-05 to the City Council for approval.

On a motion by Medd, seconded by Hepner, the Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval subject to the above stated condition on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VI. Subdivision Activity**

### **A. Old Business –**

### **B. New Business –**

1. Case No. F18-03: Final plat of Pheasant Ridge First Addition on 43.27 acres, more or less located west of Elmore Avenue and north of East 53<sup>rd</sup> Street containing three (3) lots. [Ward 6]

#### Findings:

- The proposed plat facilitates the sale and proposed development of the property.
- The proposed plat complies with the land use portion of Davenport+2035: Comprehensive Plan for the City.

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-03 to the City Council for approval subject to the following conditions:

1. That a drainage easement and the Flood Insurance Rate Map floodplain boundary be shown on the plat as it impacts each lot and potential development within this plat.
2. The drainage easement along Pheasant Creek which includes the floodplain area shall also be designated a greenway easement.

On a motion by Reinartz, seconded by Medd, the Commission forwards Case No. F18-03 to the City Council for approval subject to the above stated conditions on a vote of 5-yes, 0-no and 2-abstention (Quinn & Tallman).

## **VII. Other Business – Election of Officers**

A motion by Hepner, seconded by Reinartz, to re-elect the current slate of officers was approved on three separate unanimous voice votes, one for each office, with Tallman being retained as Secretary, Connell being retained as Vice-Chairman and Inghram being retained as Chairman.

## **VIII. Future Business – Preview of items for the June 5<sup>th</sup> public hearing and/or regular meeting (*note-not all items to be heard may be listed*):**

### **IX. Communications (Time open for citizens wishing to address the Commission on matters not on the established agenda)**

### **X. Adjourn – The meeting was adjourned at 6:08 P.M.**

- *Note: Pursuant to §17.60.030 and §2.64.120 of the Davenport City Code the Commission is required to act on this item within 30 days unless the petitioner waives this requirement.*

*Pursuant to the city code if the Commission does not act and report on this item within 30 days' time this agenda item is to be construed as approved by the Commission.*

- *Note: The Plan and Zoning Commission meeting is not a public hearing. It is time for the commission to discuss the issue(s) with City staff and if questions rise, with the developer.*
- *A rezoning or ordinance text amendment has a second public hearing before the City Council at its Committee of the Whole meeting. Notification of that meeting will be sent to surrounding owners following the Plan and Zoning Commission meeting.*

**Next Public Hearing/Regular Plan & Zoning Meeting:**

**Tuesday, June 05, 2018 at 5:00 P.M. in the Council Chambers of Davenport City Hall  
226 West 4<sup>th</sup> Street.**



## APPROVED

Name:	Roll Call	REZ18-04 Pheasant Creek LLC	REZ18-05 Pheasant Creek LLC	F18-01 Pheasant Ridge 1st					
Connell	P	Y	Y	Y					
Hepner	P	N	Y	Y					
Inghram	P								
Johnson	EX								
Kelling	EX								
Lammers	EX								
Maness	P	Y	Y	Y					
Medd	P	Y	Y	Y					
Quinn	P	ABS	ABS	ABS					
Reinartz	P	N	Y	Y					
Tallman	P	ABS	ABS	ABS					
		3-YES 2-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN	5-YES 0-NO 2-ABSTAIN					

May 16, 2018

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 15, the City Plan and Zoning Commission considered Case No. REZ18-05: Request of Pheasant Creek LLC for the rezoning of 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District [6<sup>th</sup> Ward].

Findings:

1. The proposed rezoning is consistent with the Comprehensive Plan.
2. The character of development proposed within the area will match development existing along the Elmore Avenue Corridor.
3. Existing Elmore Avenue can accommodate traffic generated by the new development.
4. No potential utility issues have been identified that should halt the development process at this time.
5. Continued urbanization in this area of the City is planned for and expected.

Conditions:

No street connection from Elmore Avenue west to the proposed Pheasant Creek Subdivision shall be made.

On an affirmative vote of 5-0, the Plan and Zoning Commission accepts the findings and forwards Case No. REZ18-05 to the City Council for approval.

Respectfully submitted,



Robert Inghram, Chairperson  
City Plan and Zoning Commission

## **PUBLIC ENGAGEMENT SUMMARY**

### **Case No's. REZ18-04 and REZ18-05**

**Public Meeting Notice:** Signs Posted: 3 signs were posted on April 16

**Public Meeting:** 43 notices mailed April 18. A public meeting was held on April 30 at the Public Works Center. Approximately 30 people attended

**Public Hearing Notice:** The notice was sent to the QCT for publication on April 17.

**Public Hearing Mailing:** Mailed to approximately 43 neighbors on April 18.

**P&Z Public Hearing:** Held on May 1. 3 people spoke against the proposal citing traffic, drainage, and improper notification.

**P&Z Recommendation:** Held on May 15<sup>th</sup>. Additional comments were received. REZ18-04 was recommended for approval by a vote of 3-2. REZ18-05 was recommended for approval by a vote of 5-0.

**COW Neighbor Mailing:** Sent on approximately May 18.

**COW Public Hearing Notice:** Was published in the QCT on May 25.

**Protest Rate:** To date, 17 protests have been filed (18.1%) been filed.

**NOTICE  
PUBLIC MEETING  
MONDAY, APRIL 30, 5:30 PM  
DAVENPORT PUBLIC WORKS CENTER  
1200 EAST 46<sup>TH</sup> STREET, DAVENPORT, IOWA 52807**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**A petition to rezoning property has been filed by Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes) for 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 7.41 acres from A-1 Agricultural to PDD Planned Development District. (See map of the affected property on reverse side of this notice). The intent of this request is to allow for single family development on the larger tract and possible future commercial development on the smaller tract, which fronts Elmore Avenue.**

**One of the first steps in the rezoning process is to hold a public meeting, which provides an opportunity for the petitioner to explain the request further and for City staff to outline the formal process to come.**

**The public meeting will be held at the Davenport Public Works Center on the date and time listed above. Public Works can be reached by following Tremont Street south from East 53<sup>rd</sup> Street to East 46<sup>th</sup> Street; then traveling east. Signs will be posted on-site to direct you to the meeting room.**

**Public hearings before both the Plan and Zoning Commission and City Council will be forthcoming; you will be notified of these meetings as well. The public hearing before the Plan and Zoning Commission is tentatively set for Tuesday, May 1, 2018, 5:00 pm at City Hall.**

**The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.**

**Case No. REZ18-04; REZ18-05**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**



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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**NOTICE**

**PUBLIC HEARING**

**TUESDAY, MAY 1, 2018, 5:00 P.M.**

**DAVENPORT CITY PLAN AND ZONING COMMISSION**

**COUNCIL CHAMBERS - DAVENPORT CITY HALL**

**226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-05: Request of Pheasant Creek, LLC to rezone approximately 5.55 acres located immediately west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD Planned Development District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**PDD allows a variety of commercial development; no development is anticipated at this time.**

**A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).**

**If you believe you are affected by the proposed changes and have questions, please contact the Community Planning Division.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)**

**Phone: (563) 326-7765**

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Please fill out and return this form if you elect to protest the proposed Rezoning Case No. REZ18-04

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet







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Community Planning and Economic Development Department  
City Hall - 226 West Fourth Street - Davenport, Iowa 52801  
Telephone: 563-326-7765  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

**PUBLIC HEARING NOTICE  
WEDNESDAY, JUNE 6, 2018  
DAVENPORT COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET – DAVENPORT, IOWA**

**Please be aware of possible zoning changes that may impact your property or neighborhood.**

**Case No. REZ18-05: Request of Pheasant Creek, LLC to rezone approximately 5.55 acres located immediately west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District. [6<sup>th</sup> Ward] (See map of the affected property on reverse side of this notice)**

**The Plan and Zoning Commission voted on May 15, 2018 to recommend approval of the request.**

**A public hearing before the Davenport Committee of the Whole on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Tuesday May 1, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Property owners within the subject area or within 200 feet of affected boundary may also register a written protest of the proposed action.**

**Any written comments or protests (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). If you signed the petition presented at the May 15, 2018 Plan and Zoning Commission, your protest is registered and you do not need to contact us again.**

**Please contact the Community Planning Division for additional information.**

**E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) Phone: (563) 326-7765**

---

Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-05

I/we \_\_\_\_\_ who own property located at (be specific as possible)

---

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: \_\_\_\_\_

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

Please return this form to the email address above or mail/drop off at CPED, 226 West 4<sup>th</sup> Street, Davenport, IA 52801



# Zoning Map Amendment: Adjacent Property Owner Notice Area



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 200 400 800 Feet





Publication	Quad-City Times		
Contact	CITY OF DAVENPORT - LEGALS	PO Number	1817093
Address 1	226 W 4TH ST	Rate	Legal
Address 2		Order Price	87.00
City St Zip	DAVENPORT IA 52801	Amount Paid	0.00
Phone	5638882074	Amount Due	87.00
Fax			
Section	Notices & Legals	Start/End Dates	05/25/2018 - 05/25/2018
SubSection		Insertions	1
Category	2520 Miscellaneous Notice	Size	165
Ad Key	7165-1	Salesperson(s)	Obits Legals O10
Keywords	NOTICE PUBLIC HEARING WEDNESDA	Taken By	Samantha Greene
Notes	Please release as this is a legal notice. [Samantha Greene 5/21/2018 1:16:17 PM]		

## Ad Proof

**NOTICE  
PUBLIC HEARING  
WEDNESDAY,  
JUNE 6, 2018, 2018 5:30 PM  
CITY OF DAVENPORT  
COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS  
DAVENPORT CITY HALL  
226 WEST 4th STREET  
DAVENPORT, IOWA**

There are on file in the City of Davenport Community Planning and Economic Development Department the following petitions:

Case No. ORD18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District.[6th Ward]

The legal description of the proposed rezoning is as follows:

Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described: thence South 44°-59'-10" East 358.73 feet;

thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ; thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition; thence N011h 00°-18'-15" West 50.00 feet;

thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;

thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey

Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa,

to a point on the north line of the Northeast Quarter of said Section 7;

thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;

thence South 65°-30'-40" East 586.00 feet;

thence South 25°-39'-00" East 320.00



feet to the point of beginning.  
 Containing 33.11 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-04 to the City  
 Council with a recommendation for  
 approval.  
 Case No. REZ18-05: Request of Pheasant  
 Creek, LLC to rezone approximately  
 7.41 acres located immediately west of  
 Elmore Avenue and south of Pheasant  
 Creek from A-1 Agricultural District to  
 PDD, Planned Development District. [6th  
 Ward]  
 The legal description of the proposed  
 rezoning is as follows:  
 Part of the Northwest Quarter of Section  
 8, Township 78 North, Range 4 East of  
 the 5th P.M., Davenport, Scott County,  
 Iowa, being more particularly described s  
 follows:  
 Commencing, as a point of reference, at  
 the northwest corner of the Northwest  
 Quarter of said Section 8; thence South  
 00°-06'-45" West 534.52 feet along the  
 west line of the Northwest Quarter of said  
 Section 8; thence South 44°-59'-10" East  
 358.74 feet to the POINT OF BEGIN-  
 NING of the tract of land hereinafter  
 described:  
 thence continuing South 44°-59'-10" East  
 690.31 feet to a point on the west right of  
 way line of Elmore Avenue as now  
 established in the City of Davenport,  
 Iowa, said point also being on the west  
 line of the South 75 Acres of the East 115  
 Acres of the Northwest Quarter of said  
 Section 8;  
 thence South 00°-08'-25" West 511.79  
 feet along the west line of the South 75  
 Acres of the East 115 Acres of the  
 Northwest Quarter of said Section 8 to an  
 angle point on the north line of Lot 1 of  
 Lakehurst Commercial Park Fifth Addition  
 to the City of Davenport, Iowa;  
 thence South 89°-41'-45" West 121.43  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial Park Fifth Addition  
 to a point on the east line of Lot 1 of  
 Lakehurst Commercial Park Fourth Addi-  
 tion to the City of Davenport, Iowa;  
 thence North 00°-18'-15" West 65.00 feet  
 along the east line of Lot 1 of said  
 Lakehurst Commercial Park Forth Addi-  
 tion;  
 thence South 89°-41'-45" West 260.00  
 feet along the north line of Lot 1 of said  
 Lakehurst Commercial park Fourth Addi-  
 tion to a point on the east line of Lot 2 of  
 said Lakehurst Commercial Park Fifth  
 Addition;  
 thence North 00°-18'-15" West 205.00  
 feet along the east line of Lot 2 of said  
 Lakehurst Commercial Park Fifth Addi-  
 tion;  
 thence South 89°-41'-45" West 100.00  
 feet along the north line to the northwest  
 corner of Lot 2 of said Lakehurst  
 Commercial Park Fifth Addition;  
 thence North 00°-18'-15" West 732.61  
 feet to the point of beginning.  
 Containing 7.41 acres, more or less,  
 subject to easements of record.  
 The Plan and Zoning Commission  
 forwarded Case REZ18-05 to the City  
 Council with a recommendation for  
 approval.  
 Public hearing(s) on the above matter(s)  
 are scheduled for 5:30 p.m. or as soon  
 thereafter as possible on Wednesday,  
 June 6, 2018 in the Council Chambers of  
 the Davenport City Hall, 226 West 4th  
 Street, Davenport, Iowa. You may submit  
 written comments on the above item(s) or  
 to attend the public hearing to express  
 your views, or both. Any written com-  
 ments to be reported at the public hearing  
 should be received in the Department of  
 Community Planning & Economic Devel-  
 opment, at the above address, no later  
 than 12:00 noon on the day of the public  
 hearing(s). PO No 1817093.  
 Department of Community Planning &  
 Economic Development  
 E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)  
 PHONE: 563-326-7765

## REZ18-05 Protest Calculation

Note: No Protests have been filed.

City of Davenport

Agenda Group: Community Development  
Department: Community Development Committee  
Contact Info: Matt Flynn, 888-2286  
Wards: 8

**Action / Date**  
**COW6/6/2018**

**Subject:**

Resolution approving Case No. ANX18-03, the annexation of 8.69 acres, more or less, of territory located east of Hillandale Road south of Slopertown Road. (Kraft Heinz Food Company) [Ward 8 as expanded].

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Vibrant Region

**Background:**

With recent annexations by the City of Eldridge north of Slopertown Road, the City can now complete annexation of the Kraft Heinz property. Doing so as part of the original annexation request in 2016 would have resulted in creating an island of unincorporated territory, illegal under Iowa State Law.

Upon adoption of the accompanying resolution, the annexation will be forwarded to the State City Development Board for final action.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Location Map
▣ Backup Material	Neighbor Letter

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:09 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 5:51 PM

Resolution No. \_\_\_\_\_

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. ANX18-03, the annexation of 8.69 acres, more or less, of territory located east of Hillandale Road south of Slopertown Road. (Kraft Heinz Food Company) [Ward 8 as expanded].

WHEREAS, Kraft Heinz Food Company is owner of 8.69 acres, more or less, of territory located east of Hillandale Road and south of Slopertown Road, legally described as follows:

Part of the Southeast Quarter and the Northeast Quarter of Section 28, Township 79 North, Range 3 East of the 5th Principal Meridian being more particularly described as follows:

Beginning in the Northeast Corner of Kraft 1st Addition to the City of Davenport, Scott County, Iowa, said corner being in the West Line of the Southeast Quarter of said Section 28; thence North 02 degrees-00'-32" West a distance of 10.39 feet to the Northwest corner of the Southeast Quarter of said Section 28; thence North 01 degrees-54'-55" West a distance of 278.27 feet to the centerline of the roadway easement for West Slopertown Road; thence along the centerline of the roadway easement of Slopertown Road South 80 degrees-32'-48" East a distance of 1313.20 feet; thence South 02 degrees-09'-24" East a distance of 251.48 feet; thence South 87 degrees-50'-36" West a distance of 20.00 feet; thence South 02 degrees-09'-24" East a distance of 33.32 feet to the Northeast Corner of said Kraft 1st Addition; thence North 80 degrees-32'-48" West along the North Line of said Kraft 1st Addition a distance of 1294.02 feet to the point of beginning.

Said tract contains 8.69 acres, more or less.

WHEREAS, the City desires to annex this territory to the City's corporate limits in order to accommodate future development; and

WHEREAS, Section 368.7 of the Code of Iowa provides for the voluntary annexation of territory adjoining the incorporated area of a municipality; and

WHEREAS, pursuant to the Code of Iowa, the City mailed notice of the application via certified mail, at least fourteen business days prior to the anticipated action of the City Council on the application, to the council of each city whose boundary adjoins the territory or is within two miles of the territory (in this case the City of Eldridge), to the board of supervisors of each county which contains a portion of the territory (in this case Scott County), each affected public utility (in this case CenturyLink, Iowa-American water, REC Eastern Iowa, Mediacom, and MidAmerican Energy Company), and to the regional planning authority of the territory (in this case the Bi-State Regional Commission); and further, notice of the application was published in an official county newspaper in each county which contains a portion of the territory (in this case the Quad City Times).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa, that the petition for annexation of the area shown on the attached map and legally described above, and the same and is hereby approved, and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution as required by law.

BE IT FURTHER RESOLVED, that City staff is directed to provide appropriate documentation of this action for review and approval by the City Development Board of the State of Iowa, and that the City Clerk be and is hereby authorized and directed to file a certified copy of this resolution and attachments with the Scott County Recorder, and the Iowa Secretary of State.

Approved:

Attest:

---

Frank Klipsch, Mayor

---

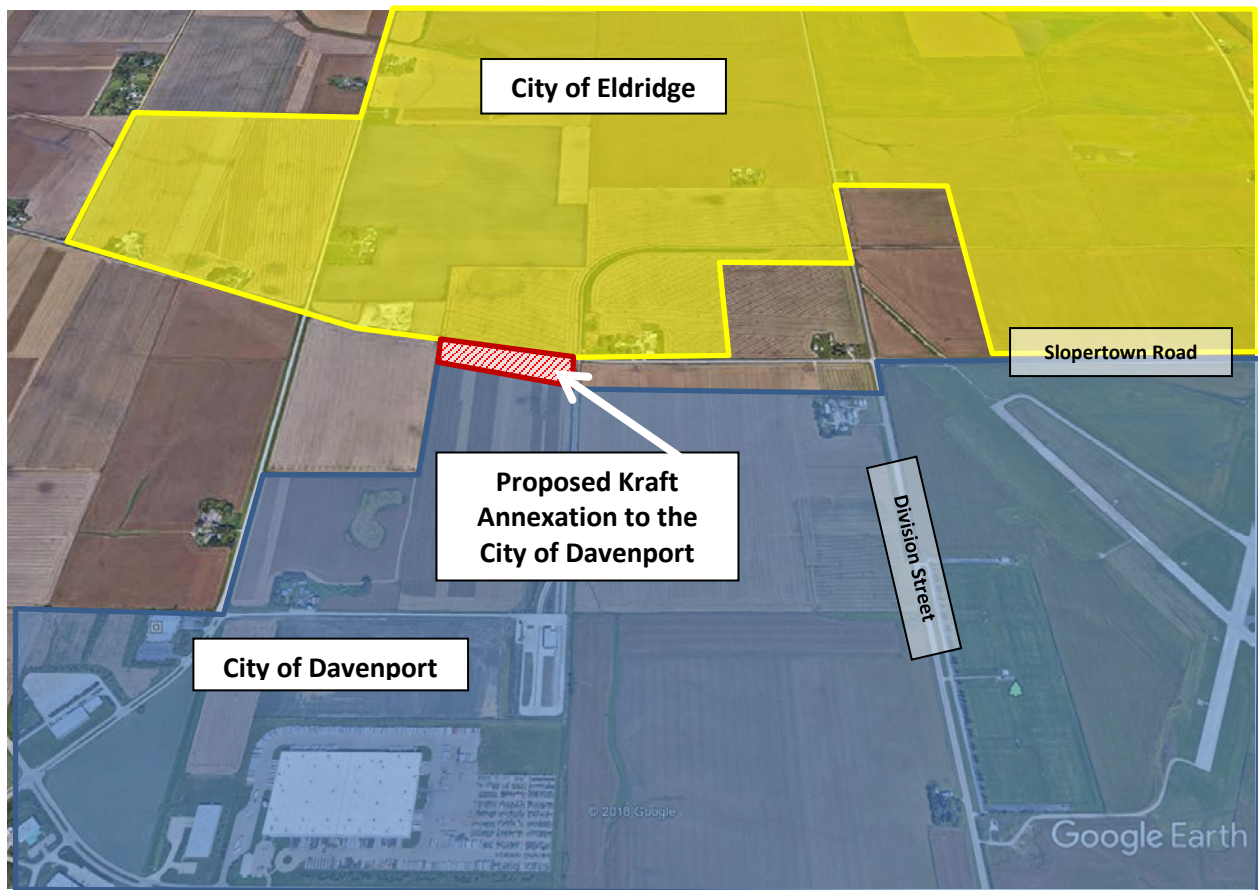
Jackie E. Holecek, City Clerk



# Proposed Annexation to the City of Davenport

## Kraft Property

Case No. ANX18-03





**NOTICE OF PROPOSED ANNEXATION OF TERRITORY  
TO THE CITY OF DAVENPORT (KRAFT)**

Dear Interested Parties:

There is on file with the City of Davenport, Department of Community Planning and Economic Development, a petition to annex a tract to the City of Davenport, legally described as follows:

*Part of the Southeast Quarter and the Northeast Quarter of Section 28, Township 79 North, Range 3 East of the 5th Principal Meridian being more particularly described as follows:*

*Beginning in the Northeast Corner of Kraft 1st Addition to the City of Davenport, Scott County, Iowa, said corner being in the West Line of the Southeast Quarter of said Section 28; thence North 02 degrees-00'-32" West a distance of 10.39 feet to the Northwest corner of the Southeast Quarter of said Section 28; thence North 01 degrees-54'-55" West a distance of 278.27 feet to the centerline of the roadway easement for West Slopertown Road; thence along the centerline of the roadway easement of Slopertown Road South 80 degrees-32'-48" East a distance of 1313.20 feet; thence South 02 degrees-09'-24" East a distance of 251.48 feet; thence South 87 degrees-50'-36" West a distance of 20.00 feet; thence South 02 degrees-09'-24" East a distance of 33.32 feet to the Northeast Corner of said Kraft 1st Addition; thence North 80 degrees-32'-48" West along the North Line of said Kraft 1st Addition a distance of 1294.02 feet to the point of beginning.*

*Said tract contains 8.69 acres, more or less.*

You are being notified via Certified Mail of this pending action pursuant to Iowa Code Section 368.7(3). A copy of the Voluntary Annexation Petition and location map are attached to this letter. This action is being contemplated in order to allow for continued growth and development within the City of Davenport.

The Davenport Committee of the Whole will consider this petition at its Wednesday, June 6, 2018 meeting, to be held at 5:30 pm in the Council Chambers of City Hall, 226 West 4<sup>th</sup> Street. The Davenport City Council will vote on the petition at its Wednesday, June 13, 2018 meeting, same time and place. While a public hearing is not required, it is the practice of the City Council to solicit comments from the public prior to taking official action. Final approval of the proposed annexation is the decision of the City Development Board of the State of Iowa.

If you have any further questions regarding this pending annexation, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew G. Flynn", with a stylized flourish at the end.

Matthew G. Flynn, AICP

Senior Planning Manager, City of Davenport  
563-888-2286; matt.flynn@ci.davenport.ia.us

City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn 888-2286  
Wards: 3

**Action / Date**  
**6/6/2018**

**Subject:**

Resolution approving Case No. F17-08 being the final plat of Bryr's Addition, being a replat of Lots 4,5,6 and 7 of Block 1 of Parkers Addition, located west of Division Street and along the north side of 2nd Street (1730 & 1738 W 2nd Street), containing 0.83 acre, more or less and two (2) industrial lots. [Ward 3]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Fiscal Vitality

**Background:**

The proposal combines four lots into two lots. This would facilitate two separate warehouse buildings to service their individual businesses.

**Findings:**

The plat conforms to the comprehensive plan  
The plat promotes infill development

The Plan and Zoning Commission accepts the findings and forwards Case No. F17-08 to the City Council for approval subject to the following conditions:

1. The front yard building setback be corrected.
2. The plat be tied to either two existing subdivision corners or two quarter section corners, and these corners are identified on the plat.
3. That a fifteen (15) foot utility easement be added along the front.
4. That the name and address of developer/owner be added to the plat.
5. That the existing fence and driveways be removed from the plat.

The Commission vote for approval was 7-yes, 0-no and 0-abstentions.

Please refer to the Commission's letter and background materials for further information.

**ATTACHMENTS:**

Type	Description
□ Resolution Letter	CD F17-08 Resolution Only
□ Backup Material	F17-08 Background

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development Community Development	Berger, Bruce	Approved	5/31/2018 - 5:14 PM

Committee  
City Clerk

Berger, Bruce  
Thorndike, Tiffany

Approved  
Approved

5/31/2018 - 5:15 PM  
5/31/2018 - 5:41 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Gripp

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F17-08 being the final plat of Bryr's Addition, being a replat of Lots 4,5,6 and 7 of Block 1 of Parkers Addition, located west of Division Street and along the north side of 2<sup>nd</sup> Street (1730 and 1738 W 2<sup>nd</sup> Street), containing 0.83 acre, more or less and two (2) industrial lots. [3<sup>rd</sup> Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Bryr's Addition to the City of Davenport, Iowa, be the same and is hereby approved and accepted subject to all the conditions as stated in the Commission's letter dated April 19, 2017 and as follows:

1. The front yard building setback be corrected;
2. The plat be tied to either two existing subdivision corners or two quarter section corners, and these corners are identified on the plat;
3. That a fifteen (15) foot utility easement be added along the front;
4. That the name and address of developer/owner be added to the plat;
5. That the existing fence and driveways be removed from the plat;

and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record the attached waiver of assessment.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Jackie E. Holecek, Deputy City Clerk

April 19, 2017

Honorable Mayor and City Council  
City Hall  
Davenport, IA 52801

Honorable Mayor and City Council:

At its regular meeting of April 18, 2017, the City Plan and Zoning Commission considered Case No. F17-08 being the final plat of Bryr's Addition, being a replat of Lots 4,5,6 and 7 of Block 1 of Parkers Addition, located west of Division Street and along the north side of 2<sup>nd</sup> Street (1730 and 1738 W 2<sup>nd</sup> Street), containing 0.83 acre, more or less and two (2) industrial lots.

Findings:

The plat conforms to the comprehensive plan  
The plat promotes infill development

The Plan and Zoning Commission accepts the findings and forwards Case No. F17-08 to the City Council for approval subject to the following conditions:

1. The front yard building setback be corrected.
2. The plat be tied to either two existing subdivision corners or two quarter section corners, and these corners are identified on the plat.
3. That a fifteen (15) foot utility easement be added along the front.
4. That the name and address of developer/owner be added to the plat.
5. That the existing fence and driveways be removed from the plat.

Respectfully submitted,



Robert Inghram, Chairperson  
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	F17-07 Lampton 1st	F17-08 Bryr's Add'n	P17-01 Falcon Pointe					
Connell	P	Y	Y	Y					
Hepner	P	Y	Y	Y					
Inghram	P								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Maness	P	Y	Y	Y					
Martinez	Ex								
Medd	Ex								
Quinn	P	Y	Y	Y					
Reinartz	AB								
Tallman	P	Y	Y	ABST					
		7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	6-YES 0-NO 1-ABSTAIN					



City of Davenport  
Community Planning & Economic Development Department  
**FINAL STAFF REPORT**

**Meeting Date:** April 18, 2017  
**Request:** Final Plat Bryr's Addition  
**Case No.:** F17-08  
**Applicant:** Behncke Construction Co. & Bryr Services

**Recommendation:**

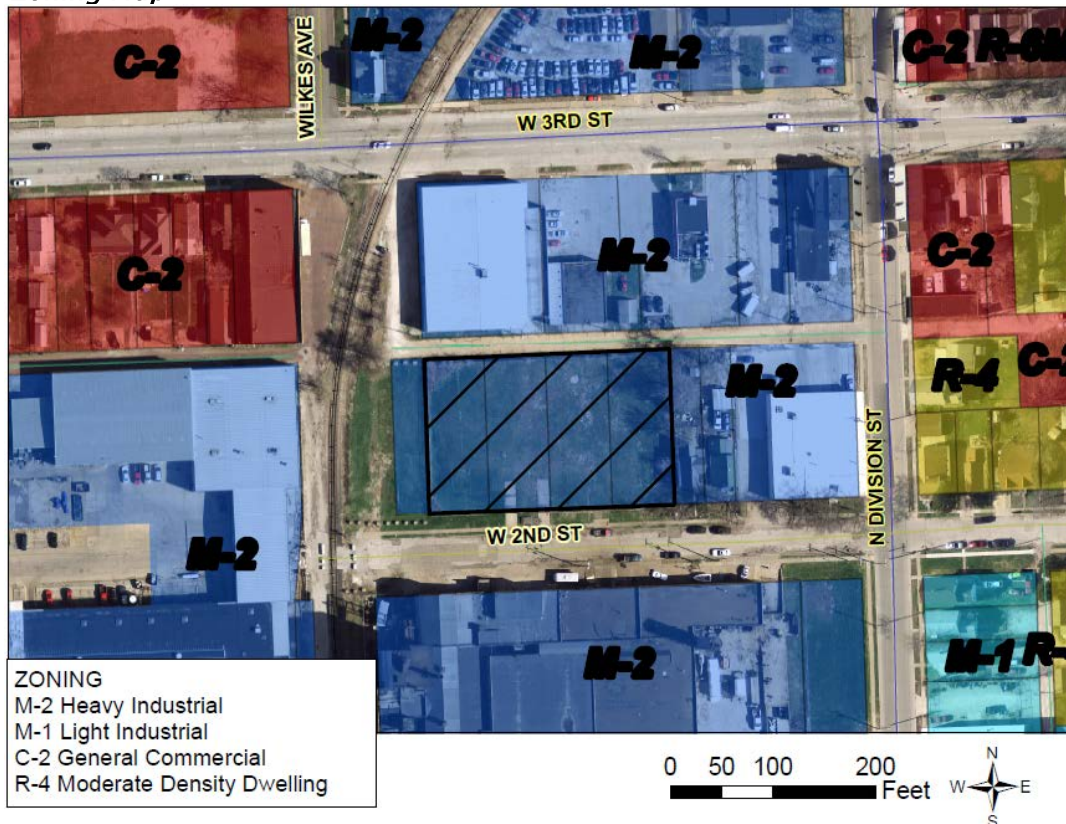
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F17-08 to the City Council for approval subject to the listed conditions.

**Introduction:**

Petition of Behncke Construction Co. and Bryr Services for approval of a two lot subdivision to consolidate four lots to allow the construction of two commercial buildings. The plat contains 0.83 acres, more or less.

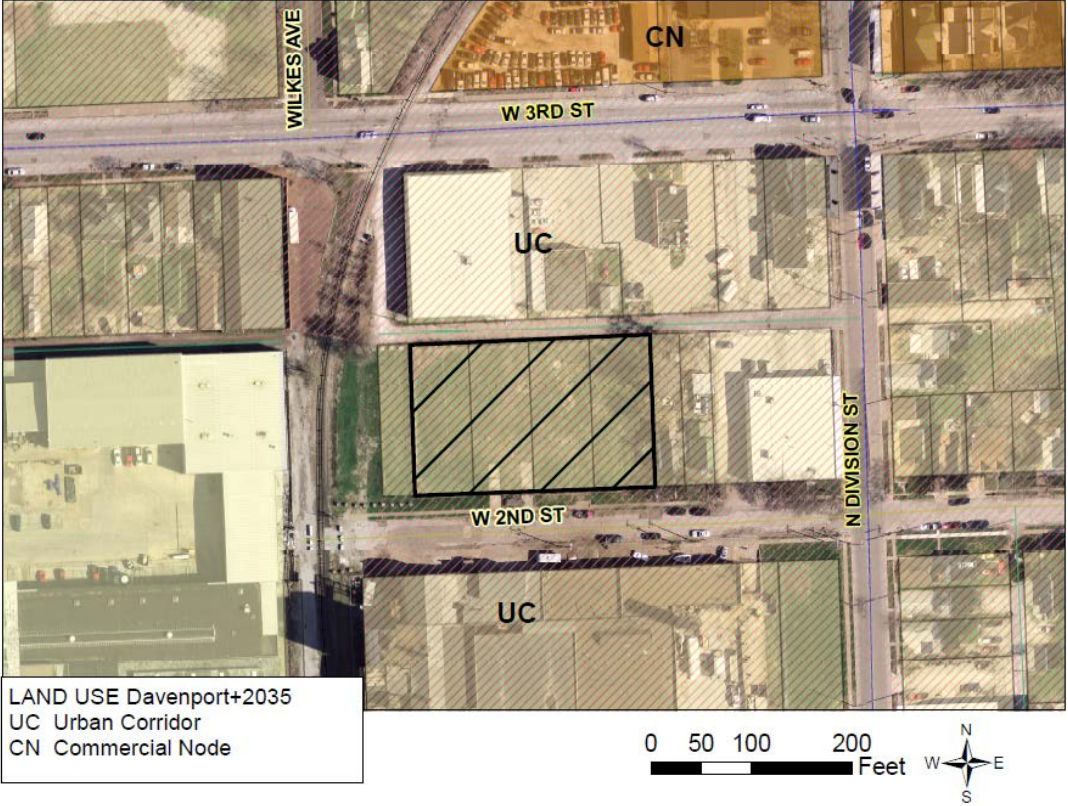
**AREA CHARACTERISTICS:**

**Zoning Map**

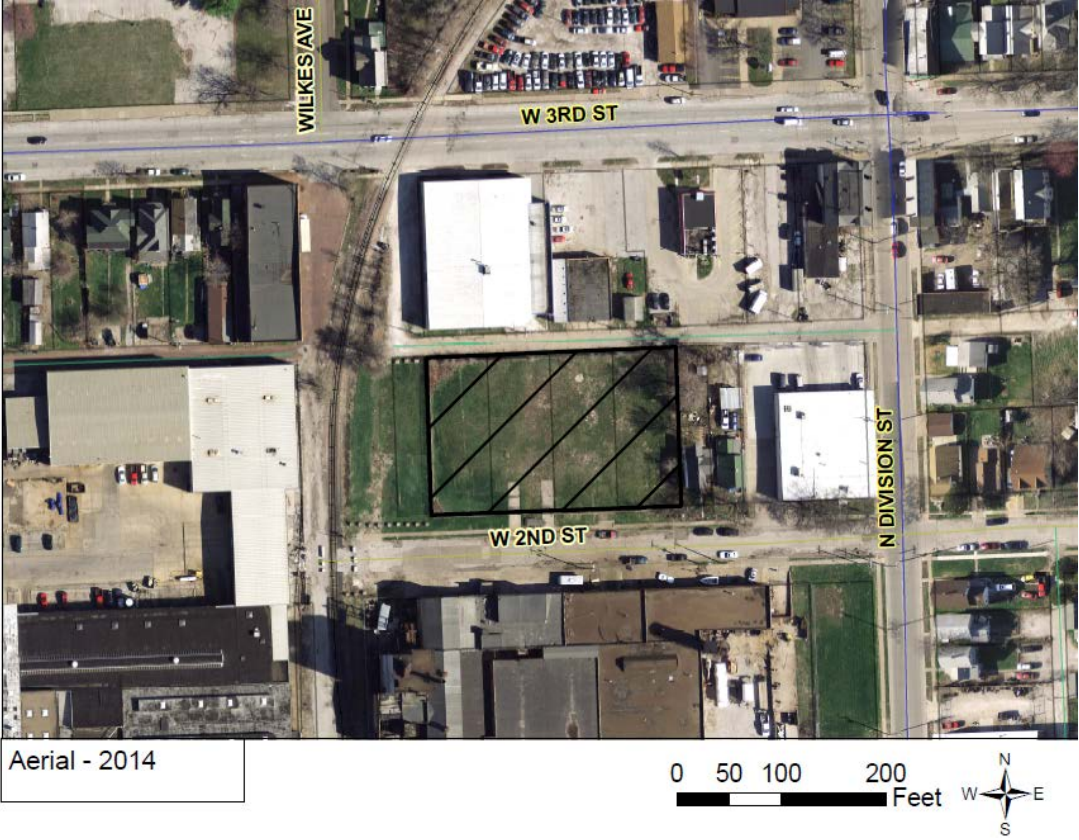




Land Use Map



Aerial Photo





**FINAL PLAT FOR BRYR'S ADDITION**

**GENERAL NOTES**

- THE SHOWN PROPERTY BEING A PART OF THE BRYR'S ADDITION, DAVENPORT, IOWA.
- NO EXISTING OR PROPOSED HIGHWAYS OR RAILROADS.

**PROJECT TEAM**

CLIENT: JOE BATTISTO REHABILITATION CONSTRUCTION CO.  
10 DAVENPORT AVENUE  
DAVENPORT, IOWA 52804

CONTACT: MR. JOE BATTISTO  
PHONE: 562-8400

CLIENT: BRYR'S SERVICES  
1014 N. 14TH STREET  
DAVENPORT, IOWA 52804

CONTACT: MR. BRYR'S SERVICES  
PHONE: 562-8400

**LEGAL DESCRIPTIONS**

A 36.243 SQ. FT. TRACT BEING LOTS 4, 5, 6, AND 7, INCLUSIVE, OF BLOCK 1 OF PARKER'S ADDITION, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 76 NORTH, RANGE 03 EAST OF THE 5TH P.M., CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

**LEGEND**

1. BRYR'S ADDITION  
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100. BRYR'S ADDITION

### Background:

### Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Boundary 2035: Yes

Proposed Land Use Designation:

*Urban Corridor (UC) – Generally established corridor along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to the street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be developed to help guide future development decisions.*

Relevant Goals to be considered in this Case:

- Strengthen the existing built environment
- Identify and reserve land for future development

## Iowa Smart Planning Principles:

Revitalization – promoting land development that conserves land; and reuse existng sites over new construction in undeveloped areas.

**Technical Review:**

Streets. The plat is located along the north side of West 2<sup>nd</sup> Street west of Division Street. There is an alley adjacent to the north. West 2<sup>nd</sup> Street is a dead-end street with bollards near the railroad tracks.

Storm Water. The stormwater infrastructure is located in Division Street and west of the railroad track. No detention is required however the infiltration (retention) requirement does apply.

Sanitary Sewer. Sanitary sewer service is located in 2<sup>nd</sup> Street (15-inch line).

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 1-1/4 mile from three stations: the Central Fire Station, which is located at 331 Scott Street; Station No. 5, which is located at 2808 Telegraph Road; and Station No. 6, which is located at 1735 West Pleasant Street.

Parks/Open Space. There is no impact on proposed or existing parks or open space.

**PUBLIC INPUT**

This is a final plat and does not require notification.

**DISCUSSION**

The petitioners are proposing a two lot subdivision to allow for two separate warehouse buildings to service their individual businesses.

There are lots of "found" lot corners but none of them are called out so we need either two lot corners or two quarter sections. Section 354.6 and 355.8 of the Iowa Code requires that a plat shall give reference to two section corners or two established monuments within the official plat." The plat shows several found monuments but at least two monuments in existing lot corners will need to be identified on the plat.

No utility easements are shown. Section 354.6 also requires that easements necessary for the orderly development of the land within the plat shall be shown and the purpose of the easement be clearly stated. Section 16.24.060 of the Davenport City Code requires easements where needed. Typically there is a fifteen foot easement provided for in the front yard.

Section 16.24.090 of the Davenport City Code requires building lines shown on the plat. Building lines should follow the required setbacks in Section 17.42.010.

There is extraneous material on the plat, fence and driveway locations which can be removed. The name and address of the owner(s) or their agents be added to the plat.

**STAFF RECOMMENDATION**

Findings:

The plat conforms to the comprehensive plan

The plat promotes infill development

Staff recommend the Plan and Zoning Commission accept the findings and forward Case No. F17-08 to the City Council for approval subject to the following conditions:

1. The front yard building setback be corrected.

2. The plat be tied to either two existing subdivision corners or two quarter section corners, and these corners are identified on the plat.
3. That a fifteen (15) foot utility easement be added along the front.
4. That the name and address of developer/owner be added to the plat.
5. That the existing fence and driveways be removed from the plat.

Prepared by:

Wayne Wille, CFM  
Planner II  
Community Planning Division



**From:** [Leabhart, Tom](#)  
**To:** [Wille, Wayne](#)  
**Subject:** RE: Two new plats Lampton 1st and Bryr's  
**Date:** Tuesday, April 11, 2017 11:57:28 AM  
**Attachments:** [image001.png](#)

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Also if it's worth mentioning, the existing fence and driveways could be removed from the plat.

Tom Leabhart, P.E.

Davenport Public Works

563-327-5155

---

**From:** Leabhart, Tom  
**Sent:** Tuesday, April 11, 2017 11:54 AM  
**To:** Wille, Wayne  
**Subject:** RE: Two new plats Lampton 1st and Bryr's  
Wayne,

I am a day late, sorry, pretty standard stuff.

1. Need typical 15' utility easement along the front.
2. Survey monuments with description and ties to two quarter corners or previously established lot corners are missing.
3. Name and address of developer/owner.

Tom Leabhart, P.E.

Davenport Public Works

563-327-5155

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**From:** Wille, Wayne  
**Sent:** Thursday, March 30, 2017 12:41 PM  
**To:** Berger, Bruce; Carlson, Dawn; Cox, David; Driskill, Amy; DuBois Julie; Fisher, William (Billy); Flynn, Matt; Gleason, Nicole; Glessner, Antonio ; Hayman, Michael; Heyer, Brian; Hock, Scott; Hocker, Ron; Jacobsen, Henry; Johnson, Christopher T.; Johnson, Joy ; Jones, Todd; Kay, Amy; Koops, Scott E.; Kull, David; Leabhart, Tom; Longlett, Eric; Maloney, Kike; McFarland, Lindsay; McGee, Mike; Miers, Dan; Miller, Nate; Morris, Kathy; Peterson, Zach; Ralfs, Jacob; Rusnak, Ryan; Schadt, Brian; Scheible, Kurt; Schnauber, Eric; Sim, Nicholas; Statz, Gary; Tate, Art; Wahlheim, Derek; Wille, Wayne  
**Subject:** Two new plats Lampton 1st and Bryr's

Please review these two plats and comment by Monday April 10<sup>th</sup>. Thank you.

Wayne Wille, CFM - Planner II

Community Planning Division

226 W 4th St - Davenport IA 52801

563-326-6172 - [wtw@ci.davenport.ia.us](mailto:wtw@ci.davenport.ia.us)

563-326-7765 - [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

[Click here for more information about the Zoning Ordinance Rewrite.](#) **Spread the Word!**





**CITY OF DAVENPORT  
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)  
SUBDIVISION REFERENCE FILE**

**PRELIM / FINAL / PUD** (circle the appropriate designation)

SUBDIVISION NAME: BRYR'S Addition

LOCATION: W. 2<sup>nd</sup> STREET, LOTS 4,5,6+7 PARKER'S Addition

DEVELOPER: Name: JOE BATTEN / BEHNCKE CONST & BRETT DRESSEN  
Address: 1936 W. 48<sup>th</sup> STREET  
DAVENPORT, IOWA 52806  
Phone: (563) 940-8442 FAX: (563) 320-1425  
Mobile Phone: \_\_\_\_\_ Email: bryrservices@hotmail.com  
behnckekonstruktion@gmail.com

ENGINEER: Name: Michael SHAMSIE, PE / Landmark Engrs Grp, Inc.  
Address: 3440 38<sup>th</sup> AVENUE, Suite 4 Moline, IL 61265  
Phone: (309) 755-3400 FAX: (309) 517-6457  
Mobile Phone: (309) 269-6350 Email: mits.shamsie@landgroup.biz

ATTORNEY: Name: Jeno Berta  
Address: \_\_\_\_\_  
Phone: 480-334-1542 FAX: \_\_\_\_\_  
Mobile Phone: \_\_\_\_\_ Email: Jeno630@aol.com

OWNER: Name: JOE BATTEN / BRETT DRESSEN  
Address: 1936 W. 48<sup>th</sup> STREET, DAVENPORT, IA 52806  
Phone: (563) 320-1425 Email: joe - behnckekonstruktion@gmail.com  
Mobile Phone: (563) 940-8442 Email: Brett - bryrservices@hotmail.com

NUMBER OF LOTS: 2 ACRES: \_\_\_\_\_  
SF 2F MF & EST. UNITS COMM (IND)

STREETS ADDED: NONE LINEAR FEET

Does the plat contain a drainage way or floodplain area: \_\_\_\_ Yes X No

Fee per Plat	Fee
Ten or fewer lots ( < 10 lots )	\$400 plus \$25/lot <u>\$450<sup>00</sup></u>
Eleven to twenty-five lots ( ≥ 11 lots ≤ 25 lots )	\$700 plus \$25/lot
More than twenty-five lots ( > 25 lots )	\$1,000 plus \$25/lot
Reforestation fee (submit to Land Use Office Prior to City Council review)	\$150 per 50 feet of lineal lot frontage

**NOTE: THE PLAT WILL NOT BE PROCESSED UNTIL THE FEE AND COMPLETED REFERENCE FILE  
ARE RECEIVED BY THE PLANNING AND LAND DEVELOPMENT OFFICE.**

## **DOCUMENTS TO BE SUBMITTED FOR SUBDIVISION REVIEW**

### **PRELIMINARY PLAT SUBMISSIONS**

Note: The following documents are required for preliminary plat submission to the

#### **Plan and Zoning Commission:**

- ☒ 1. Six (6) full size copies of final plat and one (1) reduced copy (11" x 17" or smaller)
- ☐ 2. Subdivision reference sheet (complete)
- ☒ 3. One digital drawing file (PDF preferred)
- ☒ 4. Processing fee (*Note: A delay in processing is likely if fee does not accompany submission documents*)

#### **Community Development Committee of City Council:**

- ☐ 1. Six (6) full size copies of corrected preliminary plat and one (1) reduced copy. These copies need to be stamped by the Plan and Zoning Commission as meeting their requirements.

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### **FINAL PLAT SUBMISSIONS**

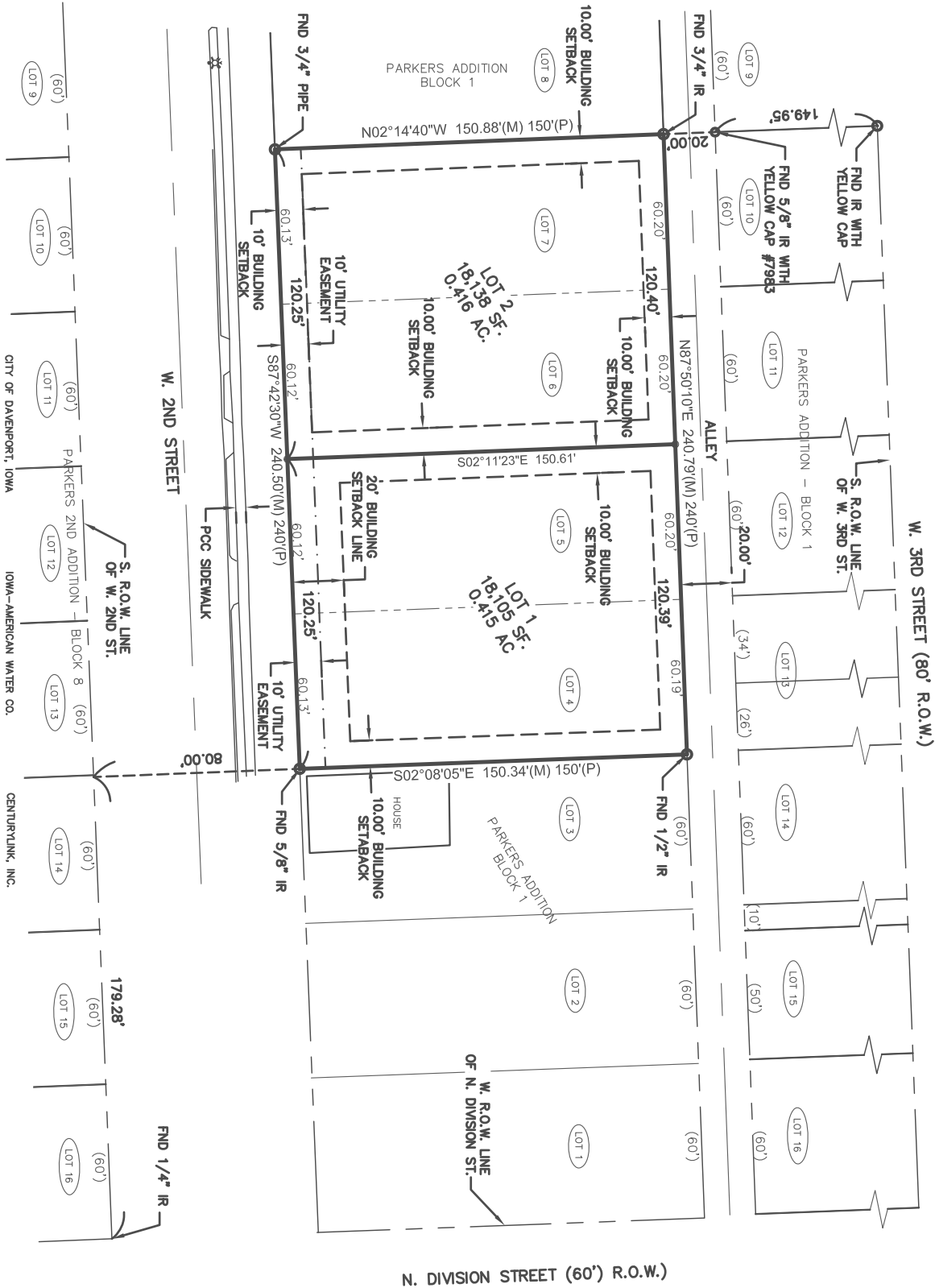
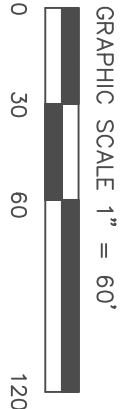
Note: The following documents are required for final plat submission to the:

#### **Plan and Zoning Commission:**

- ☐ 1. Six (6) full size copies of final plat and one (1) reduced copy (11" x 17" or smaller)
- ☐ 2. Subdivision reference sheet (complete)
- ☐ 3. Processing fee (*Note: A delay in processing is likely if fee does not accompany submission documents*)

#### **City Council:**

- ☐ 1. Twenty-one (21) full size copies of corrected final plat with the original mylar/sepia and one (1) reduced copy. These copies and original need to be signed/stamped by the utility companies and the Plan and Zoning Commission.
  - ☐ 2. Three (3) copies of certified plans showing the improvements that have been constructed. In lieu of actual construction a bond or assessment waiver assuring construction according to Chapter 16.28. These may still be submitted directly to the Engineering Division of Public Works or to the Planning & Land Use Office.
  - ☐ 3. One (1) digital drawing file (PDF preferred)
  - ☐ 4. Reforestation fee.
  - ☐ 5. Petition signed by the property owner requesting approval of the plat.
  - ☐ 6. Letter of certification by the surveyor that all monuments are in place as per Section 16.28.030(d) (surveyor's certificate).
  - ☐ 7. State approved plans and profiles of all sanitary sewers and appurtenances.
  - ☐ 8. State approved erosion control plans.
  - ☐ 9. Letter from the developer's engineer stating the quantities of excavation, pavement, sidewalks, sewers, and other necessary improvements, if a surety bond is to be filed.
  - ☐ 10. Hold-harmless agreement protecting the City from any damages, claims, or suits resulting from the construction and development by the owner and/or subdivider. Said agreement shall be approved as to format by the city attorney's office and recorded with the plat.
  - ☐ 11. Mayor's and clerk's certificate.
  - ☐ 12. Signed owner's dedicatory certificate.
  - ☐ 13. Signed certificate from the County Treasurer.
  - ☐ 14. Signed consent to platting where applicable.
  - ☐ 15. Signed certificate from the owner's and/or subdivider's attorney.
  - ☐ 16. Auditor's certificate of plat's unique name.
-



PLAN AND ZONING COMMISSION

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

MAYOR: \_\_\_\_\_ DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

MID AMERICAN ENERGY CO.

SUBJECT TO ENCUMBRANCES OF RECORD

QWEST COMMUNICATIONS

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

DATE: \_\_\_\_\_

LEGEND

- 1. FUND AND NO.
- 2. SET CONCRETE MONUMENT
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N. DIVISION STREET (60') R.O.W.)

## FINAL PLAT

FOR

### BRYR'S ADDITION

LOT 1 AND LOT 2 BEING A REPLAT OF LOTS 4, 5, 6 AND 7 OF BLOCK 1 OF PARKER'S ADDITION, PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 78 N., RANGE 03 E., OF THE 5TH P.M., CITY OF DAVENPORT, SCOTT COUNTY, IOWA

1790 AND 1738 W. 2ND STREET  
DAVENPORT, IOWA 52802

#### GENERAL NOTES

1. THE PROPERTY IS CURRENTLY ZONED C - COMMERCIAL.
2. NO EASEMENTS OF RECORD ARE ON SAID SUBDIVISION.

#### PROJECT TEAM

**CLIENT/ DEVELOPER**  
JOE BATTEN/ BERNICE CONSTRUCTION CO.  
62 KENNEDY AVENUE  
DAVENPORT, IA 52802

**CONTACT**  
MR. JOE BATTEN  
PHONE (563) 940-4442

**CLIENT/ DEVELOPER**  
BRYR SERVICES  
1936 W. 48TH STREET  
DAVENPORT, IA 52806

**CONTACT**  
MR. BRETT DIEBEN  
PHONE (563) 302-4025

**ENGINEER**  
**Landmark**  
3440 38TH AVENUE, SUITE 4  
MOLINE, IL 61205

**CONTACT**  
MR. GERALD WOLCHER, P.L.A. PE  
PHONE (309) 755-9400

#### LEGAL DESCRIPTIONS

A 36,243 SQ. FT. TRACT BEING LOTS 4, 5, 6, AND 7, INCLUSIVE, OF BLOCK 1, PARKER'S ADDITION, LOCATED NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 03 EAST OF THE 5TH P.M., CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

#### LEGEND

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I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE IOWA SURVEYING ACT UNDER THE LAWS OF THE STATE OF IOWA.

GERALD L. WOLCHER, P.L.S. DATE: MAY 22, 2017

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018

PAGES OR SHEETS COVERED BY THIS SEAL: THIS SEAL

COLOR: THIS DOCUMENT IS NOT AN ORIGINAL.

FINAL PLAT FOR BRYR'S ADDITION

DAVENPORT, IOWA



**Landmark**  
ENGINEERING GROUP  
3440 38TH AVENUE, SUITE 4  
MOLINE, IL 61205  
(309) 755-9400  
FAX (309) 755-3422  
CIVIL ENGINEERING AND LAND SURVEYING  
DESIGN FIRM REGISTRATION NUMBER 184-001511

REVISIONS			DATE
NO.	DESCRIPTION		
1	ADDITIONAL SUB. CORNERS		5/22/17

DATE: 05/22/2017  
DRAWN BY: HLB  
CHECKED BY: GHL  
SHEET 1 OF 1  
01-17-1359

City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Bruce Berger 563-326-7769  
Wards: 3

**Action / Date**  
**COW6/6/2018**

**Subject:**

Resolution setting a public hearing on the proposed conveyance of Parcel F0051-45, 643 East 6<sup>th</sup> Street, to Olivia Aguilera, Petitioner; Parcel F0051-42, 634 East 6<sup>th</sup> Street to Roger LaDue, Petitioner and Parcel F0051-28, 646 East 6<sup>th</sup> Street, to Mary Rothan, Petitioner. [Ward 3]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

As part of the Urban Homestead Program funded with a variety of Federal housing grants, the City has built three new construction homes with the intention of selling them to income eligible working households in Davenport. This program, which has been approved by City Council as part of the City's CDBG Five Year Comprehensive and One Year Annual Plans, enables vacant lots to be returned to the tax rolls and improves the look and feel of neighborhoods while providing eligible working households with affordable homeownership opportunities.

The respective petitioners have applied for and been approved as federally eligible to acquire these properties from the City. City staff solicited appraisals for the properties and they are being sold for \$110,000.

Approval of this resolution would authorize staff to advertise a public hearing on the proposed conveyance, which is required by State law. The hearing would be scheduled for Wednesday, June 20, 2018 at the Committee-of-the-Whole meeting.

**ATTACHMENTS:**

Type	Description
▣ Cover Memo	CD Resolution PH Riverview on 6th

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:07 PM
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:07 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 5:49 PM

RESOLUTION NO.

Resolution offer by Alderman Gripp

RESOLUTION setting a public hearing regarding the proposed conveyance of the following properties:

[Ward 3]

Parcel F0051-45, 643 East 6<sup>th</sup> Street, to (Olivia Aguilera, Petitioner)

Parcel F0051-42, 634 East 6<sup>th</sup> Street to (Roger LaDue, Petitioner)

Parcel F0051-28, 646 East 6<sup>th</sup> Street, to (Mary Rothan, Petitioner)

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City of Davenport is the legal owner of the following described real estate:

Parcel F0051-45, 643 East 6<sup>th</sup> Street, Lot 3 of Riverview on 6<sup>th</sup> Addition to the City of Davenport, Scott County, Iowa.

Parcel F0051-42, 634 East 6<sup>th</sup> Street, Lot 1 of Riverview on 6<sup>th</sup> Addition to the City of Davenport, Scott County, Iowa.

Parcel F0051-28, 646 East 6<sup>th</sup> Street, Lot 2 of Riverview on 6<sup>th</sup> Addition to the City of Davenport, Scott County, Iowa.

WHEREAS, the City of Davenport wishes to convey the property to the Petitioners (Olivia Aguilera, Roger LaDue, Mary Rothan); and

WHEREAS, the transfer of these properties is mutually beneficial to the City and the Petitioners; and

WHEREAS, transfer of these properties will provide affordable owner-occupied housing to working households in Davenport; and

WHEREAS, transfer of these properties will generate additional tax revenue and alleviate the City of maintenance costs on abandoned and neglected properties; and

WHEREAS, a public hearing on the matter is required by law;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that a public hearing shall be held on the proposed transfer of this real estate on Wednesday, the 20<sup>th</sup> day of June, 2018, at 5:30 PM in the Council Chambers of City Hall and notice of said hearing shall be published in the manner prescribed by law.

Attest:

Approved:

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Jackie E. Holecek, CMC  
Deputy City Clerk

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Frank Klipsch  
Mayor



City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Bruce Berger 326-7769  
Wards: 3

**Action / Date**  
**COW6/6/2018**

**Subject:**

Resolution setting a public hearing on the proposed conveyance of 422 Perry to Y&J Properties, LLC (Joe Erenberger, petitioner). [Ward 3]

**Recommendation:**

Adopt the resolution.

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

The City acquired this lot in 2009 with Federal funding (Neighborhood Stabilization Program or NSP) for the purpose of removing blight. A boarded apartment building was on the site at the time. In 2010, using the same funding source, the property was demolished. NSP requires that if the City transfers the property it must be sold for fair market value, with the proceeds repaying the NSP fund.

In the past few years, several property owners in the adjacent block have indicated potential interest in the property, primarily for parking or other uses. The property is roughly 52 ft. x 150 ft.

Per federal requirement, the property was recently appraised and determined to have a fair market value of \$65,000. Staff contact surrounding owners and, based upon interest, solicited offers.

The petitioner submitted an offer and would convert the vacant lot to surface parking. They are currently redeveloping several structures directly across the alley to the west of the vacant lot. The redevelopment will create new housing units and retail and would benefit from additional parking. See attached map.

Approval of this resolution would authorize staff to advertise a public hearing on the proposed conveyance, which is required by State law. The hearing would be scheduled for Wednesday, June 20, 2018 at the Committee-of-the-Whole meeting.

**ATTACHMENTS:**

Type	Description
□ Resolution Letter	Resolution
□ Backup Material	Map of 422 Perry

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:08 PM
Community Development			

Committee  
City Clerk

Berger, Bruce  
Thorndike, Tiffany

Approved  
Approved

5/31/2018 - 5:08 PM  
5/31/2018 - 5:39 PM

RESOLUTION NO.

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting a public hearing on the proposed conveyance of 422 Perry to Y & J Properties, LLC (Joe Erenberger, petitioner) [Ward 3].

WHEREAS, the City of Davenport is the owner of the vacant lot on the attached map; and

WHEREAS, the City of Davenport wishes to convey the property for a higher and better use than a vacant lot; and

WHEREAS, Y & J Properties, LLC desires to develop the lot into parking for new commercial and residential tenants for the adjacent property they are redeveloping; and

WHEREAS, the transfer of this property is mutually beneficial to the City and Y & J Properties, LLC; and

WHEREAS, the transfer of this property meets the requirement of the federal Neighborhood Stabilization Program (NSP) that assisted properties be sold only at market value and with the proceeds treated as program income under NSP; and

WHEREAS, a public hearing on the matter is required by law;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that a public hearing shall be held on the proposed transfer of this real estate on Wednesday, the 20<sup>th</sup> of June, 2018, at 5:30 PM in the Council Chambers of City Hall and notice of said hearing shall be published in the manner prescribed by law.

Attest:

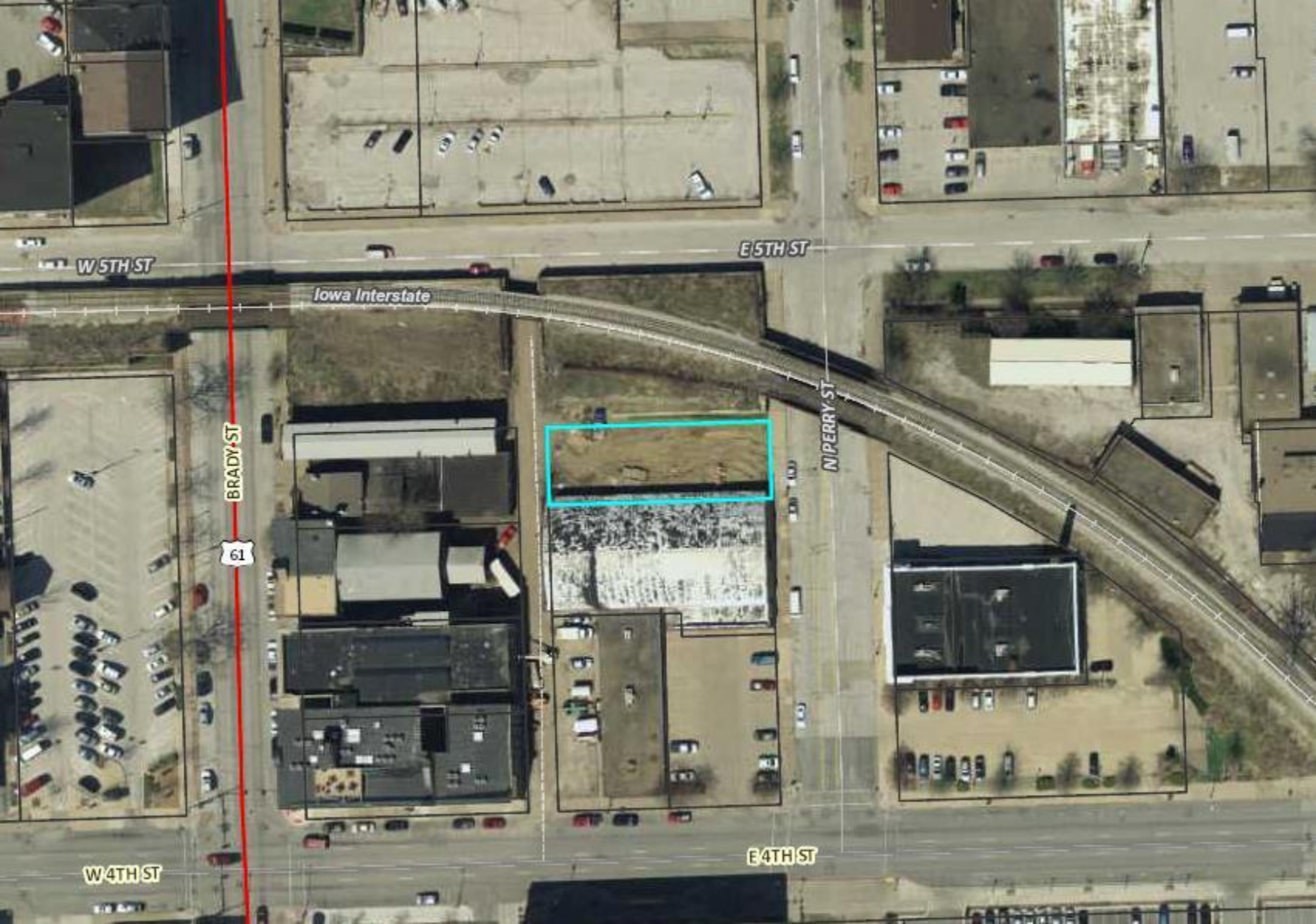
Approved:

---

Jackie E. Holecek, CMC  
Deputy City Clerk

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Frank Klipsch  
Mayor



W 5TH ST

E 5TH ST

Iowa Interstate

BRADY ST

61

N PERRY ST

W 4TH ST

E 4TH ST

City of Davenport

Agenda Group: Community Development  
Department: Community Planning & Economic Development  
Contact Info: Bruce Berger  
Wards: 3, 4 & 5

**Action / Date**  
**COW6/6/2018**

**Subject:**

Resolution in support of Hilltop Campus Village continuing the Main Street program administered by the Iowa Economic Development Authority. [Wards 3,4 & 5]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

Hilltop Campus Village was established as a Main Street Community by the State of Iowa in 2009. As part of its ongoing accreditation process, the State requests a new Resolution of Support be adopted by the City Council.

The Main Street Iowa program model requires cities to contribute a match to the local organization as a partner. As such, continuing with the past level of contributions, approval of this resolution would commit the City to an annual matching contribution of \$10,000 to the Hilltop Campus Village.

Since its inception, Hilltop Campus Village has hired a full time Program Director, established a board of directors with four standing committees (design, economic restructuring, publicity, promotion), hosts an annual Fall Music Festival, and advocates for growth and quality development within its boundaries.

Hilltop Campus Village is strategically located among several of the City's largest institutions and along busy corridors. It provides many opportunities for new infill investment which is consistent with City Goals. City staff anticipates continued work serving as liaison between the Board and the City for the foreseeable future.

**ATTACHMENTS:**

Type	Description
□ Cover Memo	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/31/2018 - 5:05 PM
Community Development Committee	Berger, Bruce	Approved	5/31/2018 - 5:06 PM
City Clerk	Thorndike, Tiffany	Approved	6/1/2018 - 9:56 AM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION in support of Hilltop Campus Village continuing in the Main Street Program administered by the Iowa Economic Development Authority [WARD 3, 4, 5].

WHEREAS, the Hilltop Campus Village was established as a Main Street Community by the State of Iowa in 2009; and,

WHEREAS, as part of the Main Street Iowa accreditation process, an Agreement between the Iowa Economic Development Authority, Hilltop Campus Village and the City of Davenport is needed for the purpose of continuing the Main Street Iowa program in Davenport, and,

WHEREAS, this Agreement is pursuant to contractual agreements between Main Street America and the Iowa Economic Development Authority to assist in the revitalization of the designated Main Street project area of Davenport, Iowa; and,

WHEREAS, the City Council of Davenport, Iowa endorses the goal of economic revitalization of the Hilltop Campus Village area within the context of preservation and rehabilitation of its historic buildings and supports the continuation of the Main Street Approach™ as developed by Main Street America and espoused by Main Street Iowa; and,

WHEREAS, the Hilltop Campus Village has hired a full-time Program Director, has an established Board of Directors, hosts an annual Fall Music Festival, and advocates for growth and quality development within its boundaries; and,

WHEREAS, the Main Street Iowa program model requires an annual matching contribution from participating cities and the City agrees to continue to provide an annual match of \$10,000 to the Hilltop Campus Village.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Davenport, Iowa meeting in regular session on June 13, 2018, that the City of Davenport hereby agrees to continue to support financially and philosophically the work of Hilltop Campus Village, designates the Main Street Board to supervise the Executive Director, and commits to appoint a city official to represent the City on the local Main Street Board.

Adopted this 13th day of June, 2018.

Approved:

Attest:

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Frank Klipsch, Mayor

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Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Agenda Group: Public Safety  
Department: Public Safety  
Contact Info: Gary Statz (563) 326-7754  
Wards: 8

**Action / Date**  
**PS5/16/2018**

**Subject:**

Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled  
“Intersection Traffic Signals” by adding Division Street at 76th Street. [Ward 8]

**Recommendation:**

Approve the ordinance.

**Relationship to Goals:**

Sustainable Infrastructure.

**Background:**

Signalization at the intersection of 76th and Division is part of the 76th Street project. The work involves the extension of 76th Street so that it connects Northwest Boulevard to Division Street. Traffic signal warrants are expected to be met after the completion of this project. The signals will be especially helpful for the extra truck traffic that will cross there.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	PS_ORD_Division at 76th_pg 2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	5/9/2018 - 10:27 PM
Public Works Committee	Lechvar, Gina	Approved	5/9/2018 - 10:27 PM
City Clerk	Admin, Default	Approved	5/10/2018 - 9:21 AM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIV INTERSECTION TRAFFIC SIGNALS THERETO BY ADDING DIVISION STREET AT 76<sup>TH</sup> STREET.

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

Section 1. That Schedule XIV Intersection Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Division Street at 76<sup>th</sup> Street.

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 \_\_\_\_\_

\_\_\_\_\_  
Frank Klipsch  
Mayor

Attest: \_\_\_\_\_  
Jackie Holecek, MMC  
Deputy City Clerk

City of Davenport

Agenda Group: Public Safety  
Department: Public Works - Engineering  
Contact Info: Gary Statz (563) 326-7754  
Wards: 3

**Action / Date**  
**PS6/6/2018**

**Subject:**

First Consideration: Ordinance amending Schedule VIII of Chapter 10.96 entitled "30-Minute Parking" by adding Main Street along the east side from 2nd Street north to the alley. [Ward 3]

**Recommendation:**

Adopt the ordinance.

**Relationship to Goals:**

Vibrant Region

**Background:**

The Current Hotel at 215 N Main Street needs on-street parking to allow guests to check in and unload their vehicles. This ordinance will provide a loading zone with a 30-minute time limit along the Main Street side of the hotel's property. The signs will indicate that this zone is for hotel loading with a 30-minute time limit, but the ordinance needs to be under Schedule VIII (30-Minute Parking) because there is no schedule related to loading zones.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	PS_ORD_Main St 30 min parking_pg 2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	5/30/2018 - 5:03 PM
Public Works Committee	Lechvar, Gina	Approved	5/30/2018 - 5:04 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:12 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VIII 30-MINUTE PARKING THERETO BY ADDING MAIN STREET ALONG THE EAST SIDE FROM 2ND STREET NORTH TO THE ALLEY.

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

Section 1. That Schedule VIII 30-Minute Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Main Street along the east side from 2<sup>nd</sup> Street north to the alley.

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 \_\_\_\_\_

\_\_\_\_\_  
Frank Klipsch  
Mayor

Attest: \_\_\_\_\_  
Jackie Holecek, MMC  
Deputy City Clerk



City of Davenport

Agenda Group: Public Safety  
Department: City Clerk  
Contact Info: Jackie E Holecek  
Wards: Various

**Action / Date**  
**6/6/2018**

**Subject:**

Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

Downtown Partnership, Bix Street Fest, July 26-29, 9:00 AM to 12:00 AM; Closure Location: 2nd Street between Ripley and Brady Streets, Main Street from the alley south of 3rd Street to the alley north of River Drive and Harrison Street for the alley south of 3rd Street to the entrance to the Ground Transportation Center [Ward 3]

Andy Lank (Kilkenny's Pub), Bix Fest Block Party, July 26, 5:00 PM to 11:30 PM, July 27th 5:00 PM to 11:30 PM, July 28th, 6:00 AM to 12:00 AM, and July 29, 12:00 AM to 4:00 AM; Closure Location: 3rd Street between Ripley and Harrison Streets and the parking lane and one travel lane on the west side of Harrison Street north to alley.

Quad Cities Visitor's Bureau, RAGBRAI 2018, July 28, 2018, 5:00 AM to 8:00 PM; Closure Location: River Drive from the West City limit, to River Drive to Marquette Street, south on Marquette Street to Beiderbecke Drive, Beiderbecke Drive from Marquette Street to Gaines Street [Wards 1 and 3]

Cornbelt Running Club, Bix Run Events: Junior Bix, Brady Street Sprints, Quick Bix and Bix 7 Race; July 26-July 28 until race ends, 3:00 PM - 10:00 PM Thursday; 1:00 PM Friday until Bix 7 Race concludes on Saturday; Closure Location: Thursday: Brady Street between 4th and Palmer Drive; 4th Street from River Drive to LeClaire Avenue; Friday/Saturday: LeClaire Street from 4th Street to 2nd Street; Iowa Street from 4th Street to 2nd Street; Pershing from 4th to 2nd Street; 3rd Street from River Drive to Pershing Avenue; 4th Street from River Drive to Main; Brady Street from River Drive to Kirkwood Boulevard; Kirkwood Boulevard to Jersey Ridge Road; Jersey Ridge Road from 12th Street to East Street; Middle Road from Jersey Ridge Road to Ridgewood; McClellan Boulevard from Middle Road to River Drive; and 3rd Street from Main to River Drive [Wards 3, 5, 6]

Sippi's Restaurant, 6th Annual Gene Price Memorial Car Show, August 11, 2018, 6:00 AM to 4:00 PM; Closure Location: 2nd Street between Ripley and Scott Streets [Ward 3]

Village of East Davenport Association, Farm Days in the Village, August 24-25, Friday 3:00 PM - 7:00 PM and Saturday August 25 6:30 AM - 6:00 PM; Closure Location: 11th Street between Mound and Jersey Ridge Road and Christy from 11th Street north to the alley [Ward 5]

Beaux Arts Fund Committee, Beaux Arts Fall Fair, September 7-9, 2018, 12:00 PM September 7th through 7:00 PM September 9th; Closure Location: 2nd Street between Harrison and Main Streets [Ward 3]

**Recommendation:**

Approve the resolution.

## Relationship to Goals:

### ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution

### REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/15/2018 - 3:33 PM

RESOLUTION NO. 2018-

Resolution offered by Alderman Rawson

Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

RESOLVED by the City Council of the City of Davenport.

Whereas, the City through its Special Events Policy has accepted the following application(s) to hold an outdoor event(s) on the following date(s), and

Whereas, upon review of the application(s) it has been determined that the street(s), lane(s) or public grounds listed below will need to be closed, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs the staff to proceed with the temporary closure of the following street(s), lane(s) or public grounds on the following date(s) and time(s):

*Entity: Andy Lank*

*Event: Bix Fest Block Party*

*Date: July 26-29*

*Time: 6:00 AM – 11:30 PM*

*Closure Location: 3<sup>rd</sup> Street between Ripley and Harrison Streets and the parking lane and one travel lane on the west side of Harrison Street north to the alley*

*Ward: 3*

*Entity: Downtown Partnership*

*Event: Bix Street Fest*

*Date: July 26-29*

*Time: 9:00 AM – 12:00 AM*

*Closure Location: 2<sup>nd</sup> Street between Ripley and Brady Streets, Main Street from the alley south of 3<sup>rd</sup> Street to the alley north of River Drive and Harrison Street for the alley south of 3<sup>rd</sup> Street to the entrance to the Ground Transportation Center*

*Ward: 3*

*Entity: Quad Cities Visitor's Bureau*

*Event: RAGBRAI 2018*

*Date: July 28th*

*Time: 5:00 AM to 8:00 PM*

*Closure Location: River Drive from the west City limit, to River Drive to Marquette Street, south on Marquette Street to Beiderbecke Drive, Beiderbecke Drive from Marquette Street to Gaines Street*

*Ward: 1 and 3*

Entity: Cornbelt Running Club

Event: Bix Run Events: Junior Bix, Brady Street Sprints, Quick Bix, and Bix 7 Run

Date: Thursday, July 26<sup>th</sup>, Friday, July 27<sup>th</sup> and Saturday, July 28<sup>h</sup> until race ends

Time: 3:00 PM - 10:00 PM Thursday; 1:00 PM Friday, until Bix 7 Race concludes on Saturday

Closure Location: **Thursday:** Brady Street between 4<sup>th</sup> and Palmer Drive; 4th Street from River Drive to LeClaire Avenue; **Friday/Saturday:** LeClaire Street from 4th Street to 2<sup>nd</sup> Street; Iowa Street from 4th Street to 2<sup>nd</sup> Street; Pershing from 4<sup>th</sup> to 2<sup>nd</sup> Street; 3rd Street from River Drive to Pershing Avenue; 4th Street from River Drive to Main; Brady Street from River Drive to Kirkwood Boulevard; Kirkwood Boulevard to Jersey Ridge Road; Jersey Ridge Road from 12th Street to East Street; Middle Road from Jersey Ridge Road to Ridgewood; McClellan Boulevard from Middle Road to River Drive; and 3rd Street from Main to River Drive

Ward: 3, 5, 6

Entity: Sippi's Restaurant

Event: 6<sup>th</sup> Annual Gene Price Memorial Car Show

Date: August 11th

Time: 6:00 AM to 4:00 PM

Closure Location: 2<sup>nd</sup> Street between Ripley and Scott Streets

Ward: 3

Entity: Village of East Davenport Association

Event: Farm Days in the Village

Date: August 24 – August 25

Time: Friday, 3:00 PM – 7:00 PM– Saturday, 6:30 AM – 6:00 PM

Closure Location: 11<sup>th</sup> Street between Mound and Jersey Ridge Road and Christy from 11<sup>th</sup> Street north to the alley

Ward: 5

Entity: Beaux Arts Fund Committee Inc.

Event: Beaux Arts Fall Fair

Date: September 7-9

Time: 12:00 PM September 7<sup>th</sup> through 7:00 PM September 9th

Closure Location: 2<sup>nd</sup> Street between Harrison and Main Streets

Ward: 3

Approved this 13th day of June, 2018.



Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Agenda Group: Public Safety  
Department: Finance  
Contact Info: Sherry Eastman 326-7795  
Wards: Various

**Action / Date**  
**PS6/6/2018**

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

The Filling Station (Bar Management LLC) - 500 W 3rd St. (QC Times Lot) - Outdoor area July 28, 2018 'Bix Event' - License Type: B Beer

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

Ward 1

Emeis Golf Course (City of Davenport) - 4500 W Central Park Ave. - Outdoor Area - License Type: C Liquor

K & K Food and Gas (K & K Food and Gas, Inc.) - 2365 Rockingham Rd. - License Type: C Beer

St. Alphonsus Church Holy Name Society (St. Alphonsus Church of Davenport, Inc.) - 2618 Boise Ave. - License Type: B Beer

Smokin' Joe's Tobacco and Liquor Outlet #1 (The Outlet Inc.) - 3120 Rockingham Rd. - License Type: E Liquor

Ward 2

Hickory Garden Restaurant (Fazliu Inc.) - 3311 Hickory Grove Rd. - Outdoor Area - License Type: Beer / Wine

Hy-Vee Wine and Spirits (Hy-Vee, Inc.) - 3301 W Kimberly Rd. - License Type: E Liquor

Jeno's Little Hungary (Jeno's Little Hungary, Inc.) - 4908 N Pine St. - Outdoor Area - License Type: C Liquor

Red Lantern Fine Chinese Cuisine (Red Lantern Fine Chinese Cuisine Inc.) - 4009 E 53rd St., Ste. 107 - License Type: C Liquor

Walgreens #03595 (Walgreen Co.) - 1720 W Kimberly Rd. - License Type: E Liquor

Ward 3



Driftwood (CRC Investments, LLC) - 1201 E River Dr. - Outdoor Area - License Type: C Liquor

Geezer's Draffthouse (Geezer's, Inc.) - 1654 W 3rd St. - Outdoor Area - License Type: C Liquor

The River's Edge (City of Davenport) - 700 W River Dr. - License Type: B Beer

#### Ward 4

The Circle Tap (The Circle Tap Inc.) - 1345 W Locust St. - Outdoor Area - License Type: C Liquor

CVS/Pharmacy #8659 (Iowa CVS Pharmacy, LLC) - 1777 Division St. - License Type: E Liquor

The Gardens (Washington Gardens, LLC) - 1301 W 13th St. - Outdoor Area - License Type: C Liquor

McButts (Hilltop Tavern, Inc.) - 1516 Harrison St. - Outdoor Area - License Type: C Liquor

Smokin' Joe's Tobacco and Liquor Outlet #2 (The Outlet Inc.) - 1606 W Locust St. - License Type: E Liquor

Spartans Pub (Spartans Pub LLC) - 2025 Hickory Grove Rd. - Outdoor Area - License Type: C Liquor

Walgreens #05239 (Walgreen Co.) - 1660 W Locust St. - License Type: E Liquor

#### Ward 5

Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St. - Outdoor Area - License Type: B Beer **[THIS ITEM WILL BE VOTED ON LATER IN THE AGENDA]**

QC Mart (Bethany Enterprises, Inc.) - 412 E Locust St. - License Type: C Beer

Rookie's Sports Bar (Rookies, Inc.) - 2818 Brady St. - License Type: C Liquor

Walgreens #11709 (Walgreen Co.) - 1805 Brady St. - License Type: E Liquor

#### Ward 6

Duck Creek Golf Course (City of Davenport) - 3000 E Locust St. - Outdoor Area - License Type: B Beer

Holiday Inn Express Hotel and Suites (Davenport Lodging Associates, LLC) - 401 Veteran's Memorial Pkwy. - License Type: B Liquor

Kimberly Mart (Pak Foods, Inc.) - 1714 E Kimberly Rd. - License Type: E Liquor

QC Marts (Bethany Enterprises, Inc.) - 2845 E 53rd St. - License Type: C Beer

Red Robin America's Gourmet Burgers & Spirits (Red Robin International, Inc.) - 3903 E 53rd St. - License Type: C Liquor

Rhythm City Casino (Rhythm City Casino, LLC) - 7077 Elmore Ave. - Outdoor Area - License Type: B Liquor

Saigon Bistro (Saigon Bistro, LLC) - 2660 E 53rd St., Ste. 8 - License Type: Beer / Wine

Sam's Club #8238 (Sam's West Inc.) - 3887 Elmore Ave. - License Type: E Liquor

Walgreens #06186 (Walgreen Co.) - 4011 E 53rd St. - License Type: E Liquor

Ward 7

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) - 1655 W Kimberly Rd. - License Type: E Liquor

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill, Inc.) - 901 E Kimberly Rd., Ste. 15 - License Type: Beer / Wine

Kwik Star #294 (Kwik Trip, Inc.) - 1650 W Kimberly Rd.- License Type: C Beer

Lunardi's (T.S. Lunardi, Inc.) - 102 E Kimberly Rd., Ste. E - License Type: C Liquor

Olive Garden Italian Restaurant #1144 (GMRI Inc.) - 330 W Kimberly Rd. - License Type: C Liquor

Smokin' Joe's Tobacco & Liquor Outlet #8 (The Outlet Inc.) - 902 W Kimberly Rd., Ste. 55-56 - License Type: E Liquor

Tuxedos (Davenport Investments, Inc.) - 5220 Grand Ave. - License Type: C Beer

Walgreens #04041 (Walgreen Co.) - 1525 E Kimberly Rd. - License Type: E Liquor

Ward 8

Red Hawk Golf Course (City of Davenport) - 6364 Northwest Blvd. - Outdoor Area - License Type: B Beer

Thunder Bay Grille (Thunder Bay Grille, LLC) - 6511 Brady St. - Outdoor Area - License Type: C Liquor

C. Request for 19-and 20-year olds on premises:

Ward 3

Daytrotter (Daytrotter Media LLC) - 324 Brady St. - License Type: Beer/Wine

Recommendation:

Pass the motion

Relationship to Goals:  
Welcoming neighborhoods

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	5/31/2018 - 3:05 PM
Finance Committee	Watson-Arnould, Kathe	Approved	5/31/2018 - 3:05 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 4:53 PM

City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Amy Kay (563) 327-5160  
Wards: All Wards

**Action / Date**  
**5/16/2018**

Subject:

Third Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by updating stormwater detention and water quality treatment requirements, increasing stream buffer distances in new developments, clarifying drainage easement language, adopting the Unified Sizing Criteria, removing the use of orifice restrictor plates on outlet pipes and restructuring subsections for clarity. [All Wards]

Recommendation:

Amend the ordinance.

Relationship to Goals:

Sustainable Infrastructure

Background:

Both public and private property can be damaged by increases in stormwater runoff. Restricting the volume and velocity of runoff from development and redevelopment is paramount in the City's efforts toward improving and stabilizing our watersheds and protecting property.

Confusing language was identified in the Stormwater Management Ordinance and the Davenport Stormwater Manual. Clarification and consistency were needed between the two guiding documents.

ATTACHMENTS:

Type	Description
▣ Ordinance	PW_ORD_Ordinance13.34
▣ Exhibit	Summary of Changes

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	5/4/2018 - 5:32 PM

ORDINANCE NO. \_\_\_\_\_

ORDINANCE amending Chapter 13.34 entitled "Stormwater Management" by updating stormwater detention and water quality treatment requirements, increasing stream buffer distances in new developments, clarifying drainage easement language, adopting the Unified Sizing Criteria, removing the use of orifice restrictor plates on outlet pipes and restructuring subsections for clarity.

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

Section 1. That Chapter 13.34 is hereby modified and reads as follows:

**Chapter 13.34 STORMWATER MANAGEMENT**

**Sections:**

**I. General**

- 13.34.010 Purpose.**
- 13.34.015 Scope.**
- 13.34.020 Incorporation by ordinance.**
- 13.34.030 Definitions.**
- 13.34.040 Design criteria.**
- 13.34.050 Compatibility with other permit and ordinance requirements.**
- 13.34.060 Requirements for stormwater management plans.**
- 13.34.065 Maintenance.**
- 13.34.070 Easements.**
- 13.34.080 Inspections.**
- 13.34.090 Enforcement.**

**II. Storm Sewers and Stormwater Routing**

- 13.34.110 Applicability.**
- 13.34.120 Runoff calculation.**
- 13.34.130 Storm sewers.**
- 13.34.140 Excess stormwater passage-way.**
- 13.34.150 Open channels.**

**III. Stormwater Detention Facilities**

- 13.34.210 Applicability.**
- 13.34.220 Release rate.**
- 13.34.230 Detention requirements.**
- 13.34.240 Construction.**
- 13.34.250 Procedure.**

**IV. Stormwater Quality Management**

- 13.34.300 Applicability.**
- 13.34.310 Waivers.**
- 13.34.320 General Performance Criteria for Stormwater Quality Management**
- 13.34.330 Soil Quality Restoration.**



## **V. Reserved**

### **1. GENERAL**

#### **13.34.010 Purpose.**

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public. This ordinance seeks to meet that purpose through the following objectives:

- A. Minimize increases in stormwater runoff from any development in order to reduce flooding, siltation, and streambank erosion and maintain the integrity of stream channels;
- B. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality;
- C. Minimize the total volume of surface water runoff which flows from any specific site during and following development to not exceed the defined predevelopment site conditions to the maximum extent practicable;
- D. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and facilities and to ensure that these management practices and facilities are properly maintained and pose no threat to public safety.

#### **13.34.015 Scope.**

This chapter sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; provides for the approval of plans and inspection of grading construction; and provides for the enforcement of this chapter. (Ord. 2002-63 § 1).

#### **13.34.020 Incorporation by Reference**

Except as hereinafter amended, the Davenport Stormwater Manual, including all appendixes thereto, is adopted by reference and made a part of this chapter. Failure to comply with or meet the criteria outlined in the manual may be considered a violation of this ordinance and subject to enforcement actions as indicated in Section 13.34.370. The Davenport Stormwater Manual may be updated by staff from time to time to reflect the most recent industry standards for water quality requirements. Prior to amending or updating the manual, proposed changes will be generally publicized and made available for review and comment.

#### **13.34.030 Definitions.**

When used in this chapter, unless the context clearly indicates otherwise, the following words and phrases shall have the meanings respectively ascribed to them in this section.

- A. "BMP" means best management practice for stormwater infiltration or rate reduction.
- B. "Control structure" means a structure designed to control the flow of stormwater runoff that passes through it during a specific length of time.
- C. "Davenport Stormwater Manual" means the supplemental specifications and checklist documents for detention/retention and stormwater quality practices to be used within City limits.
- D. "Detention facility" means an area designed to store excess stormwater.
- E. "Development" means land disturbing activities; structural development, including construction or installation of a building or structure, the creation of impervious surfaces; and land subdivision.

- F. "Dry bottom stormwater storage area" means a facility designed to be normally dry and contain water only when excess stormwater runoff occurs.
- G. "Erosion" means the loss of natural soils by the action of wind and/or water.
- H. "Excess stormwater" means that portion of stormwater which exceeds the transportation capacity of storm sewers or natural drainage channels serving a specific watershed.
- I. "Excess stormwater passageway" means a channel formed in the topography of the earth's surface to carry stormwater runoff through a specific area.
- J. "Maximum Extent Practicable" means a standard for implementation of stormwater management programs to reduce pollutants in stormwater. It is the maximum extent possible taking into account equitable consideration of competing factors, including, but not limited to the seriousness of the problem, public health risk, environmental benefits, pollutant removal effectiveness, regulatory compliance, ability to implement, cost and technical feasibility.
- K. "Native Vegetation" means plant species that are native to Eastern Iowa and made up the majority of ground cover in this area before settlement. A list of these plants can be found in the Davenport Stormwater Manual.
- L. "Natural drainage" means channels formed by the existing surface topography prior to changes made by unnatural causes.
- M. "Natural Waterway" means any creek, stream, pond, lake, wetland or other watercourse which occurs naturally on the existing landscape and is connected to other similar watercourses and functions as a stream, lake or wetland either partially or fully throughout the year.
- M. "Natural Resources Compliance Officer" means a person employed by the City who is authorized to enforce all the provisions of this chapter and to make reports thereon.
- N. "Natural Resources Manager" means a person employed by the City who is authorized to enforce all the provisions of this chapter and holds a position within the City to manage provisions outlined in the stormwater management ordinance, National Pollutant Discharge and Elimination System (NPDES) and/or the Municipal Separate Storm Sewer System (MS4) permits.
- N. "Redevelopment" means land-disturbing activity which results in the creation, addition or replacement of impervious surface area on an already developed site. Redevelopment includes, but is not limited to the following activities that meet the minimum standards set forth in this definition:
- (1) The expansion of a building footprint which creates additional impervious area not accounted for in previously approved stormwater designs;
  - (2) Addition or replacement of a structure;
  - (3) Land disturbing activities related to improvements, modifications or additions to structural or impervious surfaces.
- Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety.
- O. "Safe storm drainage capacity" means the flow of stormwater runoff that can be transported by a channel or conduit without causing a rise of the water surface over the conduit or
- P. "Stormwater runoff" means the flow of water resulting from precipitation which is not absorbed by the soil or plant material.
- Q. "Stormwater runoff release rate" means the rate at which stormwater runoff is released from dominant to subservient land.
- R. "Topsoil" means the fertile, dark colored portion of the A-horizon containing a minimum of 5% organic matter, less than 30% clay content, granular structure, loose, friable texture, pH of 6-8, and devoid of debris and rocks.
- S. "Tributary watershed" means all of the area that contributes stormwater runoff to a given point.
- T. "Water Quality Volume" (WQv) is the volume needed to capture the runoff from 90% of the average annual rainfall events, which in Davenport is equal to 1.25 inches in twenty four hours.
- U. "Wet bottom stormwater storage area" means a facility designed to be maintained as a pond or free water surface, and which has the capacity to contain excess stormwater runoff.

V. "X-year storm" means the average recurrence intervals within which a rainfall of given intensity and duration will be equaled or exceeded only once. A one hundred-year storm would have an intensity of rainfall which would, on the average, be equaled or exceeded only once in one hundred years. This does not imply that it will occur once in one hundred years, or having occurred, will not happen again for one hundred years. (Ord. 2002-63 § 2: Ord. 92-353 § 1 (part)).

#### **13.34.040 Design criteria.**

The design of stormwater runoff systems, structures, and facilities shall be based on the following minimum standards which do not preclude the use of criteria which would result in reduced discharge rates or increased runoff quality.

#### **13.34.050 Compatibility with Other Permit and Ordinance Requirements.**

A. It is intended that this ordinance be construed to be consistent with previously adopted City Code CHAPTER 13.38, CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL, and CHAPTER 13.36, ILLICIT DISCHARGE TO STORM SEWER SYSTEM”.

B. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall take precedence.

#### **13.34.060 Requirements for Stormwater Management Plans**

A. No application for development will be approved unless it includes a stormwater management plan detailing how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by an individual approved by the City of Davenport, typically the applicants engineer, and must indicate whether stormwater will be managed on-site or off-site and the location and type of practices.

B. The stormwater management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed in a final stormwater management plan. This final plan must be signed by a professional engineer licensed in the state of Iowa, who will verify that the design of all stormwater management practices meet the submittal requirements outlined in the Davenport Stormwater Manual. No building, or COSESCO permits shall be issued until a satisfactory final stormwater management plan, or a waiver, shall have undergone a review and been approved by the City Engineer or their designee after determining that the plan or waiver is consistent with the requirements of this ordinance.

C. A stormwater management plan shall be required with all permit applications seeking approval under Chapter 13.34 of the Davenport Municipal Code and will include sufficient information (e.g. maps, hydrologic calculations, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater runoff generated at the project site. The intent of this planning process is to determine the type of stormwater management measures necessary for the proposed project, and ensure adequate planning for management of stormwater runoff from future development. The information required in the plan can be found in the Davenport Stormwater Manual. For development or redevelopment occurring on a previously developed site, an applicant shall include within the stormwater plan measures for controlling existing stormwater runoff discharges from the site in accordance with the standards of this ordinance to the maximum extent practicable.

D. In addition to the requirements above, a landscaping plan must be submitted as part of the stormwater management concept plan to describe the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be approved prior to issuance of a permit for construction of the project

E. After review of and modifications to the stormwater management plan and the Maintenance & Repair Agreement, as deemed necessary by the City of Davenport, the final stormwater management plan must be submitted for approval. The final stormwater management plan shall include all of the information required in the

Final Stormwater Management Plan outline found in the Davenport Stormwater Design Manual. Two copies of the approved Maintenance & Repair Agreement shall be signed by the owner and notarized and submitted to the City for signature prior to recording at the Records Office of Scott County. One notarized copy shall be kept by the owner and one shall be returned to the City of Davenport prior to project closure or issuance of any temporary or final occupancy permit.

F. The City of Davenport may, at its discretion, require the submittal of a performance security or bond prior to issuance of a building or COSESCO permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of "as built plans" and written certification by a registered professional engineer licensed in the state of Iowa that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this ordinance. The City of Davenport will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provision of this ordinance.

#### **13.34.065 Maintenance.**

A. All plans submitted for stormwater detention or water quality systems shall describe an adequate procedure of normal maintenance for the system in accordance with the requirements of the Davenport Stormwater Manual. Any failure of the stormwater system due to inadequate normal or capital maintenance shall be the responsibility of the owner of the property on which the system is located. It shall also be the property owner's responsibility to remedy any negligence in maintenance that resulted in the failure of the system. The submittal of plans for such a system or the purchase of property on which such system is located shall be deemed as acceptance of responsibility for normal and capital maintenance of the system. As part of the maintenance plan for the facility, at a minimum, BMPs shall be inspected or reviewed after completion certification within sixty (60) days and at least annually thereafter. A written record of inspection results and any maintenance work shall be maintained and available for review by the City. An updated "as-built" survey plan must be submitted to the City every five (5) years to ensure that the facility continues to meet design requirements. A request for a waiver of the five (5) year "as-built" submittal may be granted provided the requirements of the waiver procedure are met per the Davenport Stormwater Manual. In the event that maintenance is not provided, the Public Works Director, or their representative, shall notify the party responsible for maintenance to perform the work and set a reasonable time for its completion. If said party refuses or is unable to comply with said order, said party may be in violation of Section 13.34.090 and subject to penalties including but not limited to the Public Works Director, or their representative, causing the maintenance to be completed at the expense of said party.

B. Owners of all existing detention basins constructed before January 1, 2014 will have until December 31, 2016 to complete any necessary maintenance on such basins and submit the required "as-built" survey. Failure to comply with this section will result in enforcement actions as outlined in Section 13.34.090 (For reference only)

#### **13.34.070 Easements.**

A. Drainage easements shall be provided for all areas of the stormwater detention or quality systems including the outlet structures and emergency spillway.

B. Drainage easements shall be platted or otherwise recorded and provided for all conduits and those bypass channels where the one hundred-year runoff exceeds one cubic foot per second.

C. Whenever any stream or water course is located in an area that is being subdivided or otherwise improved, the subdivider shall dedicate a public right-of-way or drainage easement conforming substantially with the lines of such stream or water course and shall include such additional area adjoining both edges of such stream or water course that has been affected by damaging flood waters and/or inundated by the one hundred-year flood waters, as determined by the City Engineer. This easement area shall also contain a minimum fifty foot vegetated buffer area on both sides of the stream as measured landward horizontally on a line perpendicular to a vertical line marking the top of the existing banks of the stream or drainage way for single family residential areas. For multi-family, Commercial and Industrial areas this easement area shall also contain a minimum fifty foot vegetated buffer area on both sides of the stream as measured per the single family residential buffer. This buffer shall be planted with vegetation native to the midwest region of the United States and maintained as a prairie as outlined in the Davenport Stormwater Manual.

D. Unless deeded to the City of Davenport, maintenance of the stream, streambanks and easement areas described in section 13.34.070 shall be the responsibility of the landowners upon which the stream is located. This maintenance responsibility shall be clearly defined in a recorded document. The subdivider shall also provide reasonable public easements for access. Procedures for transfer request of the property described in 13.34.070.C to the City for maintenance or ownership are described in the Davenport Stormwater Manual.

E. It shall be noted on the final plat, "Owners of lots on which a drainage easement has been established as a stormwater passageway shall maintain said easement as a lawn, planted in grass and free of structures, swimming pools, fences, fill, bushes, trees, shrubs, or other landscaping that would impede the flow of water" and "Owners of lots on which a stream buffer is required shall maintain said buffer as a native planting area, not allowing vegetation to be cut to a height of less than nine-inches without authorization of the City of Davenport Natural Resources Division." In the event that the area established as a drainage easement is reshaped or otherwise restricted for use as a drainage easement, the City will cause the restrictions to be removed at the expense of the parties causing the restriction. Stream buffer signage is available via the City of Davenport Natural Resource Division upon request.

F. Upon the approval of the director of public works or his designee and directly affected property owners, drainage or stormwater easements on private property may be modified with a City approved design that allows the easement land to be planted with specifically approved native vegetation excluding weeds and invasive species. The planting plan may be enhanced with an infiltration based stormwater management practice and/or other appropriate structure. Maintenance will be in the form of a written agreement between the City and the property owner(s). Upon the approval of the director of public works or his designee, public lands may be planted with native vegetation or maintained in a manner that prohibits or reduces mowing so that the existing or planted vegetation can serve to enhance water quality.

(Ord. 2009-446 § 2; Ord. 92-353 § 1 (part)).

G. No structures shall be constructed in the stormwater detention or quality systems easement areas nor any filling, fencing or other obstacles which will impede its intended use or capacity and easements must comply with Section 13.34.160 Easements.

H. The developer shall provide reasonable public easements reserving the land for use as a stormwater facility providing the City with the right to inspect the facility and for ingress and egress.

### **13.34.080 Construction Inspections**

A. The applicant must notify the City of Davenport Public Works Department twenty-four (24) hours in advance of the commencement of construction of stormwater systems. Regular inspections of the stormwater management system construction shall be conducted by City staff from the Engineering Division of Public Works and the Natural Resources Division of Public Works. If any construction is found to not comply with the plans, the contractor, and/or property owner shall be notified of the nature of the discrepancy and the actions required correcting the construction. No added work shall proceed until any corrective actions are completed and pass re-inspection.

B. All applicants are required to submit "as built" plans for any stormwater management practices constructed prior to a final inspection of the site. The plans must show all final construction and must be certified by a professional engineer licensed in the state of Iowa. A final inspection by the City of Davenport is required before the release of any performance securities or issuance of certificate of occupancy for the building(s) on the property for which the stormwater system was constructed.

### **13.34.090 Enforcement**

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this Section.

A. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.

B. Violation of any provision of this chapter may also be enforced as a municipal infraction within Chapter 1.30, pursuant to the City's municipal infraction ordinance. The schedule of fines shall be as follows:

1. Schedule of violations



	Type I:	First offense	\$100
		Second offense	\$250
		Third offense	\$500
		Fourth and subsequent	\$750

## 2. Definition of offenses

### Type I

- a. Failure to submit a stormwater management plan.
- b. Failure to install stormwater management practices as required.
- c. Failure to maintain stormwater management practices as described in the approved management plan.
- d. Failure to inspect or provide proof of inspection of stormwater management practices.
- e. Failure to provide as-built data on stormwater management practices as required.
- f. Failure to maintain or submit records on stormwater management practices.
- g. Failure to comply with a written directive issued by the City Engineer, Public Works Director, Natural Resources Manager, or the enforcement officer designated by the City.

C. In addition to the civil and municipal infractions outlined in Section 13.34.090B the City of Davenport may also take any one or more of the following actions:

a. **Stop Work Order:** The City of Davenport may issue a stop work order which shall be served on the contractor, owner, or other responsible person. The stop work order shall remain in effect until the contractor, owner or other responsible person has taken the necessary actions to cure the violation or violations described in a written notice of violation. The stop work order may be withdrawn or modified to enable the contractor, owner or other responsible person to take the necessary remedial measures to cure such violation or violations.

b. **Withhold Certificate of Occupancy:** The City of Davenport may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the contractor, owner or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

## II. STORM SEWERS AND STORMWATER ROUTING

### 13.34.110 Applicability.

The provisions of Sections 13.34.120 through 13.34.160 shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments in excess of one acre;
  - B. Any development where the percentage of the impervious area of the lot is fifty percent or greater;
  - C. Any development which, in the opinion of the City Engineer, lacks an adequate internal or external passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.
- (Ord. 92-353 § I (part)).

### 13.34.120 Runoff calculation.

A. Design flows shall normally be calculated using the procedures outlined in the Soil Conservation Services, Technical Release No. 55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said Technical Release No. 55. For drainage basins of twenty acres or less, the Rational Method may be used.

B. In all cases, all areas are to be considered fully developed, in accordance with the City's current sanitary sewer master plan map which is available from the City Engineer.

(Ord. 92-353 § 1 (part)).

### 13.34.130 Storm sewers.

A. Storm sewers and intakes shall be designed for a ten year frequency storm in such a manner that the flooded street width shall not exceed:

<u>Street Width</u>	<u>Allowable Flooded Width Each Side</u>	<u>Required non Flood Lanes</u>

27 feet	8 feet	1-10' Lane
31 feet	10 feet	1-10' Lane
35 feet	9 feet	2- 8' Lanes
41 feet	10 feet	2-10' Lanes
45 feet	11 feet	2-11' Lanes
49 feet & wider	12 feet	2-12' Lanes

B. An acceptable method of determining the flooded width of the street shall be the use of width-discharge curves provided by the City.

C. An acceptable method of determining catch basin capacity for various conditions shall be the use of capacity charts provided by the City.

(Ord. 92-353 § 1 (part)).

D. Prior to acceptance of storm sewer installed by private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable City standards. Fees for this service shall be set from time to time by City council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

#### **13.34.140 Excess stormwater passageway.**

A. An excess stormwater passageway shall be provided for all developments. Such passage shall have the capacity to convey through the proposed development the excess stormwater from the tributary watershed. The capacity of such excess stormwater passage shall be constructed in such a manner as to transport the peak rate of runoff from a one hundred-year return frequency storm, assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

B. No buildings or structures shall be constructed within such passage; however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess stormwater otherwise restricted, the City engineer shall notify the agency, party or parties causing said restriction to remove the same and set a reasonable time for its removal. If said persons refuse to or are unable to comply with said order, the City engineer shall cause said restrictions to be removed at the expense of said persons.

C. Where specifically approved by the City Engineer, the excess stormwater passageway may consist of a conduit. In such cases, the inlet capacity shall be twice the capacity necessary to convey the one hundred-year stormwater flow.

D. Where a proposed development contains existing natural drainage, appropriate land planning shall be undertaken to preserve said natural drainage as part of the excess stormwater passage. E. Individual lot grading in a subdivision or other larger common plan of development must comply with the City approved final grading plan. Final grade shall match the final grades of the approved plat or construction plans no more than +/- one (1) foot in elevation while maintaining positive drainage away from structures; must not direct water directly toward any down-grade structure foundations; and must comply with Chapter 12.28 Driveway and Approaches, SUDAS Section 7030 and the City of Davenport SUDAS Supplemental Specifications;

F. Water entry levels for structures adjacent to the excess stormwater passageway shall be established one foot above the one hundred-year flood elevation. (Ord. 92-353 § 1 (part)).

#### **13.34.150 Open channels.**

A. The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions. Runoff shall be based on one hundred year storm frequency. Manning's Formula as cited in most civil engineering handbooks, shall be used in hydraulic design of open channels. Channel banks shall be protected by use of low vegetation, rip-rap, or paving as design velocity dictates subject to the approval of the City engineer. (Ord. 92-353 § 1 (part)).

### **III. STORMWATER DETENTION**

## FACILITIES

### 13.34.210 Applicability.

The provisions of Sections 13.34.220 through 13.34.250 inclusive shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments or redevelopment which cumulatively creates 5,000 square feet or more of impervious area located within the Davenport City limits.
- B. Any development which, in the opinion of the City Engineer, lacks an adequate external or internal system for the passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.
- C. The following activities are exempt from this ordinance:
  - a. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300.B.
- D. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 E or N of this ordinance, appropriate on-site management practices will be required and shall be guided by the latest editions of The Iowa Stormwater Management Manual, The Iowa Rain Garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.  
City

(Ord. 92-353 § 1 (part)).

### 13.34.220 Release rate.

A. The release rate of stormwater from any detention basin required under this chapter shall not exceed the stormwater runoff rate from the drainage area from a pre-developed two-year frequency storm using a runoff coefficient "c" of 0.15, when using the rational method for areas under twenty acres or a curve number of sixty when using the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR\_55 for areas over twenty acres.

B. The City may require a lesser release rate when the downstream outlet is insufficient to safely convey the release rate as determined in subsection A above.

C. Restrictor (orifice) plates to control release rates will not be accepted.

(Ord. 92-353 § 1 (part)).

### 13.34.230 Detention requirements.

A. Utilize the Unified Sizing Criteria or the Water Quality Volume (WQv) up to Extreme Flood Protection (Qr) for the required volume of stormwater detention. The WQv shall provide 100% retention, infiltration, or abstraction of the 1.25 inch in 24 hour rainfall event per Section 13.34.310. Rainfall greater than the WQv up to the Qr, or 100 year event, shall be released at the two-year, undeveloped, state.

B. For sites greater than twenty acres, the method of sizing of the detention storage volume must be approved by the City engineer. The TR-55 method is an approved method.

C. Detention storage may be provided as a dry bottom or wet bottom storage area.

1. Dry bottom stormwater storage areas may be designed to serve a secondary purpose for recreation, open space, parking, or other types of uses that will not be adversely affected by intermittent flooding.

a. A method of carrying the low flow through these areas shall be provided in addition to a system of drains to prevent soggy areas.

b. Outlet control structures shall be designed as simply as possible and shall require little or no attention for proper operation. Utilize the Unified Sizing Criteria for staged outlet design. Each stormwater storage area shall be

provided with a method of emergency overflow in the event that a storm in excess of the one hundred-year frequency storm occurs. This emergency overflow facility shall be designed to function without attention and shall become part of the excess stormwater passageway described in Section 13.34.240. Hydraulic calculations shall be submitted to substantiate all design features.

c. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare. Stormwater runoff velocities shall be kept at a minimum and turbulent conditions at an outlet control structure will not be permitted without complete protection for the public safety. The use of fences shall be kept to a minimum and used only as a last resort when no other method of protection is feasible.

d. Paved surfaces that are to serve as stormwater storage areas and rooftop storage shall be designed with permanent-type control outlets. Emergency overflow areas shall be provided.

2. Wet bottom stormwater storage areas shall be designed with all of the items required for dry bottom stormwater storage areas, except that the provisions of subsection D,1,a. of this section shall not be required. Utilize the Iowa Storm Water Management Manual and the following additional conditions:

a. Water surface areas shall not exceed one-fifteenth of the tributary drainage area.  
b. a 10:1 sloped safety bench centered on the Normal Water Level shall be constructed  
c. a skimming device to remove floatable material shall be included within or in series with the outlet structure.

d. Facilities shall be provided to lower the pond elevation by gravity flow for cleaning purposes and shoreline maintenance. Shoreline protection shall be provided to prevent erosion from wave action.

e. Minimum normal water depth shall be four feet. If fish are to be maintained, some portion of the pond area should be a minimum of nine feet deep.

f. Control structures for stormwater release shall be designed to operate with only a minor increase in the water surface level when the design storage capacity has been exceeded. Hydraulic calculations shall be submitted to substantiate all design features.

g. Only that portion of the detention area above the normal water level shall be used in calculating the storage capacity.

h. Orifice plates shall not be utilized in outlet structures and pipes.  
(Ord. 92-353 § 1 (part)).

### **13.34.240 Construction.**

A. Detention facilities for stormwater runoff control shall be constructed as part of the first phase of construction of a project unless alternate construction phasing is agreed upon in writing by the Natural Resources Manager or City Engineer.

B. The construction of water quality BMPs shall not commence until upstream areas which discharge runoff to the proposed system(s) have been stabilized with suitable ground cover or suitable protection has been installed to prevent sediment laden water from entering the system.

C. The construction of the stormwater management systems shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide benefit to the City, negotiations for public participation in the cost of development shall be initiated.

D. All flood control items such as earthen embankments, conduits, outlet structures, flood control structures, spillways, excess stormwater passageway channels, etc., shall be built as permanent facilities and all materials and their manner of construction shall be assembled to accomplish as much permanency as is possible.

F. Water quality practices may be constructed within detention areas to allow owners to conserve space. However, below grade volume for infiltration in a detention basin shall not be counted as required detention storage area unless detailed plans and calculations are submitted, reviewed and approved in writing by the Natural Resources Manager or City Engineer.

(Ord. 92-353 § 1 (part)).

### **13.34.250 Procedure.**

A. Plans, specifications and all calculations for stormwater runoff control(s) shall be submitted in accordance with the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).

B. Comply with **13.34.360 Construction Inspections**

C.. No certificate of occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.

(Ord. 92-353 § 1 (part)).

## **IV. STORMWATER QUALITY MANAGEMENT**

### **13.34.300 Applicability.**

The provisions of Sections 13.34.300 through 13.34.320 inclusive shall apply to the following areas under development:

A. Any development or redevelopment which cumulatively creates 5,000 square feet or more of impervious surface area, regardless of previous condition, unless granted a waiver under section 13.34.320 of this ordinance.

B. Development and redevelopment projects located within 50 feet of a natural waterway, modified natural waterway, or constructed channel or which include a new storm drain outfall to such waterway, regardless of project size or impervious surface. This requirement is intended to protect environmentally sensitive areas.

C. The following activities are exempt from this ordinance:

1. Additions or modifications to existing single family structures that do not meet the requirement of Section 13.34.300.B

2. Interior remodels and routine maintenance or repair, including roof or exterior surface replacement and resurfacing.

3. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300.B

D. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.020 E or N of this ordinance, appropriate on-site management practices will be required and shall be guided by the latest editions of The Iowa Stormwater Management Manual, The Iowa Rain garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.

### **13.34.310 Waivers**

A. Every development or redevelopment meeting the requirements of Section 13.34.300 shall provide for stormwater management as required by this ordinance, unless a waiver is granted. Requests to waive implementation of BMPs in whole or in part shall be submitted in writing to the Natural Resources Division of Public Works and include a non-feasibility study or combination of studies or reports presented as supporting documents along with the submitted engineering plans and specifications to be reviewed and approved by the City..

B. Partial Waivers:

1. A partial waiver of BMPs required by this ordinance may be granted provided that at least one of the following conditions is established by the applicant based on authoritative written evidence satisfactory to the City of Davenport Natural Resources Division.

a. Alternative on-site management of stormwater quality has been established in a stormwater management plan that has been approved by the City and fully implemented.

b. Provisions are made to manage stormwater quality by an off-site facility. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of stormwater quality control that is equal to or greater than that which would be afforded by on-site practices and there is, in the City's sole judgment, a



responsible entity legally obligated to monitor the performance of and maintain the efficiency of stormwater BMPs in accordance with a written and recorded maintenance agreement.

2. In instances where one of the above conditions is established, the applicant must further establish by professional study and reports, written evidence satisfactory to the City that the partial waiver will not result in any of the following impacts to downstream waterways:

- a. Deterioration of existing culverts, bridges, dams, and other structures; or
- b. Degradation of biological functions or habitat; or
- c. Accelerated streambank or streambed erosion or siltation; or
- d. Increased threat of flood damage to public health, life, or property.

### C. General Waivers

1. Where compliance with minimum requirements for stormwater quality management is not practical in the opinion of the Public Works Director or his designee, a general waiver may be granted. The applicant will then satisfy the minimum requirements by meeting one of the mitigation measures selected by the City of Davenport. Mitigation measures may include, but are not limited to, the following:

a. The creation of one or more stormwater BMPs on previously developed properties, public or private, in the same watershed as the proposed project, that currently lack stormwater BMPs, having a capacity to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver.

b. Monetary contributions (Fee-in-Lieu) to fund stormwater quality management activities on lands strategically located in the watershed consistent with the purposes of this ordinance. The monetary contributions required shall be in accordance with a fee schedule (unless the developer and the City agree on a greater alternate contribution) established by the City based on the estimated cost savings to the developer resulting from the waiver and the estimated future costs to the City to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater requirements as a consequence of the waiver. All of the monetary contributions shall be credited to an appropriate capital improvements program project or program and shall be made by the developer prior to the issuance of any building permit for the development. The fee-in-lieu procedure has been established and is as follows:

The City and the property owner shall agree on the best stormwater management practice available for the proposed project site assuming no limitations to the site layout, soil conditions, topography, or any other conditions which are currently limiting installation of a practice. The City will make the final determination on what constitutes a limitation. Once the management practice has been agreed upon the property owner will provide a cost estimate to construct the practice assuming no limitations. The City shall also create a cost estimate based on past projects and cost estimates. These estimates shall be discussed and averaged based on input from the owner and City representatives. If no agreement can be reached between the City and the Owner the Owner must proceed with meeting the full requirements of Section 13.34.300 unless a partial waiver is granted by the City. At such a time as the estimate is agreed upon by both parties the City shall assess an additional twenty percent (20%) administration fee to cover costs associated with actual installation of practices in the watershed at a future time. In addition, three years of maintenance costs for the agreed upon fee-in-lieu practice shall also be included in the final fee amount. The maintenance costs shall be determined by using the current contract prices for maintenance of stormwater practices by the City's hired contractor. In the event that maintenance is done by the City in-house, the current labor and equipment rate to provide said maintenance shall be the cost used.

These amounts shall be totaled and the final amount shall be considered the fee-in-lieu for the proposed project. All fees shall be paid to the City of Davenport and funds received shall be placed in an account in the City Clean Water Fund for future stormwater projects in the affected watershed as delineated by the Natural Resources Division.

c. Construction of an off-site stormwater quality management facility sufficient to achieve City stormwater quality requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver. The agreement shall be entered into by the applicant and the City prior to the recording

of plats or, if no record plat is required, prior to approval of a final development plan, or if no plat or final development plan is required, prior to the issuance of any building permit.

#### **13.34.320 General Performance Criteria for Stormwater Quality Management**

Unless judged by the City of Davenport to be exempt or granted a waiver, the following performance criteria shall be addressed for stormwater management at all sites:

A. All site designs shall establish stormwater management practices to control the peak flow rates of stormwater discharge associated with specified design storms and reduce the generation of stormwater runoff.

B. The City of Davenport reserves the right to require superseding and additional treatment criteria or objectives for specific pollutant(s) as necessary to meet overall stormwater quality management program objectives or directives under a watershed improvement or Total Maximum Daily Load (TMDL) program, as may be directed by the State of Iowa, or United States Environmental Protection Agency.

C. For new development and redevelopment, structural best management practices shall be designed to provide 80% bacteria reduction, based on current research accepted by the Natural Resources Division of Public Works, and 100% retention, infiltration, or abstraction of the 1.25 inch in 24 hour rainfall event. A best management practice complies with this standard if it is:

1. Sized to capture the prescribed water quality volume (WQv).
2. Designed according to the specific performance criteria outlined in the Iowa Stormwater Management Manual, Iowa Rain Garden Manual, or approved equal,
3. Constructed properly, and
4. Maintained regularly.

D. Stormwater discharges from land uses or activities with higher potential pollutant loadings may require the use of specific structural treatment and pollution prevention practices.

E. Prior to design, applicants are encouraged to consult with the Natural Resources Division of Public Works to determine if they are subject to additional stormwater design requirements.

F. The calculations for determining peak flows as found in the Iowa Stormwater Management Manual shall be used for sizing all stormwater quality management practices.

#### **13.34.330 Soil Quality Restoration**

Healthy soil provides important stormwater management functions including efficient water infiltration and storage, adsorption of excess nutrients, filtration of sediments, biological decomposition of pollutants, and moderation of peak stream flows and temperatures. In addition, healthy soils support vigorous plant growth which intercepts rainfall, reducing runoff by increasing evaporation and transpiration. Urbanization and development severely diminish a soil's capacity to absorb, filter and store rainwater. Common development practices including clearing and removal of topsoil during grading, compaction of remaining soil, and planting into unimproved soil or poor quality imported topsoil, produce unhealthy plants and lawns that require excessive fertilizers and pesticides which can lead to polluted stormwater runoff. All areas subject to clearing and grading that have not been covered by impervious surfaces, incorporated into a stormwater management practice, or engineered as structural fill or slopes shall, at project completion, use one or more of the following practices to improve soil structure and water quality.

A. Soil retention. Native topsoil shall be retained in an undisturbed state to the maximum extent practicable. In any areas requiring grading, remove and stockpile the topsoil on-site in a designated controlled area where it will not be compacted, and not adjacent to stormwater management areas. Before stockpiled topsoil can be reapplied to other portions of the site it must be tested, and amended if needed, to meet the organic matter or depth requirements specified in the Davenport Stormwater Manual. When topsoil is replaced it shall be un-compacted to a depth of four inches. Subsoils below the topsoil layer should be scarified with some incorporation of the upper material to avoid stratified layers

B. Soil quality restoration. Amend existing site topsoil or subsoil to a minimum rate of 5% organic matter content and a pH from 6.0 to 8.0 or matching the pH of the original undisturbed soil using methods specified in the Davenport Stormwater Manual. Soil that already meets the depth and organic matter quality standards, and is not compacted, does not need to be amended. The waiver for amending soil can be found in the Davenport Stormwater Manual. Upon completion of the project the topsoil layer shall have a minimum depth of four inches except where tree roots limit the depth of incorporation of amendments needed to meet the criteria. Subsoils below the topsoil layer should be scarified at least four inches with some incorporation of the upper material to avoid stratified layers.

C. Maintenance. Soil quality and depth should be established toward the end of construction, and once established shall be protected from compaction and erosion. The Davenport Stormwater Manual and Iowa Storm Water Management Manual contain additional recommendations for maintenance of soil quality restoration areas.

D. Inspection. Areas where soil retention or soil quality restoration are implemented must meet the inspection requirements of Section 13.34.080 and the Davenport Stormwater Manual and be inspected prior to seeding or turf placement.

E. The City Engineer or their designee will approve the source of off-site topsoil. Surface soils from ditch bottoms, drained ponds, and eroded areas, or soils that are supporting growth of noxious weeds or other undesirable vegetation, will not be accepted. The Engineer will determine if testing is necessary. The Contractor will be responsible for payment of the testing if the off-site topsoil does not meet the above requirements, regardless of testing outcome.

**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. The requirements of this ordinance do not supersede conditions on plats previously approved by council.

**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 \_\_\_\_\_,

Third Consideration \_\_\_\_\_,

\_\_\_\_\_  
Frank Klipsch  
Mayor

Attest: \_\_\_\_\_

Jackie E. Holecek, CMC  
Deputy City Clerk

Published in the Quad-City Times on \_\_\_\_\_.

1200 East 46th Street • Davenport, Iowa 52807

**Proposed 2018 Stormwater Manual and Ordinance Revisions**

Proposed Changes	Justification
<ul style="list-style-type: none"><li>• Detention and water quality applicability – change from 10,000 SF to 5,000 SF for development and redevelopment.</li><li>• Restructuring subsections for clarity.</li><li>• Correlating definitions of applicability for redevelopment in the Manual and Ordinance for clarity.</li><li>• Increasing the easement buffer area for new commercial sites in which a tributary runs through a development from 30' to 50'.</li><li>• Addition of swimming pools as structures that cannot be constructed within drainage easements.</li><li>• Increasing the design frequency for storm sewers and intakes from a 5 to 10 year.</li><li>• Updating detention release rates to be staged to detain a variety of storm intensities by adopting the Unified Sizing Criteria.</li><li>• Removing the use of orifice restrictor plates from outlet pipes.</li><li>• Clarifying when inspections of stormwater management practices are required during construction projects.</li><li>• Addition of clarity to expectations on grading during individual lot grading in subdivisions.</li></ul>	<ul style="list-style-type: none"><li>• To more readily meet the purpose of our stormwater ordinance; to protect and safeguard safety and welfare of the public.</li><li>• The structure of subsections in our stormwater ordinance caused confusion.</li><li>• The Manual and Ordinance had conflicting information. This will provide uniformity.</li><li>• To preserve stabilizing vegetation in stream corridors.</li><li>• Several swimming pools have been found to be constructed within drainage easements. Adding specific language to help with enforcement.</li><li>• To assist with temporary/localized street flooding issues.</li><li>• To reduce runoff rates from storms greater than the common 1.25" rain and less than the 100 year release rate = stream bank protection.</li><li>• Plates attached with bolts on outlet pipes to reduce outlet flows are often removed. This will ensure that detention practices are functioning properly.</li><li>• To help contractors avoid having to remove and reinstall practices that were constructed without inspection.</li><li>• To avoid drainage problems created during single-family home construction and grading.</li></ul>

City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Amy Kay (563) 327-5160  
Wards: All Wards

**Action / Date**  
**5/16/2018**

Subject:

Third Consideration: Ordinance amending Chapter 13.38 entitled "Construction Site Erosion and Sediment Control" by updating definitions of redevelopment and topsoil and correlating application procedure information with Chapter 13.34 Stormwater Management. [All Wards]

Recommendation:

Amend the ordinance.

Relationship to Goals:

Sustainable Infrastructure

Background:

Providing consistent messaging for our Stormwater Management program requirements is important across ordinance chapters. Updates to definitions and procedures in Chapter 13.38 will provide consistency and clarification for staff and customers.

ATTACHMENTS:

Type	Description
▣ Ordinance	PW_ORD_ConstructionSiteOrdinance13.38
▣ Exhibit	Summary of Changes

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	5/4/2018 - 5:32 PM



ORDINANCE amending Chapter 13.38 entitled "Construction Site Erosion and Sediment Control" by updating definitions of redevelopment and topsoil and correlating application procedure information with Chapter 13.34 Stormwater Management.

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

Section 1. That Chapter 13.38 is hereby modified and reads as follows:

**Chapter 13.38 CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL**

**Sections:**

- 13.38.010 Purpose.**
- 13.38.020 Findings.**
- 13.38.030 Definitions.**
- 13.38.040 Application procedures.**
- 13.38.050 Permit exemptions.**
- 13.38.060 Permit term.**
- 13.38.070 Inspection procedures.**
- 13.38.080 Monitoring procedures.**
- 13.38.090 Termination of COSESCO permits.**
- 13.38.100 Enforcement.**
- 13.38.110 Stop work order.**
- 13.38.120 Appeal of notice of violation.**

**13.38.010 Purpose.**

The purpose of this chapter is to regulate and control the erosion of soil and other debris, including but not limited to Discharge prohibitions as noted in Section 13.36.060, from any development or redevelopment and sets forth the procedures required to prevent erosion and provides recourse for affected parties, so as to care and protect the quality of our soil and water resources and to promote and preserve the rights, privileges, property, safety, health and well-being of the public. (Ord. 2007-16 § 3).

**13.38.020 Findings.**

A. The U.S. EPA's National Pollutant Discharge Elimination System ("NPDES") permit program (program) administered by the Iowa Department of Natural Resources ("IDNR") requires that cities meeting certain demographic and environmental impact criteria obtain from the IDNR an NPDES permit for the discharge of storm water from a municipal separate storm sewer system (MS4) (MRS permit). The city of Davenport (city) is subject to the program and is required to obtain, and has obtained, an MS4 permit; the city's MS4 permit is on file at the office of the city clerk and is available for public inspection during regular office hours.

B. The program requires certain individuals engaged in construction activities (applicant or applicants) to submit an application to the IDNR for a state NPDES General Permit #2. Notwithstanding any provision of this chapter, every applicant bears final and complete responsibility for compliance with a state NPDES General Permit #2 and any other requirement of state or federal law or administrative rule.

C. As a condition of the city's MS4 permit, the city is obliged to undertake responsibility for administration and enforcement of the program by adopting a CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL (COSESCO) ORDINANCE designed to achieve the following objectives:

1. Any person, firm, sole proprietorship, partnership, corporation, state agency or political subdivision ("applicant") required by law or administrative rule to obtain coverage under the IDNR for a state NPDES General Permit #2 shall also be required to obtain from the city a COSESCO permit in addition to and not in lieu of the state NPDES General Permit #2.

2. The city shall have responsibility for periodic compliance inspections, monitoring and enforcement procedures to promote applicants' compliance with state NPDES General Permits #2 and COSESCO permits.

D. No state or federal funds have been made available to assist the city in administering and enforcing the program. Accordingly, the city shall fund its application, inspection, monitoring and enforcement responsibilities entirely by fees imposed as adopted by resolution of the city council.

E. Terms used in this chapter shall have the meanings specified in the program. (Ord. 2007-167 § 3).

### **13.38.030 Definitions.**

When used in this chapter, the following words and phrases shall have the meanings as defined in this section.

A. "Access" or "site access" means any physical entry to a construction site or fill site and shall include any means of entry by pedestrian or vehicle.

B. "Construction" means any improvement to a structure including additions or new buildings and retaining walls or landscape, resulting in an improvement of a property within an existing subdivision.

C. "Development" means the improvement of land from its natural state and providing for future construction and includes the installation of a subdivision and related utilities and public improvements.

D. "Debris" means concrete, rubble, grubbed plant material, construction material and equipment.

E. "Disturbed area" means the actual size of an area from which protective cover and established vegetation has been removed.

F. "Erosion" means the depositing or relocation of soil or debris by natural drainage, wind, dumping, construction activity, transportation or other means.

G. "Excavate" or "excavation" means any land disturbing activity, by which organic matter, earth, sand, gravel, rock, trees, vegetation, or other ground cover is cleared, graded, cut, dug, uncovered, removed, displaced, relocated or moved and shall include the conditions resulting therefrom.

H. "Fill" or "filling" means any land disturbing activity by which earth, sand, gravel, rock or other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved to a new location and shall include the conditions resulting therefrom.

I. "Grade" or "grading" means any excavating, filling or combination thereof.

J. "Land disturbing activities" means the act of clearing, grading, excavating, filling or other construction activities which involve the removal of protective cover and established vegetation on a lot, tract, or parcel of land.

K. "Person" means any individual, firm, sole proprietorship, partnership or corporation.

L. "Redevelopment" means land-disturbing activity which results in the creation, addition or replacement of impervious surface area on an already developed site. Re-development includes, but is not limited to the following activities that meet the minimum standards set forth in this definition:

(1) The expansion of a building footprint which creates additional impervious area not accounted for in previously approved stormwater designs;

(2) Addition or replacement of a structure;

(3) Land disturbing activities related to improvements, modifications or additions to structural or impervious surfaces such as parking lots, streets, sidewalks, driveways and buildings.

Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety.

M. "Sediment" is any particulate matter that can be transported by fluid flow, wind, glaciers or gravity.

N. "Soil" means earth or rock that is naturally occurring or deposited by excavation from the ground.

O. "Topsoil" means the fertile, dark colored portion of the A-horizon containing a minimum of 3% organic matter, less than 30% clay content, granular structure, loose, friable texture, pH of 6-8, and devoid of debris and rocks. (Ord. 2007-167 § 3).

#### **13.38.040 Application procedures.**

A. The following persons are required to obtain a city COSESCO permit.

1. All persons required by law or administrative rule to obtain and comply with the requirements of a state NPDES General Permit #2 from the IDNR, and persons who will be conducting land disturbing activities on a site less than one acre in size that are part of a larger common plan of development.

2. All persons creating land disturbing activities less than one acre but more than five thousand square feet in size for development or redevelopment of property or for the purpose of filling a site where a state NPDES General Permit #2 is not required.

3. Land disturbing activities less than five thousand square feet will be evaluated individually by the Natural Resources Division of Public Works and may be exempted based on disturbance size, topography, location, construction type or other criteria that would eliminate or limit the threat of erosion or sediment deposition.

B. Applications for COSESCO permits shall be made on forms approved by the city and are available from the natural resources division of public works.

C. An applicant applying for a COSESCO permit shall pay fees in the amount set from time to time by city council resolution as follows:

1. Before any COSESCO permit application is issued by the natural resources division, a plan review fee shall be paid by the applicant. If required materials are incomplete or changed so as to require additional review, an additional review fee shall be charged to the applicant for each review necessary.

2. A permit fee shall be due upon acceptance of an application based upon estimated amount of land disturbance, including areas to be dedicated to the city.

3. For each inspection required by this chapter, the applicant shall pay an inspection fee.

4. An annual permit renewal fee.

Failure of the applicant to pay an inspection fee within thirty days of billing shall constitute a violation of this chapter.

D. An applicant in possession of a state NPDES General Permit #2 issued by the IDNR shall submit to the city through their online E-Plan review system the materials described below as a basis for the city to determine whether to issue a COSESCO permit:

1. Applicant's plans which show best management practices (BMP) control measures, specifications, notice of intent (NOI) and supporting materials submitted to the IDNR in support of applicant's application for the state NPDES General Permit #2.

2. Storm water pollution prevention plan (SWPPP) in accordance with this chapter.

3. Evidence of authorizations issued pursuant to applicant's state NPDES General Permit #2.

E. Every SWPPP submitted to the city in support of an application for a COSESCO permit shall have the following:

1. A written document separate from engineered plans that comply with all current minimum mandatory requirements for SWPPP's promulgated by the IDNR in connection with issuance of a state NPDES General Permit #2.

2. A Joint Application Form, PROTECTING IOWA WATERS, IOWA DEPARTMENT OF NATURAL RESOURCES AND U.S. ARMY CORPS OF ENGINEERS, if the applicant is required by law to file and comply with all mandatory minimum requirements pertaining to such applications.

3. Compliance with all other applicable state or federal permit requirements in existence at the time of application including, but not limited to, waste at construction sites that may cause adverse impacts to water quality such as building materials, concrete truck washout, geothermal exploration and drilling, chemicals, solid waste and sanitary waste.

4. Within the SWPPP a signed and dated certification by the person preparing the SWPPP that the SWPPP complies with all requirements of this chapter and the applicant's NPDES General Permit #2.

F. Issuance by the city of a COSESCO permit shall be a condition precedent for the issuance of a City building permit.

G. For the duration of time that the construction site is subject to a state NPDES General Permit #2 and/or a COSESCO permit, the applicant shall provide the city with current information as follows:

1. The name, address and telephone number of the person on site designated by the owner who is knowledgeable and experienced in erosion and sediment control and who will oversee compliance with the state NPDES General Permit #2 and the COSESCO permit.

2. The name(s), address(es) and telephone number(s) of the contractor(s) and/or subcontractors(s) responsible for the installation and maintenance of each erosion and sediment control measure identified in the SWPPP.

H. An applicant creating land disturbing activities less than one (1) acre in size for development or redevelopment of commercial property or for the purpose of filling a site where a state NPDES General Permit #2 is not required, shall submit a grading, erosion and sediment control plan for review. The grading, erosion and sediment control plan shall be prepared by a licensed professional civil engineer or a certified professional in erosion and sediment control (CPESC), or credentialed in a manner acceptable to the city. As a minimum, the following information shall be included;

1. A location map and pertinent surrounding features.
  2. An overall site plan (minimum scale 1"=50') clearly indicating the area of the site and the type of land disturbing activities which will take place.
  3. Existing and proposed topography shown in one foot intervals.
  4. The location and description of proposed stormwater management facilities.
  5. The limits of the land disturbing activities including clearing and grubbing.
  6. Drainage features including open channels, ponds, streams, or rivers
  7. Existing and proposed structures and utilities which may impact the plan.
  8. Erosion and sediment control methods to be implemented as part of the land disturbing activities on the site:
- a. Location, size, maintenance requirements, and design calculations for best management practices.
  - b. Detail drawings or references to details.
  - c. Type and quantity of seeding, fertilizing, mulching and other plantings.
  9. The soil types affected by the land disturbing activities, and location of highly erodible or unstable soils as determined by the most current NRCS soil survey.

10. The schedule and staging of grading, erosion and sediment control practices, and restoration.

I. Upon receipt of an application for a COSESCO permit, the city shall either find that the application complies with this chapter and issue a City COSESCO Permit in accordance with this chapter, or that the application fails to comply with this chapter, in which case the city shall include a written report identifying noncompliant elements of the application.

J. By submission of a COSESCO permit application, the applicant agrees to defend, indemnify and hold the city harmless from any and all claims, damages or suits arising directly or indirectly out of any act of commission or omission by the applicant, or any employee, agent, assign or contractor or subcontractor of the applicant, in connection with the applicant's state NPDES General Permit #2 and/or COSESCO permit.

K. All persons creating land disturbing activities, regardless of size, shall adhere to the following regulations:

a. A silt containment system using best management practices must be installed on site prior to and/or during land disturbing activities as construction scheduling allows. Silt containment shall also be maintained throughout the course of construction to prevent erosion and sediment from accumulating on adjoining public and private properties or waters of the United States.

b. Eroded soil or debris from construction or fill sites shall be cleared from public right-of-way within twenty-four hours of each occurrence and eroded soil or debris shall be cleared immediately from adjoining property owners. Clearing and removal of deposited or eroded soil or debris shall be the responsibility of the owner or permittee of the site. Failure to take corrective action shall constitute a violation of this chapter and may include the city performing, or cause to be performed, the necessary work to clear public right-of-way and assess the cost to do so against the property.

L. Homebuilders, new lot owners, contractors and subcontractors which are co-permittees under an existing SWPPP shall provide written documentation indicating they are co-permittees including signatures by the co-permittee and developer/property owner.

M. For fill sites, substantial site access control shall be installed as necessary in order to prevent depositing of fill by unauthorized persons.

N. All construction sites, regardless of size, shall be furnished with a stabilized construction entrance to handle the type and frequency of the traffic entering and exiting the site or make use of some other method designed to prevent offsite tracking. Any soils tracked off-site shall be cleaned up by the permittee or co-permittee at the end of each day or when directed by the City Engineer or their designee to prevent sediment from entering the municipal storm sewers or waters of the states. Any soils entering municipal storm sewers or waters of the United States will be considered a violation of this chapter. (Ord. 2013-335 § 1; Ord. 2007-167 § 3).

#### **13.38.050 Permit exemptions.**

The following land disturbing activities shall be exempt from this chapter:

- A. In the furtherance of farming, horticultural or gardening.
- B. Minor utility excavations.
- C. Street resurfacing or patching.
- D. Streambank stabilization projects disturbing less than one acre.
- E. Sites exempted under Section 13.38.040 A, 3. (Ord. 2013-335 § 2; Ord. 2007-167 § 3).

#### **13.38.060 Permit term.**

A. A COSESCO permit shall be valid for three hundred sixty-five calendar days from its date of issuance and must be renewed annually.

B. A COSESCO permit shall be considered expired one hundred eighty calendar days after the date of issuance if permitted work has not commenced. (Ord. 2007-167 § 3).

#### **13.38.070 Inspection procedures.**

A. All Inspections required under this chapter shall be conducted by the soil erosion inspector or other representative of the city, hereinafter referred to as the "enforcement officer." Inspections by the enforcement officer may be scheduled or unannounced.

B. Any permittee that is subject to the terms of the COSESCO permit shall allow the city or an authorized representative of the city, upon the presentation of proper identification, to enter upon applicant's private property for inspection purposes.

C. The permittee shall notify the enforcement officer when all measures required by the SWPPP have been accomplished on site prior to earth moving activities, whereupon the enforcement officer shall conduct an initial inspection for the purpose of determining compliance with this chapter, and shall within a reasonable time thereafter report to the permittee either that compliance appears to have been achieved, or that compliance has not been achieved, in which case the city shall provide a report identifying the conditions of noncompliance. The permittee shall immediately commence corrective action and shall complete such corrective action before construction begins. For good cause shown, the city may extend the deadline for taking corrective action. Failure to take corrective action in a timely manner shall constitute a violation of this chapter.



D. After initial inspection compliance has been achieved, the enforcement officer will perform quarterly inspections and upon receipt of a complaint (not to exceed one time per thirty calendar days) and the city shall charge the permittee an inspection fee in the amount set from time to time by city council resolution. The quarterly inspections will be performed until the city accepts the notice of termination as outlined in Section 13.38.090.

E. In addition to the scheduled site inspections outlined immediately above, the enforcement officer may conduct additional compliance inspections at the city's expense.

F. The city shall not be responsible for the direct or indirect consequences to the applicant or to third parties for noncompliant conditions undetected by inspection. (Ord. 2007-167 § 3).

#### **13.38.080 Monitoring procedures.**

A. Upon issuance of a COSESCO permit, a permittee has an absolute duty to inspect and monitor site conditions and to document any change in circumstances or site conditions the permittee knows, or should know, that pose a risk of any stormwater discharge in a manner inconsistent with the permittee's SWPPP, state NPDES General Permit #2 or COSESCO permit.

1. Such documentation shall be made by the permittee on SWPPP inspection forms.

2. Failure to provide proper documentation shall constitute a violation of this chapter.

B. Any third party may also report to the city site conditions which the third party reasonably believes pose a risk of stormwater discharge in a manner inconsistent with the permittee's SWPPP, General Permit #2 and/or COSESCO permit.

C. Upon receiving a report pursuant to this section, the enforcement officer shall conduct an inspection of the site as soon as reasonably possible and thereafter shall provide the permittee with a notice identifying the conditions of non-compliance. The permittee shall immediately commence corrective action. Failure to take corrective action in a timely manner shall constitute a violation of this chapter, whereupon the enforcement officer shall immediately commence enforcement actions as identified within this chapter.

D. The city shall not be responsible for the direct or indirect consequences to the permittee or to third-parties for noncompliant conditions undetected by inspection or monitoring. (Ord. 2007-167 § 3).

#### **13.38.090 Termination of a COSESCO permits.**

A. Within thirty days after final stabilization at the construction site, as defined by the IDNR in its General Permit #2, the permittee shall submit a notice of termination to the natural resources division of public works. The notice shall contain the following information:

1. The name and address of the permittee to whom the permit was issued.

2. The permit authorization number.

3. The date the construction site reached final stabilization.

4. A certificate stating that the disturbed soils have been finally stabilized and temporary sediment control devices will be removed at an appropriate time. The permittee shall also acknowledge that they are no longer authorized to discharge stormwater associated with construction at this site.

B. Upon receipt of the notice of termination, the enforcement officer shall conduct a final inspection of the site for the purpose of verifying final stabilization. Within a reasonable time thereafter, the enforcement officer will report to the permittee that either final stabilization is achieved, or that final stabilization has not been achieved before COSESCO termination is accepted. (Ord. 2007-167 § 3).

#### **13.38.100 Enforcement.**

A. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the city shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.

B. Violation of any provision of this chapter may also be enforced as a municipal infraction within Chapter 1.30, pursuant to the city's municipal infraction ordinance. The schedule of fines shall be as follows:

1. Schedule of violations

Type 1: First offense	\$100
Second offense	\$250
Third offense	\$500
Fourth and subsequent	\$750
Type 2: First offense	\$500
Second and subsequent	\$750

2. Definition of offenses

Type 1

- a. Failure to control off-site tracking of silt, sediment, or mud.
- b. Failure to implement stormwater pollution prevention controls as designated in SWPPP or grading, erosion and sediment control plan.
- c. Failure to maintain stormwater pollution prevention controls.
- d. Failure to document any stormwater discharge that is a violation of water quality standards, or in a manner inconsistent with the permittee's SWPPP, General Permit #2 and/or COSESCO permit.

Type 2

- a. Operating without a COSESCO permit.
- b. Discharging silt/sediment to the city of Davenport's storm or sanitary sewers.
- c. Failure to comply with a written directive issued by the City Engineer, Public Works Director or the enforcement officer designated by the city. (Ord. 2007-167 § 3).

**13.38.110 Stop work order.**

A. In the event any person holding a COSESCO permit pursuant to this chapter violates the requirements of the permit as is described herein or carries on site development in such a manner so as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the enforcement officer shall suspend or revoke the COSESCO permit.

B. The suspension of a COSESCO permit shall be a written stop work order issued by the enforcement officer to the permittee or his agent or the person performing the work. The stop work order shall be effective immediately, shall state the specific violations cited, and the conditions under which the work may be resumed. A stop work order shall remain in effect until the enforcement officer has approved corrective measures.

C. Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation, shall be subject to penalties as stated in this chapter. (Ord. 2007-167 § 3).

**13.38.120 Appeal of notice of violation.**

Any person receiving a notice of violation may appeal the determination of the public works department. The notice of appeal must be received within three calendar days from the date of the notice of violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within fourteen calendar days from the date of receipt of the notice of appeal. The decision of the hearing officer or designees shall be final. (Ord. 2007-167 § 3).

**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. The requirements of this ordinance do not supersede conditions on plats previously approved by council.

**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 \_\_\_\_\_,  
Third Consideration \_\_\_\_\_,

\_\_\_\_\_  
Frank Klipsch  
Mayor

Attest: \_\_\_\_\_  
Jackie E. Holecek, CMC  
Deputy City Clerk

Published in the Quad-City Times on \_\_\_\_\_.

1200 East 46th Street • Davenport, Iowa 52807

**Proposed 2018 Stormwater Manual and Ordinance Revisions**

Proposed Changes	Justification
<ul style="list-style-type: none"><li>• Detention and water quality applicability – change from 10,000 SF to 5,000 SF for development and redevelopment.</li><li>• Restructuring subsections for clarity.</li><li>• Correlating definitions of applicability for redevelopment in the Manual and Ordinance for clarity.</li><li>• Increasing the easement buffer area for new commercial sites in which a tributary runs through a development from 30' to 50'.</li><li>• Addition of swimming pools as structures that cannot be constructed within drainage easements.</li><li>• Increasing the design frequency for storm sewers and intakes from a 5 to 10 year.</li><li>• Updating detention release rates to be staged to detain a variety of storm intensities by adopting the Unified Sizing Criteria.</li><li>• Removing the use of orifice restrictor plates from outlet pipes.</li><li>• Clarifying when inspections of stormwater management practices are required during construction projects.</li><li>• Addition of clarity to expectations on grading during individual lot grading in subdivisions.</li></ul>	<ul style="list-style-type: none"><li>• To more readily meet the purpose of our stormwater ordinance; to protect and safeguard safety and welfare of the public.</li><li>• The structure of subsections in our stormwater ordinance caused confusion.</li><li>• The Manual and Ordinance had conflicting information. This will provide uniformity.</li><li>• To preserve stabilizing vegetation in stream corridors.</li><li>• Several swimming pools have been found to be constructed within drainage easements. Adding specific language to help with enforcement.</li><li>• To assist with temporary/localized street flooding issues.</li><li>• To reduce runoff rates from storms greater than the common 1.25" rain and less than the 100 year release rate = stream bank protection.</li><li>• Plates attached with bolts on outlet pipes to reduce outlet flows are often removed. This will ensure that detention practices are functioning properly.</li><li>• To help contractors avoid having to remove and reinstall practices that were constructed without inspection.</li><li>• To avoid drainage problems created during single-family home construction and grading.</li></ul>

City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Ron Hocker 327-5169  
Wards: All

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Hagerty Earthworks, LLC, of Muscatine, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001. [All Wards]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Sustainable Infrastructure

**Background:**

This program is to repair damages to sewer infrastructure by contract.

Design of the sewer repairs and program management will be completed by the Sewer Division with quality assurance inspections being completed by Engineering Division staff.

Three bids were received on April 4, 2018 at 2:00 PM, and the first year bids ranged from a low of \$240,530 to a high of \$249,895. A bid tabulation sheet is attached.

This project was bid as an Indefinite Quantity, Indefinite Delivery Task Order Contract. All three bidding contractors will enter into annual contracts with the city with an option for a one year contract extension. Work will be assigned to the contractors on a rotating basis.

Contracts will be guaranteed in the amount of \$250,000 for each contractor with a maximum contract value of \$1,200,000. Funds for the FY 2019 Contract Sewer Repair Program are budgeted in CIP #30044 at \$1,250,000 and in CIP #33001 at \$200,000.

**ATTACHMENTS:**

Type	Description
▢ Cover Memo	Resolution
▢ Cover Memo	Bid Tab

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	5/30/2018 - 5:09 PM
Public Works Committee	Lechvar, Gina	Approved	5/30/2018 - 5:09 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:38 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose

RESOLUTION awarding and conditionally approving the contract and bond for the FY 2019 Contract Sewer Repair Program to Hagerty Earthworks, LLC, of Muscatine, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001.

WHEREAS, the FY 2019 Contract Sewer Repair Project was duly advertised and published according to state law, and

WHEREAS, three (3) responsible and responsive bids were received at the appointed time and place for the bid opening;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa: that the first year of the contract for the above-said work be awarded to Hagerty Earthworks, LLC of Muscatine, IA, they being a low bidder.

BE IT FURTHER RESOLVED: that the second (option) year of the contract may be awarded by a separate Resolution to Exercise the Option Year at a later date as approved by City Council.

BE IT FURTHER RESOLVED: that the Mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport, Iowa.

BE IT FURTHER RESOLVED: that the Project Manager has the authority to increase quantities up to a total contract of \$1,200,000, within the Capital Improvement Project budget constraints, upon approval of the Assistant City Administrator / Public Works Director.

BE IT FURTHER RESOLVED: that, upon approval by City staff, the executed contract and bond are hereby approved.

Passed and approved this 13th day of June, 2018.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Jackie E. Holecek, Deputy City Clerk

Bid Tab

Project: FY2019-2020 CONTRACT SEWER REPAIR PROGRAM				ENGINEER'S ESTIMATE					CONTRACTOR: Legacy Corp	
Bid Letting										
At: Purchasing Division, City Hall										
Time: 2:00:00 PM										
Date: April 4, 2018									Bid Bond <input checked="" type="checkbox"/>	
ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE
1	FENCE, REMOVED AND REPLACED	25	LF	\$10.00	\$10.50	\$250.00	\$262.50	\$512.50	\$5.00	\$5.00
2	BUSHES/SHRUBS, REMOVED AND REPLACED	10	EACH	\$75.00	\$78.75	\$750.00	\$787.50	\$1,537.50	\$5.00	\$5.00
3	TREE REMOVAL	30	IN-DIA	\$40.00	\$42.00	\$1,200.00	\$1,260.00	\$2,460.00	\$10.00	\$10.00
4	GROUT PIPE ENTRY INSIDE STRUCTURE	5	EA	\$100.00	\$105.00	\$500.00	\$525.00	\$1,025.00	\$40.00	\$40.00
5	PAVEMENT REMOVAL	350	SY	\$50.00	\$52.50	\$17,500.00	\$18,375.00	\$35,875.00	\$35.00	\$35.00
6	SIDEWALK REMOVAL	150	SF	\$3.00	\$3.15	\$450.00	\$472.50	\$922.50	\$2.00	\$2.00
7	P.C.C. SIDEWALK, 4"	100	SF	\$8.00	\$8.40	\$800.00	\$840.00	\$1,640.00	\$7.00	\$7.00
8	P.C.C. SIDEWALK, 7"	50	SF	\$9.00	\$9.45	\$450.00	\$472.50	\$922.50	\$9.00	\$9.00
9	DETECTABLE WARNING PANEL	20	SF	\$25.00	\$26.25	\$500.00	\$525.00	\$1,025.00	\$25.00	\$25.00
10	R & R SW-STYLE INTAKE TOP	20	SF	\$100.00	\$105.00	\$2,000.00	\$2,100.00	\$4,100.00	\$40.00	\$40.00
11	R & R SW-STYLE INTAKE THROAT	20	SF	\$150.00	\$157.50	\$3,000.00	\$3,150.00	\$6,150.00	\$20.00	\$20.00
12	EXCAVATION	1,300	CY	\$60.00	\$63.00	\$78,000.00	\$81,900.00	\$159,900.00	\$25.00	\$25.00
13	6"-10" PIPE, REMOVED AND REPLACED WITH PVC	100	LF	\$10.00	\$10.50	\$1,000.00	\$1,050.00	\$2,050.00	\$10.00	\$10.00
14	6"-10" PIPE, REMOVED AND REPLACED WITH TRUSS	150	LF	\$10.00	\$10.50	\$1,500.00	\$1,575.00	\$3,075.00	\$10.00	\$10.00
15	8"-12" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$30.00	\$31.50	\$600.00	\$630.00	\$1,230.00	\$25.00	\$25.00
16	8"-12" PIPE, REMOVED AND REPLACED WITH C900	20	LF	\$25.00	\$26.25	\$500.00	\$525.00	\$1,025.00	\$15.00	\$15.00
17	12"-15" PIPE, REMOVED AND REPLACED WITH PVC	100	LF	\$15.00	\$15.75	\$1,500.00	\$1,575.00	\$3,075.00	\$15.00	\$15.00
18	12"-15" PIPE, REMOVED AND REPLACED WITH TRUSS	150	LF	\$15.00	\$15.75	\$2,250.00	\$2,362.50	\$4,612.50	\$15.00	\$15.00
19	12"-18" PIPE, REMOVED AND REPLACED WITH RCP	30	LF	\$20.00	\$21.00	\$600.00	\$630.00	\$1,230.00	\$10.00	\$10.00
20	15"-18" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$50.00	\$52.50	\$1,000.00	\$1,050.00	\$2,050.00	\$50.00	\$50.00
21	15"-18" PIPE, REMOVED AND REPLACED WITH C905	30	LF	\$40.00	\$42.00	\$1,200.00	\$1,260.00	\$2,460.00	\$50.00	\$50.00
22	20"-24" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$80.00	\$84.00	\$1,600.00	\$1,680.00	\$3,280.00	\$90.00	\$90.00
23	20"-24" PIPE, REMOVED AND REPLACED WITH C905	20	LF	\$65.00	\$68.25	\$1,300.00	\$1,365.00	\$2,665.00	\$75.00	\$75.00
24	21"-27" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$65.00	\$68.25	\$650.00	\$682.50	\$1,332.50	\$25.00	\$25.00
25	30"-48" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$80.00	\$84.00	\$800.00	\$840.00	\$1,640.00	\$45.00	\$45.00
26	60" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$90.00	\$94.50	\$900.00	\$945.00	\$1,845.00	\$50.00	\$50.00
27	CONSTRUCT SINGLE INTAKE STRUCTURE	3	EACH	\$2,800.00	\$2,940.00	\$8,400.00	\$8,820.00	\$17,220.00	\$2,250.00	\$2,250.00
28	CONSTRUCT DOUBLE INTAKE STRUCTURE	2	EACH	\$3,200.00	\$3,360.00	\$6,400.00	\$6,720.00	\$13,120.00	\$2,250.00	\$2,250.00
29	CONSTRUCT TRIPLE INTAKE STRUCTURE	1	EACH	\$3,500.00	\$3,675.00	\$3,500.00	\$3,675.00	\$7,175.00	\$3,000.00	\$3,000.00
30	REMOVE AND REPLACE CASTING BOXOUT	5	EACH	\$500.00	\$525.00	\$2,500.00	\$2,625.00	\$5,125.00	\$450.00	\$450.00
31	REMOVE MANHOLE	30	VF	\$20.00	\$21.00	\$600.00	\$630.00	\$1,230.00	\$10.00	\$10.00
32	CONSTRUCT 60" DIA MANHOLE BASE	5	EACH	\$1,750.00	\$1,837.50	\$8,750.00	\$9,187.50	\$17,937.50	\$1,200.00	\$1,200.00
33	CONSTRUCT 60" DIAMETER MANHOLE BARREL	40	VF	\$175.00	\$183.75	\$7,000.00	\$7,350.00	\$14,350.00	\$175.00	\$175.00
34	CONSTRUCT 60" DIAMETER MANHOLE CONE	4	EACH	\$450.00	\$472.50	\$1,800.00	\$1,890.00	\$3,690.00	\$1,200.00	\$1,200.00
35	CONSTRUCT 60" DIAMETER MANHOLE FLATTOP	1	EACH	\$400.00	\$420.00	\$400.00	\$420.00	\$820.00	\$350.00	\$350.00
36	MANHOLE DROP CONNECTION	10	VF	\$300.00	\$315.00	\$3,000.00	\$3,150.00	\$6,150.00	\$150.00	\$150.00
37	FURNISH AND PLACE CONCRETE ADJUSTING RINGS	20	EACH	\$35.00	\$36.75	\$700.00	\$735.00	\$1,435.00	\$30.00	\$30.00
38	MANHOLE RING AND CASTING	6	EACH	\$450.00	\$472.50	\$2,700.00	\$2,835.00	\$5,535.00	\$375.00	\$375.00
39	INTAKE GRATE AND CASTING	5	EACH	\$550.00	\$577.50	\$2,750.00	\$2,887.50	\$5,637.50	\$475.00	\$475.00
40	MANHOLE CHIMNEY SEAL	10	VF	\$300.00	\$315.00	\$3,000.00	\$3,150.00	\$6,150.00	\$320.00	\$320.00
41	CONSTRUCT CONCRETE PIPE COLLAR	300	CF	\$25.00	\$26.25	\$7,500.00	\$7,875.00	\$15,375.00	\$25.00	\$25.00
42	GRANULAR BACKFILL	950	TONS	\$40.00	\$42.00	\$38,000.00	\$39,900.00	\$77,900.00	\$50.00	\$50.00

Borough of IL			CONTRACTOR: Hometown Plumbing & Heating Co.					CONTRACTOR: Hagerty Earthworks, LLC				
			Bid Bond <input checked="" type="checkbox"/>					Bid Bond <input checked="" type="checkbox"/>				
YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE
\$125.00	\$125.00	\$250.00	\$1.00	\$1.00	\$25.00	\$25.00	\$50.00	\$3.00	\$3.00	\$75.00	\$75.00	\$150.00
\$50.00	\$50.00	\$100.00	\$1.00	\$1.00	\$10.00	\$10.00	\$20.00	\$1.00	\$1.00	\$10.00	\$10.00	\$20.00
\$300.00	\$300.00	\$600.00	\$1.00	\$1.00	\$30.00	\$30.00	\$60.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$200.00	\$200.00	\$400.00	\$10.00	\$10.00	\$50.00	\$50.00	\$100.00	\$10.00	\$10.00	\$50.00	\$50.00	\$100.00
\$12,250.00	\$12,250.00	\$24,500.00	\$80.00	\$80.00	\$28,000.00	\$28,000.00	\$56,000.00	\$120.00	\$120.00	\$42,000.00	\$42,000.00	\$84,000.00
\$300.00	\$300.00	\$600.00	\$7.00	\$7.00	\$1,050.00	\$1,050.00	\$2,100.00	\$8.00	\$8.00	\$1,200.00	\$1,200.00	\$2,400.00
\$700.00	\$700.00	\$1,400.00	\$8.00	\$8.00	\$800.00	\$800.00	\$1,600.00	\$7.00	\$7.00	\$700.00	\$700.00	\$1,400.00
\$450.00	\$450.00	\$900.00	\$8.00	\$8.00	\$400.00	\$400.00	\$800.00	\$9.00	\$9.00	\$450.00	\$450.00	\$900.00
\$500.00	\$500.00	\$1,000.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00
\$800.00	\$800.00	\$1,600.00	\$40.00	\$40.00	\$800.00	\$800.00	\$1,600.00	\$40.00	\$40.00	\$800.00	\$800.00	\$1,600.00
\$400.00	\$400.00	\$800.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00
\$32,500.00	\$32,500.00	\$65,000.00	\$5.00	\$5.00	\$6,500.00	\$6,500.00	\$13,000.00	\$15.00	\$15.00	\$19,500.00	\$19,500.00	\$39,000.00
\$1,000.00	\$1,000.00	\$2,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00	\$5.00	\$5.00	\$500.00	\$500.00	\$1,000.00
\$1,500.00	\$1,500.00	\$3,000.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00	\$3,000.00	\$5.00	\$5.00	\$750.00	\$750.00	\$1,500.00
\$500.00	\$500.00	\$1,000.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$300.00	\$300.00	\$600.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$1,500.00	\$1,500.00	\$3,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00
\$2,250.00	\$2,250.00	\$4,500.00	\$15.00	\$15.00	\$2,250.00	\$2,250.00	\$4,500.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00	\$3,000.00
\$300.00	\$300.00	\$600.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$1,000.00	\$1,000.00	\$2,000.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$1,500.00	\$1,500.00	\$3,000.00	\$30.00	\$30.00	\$900.00	\$900.00	\$1,800.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$1,800.00	\$1,800.00	\$3,600.00	\$35.00	\$35.00	\$700.00	\$700.00	\$1,400.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00
\$1,500.00	\$1,500.00	\$3,000.00	\$35.00	\$35.00	\$700.00	\$700.00	\$1,400.00	\$20.00	\$20.00	\$400.00	\$400.00	\$800.00
\$250.00	\$250.00	\$500.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00
\$450.00	\$450.00	\$900.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00
\$500.00	\$500.00	\$1,000.00	\$50.00	\$50.00	\$500.00	\$500.00	\$1,000.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00
\$6,750.00	\$6,750.00	\$13,500.00	\$2,000.00	\$2,000.00	\$6,000.00	\$6,000.00	\$12,000.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00	\$6,000.00
\$4,500.00	\$4,500.00	\$9,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$10,000.00	\$1,250.00	\$1,250.00	\$2,500.00	\$2,500.00	\$5,000.00
\$3,000.00	\$3,000.00	\$6,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$4,000.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$3,000.00
\$2,250.00	\$2,250.00	\$4,500.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$350.00	\$350.00	\$1,750.00	\$1,750.00	\$3,500.00
\$300.00	\$300.00	\$600.00	\$25.00	\$25.00	\$750.00	\$750.00	\$1,500.00	\$1.00	\$1.00	\$30.00	\$30.00	\$60.00
\$6,000.00	\$6,000.00	\$12,000.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$7,500.00	\$7,500.00	\$15,000.00
\$7,000.00	\$7,000.00	\$14,000.00	\$220.00	\$220.00	\$8,800.00	\$8,800.00	\$17,600.00	\$150.00	\$150.00	\$6,000.00	\$6,000.00	\$12,000.00
\$4,800.00	\$4,800.00	\$9,600.00	\$700.00	\$700.00	\$2,800.00	\$2,800.00	\$5,600.00	\$300.00	\$300.00	\$1,200.00	\$1,200.00	\$2,400.00
\$350.00	\$350.00	\$700.00	\$300.00	\$300.00	\$300.00	\$300.00	\$600.00	\$300.00	\$300.00	\$300.00	\$300.00	\$600.00
\$1,500.00	\$1,500.00	\$3,000.00	\$150.00	\$150.00	\$1,500.00	\$1,500.00	\$3,000.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00
\$600.00	\$600.00	\$1,200.00	\$36.00	\$36.00	\$720.00	\$720.00	\$1,440.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00
\$2,250.00	\$2,250.00	\$4,500.00	\$420.00	\$420.00	\$2,520.00	\$2,520.00	\$5,040.00	\$300.00	\$300.00	\$1,800.00	\$1,800.00	\$3,600.00
\$2,375.00	\$2,375.00	\$4,750.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$475.00	\$475.00	\$2,375.00	\$2,375.00	\$4,750.00
\$3,200.00	\$3,200.00	\$6,400.00	\$320.00	\$320.00	\$3,200.00	\$3,200.00	\$6,400.00	\$100.00	\$100.00	\$1,000.00	\$1,000.00	\$2,000.00
\$7,500.00	\$7,500.00	\$15,000.00	\$25.00	\$25.00	\$7,500.00	\$7,500.00	\$15,000.00	\$25.00	\$25.00	\$7,500.00	\$7,500.00	\$15,000.00
\$47,500.00	\$47,500.00	\$95,000.00	\$45.00	\$45.00	\$42,750.00	\$42,750.00	\$85,500.00	\$114.00	\$114.00	\$108,300.00	\$108,300.00	\$216,600.00



43	FLOWABLE FILL	5	CY	\$200.00	\$210.00	\$1,000.00	\$1,050.00	\$2,050.00	\$225.00	\$225.00
44	SOIL BACKFILL, PLACED AND COMPACTED	80	CY	\$50.00	\$52.50	\$4,000.00	\$4,200.00	\$8,200.00	\$70.00	\$70.00
45	AGGREGATE STABILIZATION BASE	20	TONS	\$30.00	\$31.50	\$600.00	\$630.00	\$1,230.00	\$80.00	\$80.00
46	TOPSOIL, FURNISH AND PLACE	30	CY	\$25.00	\$26.25	\$750.00	\$787.50	\$1,537.50	\$25.00	\$25.00
47	P.C.C. PAVEMENT, 7"	80	SY	\$110.00	\$115.50	\$8,800.00	\$9,240.00	\$18,040.00	\$115.00	\$115.00
48	P.C.C. PAVEMENT, 8"	170	SY	\$125.00	\$131.25	\$21,250.00	\$22,312.50	\$43,562.50	\$135.00	\$135.00
49	P.C.C. PAVEMENT, 10"	100	SY	\$145.00	\$152.25	\$14,500.00	\$15,225.00	\$29,725.00	\$135.00	\$135.00
50	BRICK STREET PATCHING	10	SY	\$150.00	\$157.50	\$1,500.00	\$1,575.00	\$3,075.00	\$135.00	\$135.00
51	HMA 300K I-S PG 58-28	10	TONS	\$200.00	\$210.00	\$2,000.00	\$2,100.00	\$4,100.00	\$100.00	\$100.00
52	SOD	20	SY	\$15.00	\$15.75	\$300.00	\$315.00	\$615.00	\$10.00	\$10.00
53	SEED, FERTILIZE, AND MULCH	30	SY	\$10.00	\$10.50	\$300.00	\$315.00	\$615.00	\$5.00	\$5.00
54	EROSION CONTROL MAT	20	SY	\$10.00	\$10.50	\$200.00	\$210.00	\$410.00	\$5.00	\$5.00
55	SILT FENCE	20	LF	\$10.00	\$10.50	\$200.00	\$210.00	\$410.00	\$4.00	\$4.00
56	TRAFFIC CONTROL - STANDARD	20	EACH	\$250.00	\$262.50	\$5,000.00	\$5,250.00	\$10,250.00	\$200.00	\$200.00
57	TRAFFIC CONTROL - LANE CLOSURE	4	EACH	\$500.00	\$525.00	\$2,000.00	\$2,100.00	\$4,100.00	\$500.00	\$500.00
58	PIPE CONNECTION, 6"-10"	20	EACH	\$500.00	\$525.00	\$10,000.00	\$10,500.00	\$20,500.00	\$475.00	\$475.00
59	PIPE CONNECTION, 12"-15"	6	EACH	\$550.00	\$577.50	\$3,300.00	\$3,465.00	\$6,765.00	\$500.00	\$500.00
60	PIPE CONNECTION, 18"-24"	2	EACH	\$600.00	\$630.00	\$1,200.00	\$1,260.00	\$2,460.00	\$500.00	\$500.00
61	SEWER LATERAL TELEVISED	5	EACH	\$150.00	\$157.50	\$750.00	\$787.50	\$1,537.50	\$125.00	\$125.00
				TOTALS		\$295,450.00	\$310,222.50	\$605,672.50		
									% over/ under est.	



\$1,125.00	\$1,125.00	\$2,250.00	\$200.00	\$200.00	\$1,000.00	\$1,000.00	\$2,000.00	\$80.00	\$80.00	\$400.00	\$400.00	\$800.00
\$5,600.00	\$5,600.00	\$11,200.00	\$120.00	\$120.00	\$9,600.00	\$9,600.00	\$19,200.00	\$10.00	\$10.00	\$800.00	\$800.00	\$1,600.00
\$1,600.00	\$1,600.00	\$3,200.00	\$20.00	\$20.00	\$400.00	\$400.00	\$800.00	\$12.00	\$12.00	\$240.00	\$240.00	\$480.00
\$750.00	\$750.00	\$1,500.00	\$20.00	\$20.00	\$600.00	\$600.00	\$1,200.00	\$8.00	\$8.00	\$240.00	\$240.00	\$480.00
\$9,200.00	\$9,200.00	\$18,400.00	\$150.00	\$150.00	\$12,000.00	\$12,000.00	\$24,000.00	\$25.00	\$25.00	\$2,000.00	\$2,000.00	\$4,000.00
\$22,950.00	\$22,950.00	\$45,900.00	\$185.00	\$185.00	\$31,450.00	\$31,450.00	\$62,900.00	\$30.00	\$30.00	\$5,100.00	\$5,100.00	\$10,200.00
\$13,500.00	\$13,500.00	\$27,000.00	\$190.00	\$190.00	\$19,000.00	\$19,000.00	\$38,000.00	\$32.00	\$32.00	\$3,200.00	\$3,200.00	\$6,400.00
\$1,350.00	\$1,350.00	\$2,700.00	\$135.00	\$135.00	\$1,350.00	\$1,350.00	\$2,700.00	\$135.00	\$135.00	\$1,350.00	\$1,350.00	\$2,700.00
\$1,000.00	\$1,000.00	\$2,000.00	\$90.00	\$90.00	\$900.00	\$900.00	\$1,800.00	\$90.00	\$90.00	\$900.00	\$900.00	\$1,800.00
\$200.00	\$200.00	\$400.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$150.00	\$150.00	\$300.00	\$50.00	\$50.00	\$1,500.00	\$1,500.00	\$3,000.00	\$5.00	\$5.00	\$150.00	\$150.00	\$300.00
\$100.00	\$100.00	\$200.00	\$5.00	\$5.00	\$100.00	\$100.00	\$200.00	\$2.00	\$2.00	\$40.00	\$40.00	\$80.00
\$80.00	\$80.00	\$160.00	\$3.00	\$3.00	\$60.00	\$60.00	\$120.00	\$3.00	\$3.00	\$60.00	\$60.00	\$120.00
\$4,000.00	\$4,000.00	\$8,000.00	\$200.00	\$200.00	\$4,000.00	\$4,000.00	\$8,000.00	\$250.00	\$250.00	\$5,000.00	\$5,000.00	\$10,000.00
\$2,000.00	\$2,000.00	\$4,000.00	\$750.00	\$750.00	\$3,000.00	\$3,000.00	\$6,000.00	\$250.00	\$250.00	\$1,000.00	\$1,000.00	\$2,000.00
\$9,500.00	\$9,500.00	\$19,000.00	\$400.00	\$400.00	\$8,000.00	\$8,000.00	\$16,000.00	\$350.00	\$350.00	\$7,000.00	\$7,000.00	\$14,000.00
\$3,000.00	\$3,000.00	\$6,000.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00	\$6,000.00	\$400.00	\$400.00	\$2,400.00	\$2,400.00	\$4,800.00
\$1,000.00	\$1,000.00	\$2,000.00	\$100.00	\$100.00	\$200.00	\$200.00	\$400.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00
\$625.00	\$625.00	\$1,250.00	\$100.00	\$100.00	\$500.00	\$500.00	\$1,000.00	\$125.00	\$125.00	\$625.00	\$625.00	\$1,250.00
\$240,530.00	\$240,530.00	\$481,060.00			\$240,765.00	\$240,765.00	\$481,530.00			\$249,895.00	\$249,895.00	\$499,790.00
		-20.57%	% over/ under est.				-20.50%	% over/ under est.				-17.48%

% over/ under est.				-100.00%	% over/ under est.				-100.00%

City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Ron Hocker 327-5169  
Wards: All

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Hometown Plumbing and Heating Company of Davenport, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001. [All Wards]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Sustainable Infrastructure

**Background:**

This program is to repair damages to sewer infrastructure by contract.

Design of the sewer repairs and program management will be completed by the Sewer Division with quality assurance inspections being completed by Engineering Division staff.

Three bids were received on April 4, 2018 at 2:00 PM, and the first year bids ranged from a low of \$240,530 to a high of \$249,895. A bid tabulation sheet is attached.

This project was bid as an Indefinite Quantity, Indefinite Delivery Task Order Contract. All three bidding contractors will enter into annual contracts with the city with an option for a one year contract extension. Work will be assigned to the contractors on a rotating basis.

Contracts will be guaranteed in the amount of \$250,000 for each contractor with a maximum contract value of \$1,200,000. Funds for the FY 2019 Contract Sewer Repair Program are budgeted in CIP #30044 at \$1,250,000 and in CIP #33001 at \$200,000.

**ATTACHMENTS:**

Type	Description
▣ Cover Memo	Resolution
▣ Cover Memo	Bid Tab

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	5/30/2018 - 5:09 PM
Public Works Committee	Lechvar, Gina	Approved	5/30/2018 - 5:09 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:40 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose

RESOLUTION awarding and conditionally approving the contract and bond for the FY 2019 Contract Sewer Repair Program to Hometown Plumbing and Heating Company of Davenport, IA IA in the amount of \$250,000 budgeted in CIP #30044 and #33001.

WHEREAS, the FY 2019 Contract Sewer Repair Project was duly advertised and published according to state law, and

WHEREAS, three (3) responsible and responsive bids were received at the appointed time and place for the bid opening;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa: that the first year of the contract for the above-said work be awarded to Hometown Plumbing and Heating Company of Davenport, IA, they being a low bidder.

BE IT FURTHER RESOLVED: that the second (option) year of the contract may be awarded by a separate Resolution to Exercise the Option Year at a later date as approved by City Council.

BE IT FURTHER RESOLVED: that the Mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport, Iowa.

BE IT FURTHER RESOLVED: that the Project Manager has the authority to increase quantities up to a total contract of \$1,200,000, within the Capital Improvement Project budget constraints, upon approval of the Assistant City Administrator / Public Works Director.

BE IT FURTHER RESOLVED: that, upon approval by City staff, the executed contract and bond are hereby approved.

Passed and approved this 13th day of June, 2018.

Approved:

Attest:

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Frank Klipsch, Mayor

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Jackie E. Holecek, Deputy City Clerk

Bid Tab

Project: FY2019-2020 CONTRACT SEWER REPAIR PROGRAM				ENGINEER'S ESTIMATE					CONTRACTOR: Legacy Corp	
Bid Letting										
At: Purchasing Division, City Hall										
Time: 2:00:00 PM										
Date: April 4, 2018									Bid Bond <input checked="" type="checkbox"/>	
ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE
1	FENCE, REMOVED AND REPLACED	25	LF	\$10.00	\$10.50	\$250.00	\$262.50	\$512.50	\$5.00	\$5.00
2	BUSHES/SHRUBS, REMOVED AND REPLACED	10	EACH	\$75.00	\$78.75	\$750.00	\$787.50	\$1,537.50	\$5.00	\$5.00
3	TREE REMOVAL	30	IN-DIA	\$40.00	\$42.00	\$1,200.00	\$1,260.00	\$2,460.00	\$10.00	\$10.00
4	GROUT PIPE ENTRY INSIDE STRUCTURE	5	EA	\$100.00	\$105.00	\$500.00	\$525.00	\$1,025.00	\$40.00	\$40.00
5	PAVEMENT REMOVAL	350	SY	\$50.00	\$52.50	\$17,500.00	\$18,375.00	\$35,875.00	\$35.00	\$35.00
6	SIDEWALK REMOVAL	150	SF	\$3.00	\$3.15	\$450.00	\$472.50	\$922.50	\$2.00	\$2.00
7	P.C.C. SIDEWALK, 4"	100	SF	\$8.00	\$8.40	\$800.00	\$840.00	\$1,640.00	\$7.00	\$7.00
8	P.C.C. SIDEWALK, 7"	50	SF	\$9.00	\$9.45	\$450.00	\$472.50	\$922.50	\$9.00	\$9.00
9	DETECTABLE WARNING PANEL	20	SF	\$25.00	\$26.25	\$500.00	\$525.00	\$1,025.00	\$25.00	\$25.00
10	R & R SW-STYLE INTAKE TOP	20	SF	\$100.00	\$105.00	\$2,000.00	\$2,100.00	\$4,100.00	\$40.00	\$40.00
11	R & R SW-STYLE INTAKE THROAT	20	SF	\$150.00	\$157.50	\$3,000.00	\$3,150.00	\$6,150.00	\$20.00	\$20.00
12	EXCAVATION	1,300	CY	\$60.00	\$63.00	\$78,000.00	\$81,900.00	\$159,900.00	\$25.00	\$25.00
13	6"-10" PIPE, REMOVED AND REPLACED WITH PVC	100	LF	\$10.00	\$10.50	\$1,000.00	\$1,050.00	\$2,050.00	\$10.00	\$10.00
14	6"-10" PIPE, REMOVED AND REPLACED WITH TRUSS	150	LF	\$10.00	\$10.50	\$1,500.00	\$1,575.00	\$3,075.00	\$10.00	\$10.00
15	8"-12" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$30.00	\$31.50	\$600.00	\$630.00	\$1,230.00	\$25.00	\$25.00
16	8"-12" PIPE, REMOVED AND REPLACED WITH C900	20	LF	\$25.00	\$26.25	\$500.00	\$525.00	\$1,025.00	\$15.00	\$15.00
17	12"-15" PIPE, REMOVED AND REPLACED WITH PVC	100	LF	\$15.00	\$15.75	\$1,500.00	\$1,575.00	\$3,075.00	\$15.00	\$15.00
18	12"-15" PIPE, REMOVED AND REPLACED WITH TRUSS	150	LF	\$15.00	\$15.75	\$2,250.00	\$2,362.50	\$4,612.50	\$15.00	\$15.00
19	12"-18" PIPE, REMOVED AND REPLACED WITH RCP	30	LF	\$20.00	\$21.00	\$600.00	\$630.00	\$1,230.00	\$10.00	\$10.00
20	15"-18" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$50.00	\$52.50	\$1,000.00	\$1,050.00	\$2,050.00	\$50.00	\$50.00
21	15"-18" PIPE, REMOVED AND REPLACED WITH C905	30	LF	\$40.00	\$42.00	\$1,200.00	\$1,260.00	\$2,460.00	\$50.00	\$50.00
22	20"-24" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$80.00	\$84.00	\$1,600.00	\$1,680.00	\$3,280.00	\$90.00	\$90.00
23	20"-24" PIPE, REMOVED AND REPLACED WITH C905	20	LF	\$65.00	\$68.25	\$1,300.00	\$1,365.00	\$2,665.00	\$75.00	\$75.00
24	21"-27" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$65.00	\$68.25	\$650.00	\$682.50	\$1,332.50	\$25.00	\$25.00
25	30"-48" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$80.00	\$84.00	\$800.00	\$840.00	\$1,640.00	\$45.00	\$45.00
26	60" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$90.00	\$94.50	\$900.00	\$945.00	\$1,845.00	\$50.00	\$50.00
27	CONSTRUCT SINGLE INTAKE STRUCTURE	3	EACH	\$2,800.00	\$2,940.00	\$8,400.00	\$8,820.00	\$17,220.00	\$2,250.00	\$2,250.00
28	CONSTRUCT DOUBLE INTAKE STRUCTURE	2	EACH	\$3,200.00	\$3,360.00	\$6,400.00	\$6,720.00	\$13,120.00	\$2,250.00	\$2,250.00
29	CONSTRUCT TRIPLE INTAKE STRUCTURE	1	EACH	\$3,500.00	\$3,675.00	\$3,500.00	\$3,675.00	\$7,175.00	\$3,000.00	\$3,000.00
30	REMOVE AND REPLACE CASTING BOXOUT	5	EACH	\$500.00	\$525.00	\$2,500.00	\$2,625.00	\$5,125.00	\$450.00	\$450.00
31	REMOVE MANHOLE	30	VF	\$20.00	\$21.00	\$600.00	\$630.00	\$1,230.00	\$10.00	\$10.00
32	CONSTRUCT 60" DIA MANHOLE BASE	5	EACH	\$1,750.00	\$1,837.50	\$8,750.00	\$9,187.50	\$17,937.50	\$1,200.00	\$1,200.00
33	CONSTRUCT 60" DIAMETER MANHOLE BARREL	40	VF	\$175.00	\$183.75	\$7,000.00	\$7,350.00	\$14,350.00	\$175.00	\$175.00
34	CONSTRUCT 60" DIAMETER MANHOLE CONE	4	EACH	\$450.00	\$472.50	\$1,800.00	\$1,890.00	\$3,690.00	\$1,200.00	\$1,200.00
35	CONSTRUCT 60" DIAMETER MANHOLE FLATTOP	1	EACH	\$400.00	\$420.00	\$400.00	\$420.00	\$820.00	\$350.00	\$350.00
36	MANHOLE DROP CONNECTION	10	VF	\$300.00	\$315.00	\$3,000.00	\$3,150.00	\$6,150.00	\$150.00	\$150.00
37	FURNISH AND PLACE CONCRETE ADJUSTING RINGS	20	EACH	\$35.00	\$36.75	\$700.00	\$735.00	\$1,435.00	\$30.00	\$30.00
38	MANHOLE RING AND CASTING	6	EACH	\$450.00	\$472.50	\$2,700.00	\$2,835.00	\$5,535.00	\$375.00	\$375.00
39	INTAKE GRATE AND CASTING	5	EACH	\$550.00	\$577.50	\$2,750.00	\$2,887.50	\$5,637.50	\$475.00	\$475.00
40	MANHOLE CHIMNEY SEAL	10	VF	\$300.00	\$315.00	\$3,000.00	\$3,150.00	\$6,150.00	\$320.00	\$320.00
41	CONSTRUCT CONCRETE PIPE COLLAR	300	CF	\$25.00	\$26.25	\$7,500.00	\$7,875.00	\$15,375.00	\$25.00	\$25.00
42	GRANULAR BACKFILL	950	TONS	\$40.00	\$42.00	\$38,000.00	\$39,900.00	\$77,900.00	\$50.00	\$50.00



Borough of IL			CONTRACTOR: Hometown Plumbing & Heating Co.					CONTRACTOR: Hagerty Earthworks, LLC				
			Bid Bond <input checked="" type="checkbox"/>					Bid Bond <input checked="" type="checkbox"/>				
YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE
\$125.00	\$125.00	\$250.00	\$1.00	\$1.00	\$25.00	\$25.00	\$50.00	\$3.00	\$3.00	\$75.00	\$75.00	\$150.00
\$50.00	\$50.00	\$100.00	\$1.00	\$1.00	\$10.00	\$10.00	\$20.00	\$1.00	\$1.00	\$10.00	\$10.00	\$20.00
\$300.00	\$300.00	\$600.00	\$1.00	\$1.00	\$30.00	\$30.00	\$60.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$200.00	\$200.00	\$400.00	\$10.00	\$10.00	\$50.00	\$50.00	\$100.00	\$10.00	\$10.00	\$50.00	\$50.00	\$100.00
\$12,250.00	\$12,250.00	\$24,500.00	\$80.00	\$80.00	\$28,000.00	\$28,000.00	\$56,000.00	\$120.00	\$120.00	\$42,000.00	\$42,000.00	\$84,000.00
\$300.00	\$300.00	\$600.00	\$7.00	\$7.00	\$1,050.00	\$1,050.00	\$2,100.00	\$8.00	\$8.00	\$1,200.00	\$1,200.00	\$2,400.00
\$700.00	\$700.00	\$1,400.00	\$8.00	\$8.00	\$800.00	\$800.00	\$1,600.00	\$7.00	\$7.00	\$700.00	\$700.00	\$1,400.00
\$450.00	\$450.00	\$900.00	\$8.00	\$8.00	\$400.00	\$400.00	\$800.00	\$9.00	\$9.00	\$450.00	\$450.00	\$900.00
\$500.00	\$500.00	\$1,000.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00
\$800.00	\$800.00	\$1,600.00	\$40.00	\$40.00	\$800.00	\$800.00	\$1,600.00	\$40.00	\$40.00	\$800.00	\$800.00	\$1,600.00
\$400.00	\$400.00	\$800.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00
\$32,500.00	\$32,500.00	\$65,000.00	\$5.00	\$5.00	\$6,500.00	\$6,500.00	\$13,000.00	\$15.00	\$15.00	\$19,500.00	\$19,500.00	\$39,000.00
\$1,000.00	\$1,000.00	\$2,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00	\$5.00	\$5.00	\$500.00	\$500.00	\$1,000.00
\$1,500.00	\$1,500.00	\$3,000.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00	\$3,000.00	\$5.00	\$5.00	\$750.00	\$750.00	\$1,500.00
\$500.00	\$500.00	\$1,000.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$300.00	\$300.00	\$600.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$1,500.00	\$1,500.00	\$3,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00
\$2,250.00	\$2,250.00	\$4,500.00	\$15.00	\$15.00	\$2,250.00	\$2,250.00	\$4,500.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00	\$3,000.00
\$300.00	\$300.00	\$600.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$1,000.00	\$1,000.00	\$2,000.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$1,500.00	\$1,500.00	\$3,000.00	\$30.00	\$30.00	\$900.00	\$900.00	\$1,800.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$1,800.00	\$1,800.00	\$3,600.00	\$35.00	\$35.00	\$700.00	\$700.00	\$1,400.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00
\$1,500.00	\$1,500.00	\$3,000.00	\$35.00	\$35.00	\$700.00	\$700.00	\$1,400.00	\$20.00	\$20.00	\$400.00	\$400.00	\$800.00
\$250.00	\$250.00	\$500.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00
\$450.00	\$450.00	\$900.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00
\$500.00	\$500.00	\$1,000.00	\$50.00	\$50.00	\$500.00	\$500.00	\$1,000.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00
\$6,750.00	\$6,750.00	\$13,500.00	\$2,000.00	\$2,000.00	\$6,000.00	\$6,000.00	\$12,000.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00	\$6,000.00
\$4,500.00	\$4,500.00	\$9,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$10,000.00	\$1,250.00	\$1,250.00	\$2,500.00	\$2,500.00	\$5,000.00
\$3,000.00	\$3,000.00	\$6,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$4,000.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$3,000.00
\$2,250.00	\$2,250.00	\$4,500.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$350.00	\$350.00	\$1,750.00	\$1,750.00	\$3,500.00
\$300.00	\$300.00	\$600.00	\$25.00	\$25.00	\$750.00	\$750.00	\$1,500.00	\$1.00	\$1.00	\$30.00	\$30.00	\$60.00
\$6,000.00	\$6,000.00	\$12,000.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$7,500.00	\$7,500.00	\$15,000.00
\$7,000.00	\$7,000.00	\$14,000.00	\$220.00	\$220.00	\$8,800.00	\$8,800.00	\$17,600.00	\$150.00	\$150.00	\$6,000.00	\$6,000.00	\$12,000.00
\$4,800.00	\$4,800.00	\$9,600.00	\$700.00	\$700.00	\$2,800.00	\$2,800.00	\$5,600.00	\$300.00	\$300.00	\$1,200.00	\$1,200.00	\$2,400.00
\$350.00	\$350.00	\$700.00	\$300.00	\$300.00	\$300.00	\$300.00	\$600.00	\$300.00	\$300.00	\$300.00	\$300.00	\$600.00
\$1,500.00	\$1,500.00	\$3,000.00	\$150.00	\$150.00	\$1,500.00	\$1,500.00	\$3,000.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00
\$600.00	\$600.00	\$1,200.00	\$36.00	\$36.00	\$720.00	\$720.00	\$1,440.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00
\$2,250.00	\$2,250.00	\$4,500.00	\$420.00	\$420.00	\$2,520.00	\$2,520.00	\$5,040.00	\$300.00	\$300.00	\$1,800.00	\$1,800.00	\$3,600.00
\$2,375.00	\$2,375.00	\$4,750.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$475.00	\$475.00	\$2,375.00	\$2,375.00	\$4,750.00
\$3,200.00	\$3,200.00	\$6,400.00	\$320.00	\$320.00	\$3,200.00	\$3,200.00	\$6,400.00	\$100.00	\$100.00	\$1,000.00	\$1,000.00	\$2,000.00
\$7,500.00	\$7,500.00	\$15,000.00	\$25.00	\$25.00	\$7,500.00	\$7,500.00	\$15,000.00	\$25.00	\$25.00	\$7,500.00	\$7,500.00	\$15,000.00
\$47,500.00	\$47,500.00	\$95,000.00	\$45.00	\$45.00	\$42,750.00	\$42,750.00	\$85,500.00	\$114.00	\$114.00	\$108,300.00	\$108,300.00	\$216,600.00



43	FLOWABLE FILL	5	CY	\$200.00	\$210.00	\$1,000.00	\$1,050.00	\$2,050.00	\$225.00	\$225.00
44	SOIL BACKFILL, PLACED AND COMPACTED	80	CY	\$50.00	\$52.50	\$4,000.00	\$4,200.00	\$8,200.00	\$70.00	\$70.00
45	AGGREGATE STABILIZATION BASE	20	TONS	\$30.00	\$31.50	\$600.00	\$630.00	\$1,230.00	\$80.00	\$80.00
46	TOPSOIL, FURNISH AND PLACE	30	CY	\$25.00	\$26.25	\$750.00	\$787.50	\$1,537.50	\$25.00	\$25.00
47	P.C.C. PAVEMENT, 7"	80	SY	\$110.00	\$115.50	\$8,800.00	\$9,240.00	\$18,040.00	\$115.00	\$115.00
48	P.C.C. PAVEMENT, 8"	170	SY	\$125.00	\$131.25	\$21,250.00	\$22,312.50	\$43,562.50	\$135.00	\$135.00
49	P.C.C. PAVEMENT, 10"	100	SY	\$145.00	\$152.25	\$14,500.00	\$15,225.00	\$29,725.00	\$135.00	\$135.00
50	BRICK STREET PATCHING	10	SY	\$150.00	\$157.50	\$1,500.00	\$1,575.00	\$3,075.00	\$135.00	\$135.00
51	HMA 300K I-S PG 58-28	10	TONS	\$200.00	\$210.00	\$2,000.00	\$2,100.00	\$4,100.00	\$100.00	\$100.00
52	SOD	20	SY	\$15.00	\$15.75	\$300.00	\$315.00	\$615.00	\$10.00	\$10.00
53	SEED, FERTILIZE, AND MULCH	30	SY	\$10.00	\$10.50	\$300.00	\$315.00	\$615.00	\$5.00	\$5.00
54	EROSION CONTROL MAT	20	SY	\$10.00	\$10.50	\$200.00	\$210.00	\$410.00	\$5.00	\$5.00
55	SILT FENCE	20	LF	\$10.00	\$10.50	\$200.00	\$210.00	\$410.00	\$4.00	\$4.00
56	TRAFFIC CONTROL - STANDARD	20	EACH	\$250.00	\$262.50	\$5,000.00	\$5,250.00	\$10,250.00	\$200.00	\$200.00
57	TRAFFIC CONTROL - LANE CLOSURE	4	EACH	\$500.00	\$525.00	\$2,000.00	\$2,100.00	\$4,100.00	\$500.00	\$500.00
58	PIPE CONNECTION, 6"-10"	20	EACH	\$500.00	\$525.00	\$10,000.00	\$10,500.00	\$20,500.00	\$475.00	\$475.00
59	PIPE CONNECTION, 12"-15"	6	EACH	\$550.00	\$577.50	\$3,300.00	\$3,465.00	\$6,765.00	\$500.00	\$500.00
60	PIPE CONNECTION, 18"-24"	2	EACH	\$600.00	\$630.00	\$1,200.00	\$1,260.00	\$2,460.00	\$500.00	\$500.00
61	SEWER LATERAL TELEVISED	5	EACH	\$150.00	\$157.50	\$750.00	\$787.50	\$1,537.50	\$125.00	\$125.00
				TOTALS		\$295,450.00	\$310,222.50	\$605,672.50		
									% over/ under est.	

\$1,125.00	\$1,125.00	\$2,250.00	\$200.00	\$200.00	\$1,000.00	\$1,000.00	\$2,000.00	\$80.00	\$80.00	\$400.00	\$400.00	\$800.00
\$5,600.00	\$5,600.00	\$11,200.00	\$120.00	\$120.00	\$9,600.00	\$9,600.00	\$19,200.00	\$10.00	\$10.00	\$800.00	\$800.00	\$1,600.00
\$1,600.00	\$1,600.00	\$3,200.00	\$20.00	\$20.00	\$400.00	\$400.00	\$800.00	\$12.00	\$12.00	\$240.00	\$240.00	\$480.00
\$750.00	\$750.00	\$1,500.00	\$20.00	\$20.00	\$600.00	\$600.00	\$1,200.00	\$8.00	\$8.00	\$240.00	\$240.00	\$480.00
\$9,200.00	\$9,200.00	\$18,400.00	\$150.00	\$150.00	\$12,000.00	\$12,000.00	\$24,000.00	\$25.00	\$25.00	\$2,000.00	\$2,000.00	\$4,000.00
\$22,950.00	\$22,950.00	\$45,900.00	\$185.00	\$185.00	\$31,450.00	\$31,450.00	\$62,900.00	\$30.00	\$30.00	\$5,100.00	\$5,100.00	\$10,200.00
\$13,500.00	\$13,500.00	\$27,000.00	\$190.00	\$190.00	\$19,000.00	\$19,000.00	\$38,000.00	\$32.00	\$32.00	\$3,200.00	\$3,200.00	\$6,400.00
\$1,350.00	\$1,350.00	\$2,700.00	\$135.00	\$135.00	\$1,350.00	\$1,350.00	\$2,700.00	\$135.00	\$135.00	\$1,350.00	\$1,350.00	\$2,700.00
\$1,000.00	\$1,000.00	\$2,000.00	\$90.00	\$90.00	\$900.00	\$900.00	\$1,800.00	\$90.00	\$90.00	\$900.00	\$900.00	\$1,800.00
\$200.00	\$200.00	\$400.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$150.00	\$150.00	\$300.00	\$50.00	\$50.00	\$1,500.00	\$1,500.00	\$3,000.00	\$5.00	\$5.00	\$150.00	\$150.00	\$300.00
\$100.00	\$100.00	\$200.00	\$5.00	\$5.00	\$100.00	\$100.00	\$200.00	\$2.00	\$2.00	\$40.00	\$40.00	\$80.00
\$80.00	\$80.00	\$160.00	\$3.00	\$3.00	\$60.00	\$60.00	\$120.00	\$3.00	\$3.00	\$60.00	\$60.00	\$120.00
\$4,000.00	\$4,000.00	\$8,000.00	\$200.00	\$200.00	\$4,000.00	\$4,000.00	\$8,000.00	\$250.00	\$250.00	\$5,000.00	\$5,000.00	\$10,000.00
\$2,000.00	\$2,000.00	\$4,000.00	\$750.00	\$750.00	\$3,000.00	\$3,000.00	\$6,000.00	\$250.00	\$250.00	\$1,000.00	\$1,000.00	\$2,000.00
\$9,500.00	\$9,500.00	\$19,000.00	\$400.00	\$400.00	\$8,000.00	\$8,000.00	\$16,000.00	\$350.00	\$350.00	\$7,000.00	\$7,000.00	\$14,000.00
\$3,000.00	\$3,000.00	\$6,000.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00	\$6,000.00	\$400.00	\$400.00	\$2,400.00	\$2,400.00	\$4,800.00
\$1,000.00	\$1,000.00	\$2,000.00	\$100.00	\$100.00	\$200.00	\$200.00	\$400.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00
\$625.00	\$625.00	\$1,250.00	\$100.00	\$100.00	\$500.00	\$500.00	\$1,000.00	\$125.00	\$125.00	\$625.00	\$625.00	\$1,250.00
\$240,530.00	\$240,530.00	\$481,060.00			\$240,765.00	\$240,765.00	\$481,530.00			\$249,895.00	\$249,895.00	\$499,790.00
		-20.57%	% over/ under est.				-20.50%	% over/ under est.				-17.48%

% over/ under est.				-100.00%	% over/ under est.					-100.00%



City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Ron Hocker 327-5169  
Wards: All

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Legacy Corporation of East Moline, IL in the amount of \$250,000 budgeted in CIP #30044 and #33001. [All Wards]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Sustainable Infrastructure

**Background:**

This program is to repair damages to sewer infrastructure by contract.

Design of the sewer repairs and program management will be completed by the Sewer Division with quality assurance inspections being completed by Engineering Division staff.

Three bids were received on April 4, 2018 at 2:00 PM, and the first year bids ranged from a low of \$240,530 to a high of \$249,895. A bid tabulation sheet is attached.

This project was bid as an Indefinite Quantity, Indefinite Delivery Task Order Contract. All three bidding contractors will enter into annual contracts with the city with an option for a one year contract extension. Work will be assigned to the contractors on a rotating basis.

Contracts will be guaranteed in the amount of \$250,000 for each contractor with a maximum contract value of \$1,200,000. Funds for the FY 2019 Contract Sewer Repair Program are budgeted in CIP #30044 at \$1,250,000 and in CIP #33001 at \$200,000.

**ATTACHMENTS:**

Type	Description
▢ Cover Memo	Resolution
▢ Cover Memo	Bid Tab

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	5/30/2018 - 5:10 PM
Public Works Committee	Lechvar, Gina	Approved	5/31/2018 - 3:39 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 4:56 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose

RESOLUTION awarding and conditionally approving the contract and bond for the FY 2019 Contract Sewer Repair Program to Legacy Corporation of East Moline, IL in the amount of \$250,000 budgeted in CIP #30044 and #33001.

WHEREAS, the FY 2019 Contract Sewer Repair Project was duly advertised and published according to state law, and

WHEREAS, three (3) responsible and responsive bids were received at the appointed time and place for the bid opening;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa: that the first year of the contract for the above-said work be awarded to Legacy Corporation of East Moline, IL, they being a low bidder.

BE IT FURTHER RESOLVED: that the second (option) year of the contract may be awarded by a separate Resolution to Exercise the Option Year at a later date as approved by City Council.

BE IT FURTHER RESOLVED: that the Mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport, Iowa.

BE IT FURTHER RESOLVED: that the Project Manager has the authority to increase quantities up to a total contract of \$1,200,000, within the Capital Improvement Project budget constraints, upon approval of the Assistant City Administrator / Public Works Director.

BE IT FURTHER RESOLVED: that, upon approval by City staff, the executed contract and bond are hereby approved.

Passed and approved this 13th day of June, 2018.

Approved:

Attest:

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Frank Klipsch, Mayor

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Jackie E. Holecek, Deputy City Clerk

Bid Tab

Project: FY2019-2020 CONTRACT SEWER REPAIR PROGRAM				ENGINEER'S ESTIMATE					CONTRACTOR: Legacy Corp	
Bid Letting										
At: Purchasing Division, City Hall										
Time: 2:00:00 PM										
Date: April 4, 2018									Bid Bond <input checked="" type="checkbox"/>	
ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE
1	FENCE, REMOVED AND REPLACED	25	LF	\$10.00	\$10.50	\$250.00	\$262.50	\$512.50	\$5.00	\$5.00
2	BUSHES/SHRUBS, REMOVED AND REPLACED	10	EACH	\$75.00	\$78.75	\$750.00	\$787.50	\$1,537.50	\$5.00	\$5.00
3	TREE REMOVAL	30	IN-DIA	\$40.00	\$42.00	\$1,200.00	\$1,260.00	\$2,460.00	\$10.00	\$10.00
4	GROUT PIPE ENTRY INSIDE STRUCTURE	5	EA	\$100.00	\$105.00	\$500.00	\$525.00	\$1,025.00	\$40.00	\$40.00
5	PAVEMENT REMOVAL	350	SY	\$50.00	\$52.50	\$17,500.00	\$18,375.00	\$35,875.00	\$35.00	\$35.00
6	SIDEWALK REMOVAL	150	SF	\$3.00	\$3.15	\$450.00	\$472.50	\$922.50	\$2.00	\$2.00
7	P.C.C. SIDEWALK, 4"	100	SF	\$8.00	\$8.40	\$800.00	\$840.00	\$1,640.00	\$7.00	\$7.00
8	P.C.C. SIDEWALK, 7"	50	SF	\$9.00	\$9.45	\$450.00	\$472.50	\$922.50	\$9.00	\$9.00
9	DETECTABLE WARNING PANEL	20	SF	\$25.00	\$26.25	\$500.00	\$525.00	\$1,025.00	\$25.00	\$25.00
10	R & R SW-STYLE INTAKE TOP	20	SF	\$100.00	\$105.00	\$2,000.00	\$2,100.00	\$4,100.00	\$40.00	\$40.00
11	R & R SW-STYLE INTAKE THROAT	20	SF	\$150.00	\$157.50	\$3,000.00	\$3,150.00	\$6,150.00	\$20.00	\$20.00
12	EXCAVATION	1,300	CY	\$60.00	\$63.00	\$78,000.00	\$81,900.00	\$159,900.00	\$25.00	\$25.00
13	6"-10" PIPE, REMOVED AND REPLACED WITH PVC	100	LF	\$10.00	\$10.50	\$1,000.00	\$1,050.00	\$2,050.00	\$10.00	\$10.00
14	6"-10" PIPE, REMOVED AND REPLACED WITH TRUSS	150	LF	\$10.00	\$10.50	\$1,500.00	\$1,575.00	\$3,075.00	\$10.00	\$10.00
15	8"-12" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$30.00	\$31.50	\$600.00	\$630.00	\$1,230.00	\$25.00	\$25.00
16	8"-12" PIPE, REMOVED AND REPLACED WITH C900	20	LF	\$25.00	\$26.25	\$500.00	\$525.00	\$1,025.00	\$15.00	\$15.00
17	12"-15" PIPE, REMOVED AND REPLACED WITH PVC	100	LF	\$15.00	\$15.75	\$1,500.00	\$1,575.00	\$3,075.00	\$15.00	\$15.00
18	12"-15" PIPE, REMOVED AND REPLACED WITH TRUSS	150	LF	\$15.00	\$15.75	\$2,250.00	\$2,362.50	\$4,612.50	\$15.00	\$15.00
19	12"-18" PIPE, REMOVED AND REPLACED WITH RCP	30	LF	\$20.00	\$21.00	\$600.00	\$630.00	\$1,230.00	\$10.00	\$10.00
20	15"-18" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$50.00	\$52.50	\$1,000.00	\$1,050.00	\$2,050.00	\$50.00	\$50.00
21	15"-18" PIPE, REMOVED AND REPLACED WITH C905	30	LF	\$40.00	\$42.00	\$1,200.00	\$1,260.00	\$2,460.00	\$50.00	\$50.00
22	20"-24" PIPE, REMOVED AND REPLACED WITH DIP	20	LF	\$80.00	\$84.00	\$1,600.00	\$1,680.00	\$3,280.00	\$90.00	\$90.00
23	20"-24" PIPE, REMOVED AND REPLACED WITH C905	20	LF	\$65.00	\$68.25	\$1,300.00	\$1,365.00	\$2,665.00	\$75.00	\$75.00
24	21"-27" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$65.00	\$68.25	\$650.00	\$682.50	\$1,332.50	\$25.00	\$25.00
25	30"-48" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$80.00	\$84.00	\$800.00	\$840.00	\$1,640.00	\$45.00	\$45.00
26	60" PIPE, REMOVED AND REPLACED WITH RCP	10	LF	\$90.00	\$94.50	\$900.00	\$945.00	\$1,845.00	\$50.00	\$50.00
27	CONSTRUCT SINGLE INTAKE STRUCTURE	3	EACH	\$2,800.00	\$2,940.00	\$8,400.00	\$8,820.00	\$17,220.00	\$2,250.00	\$2,250.00
28	CONSTRUCT DOUBLE INTAKE STRUCTURE	2	EACH	\$3,200.00	\$3,360.00	\$6,400.00	\$6,720.00	\$13,120.00	\$2,250.00	\$2,250.00
29	CONSTRUCT TRIPLE INTAKE STRUCTURE	1	EACH	\$3,500.00	\$3,675.00	\$3,500.00	\$3,675.00	\$7,175.00	\$3,000.00	\$3,000.00
30	REMOVE AND REPLACE CASTING BOXOUT	5	EACH	\$500.00	\$525.00	\$2,500.00	\$2,625.00	\$5,125.00	\$450.00	\$450.00
31	REMOVE MANHOLE	30	VF	\$20.00	\$21.00	\$600.00	\$630.00	\$1,230.00	\$10.00	\$10.00
32	CONSTRUCT 60" DIA MANHOLE BASE	5	EACH	\$1,750.00	\$1,837.50	\$8,750.00	\$9,187.50	\$17,937.50	\$1,200.00	\$1,200.00
33	CONSTRUCT 60" DIAMETER MANHOLE BARREL	40	VF	\$175.00	\$183.75	\$7,000.00	\$7,350.00	\$14,350.00	\$175.00	\$175.00
34	CONSTRUCT 60" DIAMETER MANHOLE CONE	4	EACH	\$450.00	\$472.50	\$1,800.00	\$1,890.00	\$3,690.00	\$1,200.00	\$1,200.00
35	CONSTRUCT 60" DIAMETER MANHOLE FLATTOP	1	EACH	\$400.00	\$420.00	\$400.00	\$420.00	\$820.00	\$350.00	\$350.00
36	MANHOLE DROP CONNECTION	10	VF	\$300.00	\$315.00	\$3,000.00	\$3,150.00	\$6,150.00	\$150.00	\$150.00
37	FURNISH AND PLACE CONCRETE ADJUSTING RINGS	20	EACH	\$35.00	\$36.75	\$700.00	\$735.00	\$1,435.00	\$30.00	\$30.00
38	MANHOLE RING AND CASTING	6	EACH	\$450.00	\$472.50	\$2,700.00	\$2,835.00	\$5,535.00	\$375.00	\$375.00
39	INTAKE GRATE AND CASTING	5	EACH	\$550.00	\$577.50	\$2,750.00	\$2,887.50	\$5,637.50	\$475.00	\$475.00
40	MANHOLE CHIMNEY SEAL	10	VF	\$300.00	\$315.00	\$3,000.00	\$3,150.00	\$6,150.00	\$320.00	\$320.00
41	CONSTRUCT CONCRETE PIPE COLLAR	300	CF	\$25.00	\$26.25	\$7,500.00	\$7,875.00	\$15,375.00	\$25.00	\$25.00
42	GRANULAR BACKFILL	950	TONS	\$40.00	\$42.00	\$38,000.00	\$39,900.00	\$77,900.00	\$50.00	\$50.00

Borough of IL			CONTRACTOR: Hometown Plumbing & Heating Co.					CONTRACTOR: Hagerty Earthworks, LLC				
			Bid Bond <input checked="" type="checkbox"/>					Bid Bond <input checked="" type="checkbox"/>				
YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE	YEAR 1 UNIT PRICE	YEAR 2 UNIT PRICE	YEAR 1 VALUE	YEAR 2 VALUE	OVERALL VALUE
\$125.00	\$125.00	\$250.00	\$1.00	\$1.00	\$25.00	\$25.00	\$50.00	\$3.00	\$3.00	\$75.00	\$75.00	\$150.00
\$50.00	\$50.00	\$100.00	\$1.00	\$1.00	\$10.00	\$10.00	\$20.00	\$1.00	\$1.00	\$10.00	\$10.00	\$20.00
\$300.00	\$300.00	\$600.00	\$1.00	\$1.00	\$30.00	\$30.00	\$60.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$200.00	\$200.00	\$400.00	\$10.00	\$10.00	\$50.00	\$50.00	\$100.00	\$10.00	\$10.00	\$50.00	\$50.00	\$100.00
\$12,250.00	\$12,250.00	\$24,500.00	\$80.00	\$80.00	\$28,000.00	\$28,000.00	\$56,000.00	\$120.00	\$120.00	\$42,000.00	\$42,000.00	\$84,000.00
\$300.00	\$300.00	\$600.00	\$7.00	\$7.00	\$1,050.00	\$1,050.00	\$2,100.00	\$8.00	\$8.00	\$1,200.00	\$1,200.00	\$2,400.00
\$700.00	\$700.00	\$1,400.00	\$8.00	\$8.00	\$800.00	\$800.00	\$1,600.00	\$7.00	\$7.00	\$700.00	\$700.00	\$1,400.00
\$450.00	\$450.00	\$900.00	\$8.00	\$8.00	\$400.00	\$400.00	\$800.00	\$9.00	\$9.00	\$450.00	\$450.00	\$900.00
\$500.00	\$500.00	\$1,000.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00
\$800.00	\$800.00	\$1,600.00	\$40.00	\$40.00	\$800.00	\$800.00	\$1,600.00	\$40.00	\$40.00	\$800.00	\$800.00	\$1,600.00
\$400.00	\$400.00	\$800.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00	\$15.00	\$15.00	\$300.00	\$300.00	\$600.00
\$32,500.00	\$32,500.00	\$65,000.00	\$5.00	\$5.00	\$6,500.00	\$6,500.00	\$13,000.00	\$15.00	\$15.00	\$19,500.00	\$19,500.00	\$39,000.00
\$1,000.00	\$1,000.00	\$2,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00	\$5.00	\$5.00	\$500.00	\$500.00	\$1,000.00
\$1,500.00	\$1,500.00	\$3,000.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00	\$3,000.00	\$5.00	\$5.00	\$750.00	\$750.00	\$1,500.00
\$500.00	\$500.00	\$1,000.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$300.00	\$300.00	\$600.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$1,500.00	\$1,500.00	\$3,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00	\$10.00	\$10.00	\$1,000.00	\$1,000.00	\$2,000.00
\$2,250.00	\$2,250.00	\$4,500.00	\$15.00	\$15.00	\$2,250.00	\$2,250.00	\$4,500.00	\$10.00	\$10.00	\$1,500.00	\$1,500.00	\$3,000.00
\$300.00	\$300.00	\$600.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$1,000.00	\$1,000.00	\$2,000.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$1,500.00	\$1,500.00	\$3,000.00	\$30.00	\$30.00	\$900.00	\$900.00	\$1,800.00	\$10.00	\$10.00	\$300.00	\$300.00	\$600.00
\$1,800.00	\$1,800.00	\$3,600.00	\$35.00	\$35.00	\$700.00	\$700.00	\$1,400.00	\$25.00	\$25.00	\$500.00	\$500.00	\$1,000.00
\$1,500.00	\$1,500.00	\$3,000.00	\$35.00	\$35.00	\$700.00	\$700.00	\$1,400.00	\$20.00	\$20.00	\$400.00	\$400.00	\$800.00
\$250.00	\$250.00	\$500.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00
\$450.00	\$450.00	\$900.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00
\$500.00	\$500.00	\$1,000.00	\$50.00	\$50.00	\$500.00	\$500.00	\$1,000.00	\$40.00	\$40.00	\$400.00	\$400.00	\$800.00
\$6,750.00	\$6,750.00	\$13,500.00	\$2,000.00	\$2,000.00	\$6,000.00	\$6,000.00	\$12,000.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00	\$6,000.00
\$4,500.00	\$4,500.00	\$9,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$10,000.00	\$1,250.00	\$1,250.00	\$2,500.00	\$2,500.00	\$5,000.00
\$3,000.00	\$3,000.00	\$6,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$4,000.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$3,000.00
\$2,250.00	\$2,250.00	\$4,500.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$350.00	\$350.00	\$1,750.00	\$1,750.00	\$3,500.00
\$300.00	\$300.00	\$600.00	\$25.00	\$25.00	\$750.00	\$750.00	\$1,500.00	\$1.00	\$1.00	\$30.00	\$30.00	\$60.00
\$6,000.00	\$6,000.00	\$12,000.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$7,500.00	\$7,500.00	\$15,000.00
\$7,000.00	\$7,000.00	\$14,000.00	\$220.00	\$220.00	\$8,800.00	\$8,800.00	\$17,600.00	\$150.00	\$150.00	\$6,000.00	\$6,000.00	\$12,000.00
\$4,800.00	\$4,800.00	\$9,600.00	\$700.00	\$700.00	\$2,800.00	\$2,800.00	\$5,600.00	\$300.00	\$300.00	\$1,200.00	\$1,200.00	\$2,400.00
\$350.00	\$350.00	\$700.00	\$300.00	\$300.00	\$300.00	\$300.00	\$600.00	\$300.00	\$300.00	\$300.00	\$300.00	\$600.00
\$1,500.00	\$1,500.00	\$3,000.00	\$150.00	\$150.00	\$1,500.00	\$1,500.00	\$3,000.00	\$25.00	\$25.00	\$250.00	\$250.00	\$500.00
\$600.00	\$600.00	\$1,200.00	\$36.00	\$36.00	\$720.00	\$720.00	\$1,440.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00
\$2,250.00	\$2,250.00	\$4,500.00	\$420.00	\$420.00	\$2,520.00	\$2,520.00	\$5,040.00	\$300.00	\$300.00	\$1,800.00	\$1,800.00	\$3,600.00
\$2,375.00	\$2,375.00	\$4,750.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$475.00	\$475.00	\$2,375.00	\$2,375.00	\$4,750.00
\$3,200.00	\$3,200.00	\$6,400.00	\$320.00	\$320.00	\$3,200.00	\$3,200.00	\$6,400.00	\$100.00	\$100.00	\$1,000.00	\$1,000.00	\$2,000.00
\$7,500.00	\$7,500.00	\$15,000.00	\$25.00	\$25.00	\$7,500.00	\$7,500.00	\$15,000.00	\$25.00	\$25.00	\$7,500.00	\$7,500.00	\$15,000.00
\$47,500.00	\$47,500.00	\$95,000.00	\$45.00	\$45.00	\$42,750.00	\$42,750.00	\$85,500.00	\$114.00	\$114.00	\$108,300.00	\$108,300.00	\$216,600.00





43	FLOWABLE FILL	5	CY	\$200.00	\$210.00	\$1,000.00	\$1,050.00	\$2,050.00	\$225.00	\$225.00
44	SOIL BACKFILL, PLACED AND COMPACTED	80	CY	\$50.00	\$52.50	\$4,000.00	\$4,200.00	\$8,200.00	\$70.00	\$70.00
45	AGGREGATE STABILIZATION BASE	20	TONS	\$30.00	\$31.50	\$600.00	\$630.00	\$1,230.00	\$80.00	\$80.00
46	TOPSOIL, FURNISH AND PLACE	30	CY	\$25.00	\$26.25	\$750.00	\$787.50	\$1,537.50	\$25.00	\$25.00
47	P.C.C. PAVEMENT, 7"	80	SY	\$110.00	\$115.50	\$8,800.00	\$9,240.00	\$18,040.00	\$115.00	\$115.00
48	P.C.C. PAVEMENT, 8"	170	SY	\$125.00	\$131.25	\$21,250.00	\$22,312.50	\$43,562.50	\$135.00	\$135.00
49	P.C.C. PAVEMENT, 10"	100	SY	\$145.00	\$152.25	\$14,500.00	\$15,225.00	\$29,725.00	\$135.00	\$135.00
50	BRICK STREET PATCHING	10	SY	\$150.00	\$157.50	\$1,500.00	\$1,575.00	\$3,075.00	\$135.00	\$135.00
51	HMA 300K I-S PG 58-28	10	TONS	\$200.00	\$210.00	\$2,000.00	\$2,100.00	\$4,100.00	\$100.00	\$100.00
52	SOD	20	SY	\$15.00	\$15.75	\$300.00	\$315.00	\$615.00	\$10.00	\$10.00
53	SEED, FERTILIZE, AND MULCH	30	SY	\$10.00	\$10.50	\$300.00	\$315.00	\$615.00	\$5.00	\$5.00
54	EROSION CONTROL MAT	20	SY	\$10.00	\$10.50	\$200.00	\$210.00	\$410.00	\$5.00	\$5.00
55	SILT FENCE	20	LF	\$10.00	\$10.50	\$200.00	\$210.00	\$410.00	\$4.00	\$4.00
56	TRAFFIC CONTROL - STANDARD	20	EACH	\$250.00	\$262.50	\$5,000.00	\$5,250.00	\$10,250.00	\$200.00	\$200.00
57	TRAFFIC CONTROL - LANE CLOSURE	4	EACH	\$500.00	\$525.00	\$2,000.00	\$2,100.00	\$4,100.00	\$500.00	\$500.00
58	PIPE CONNECTION, 6"-10"	20	EACH	\$500.00	\$525.00	\$10,000.00	\$10,500.00	\$20,500.00	\$475.00	\$475.00
59	PIPE CONNECTION, 12"-15"	6	EACH	\$550.00	\$577.50	\$3,300.00	\$3,465.00	\$6,765.00	\$500.00	\$500.00
60	PIPE CONNECTION, 18"-24"	2	EACH	\$600.00	\$630.00	\$1,200.00	\$1,260.00	\$2,460.00	\$500.00	\$500.00
61	SEWER LATERAL TELEVISED	5	EACH	\$150.00	\$157.50	\$750.00	\$787.50	\$1,537.50	\$125.00	\$125.00
				TOTALS		\$295,450.00	\$310,222.50	\$605,672.50		
									% over/ under est.	

\$1,125.00	\$1,125.00	\$2,250.00	\$200.00	\$200.00	\$1,000.00	\$1,000.00	\$2,000.00	\$80.00	\$80.00	\$400.00	\$400.00	\$800.00
\$5,600.00	\$5,600.00	\$11,200.00	\$120.00	\$120.00	\$9,600.00	\$9,600.00	\$19,200.00	\$10.00	\$10.00	\$800.00	\$800.00	\$1,600.00
\$1,600.00	\$1,600.00	\$3,200.00	\$20.00	\$20.00	\$400.00	\$400.00	\$800.00	\$12.00	\$12.00	\$240.00	\$240.00	\$480.00
\$750.00	\$750.00	\$1,500.00	\$20.00	\$20.00	\$600.00	\$600.00	\$1,200.00	\$8.00	\$8.00	\$240.00	\$240.00	\$480.00
\$9,200.00	\$9,200.00	\$18,400.00	\$150.00	\$150.00	\$12,000.00	\$12,000.00	\$24,000.00	\$25.00	\$25.00	\$2,000.00	\$2,000.00	\$4,000.00
\$22,950.00	\$22,950.00	\$45,900.00	\$185.00	\$185.00	\$31,450.00	\$31,450.00	\$62,900.00	\$30.00	\$30.00	\$5,100.00	\$5,100.00	\$10,200.00
\$13,500.00	\$13,500.00	\$27,000.00	\$190.00	\$190.00	\$19,000.00	\$19,000.00	\$38,000.00	\$32.00	\$32.00	\$3,200.00	\$3,200.00	\$6,400.00
\$1,350.00	\$1,350.00	\$2,700.00	\$135.00	\$135.00	\$1,350.00	\$1,350.00	\$2,700.00	\$135.00	\$135.00	\$1,350.00	\$1,350.00	\$2,700.00
\$1,000.00	\$1,000.00	\$2,000.00	\$90.00	\$90.00	\$900.00	\$900.00	\$1,800.00	\$90.00	\$90.00	\$900.00	\$900.00	\$1,800.00
\$200.00	\$200.00	\$400.00	\$30.00	\$30.00	\$600.00	\$600.00	\$1,200.00	\$10.00	\$10.00	\$200.00	\$200.00	\$400.00
\$150.00	\$150.00	\$300.00	\$50.00	\$50.00	\$1,500.00	\$1,500.00	\$3,000.00	\$5.00	\$5.00	\$150.00	\$150.00	\$300.00
\$100.00	\$100.00	\$200.00	\$5.00	\$5.00	\$100.00	\$100.00	\$200.00	\$2.00	\$2.00	\$40.00	\$40.00	\$80.00
\$80.00	\$80.00	\$160.00	\$3.00	\$3.00	\$60.00	\$60.00	\$120.00	\$3.00	\$3.00	\$60.00	\$60.00	\$120.00
\$4,000.00	\$4,000.00	\$8,000.00	\$200.00	\$200.00	\$4,000.00	\$4,000.00	\$8,000.00	\$250.00	\$250.00	\$5,000.00	\$5,000.00	\$10,000.00
\$2,000.00	\$2,000.00	\$4,000.00	\$750.00	\$750.00	\$3,000.00	\$3,000.00	\$6,000.00	\$250.00	\$250.00	\$1,000.00	\$1,000.00	\$2,000.00
\$9,500.00	\$9,500.00	\$19,000.00	\$400.00	\$400.00	\$8,000.00	\$8,000.00	\$16,000.00	\$350.00	\$350.00	\$7,000.00	\$7,000.00	\$14,000.00
\$3,000.00	\$3,000.00	\$6,000.00	\$500.00	\$500.00	\$3,000.00	\$3,000.00	\$6,000.00	\$400.00	\$400.00	\$2,400.00	\$2,400.00	\$4,800.00
\$1,000.00	\$1,000.00	\$2,000.00	\$100.00	\$100.00	\$200.00	\$200.00	\$400.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00
\$625.00	\$625.00	\$1,250.00	\$100.00	\$100.00	\$500.00	\$500.00	\$1,000.00	\$125.00	\$125.00	\$625.00	\$625.00	\$1,250.00
\$240,530.00	\$240,530.00	\$481,060.00			\$240,765.00	\$240,765.00	\$481,530.00			\$249,895.00	\$249,895.00	\$499,790.00
		-20.57%	% over/ under est.				-20.50%	% over/ under est.				-17.48%

% over/ under est.				-100.00%	% over/ under est.					-100.00%

City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Nicole Gleason 327-5150  
Wards: 6 and 7

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution approving the contract for Lindsay & Slattery Parks restrooms, water and sanitary sewer connection to Hometown Plumbing & Heating Co., Inc. of Davenport, IA in the amount of \$105,238.71. CIP #30010 [Wards 6 & 7]

**Recommendation:**

Adopt the Resolution.

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

On April 16, 2018, an Invitation to Bid was issued to contractors. On May 16, 2018, the Purchasing Division opened and read three (3) responsive and responsible bids. Hometown Plumbing & Heating Co., Inc. of Davenport was the lowest. See bid tab attached.

The City purchased two new ADA accessible pre-formed restrooms; one for Slattery Park and one for Lindsay Park. This contract is to connect these restrooms to the public water and sanitary sewer. The restrooms are a single stall with a handwashing station inside.

Funding for this project is from CIP #30010, Public Restroom Sewer Connection and are from the sale of General Obligation bonds.

**ATTACHMENTS:**

Type	Description
▣ Cover Memo	PW_RES_Slattery & Lindsay Park Restroom, Water & Sewer Connection
▣ Cover Memo	Bid Tab for Greensheet

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Rejected	5/30/2018 - 10:36 AM
Public Works - Admin	Keller, Kristi	Approved	5/30/2018 - 10:49 AM
Public Works - Admin	Lechvar, Gina	Approved	5/30/2018 - 5:04 PM
Public Works Committee	Lechvar, Gina	Approved	5/30/2018 - 5:04 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:30 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION awarding a contract for the Lindsay & Slattery Parks restrooms, water and sanitary sewer connection to Hometown Plumbing & Heating Co., Inc. of Davenport, in the amount of \$105,238.71, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract the water and sewer connection to the new restrooms, at Lindsay & Slattery Parks; and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation to award to Hometown Plumbing & Heating Co., Inc. of Davenport;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for the Lindsay & Slattery Parks restrooms, water and sanitary sewer connection; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Jackie E. Holecek, CMC  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
TABULATION OF BIDS

DESCRIPTION: SLATTERY & LINDSAY PARK RESTROOMS

BID NUMBER: 18-102

OPENING DATE: MAY 16, 2018

GL ACCOUNT NUMBER: 71529696 530350 30010

RECOMMENDATION: AWARD THE CONTRACT TO HOMETOWN  
PLUMBING & HEATING CO., INC. OF DAVENPORT

<u>VENDOR NAME</u>	<u>PRICE</u>
Hometown Plumbing & Heating Co., Inc of Davenport IA	\$105,238.71
Miller Trucking & Excavating of Silvis IL	\$150,155.00
Tricon General Construction of Dubuque IA	\$163,501.00

Approved By Kristi Keller  
Purchasing

Approved By [Signature] Parks & Recreation Director  
Nicole Gleason  
Public Works Director

Approved By Brandi Cog  
Budget/CIP

Approved By [Signature]  
Finance Director

City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Zach Peterson 328-6709  
Wards: 3

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution awarding the contract for the Main Street Landing Parking Phase I Project to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$652,807.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #68004 [Ward 3]

**Recommendation:**

Adopt the resolution

**Relationship to Goals:**

Vibrant Region

**Background:**

A Request for Bid was issued on May 2, 2018 and was sent to 274 contractors. On May 23, 2018 the Purchasing Division received and opened 5 bids. Hawkeye Paving Corporation was the lowest responsive and responsible bidder and is recommended for the award.

This project is to complete the first phase of the "Main Street Landing" Riverfront. Project scope to include parking lot concrete base, infrastructure, conduit, and foundation installation to prep the site for Phase II construction to follow in FY19.

Hawkeye Paving Corporation is recommended for the contract after the low bidder withdrew their bid.

A Public Hearing was held on April 18, 2018 and was passed at a subsequent meeting.

Funding for this project is from CIP #68004.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	PW_RES pg2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	6/1/2018 - 9:43 AM
Public Works Committee	Lechvar, Gina	Approved	6/1/2018 - 9:43 AM
City Clerk	Thorndike, Tiffany	Approved	6/1/2018 - 9:58 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ray Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION awarding the contract for the Main Street Landing Parking Phase I Project from Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$652,807.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #68004

WHEREAS, the City needs to construct the Main Street Landing Parking Phase I and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation to award Hawkeye Paving Corporation;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for the from Hawkeye Paving Corporation is hereby approved; and
2. Mayor Frank Klipsch is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Jackie E. Holecek, CMC  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor

City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Brian Schadt; (563) 326-7786  
Wards: 3

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution approving a license agreement by and between the City of Davenport and The Hilltop Campus Village allowing The Hilltop Campus Village to install an 11' by 12' sign on the existing brick wall at the north side of Parcel No. C0055-16 a/k/a 506 Brady St. [Ward 3]

**Recommendation:**

Approve the resolution

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

The Hilltop Campus Village is requesting to install an 11' by 12' sign on the existing brick wall on the north side of 506 Brady St to promote their neighborhood organization.

Sign was approved by Design Review Board on May 21, 2018 under case DR18-08.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution pg 2
▣ Backup Material	Agreement
▣ Exhibit	Sign

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	6/1/2018 - 10:47 AM
Public Works Committee	Lechvar, Gina	Approved	6/1/2018 - 10:47 AM
City Clerk	Thorndike, Tiffany	Approved	6/1/2018 - 10:49 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose

RESOLUTION approving a license agreement by and between the City of Davenport and The Hilltop Campus Village allowing The Hilltop Campus Village to install an 11' by 12' sign on the existing brick wall at the north side of Parcel No. C0055-16 a/k/a 506 Brady St.

WHEREAS, The Hilltop Campus Village wishes to install a sign;

WHEREAS, The Hilltop Campus Village will agree to hold the City harmless; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that The Hilltop Campus Village, are hereby granted a license to install a sign at Parcel No. C0055-16 a/k/a 506 Brady St..

BE IT FURTHER RESOLVED: that the Mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport, Iowa.

Passed and approved this 13th day of June, 2018.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Jackie E. Holecek, Deputy City Clerk

**LICENSE AGREEMENT  
BY AND BETWEEN  
THE CITY OF DAVENPORT and THE HILLTOP CAMPUS VILLAGE**

The City of Davenport, Iowa, in consideration of One Dollar (\$1.00) and other good and valuable consideration, does hereby grant to the Hilltop Campus Village ("Licensee") the non-exclusive license and authority to use and improve the following described real estate, to-wit:

The existing brick wall at the north side of Parcel No. C0055-16 a/k/a 506 Brady Street in Davenport Iowa as depicted in the attached drawing

Subject to the following terms and conditions.

1. This license agreement is granted to allow the installation of an approximately 11-foot by 12-foot sign on the existing brick wall at the north side of Parcel No. C0055-16 a/k/a 506 Brady Street. This is only a temporary grant and the Licensee assumes all risks that the City of Davenport may subsequently eliminate this License. Licensee bears all costs associated with the demolition, construction, installation and restoration of the area licensed to applicable City standards and specifications and all ongoing costs associated with the maintenance of the sign. To be clear Licensee is responsible to restore the wall surface disturbed by the installation, after the sign is removed at the termination of this License. Licensee further acknowledges and understands that the City of Davenport may in its sole discretion demand that the Licensee remove the sign within 30 day written notice from the City and restore the wall surface without any liability or cost to the City. In the event the Licensee fails to remove the sign within said 30 days, the City may remove the sign and restore the wall surface without any liability or cost to the City, and Licensee hereby authorizes the same. Said removal and restoration costs shall be assessed to the property owner

2. In the event that this sign is removed for any reason, this license agreement will be terminated and a new sign cannot be installed unless a new agreement is drafted.

3. This license agreement shall be effective upon its execution by both parties and shall continue in force and effect thereafter until either party terminates it for any reason or no reason upon 30 calendar days' notice.

4. Notices as provided for in this License shall be given to the respective parties hereto at the respective addresses designated herein unless either party notifies the other, in writing, of a different address. Such notice shall be considered given under the terms of this agreement upon deposit in the United



States Postal Service mail system, addressed as above designated, postage prepaid, by certified mail.

5. Licensee agrees to save, defend and hold harmless the City of Davenport from any and all liability for damages, costs or expenses from, or as the result of, any action at law or suit in equity that may be brought against the City of Davenport by any person or entity on account of the use, acts or omissions of Licensee, its officials, agents or employees that occur on or about the above-described real property. The cancellation and termination of this agreement shall not affect Licensee's obligation to save, defend and hold harmless the City of Davenport in respect to acts or things which shall have been done or which happened before the date fixed for such termination.

6. Licensee accepts the premises in its present condition and agrees that it will not dispose of waste oil, tires, batteries, paint or other chemicals, or hazardous waste as defined by statute or ordinance anywhere on the licensed premises. Licensee shall immediately notify the City of Davenport of any chemical discharge, leak or spill or hazardous waste exposure event that occurs on the premises.

7. The City of Davenport maintains its right to enter upon said premises for any purpose.

8. Licensee shall yield possession of the premises to the City of Davenport without further demand, notice or action, in as good condition as when it first entered upon the premises (normal wear and tear excluded), upon the effective date of this agreement's termination.

9. Licensee is not an agent of the City of Davenport.

10. Licensee may assign this license agreement subject to it providing prior written notification of its intention to assign to the City of Davenport and subject to the City's written approval of said assignment. Each and every term and provision herein contained shall extend to and be binding upon the respective successors, heirs, administrators, executors and assigns of the parties hereto.

11. The parties agree and understand that no permanent structural improvements will be erected or constructed within the area, excepting the aforementioned signage. Any property located upon the premises by Licensee shall be removed immediately upon the termination this license at the sole cost of the Licensee. Any items remaining after termination may be disposed by City in its sole discretion and at the expense of Licensee.

12. Neither Licensee nor anyone claiming by, through, or under it shall have the right to file or place any mechanic's lien or other lien of any kind or character whatsoever, upon said premises or upon any building or improvement

thereon, and notice is hereby given that no contractor, sub-contractor, or anyone else who may furnish any material, service or labor for any building, improvements, alteration, repairs or any part thereof, shall at any time be or become entitled to any lien thereon.

13. This agreement shall not be construed to create a tenancy of any kind in the above-described real property in favor of Licensee. This agreement simply grants a non-exclusive right to use the property.

14. Licensee agrees to maintain said sign and keep it in good repair. City may take corrective action at Licensee's expense if in the City's sole discretion maintenance or cleaning is necessary.

15. For the purposes of notice the parties designate the following persons:

Thomas Warner, City Attorney  
Davenport City Hall  
226 W 4<sup>th</sup> Street  
Davenport, IA 52801  
563.326.7735

Hilltop Campus Village  
Scott Tunnickliff

16. As used in this License, the "City of Davenport" or "City" includes not only the municipal corporation of that name, but also its officers, employees, agents and assigns.

IN WITNESS WHEREOF, the parties have signed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MEMECAT, LLC

The City of Davenport

\_\_\_\_\_  
Thomas D. Warner  
City Attorney

State of Iowa                    )  
  )  
County of Scott                )       ss.

Sworn to and subscribed before me, the undersigned, a Notary Public in and for the State of Iowa,  
by \_\_\_\_\_ to me personally known this \_\_\_\_\_ day of September 2017.

\_\_\_\_\_

Notary Public in and for State of Iowa

State of Iowa                    )  
  )  
County of Scott                )       ss.

Sworn to and subscribed before me, the undersigned, a Notary Public in and for the State of Iowa,  
by \_\_\_\_\_ to me personally known this \_\_\_\_\_ day of September 2017.

\_\_\_\_\_  
Notary Public in and for State of Iowa

DRAFT



City of Davenport

Agenda Group: Public Works  
Department: Public Works - Engineering  
Contact Info: Eric Gravert (563) 327-5125  
Wards: 3

**Action / Date**  
**PW6/6/2018**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak St Area Sidewalk Program #BG250. [Ward 3]

**Recommendation:**

Pass the Resolution

**Relationship to Goals:**

Welcoming Neighborhoods

**Background:**

With the remodeling of 2104 W 6th Street (Old Naval Station) into a senior living complex there will be increased pedestrian traffic. The existing sidewalk is in need of repair and will be funded with a grant obtained from CPED.

Funds for this project have been budgeted in CPED project #BG250. The grant will allow for approximately \$250,000 worth of repairs to the neighborhood.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	PW_RES pg2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	5/31/2018 - 3:45 PM
Public Works Committee	Lechvar, Gina	Approved	5/31/2018 - 3:45 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 4:56 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution approving the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak St Area Sidewalk Program #BG250.

Whereas, specifications, form of contract and an estimated cost were filed with the City Clerk of Davenport, Iowa, for the W 6<sup>th</sup> St & Oak St Area Sidewalk 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 estimated cost are hereby approved as the plans, specifications, form of contract and estimate of cost for said W 6<sup>th</sup> St & Oak St Area Sidewalk Program.

Passed and approved this 13<sup>th</sup> day of June, 2018.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Jackie E. Holecek, City Clerk



City of Davenport

Agenda Group: Public Works  
Department: Public Works - Admin  
Contact Info: Nicole Gleason 327-5150  
Wards: All

**Action / Date**  
**PW6/6/2018**

**Subject:**  
Resolution approving the purchase of a used street sweeper from Mid-Iowa Solid Waste Equipment of Johnston, IA for the amount of \$229,000. [All Wards]

**Recommendation:**  
Approve the Resolution.

**Relationship to Goals:**  
Sustainable Infrastructure.

**Background:**  
The Public Works Street Division has the opportunity to purchase a used street sweeper from Mid-Iowa Solid Waste Equipment for \$229,000. It is a 2016 Tymco 600 Regenerative air sweeper with 7500 miles. The Fleet Manager has evaluated the used sweeper and is recommending that the city proceed with this purchase.

This sweeper will be replacing a 2009 Tymco 600 Regenerative air sweeper with the equivalent of 181,250 miles. This older unit has rust holes in the body, sub frame and pickup nozzle.

Funding for this used sweeper is from the Public Works Street Division Operating Equipment account 54702031 530303. The source of these funds is from Road Use Tax.

**ATTACHMENTS:**

Type	Description
▯ Cover Memo	PW_RES_Used Street Sweeper

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Rejected	5/30/2018 - 10:36 AM
Public Works - Admin	Keller, Kristi	Approved	5/30/2018 - 10:57 AM
Public Works - Admin	Lechvar, Gina	Approved	5/30/2018 - 5:04 PM
Public Works Committee	Lechvar, Gina	Approved	5/30/2018 - 5:05 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:34 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of a used street sweeper from Mid-Iowa Solid Waste Equipment of Johnston, IA, in the amount of \$229,000, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to purchase a street sweeper for the Public Works Streets Division; and

WHEREAS, the Mid-Iowa Solid Waste Equipment of Johnson IA has an available used street sweeper, with low mileage, and a good value as determined by the Fleet Manager;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for the purchase of a used street sweeper from Mid-Iowa Solid Waste Equipment; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Jackie E. Holecek, CMC  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor

City of Davenport

Agenda Group: Finance  
Department: Finance  
Contact Info: Mallory Hoyt 326-7735  
Wards: All

**Action / Date**  
**4/18/2018**

Subject:

Third Consideration: Ordinance amending various sections in Chapter 2.86 entitled "Administrative Hearing Procedures." [All Wards]

Recommendation:

Approve the ordinance.

Relationship to Goals:

High Performing Government

Background:

Changes to the appeals process will provide opportunity for indigent individuals to request an appeal hearing fee waiver by allowing them to submit proof of inability to pay the hearing fee. Inability to pay is based on 125% of the federal poverty level, which, for a single person in 2018, is \$15,175 per year.

Further, citizens will be given an opportunity to request a hearing with a city representative at no cost.

ATTACHMENTS:

Type	Description
▣ Cover Memo	ORD Admin Appeal Process

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	5/4/2018 - 5:32 PM

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 2 ENTITLED “ADMINISTRATION AND PERSONNEL” BY AMENDING AND ADDING VARIOUS SECTIONS THERETO OF THE MUNICIPAL CODE OF DAVENPORT, IOWA.

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

SECTION 1. That Section 2.86.020 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

2.86.020 Procedure to initiate an administrative hearing.

A. Any person who has received notice from any authorized department of the city may have an administrative appeal before a hearing officer to determine whether the evidence presented establishes the validity of the code violation alleged in the notice, whether the costs or fees imposed should be upheld or reduced, whether a nuisance exists, or similar adjudicatory findings. Such written request shall be submitted to the City of Davenport legal department within fourteen days or as otherwise provided in the notice from the date of service of the notice and order or notice of violation. The written request shall state the name and address of the person requesting the hearing to which all further notices shall be mailed or served and shall state the basis for the appeal.

B. The person requesting an appeal may have their appeal heard at an external adjudication hearing or at a city representative adjudication hearing. The fee for an external adjudication hearing is \$100 (one hundred dollars) and must be paid at the time of filing the written request for an appeal. No fee shall be collected for a city representative adjudication hearing, but the right to a later external adjudication hearing on the same matter is waived.

C. Any authorized department of the city may initiate an external adjudication hearing by forwarding a copy of a notice of violation, notice and order or notice of hearing, which has been properly served, to the city clerk. Initiation of an administrative hearing in this manner shall not require an administrative hearing fee to be paid at the time of the request.

D. Failure to request a hearing within fourteen days from the date of the mailing of the notice and order, notice of violation, notice of costs or billing for costs shall be deemed to constitute waiver of the right to a hearing and it will be thereafter judged that the allegation(s) contained in the notice and order or similar notice shall be considered to be factually true, and binding and enforceable upon all parties henceforth.

SECTION 2. That Section 2.86.025 of the Municipal Code of Davenport, Iowa, is created and the same is hereby amended to read as follows:

2.86.025 Administrative hearing fee waiver.

A. A person may request and receive waiver of the administrative hearing fee established in 2.86.020A if the person has an income level at or below one hundred twenty-five percent of the United States poverty level as defined by the most recently revised poverty income guidelines published by the United States Department of Health and Human Services.

B. A determination of whether a person is granted a waiver of administrative hearing fee shall be made on the basis of an affidavit of financial status and supporting documentation submitted at the time of the person's request for the hearing. The affidavit shall be signed under the penalty of perjury and shall contain sufficient information and be attached with sufficient supporting documentation to allow the determination to be made of whether the person should be granted a waiver of administrative hearing fee. Sufficiency shall be determined in the sole discretion of the reviewing party. For purposes of the determination of income, a person's spouse's income shall be included in the calculation.

C. If the person is entitled to an appeal based on their ownership rights in a particular piece of property, the person must provide proof of ownership. Any other person with an ownership interest shall also comply with the requirements of this section.

D. In making the determination of a person's ability to pay for the administrative hearing fee, the person's income is considered and the reviewing party may also consider the availability of any assets subject to execution, including but not limited to cash, personal property, stocks, bonds, real property, and any other property which may be applied to the satisfaction of judgments and the seriousness of the charge or nature of the case.

E. The determination of the waiver of administrative hearing fee should be in writing sent to the person requesting such waiver by regular mail, hand delivery, or as mutually agreed upon in advance within ten days after the request is received.

F. If the hearing fee waiver is denied, the time period within which the person may request an administrative hearing shall be the time period set forth in 2.86.020A or ten days from the date the notice of denial was sent, whichever is later.

G. The External Hearing Officer may apply the hearing fee to the appellant if the appellant is unsuccessful in their appeal and may apply the costs to the appellant if the appellant defaults as defined in 2.86.050.

SECTION 3. That Section 2.86.030 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

**2.86.030 Scheduling the hearing.**

A. The hearing should be held as soon as practicable, striving to set the hearing within the timeframe encompassing five days after the date of the request for hearing and sixty days after the date of the request for hearing. The person requesting the hearing should be notified in writing of the date and place of the hearing at least three days in advance thereof. Notice of the date and place of the hearing shall be mailed to the person requesting the hearing by first class mail to the address provided on the request to appeal or as mutually agreed upon in advance.

B. In an emergency situation or in a situation involving the impoundment of an animal or a vehicle, the hearing shall be scheduled as soon as practicable without being subject to the minimum five day scheduling limitations imposed by the prior section. For purposes of this section, "emergency situation" means any situation that could reasonably constitute a threat to the public health, safety or welfare.

**SECTION 4.** That Section 2.86.035 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

**2.86.035 Notice.**

A. Before any administrative hearing may be conducted as provided for in this chapter, the parties shall be afforded notice as provided for in this section or in 2.86.030.

B. Unless otherwise provided by a specific provision of the code, the authorized department issuing a notice and order or notice of violation shall specify therein the following information:

1. The name of the department and the name of the enforcement officer from said department involved in the enforcement action for which the notice was sent;
2. The name and address of the person charged with the violation;
3. The date, time, and place of the violation;
4. The section(s) of the code which are alleged to be violated;
5. A statement that the recipient of the notice may request a hearing by submitting a written request for administrative appeal hearing to the city clerk within fourteen days of the date of the mailing of the notice or as otherwise provided in the notice.

C. In the event the city abated a nuisance or removed solid waste, abandoned or other similarly offensive or dangerous property due to an emergency situation, a notice shall be given of the right to a hearing regarding the necessity of the emergency abatement and/or the costs incurred in resolving the emergency situation. Such notice shall contain the following information:

1. A description, to the extent possible, of the conditions which constituted the nuisance or emergency situation;
2. A description of the location of the nuisance or emergency situation;
3. A statement that the city entered onto said real estate or public right-of-way and caused the nuisance or emergency situation to be abated by the removal of it or by other remedial act, and that the costs of the removal or remediation will be assessed against the real estate from which the removal or remediation occurred or against the real estate abutting the public right-of-way where the nuisance or emergency situation existed, for collection in the same manner as a property tax or as a personal judgment.
4. An itemization of the costs incurred in the removal or remediation;
5. That the person notified or the person's duly authorized agent may file a written request for hearing as set forth in this chapter.
6. That failure to request a hearing within fourteen days of the mailing of the notice or within the time frame as otherwise stated in the notice shall be considered a waiver of the right to a hearing and it will be thereafter conclusively presumed that the nuisance existed and the costs incurred by the city are valid and will be assessed against the property or abutting property without further notice.

D. Unless otherwise provided, whenever a notice of abatement or notice and order to correct a violation is required to be given under the municipal code the notice shall be served by one of the following methods: (1) by personal service, (2) by certified mail, postage prepaid, return receipt requested, or (3) as mutually agreed upon in advance. Notice shall be mailed to the last known address of the person to be notified according to the records of the city of Davenport. If the notice concerns real property, the notice shall be mailed to the last address shown on the Scott County Treasurer's records. If service cannot be made by personal service or mailing, service may be made by posting the notice conspicuously on or in front of the property. For posting to be



effective the enforcement department must be able to demonstrate three failed attempts to effect service by personal service within the three days for an emergency or fifteen days for a nonemergency case.

E. Posting notice or duplicate service by regular mail shall be deemed effective on the third day after posting or mailing; service by certified mail shall be deemed effective as of the date of the signed receipt. Personal service is effective on the date of service.

F. The failure of any party or person with an interest in the property or proceeding to acknowledge notice that has been duly served, sent or posted in accordance with this section shall not affect the validity of any proceedings taken under this chapter.

G. Proof of service of any notice required may be made by certificate or affidavit of an officer or employee of the city or by affidavit of any person over the age of eighteen (18) years. The proof of service shall show that service was done in conformity with this code or Iowa Court rules for service of process.

SECTION 5. That Section 2.86.040 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

2.86.040 Notice of hearing.

- A. The notice of hearing shall contain, but not be limited to, the following information:
  - 1. The date, time and location of the adjudication hearing.
  - 2. The consequence for failing to appear at the hearing.
  - 3. The remedy sought by the city at the hearing.
- B. Nonemergency. Service of notice of hearing shall be as provided in the previous section.
- C. Emergency. For any matter that poses an immediate threat of danger to the health, safety or general welfare of persons or persons within the city one (1) copy of the notice of hearing shall be posted at the property address of the violation and one (1) copy shall be mailed as provided in the previous section; or one (1) copy of the notice may be personally served.

SECTION 6. That Subsection 2.86.045A of the Municipal Code of Davenport, Iowa, be created and the same is hereby amended to read as follows:

2.86.045 Administrative adjudication hearing procedures.

- A. Where the person requesting an appeal has requested an external adjudication hearing, the hearing officer shall be an attorney who has been licensed to practice law for at least five years and who is licensed to practice law in the state of Iowa and in good standing; or an attorney who was licensed to practice law in the state of Iowa but has recently retired as a member in good standing; or a judge recently retired from the judicial branch of the state of Iowa in good standing. Where the person requesting an appeal has requested a city representative adjudication hearing, the hearing officer shall be the city administrator or their designee. The appellant that may be affected by the decision rendered at the conclusion of the hearing shall be allowed to select the administrative hearing officer from a list of possible administrative hearing officers. If the person or entity elects not to select the administrative hearing officer from the list or if a hearing is

requested pursuant to 2.86.020C, the hearing officer who shall preside over the hearing shall be the hearing officer on the list who has not heard an appeal for the longest length of time and who is otherwise available within the scheduling limitations established by this chapter. No hearing officer shall preside over any hearing for which the hearing officer has a conflict of interest.

SECTION 7. That Section 2.86.050 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

2.86.050 Default and effect on fee waiver.

If at the time set for hearing the appellant, or his or her attorney of record in the absence of the appellant, fails to appear, the administrative hearing officer may find the appellant in default and proceed with the hearing and accept evidence relevant to the matter and conclude with a finding, decision and order. A copy of a default order shall be served in any manner permitted in Section 2.86.030.

An appellant who is found to be in default may petition the administrative hearing officer to set aside an order entered by default and request that the administrative hearing officer set a new hearing date. Such request shall only be granted upon the appellant's presentation of information sufficient to establish good cause for the appellant's failure to appear at the time of the hearing. Good cause is a sound, effective and truthful reason; it is something more than an excuse, a plea or apology; something beyond the appellant's control. Omission of proper attention, disregard, indifference, negligence shall not constitute good cause. Failure to effect service of notice of a hearing on an appellant who has moved without notifying the administrative hearing officer of the change of address does not constitute good cause upon which a default order may be set aside. Such petition must be filed within ten days after the date of the issuance of the order of default unless the administrative hearing officer determines that the appellant's failure to appear at the hearing was because the appellant was not provided with proper service of notice of said hearing. A person will not be entitled to a waiver of an administrative hearing fee if they have been found in default at administrative hearings two or more times in the past when the person has received a waiver of fee for those two hearings at which they defaulted.

SECTION 8. That Subsection 2.86.060A of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

2.86.060 Violation of administrative hearing decision.

A. A person violates this chapter if he or she knowingly failed to comply with an order issued by an administrative hearing officer under this chapter which has become a final order by law.

**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 \_\_\_\_\_

\_\_\_\_\_

Frank Klipsch

Mayor

Attest: \_\_\_\_\_

Jackie Holecek, MMC

Deputy City Clerk

Published in the *Quad City Times* on \_\_\_\_\_

City of Davenport

Agenda Group: Finance  
Department: Finance  
Contact Info: Brandon Wright 326-7750  
Wards: 3

**Action / Date**  
**FIN6/6/2018**

**Subject:**

Resolution of agreement and support for River Action's application for a state and/or federal grant related to the construction of First Bridge, a pedestrian bridge, over River Drive to River Heritage Park. [Ward 3]

**Recommendation:**

Adopt the resolution.

**Relationship to Goals:**

Welcoming Neighborhoods  
Vibrant Region

**Background:**

River Action is requesting that the City Council approve this Resolution of Agreement and Support for River Action's application for a state and/or federal grant related to the construction of First Bridge, a pedestrian bridge, over River Drive to River Heritage Park. The non-profit agency is seeking grant funding to construct a 254-foot pedestrian bridge known as First Bridge spanning River Drive beginning at the original embankment at Federal Street and River Drive of the first railroad bridge to cross the Mississippi River and terminating at River Heritage Park. First Bridge is a replica of one span of the first railroad bridge to span the Mississippi River. River Action desires to construct a pier for the bridge at River Heritage Park and for the City to construct a landing mound connecting the pier to the park. This Resolution of Agreement and Support is necessary for River Action to seek grant funding and private donations for the project. As described in the Resolution, the agreement has the following conditions:

1. The City of Davenport supports River Action's pursuit of grants and fundraising efforts to undertake construction of the First Bridge project.
2. The City of Davenport is an Impact Alliance Member for River Action's First Bridge project.
3. The City of Davenport will accept title of the bridge and the land dedicated to the northern and southern terminuses as physical donations. The City's acceptance of these physical assets is conditional on the receipt of \$240,000 from River Action for the purpose of establishing a 20-year endowment to cover anticipated maintenance costs.
4. The City shall provide, at its sole cost and discretion, a landing mound connecting the bridge superstructure and pier at the southern terminus to the Park including an accessible sidewalk connection from the foot of the bridge pier to the Park's sidewalk system. It is understood that the landing mound will abut and connect to the bridge pier funded and constructed by River Action.
5. The City shall waive standing building review fees associated with the First Bridge project.
6. River Action agrees that it shall, at its sole cost, construct First Bridge, an approximately 254-foot pedestrian bridge spanning River Drive beginning at the original embankment at Federal Street and River Drive and terminating at River Heritage Park, subject to fundraising and receipt of grants. River Action agrees that it shall comply with all city, state, and federal laws, rules, processes, and regulations associated with the project. River Action accepts and will be responsible for all costs associated with the First Bridge project, subject to Condition #3,

Condition #4, and Condition #5 of this Resolution of Agreement and Support.

7. This Resolution of Agreement and Support shall be void and terminate immediately with the occurrence of any of the following conditions:

- a. River Action provides official notice to the City that its fundraising and grant pursuit efforts were not successful in obtaining sufficient funds to complete the project as prescribed above.
- b. River Action files to obtain complete funding for the First Bridge project, either through formal commitments or cash on hand, by September 1, 2020.
- c. River Action fails to begin construction of First Bridge by September 1, 2020.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	First Bridge Resolution of Support

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	5/30/2018 - 2:26 PM
Finance Committee	Watson-Arnould, Kathe	Approved	5/30/2018 - 2:27 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:01 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Tompkins

RESOLVED by the City Council of the City of Davenport ("the City").

RESOLUTION OF AGREEMENT AND SUPPORT for River Action's application for a state and/or federal grant related to the construction of First Bridge, a pedestrian bridge, over River Drive to River Heritage Park.

WHEREAS, River Action is seeking grant funding to construct a 254-foot pedestrian bridge known as First Bridge spanning River Drive beginning at the original embankment at Federal Street and River Drive of the first railroad bridge to cross the Mississippi River and terminating at River Heritage Park; and

WHEREAS, First Bridge is a replica of one span of the first railroad bridge to span the Mississippi River; and

WHEREAS, the City of Davenport has established River Heritage Park ("the Park") on the site where River Action desires a bridge landing and has undertaken significant investment at the Park to invite pedestrian traffic to experience the City's connection to the Mississippi River; and

WHEREAS, River Action is desirous to raise funds to construct a bridge pier at the Park; and

WHEREAS, the City of Davenport will provide a landing mound connecting the bridge superstructure and pier to the Park including an accessible sidewalk connection from the foot of the bridge pier to the Park's sidewalk system; and

WHEREAS, successful grant applications require the City's commitment as a partner in the project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City and River Action approve the following Resolution of Agreement & Support:

1. The City of Davenport supports River Action's pursuit of grants and fund raising efforts to undertake construction of the First Bridge project.
2. The City of Davenport is an Impact Alliance Member for the River Action's First Bridge project.



3. The City of Davenport will accept title of the bridge and the land dedicated to the northern and southern terminuses as physical donations. The City's acceptance of these physical assets is conditional on the receipt of \$240,000 from River Action for the purpose of establishing a 20-year endowment to cover anticipated maintenance costs.
4. The City shall provide, at its sole cost and discretion, a landing mound connecting the bridge superstructure and pier at the southern terminus to the Park including an accessible sidewalk connection from the foot of the bridge pier to the Park's sidewalk system. It is understood that the landing mound will abut and connect to the bridge pier funded and constructed by River Action.
5. The City shall waive standard building review fees associated with the First Bridge project.
6. River Action agrees that it shall, at its sole cost, construct First Bridge, an approximately 254-foot pedestrian bridge spanning River Drive beginning at the original embankment at Federal Street and River Drive and terminating at River Heritage Park, subject to fund raising and receipt of grants. River Action agrees that it shall comply with all city, state, and federal laws, rules, processes, and regulations associated with the project. River Action accepts and will be responsible for all costs associated with the First Bridge project, subject to Condition #3, Condition #4, and Condition #5 of this Resolution of Agreement & Support.
7. This Resolution of Agreement & Support shall be void and terminate immediately with the occurrence of any of the following conditions:
  - a. River Action provides official notice to the City that its fund raising and grant pursuit efforts were not successful in obtaining sufficient funds to complete the project as prescribed above.
  - b. River Action fails to obtain complete funding for the River Action project, either through formal commitments or cash on hand, by September 1, 2020.
  - c. River Action fails to begin construction of First Bridge by September 1, 2020.

Approved:

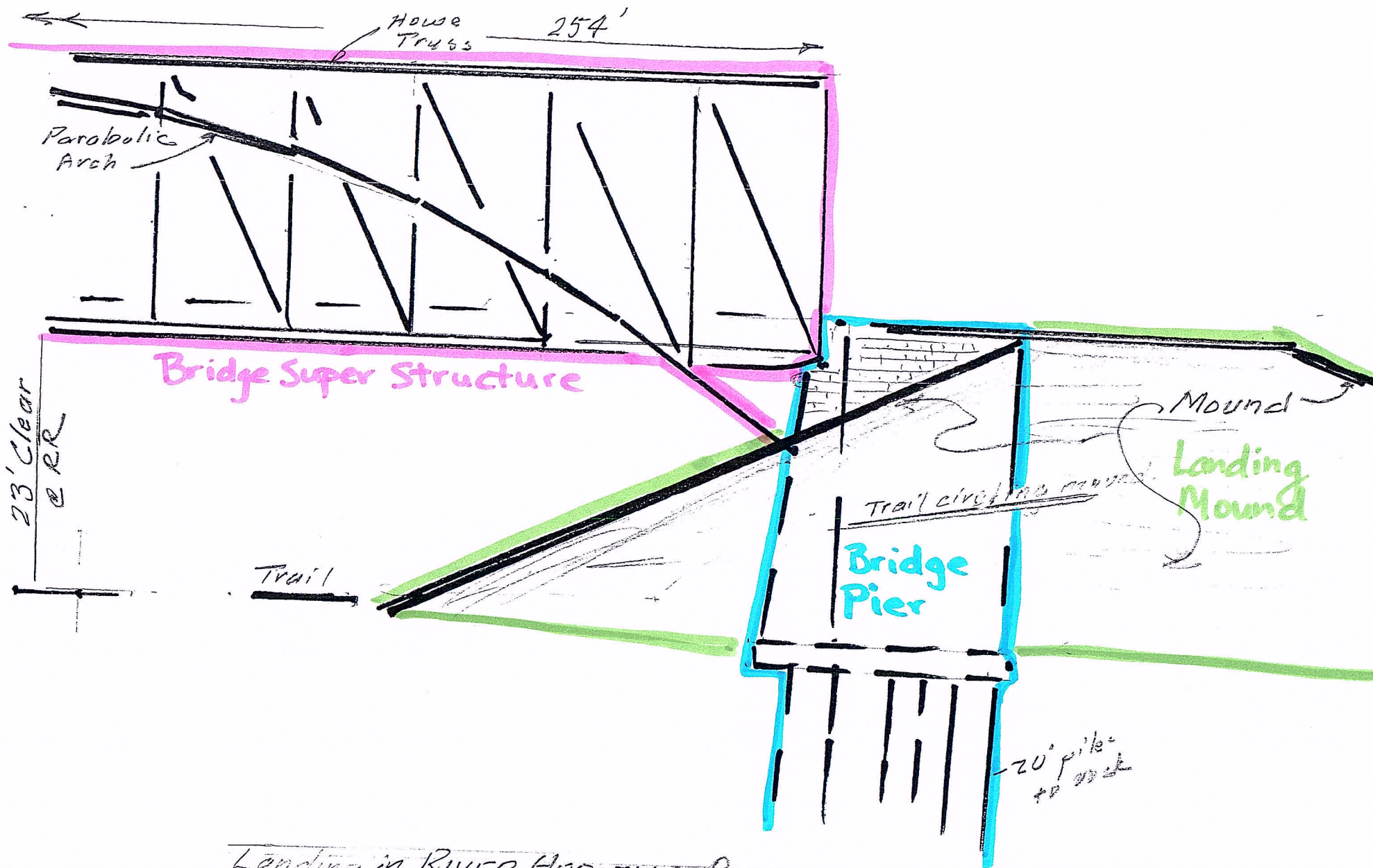
Attest:

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Frank J. Klipsch, Mayor

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Jackie E. Holecek, MMC, City Clerk



Landing in RIVER HERITAGE PARK

Looking Upstream or East

W. 5/24/13

City of Davenport

Agenda Group: Finance  
Department: City Clerk  
Contact Info: Sarah Ott, 326-6167  
Wards: All

**Action / Date**  
**COW6/6/2018**

**Subject:**  
Resolution approving changes to the building permit fee schedule by amending the accessibility review fees. [All Wards]

**Recommendation:**  
Adopt the resolution

**Relationship to Goals:**  
High-Performing Government

**Background:**  
The City of Davenport has contracted with Disability Access Consultants (DAC) to provide third party plan review services to review for conformance with the Americans with Disability Act, Fair Housing Design Standards, and the International Building Code. The cost for Title III (private development) plan review will be offset by an amending building division fee schedule. Section 15.08.315 of the Davenport Municipal Code provides that "the fee for each permit or regulated item and plan review shall be set forth by resolution of City Council"  
This resolution pertains to the amendment of the Accessibility Review Fees. The attached fee schedule identifies the accessibility review fee based on the valuation of work being completed.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Fee Schedule

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:41 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 1:42 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Tompkins

RESOLVED by the City Council of the City of Davenport.

RESOLUTION amending the building permit fee schedule by amending the accessibility review fees.

WHEREAS, the City of Davenport has entered into a contract with Disability Access Consultants to provide third party plan review services for conformance with ADA standards; and

WHEREAS, the City of Davenport Municipal Code (Section 15.08.315) sets out the requirement for fee based building inspection and plan review services; and

WHEREAS, Davenport City Council is directed by said ordinance to adopt a schedule of fees for each permit or regulated item and plan review, by resolution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that the City Council herewith adopts by resolution the attached schedule of fees.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Jackie E. Holecek, MMC, Deputy City Clerk

## Accessibility Review Fees

<u>Project Valuation in Dollars</u>	<u>Fee Per ADA Plan Review</u>
\$1 to \$20,000	Waived
\$20,001 to \$250,000	\$300
\$250,001 to \$500,000	\$400
\$500,001 to \$750,000	\$475
\$750,001 to \$1,000,000	\$550
\$1,000,001 to \$1,500,000	\$625
\$1,500,001 to \$10,000,000	\$1,000
\$10,000,001 to \$50,000,000	\$1,500
\$50,000,001 and Above	\$2,000

City of Davenport

Agenda Group: Finance  
Department: Finance  
Contact Info: Cory Smith 888-2162  
Wards: All

**Action / Date**  
**FIN6/6/2018**

**Subject:**

Resolution awarding the purchase of seven HP DL380 GEN10 Servers for the IT Department to Genisys Corporation of Redmond WA, in the amount of \$107,541. CIP 67002 [All Wards]

**Recommendation:**

Adopt the Resolution.

**Relationship to Goals:**

Fiscal Vitality

High Performing Government

**Background:**

On May 10, 2018, an Invitation to Bid was issued and sent to 123 vendors. On May 23, 2018, the Purchasing Division opened and read 10 responsive and responsible bids. See attached Bid Tab.

This upgrade in servers is a multi-part improvement for VMware for workstations; video services; nvidea recording, and better performance for all users.

Funding for this upgrade is from the FY18 CIP 67002 with a current balance of \$200,000. These funds are from the sale of General Obligation bonds.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution 7 New Servers for IT
▣ Backup Material	Bid Tab for Greensheet

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	5/30/2018 - 3:25 PM
Finance Committee	Watson-Arnould, Kathe	Approved	5/30/2018 - 3:26 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 12:59 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Tompkins.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of seven (7) HP DL380 GEN10 Servers from Genisys Corporation of Redmond, WA, in the amount of \$107,541, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to purchase new servers to work efficiently with a new software upgrade; and

WHEREAS, Genisys Corporation of Redmond, WA submitted the lowest responsive and responsible bid;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for the purchase of the 7 servers from Genisys Corporation; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Jackie E. Holecek, CMC  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor

CITY OF DAVENPORT, IOWA  
INVITATION TO BID RESPONDENTS

DESCRIPTION: QTY 7 – HP DL380 GEN10 SERVERS

BID NUMBER: 18-111

OPENING DATE: MAY 23, 2018

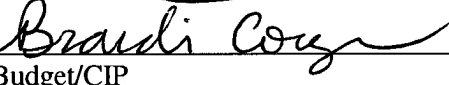
GL ACCOUNT: 79012696 530350 67002 IT CAPITAL IMPROVEMENT

RECOMMENDATION: AWARD THE CONTRACT TO GENISYS CORPORATION OF  
REDMOND, WASHINGTON

<u>VENDOR NAME</u>	<u>AMOUNT</u>
<b>Genisys Corporation of Redmond WA</b>	<b>\$107,541</b>
The Pinnacle Group of Stamford CT	\$118,968
Corbel Solutions of Seattle WA	\$138,705
Viztech of Lawrenceville GA	\$139,185
Office Machine Consultants of Rock Island IL	\$139,587
Alliance Technology Group LLC of Hanover MD	\$139,808
AKA Comp Solutions Inc of Chicago IL	\$151,211
ReluTech LLC of Peachtree Corners GA	\$152,418
Diltex Inc of West Covina CA	\$178,461
Royal Imaging Solutions of Baltimore MD	\$220,189

Prepared By   
Purchasing

Approved By   
Director

Approved By   
Budget/CIP

Approved By   
Finance Director

City of Davenport

Agenda Group: Finance  
Department: Finance  
Contact Info: Kristi Keller 888-2077  
Wards: All

**Action / Date**  
**FIN6/6/2018**

Subject:

1. Iowa Kenworth, Inc. - Bus engine - Amount: \$30,703
2. Varitech Industries, Inc. - Two brine tanks for PW - Amount: \$28,910
3. Holst Trucking & Excavating - Demolition of 729 Kirkwood Blvd. - Amount: \$14,400
4. Netwrix Corp. - Servers and software for IT - Amount: \$13,922
5. Gierke-Robinson Co. - EZ Drill & Dust Collection System - Amount: \$13,064
6. Davis Equipment - Irrigation controls at Duck Creek Golf Course - Amount: \$12,493
7. Bracke-Hayes-Miller-Mahon Architects - Engineering design for FEMA grant project at Solar Vision - Amount: \$12,000
8. Century Fence Co. - T-Hangar security fence at airport - Amount: \$10,718

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	5/31/2018 - 2:03 PM
Finance Committee	Watson-Arnould, Kathe	Approved	5/31/2018 - 2:03 PM
City Clerk	Thorndike, Tiffany	Approved	5/31/2018 - 4:52 PM