

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, March 14, 2018; 5:30 PM

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

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting Minutes for February 28, 2018

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report of the Committee of the Whole for March 7, 2018

VIII. Appointments, Proclamations, Etc.

IX. Presentations

- A. Recognition of Sister Cities Carlow County Ireland Delegation
- B. Art in City Hall
- C. City of Davenport AmeriCorps/Youth Corps Celebration
- D. Quad Cities Convention and Visitor's Bureau Update/RAGBRAI
Joe Taylor, Executive Director

X. Petitions and Communications from Council Members and the Mayor

- A. Community Engagement Update - Alderman Dickmann

XI. Individual Approval of Items on the Discussion Agenda

1. Second Consideration: Ordinance for Case REZ17-08 being the request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, of property generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District. [Ward 3]
2. First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$34,365,000 General Obligation Corporate and Refunding Bonds, Series 2018A, and for the levy of taxes to pay the same. [All Wards]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE ON FIRST CONSIDERATION:

1. Motion for suspension of the rules.
2. Motion for passage of second and third considerations.
3. First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$8,330,000 Taxable General Obligation Corporate and Refunding Bonds, Series 2018B, and for the levy of taxes to pay the same. [All Wards]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE ON FIRST CONSIDERATION

1. Motion for suspension of the rules.
2. Motion for passage of second and third considerations.
4. First Consideration: Ordinance amending Chapters 13.16.107A and 13.16.107B entitled "Sanitary Sewer Rates – Amount" from \$4.16 to \$4.45 to \$4.76 to \$5.09 to \$5.45 per one hundred cubic feet of water use as determined by water meter readings; and amending per bill rates for monthly commercial bills from \$15.86 to \$16.98 to \$18.17 to \$19.44 to \$20.80; and amending per bill rates for monthly residential bills from \$16.52 to \$17.15 to \$18.34 to \$19.61 to \$20.97; and per bill rates for quarterly residential bills from \$23.33 to \$23.33 to \$24.93 to \$26.64 to \$28.47 and quarterly commercial bills from \$21.33 to \$22.83 to \$24.43 to \$26.14 to \$27.97. [All Wards]

COMMITTEE OF THE WHOLE RECOMMENDS PASSAGE ON FIRST CONSIDERATION

1. Motion for suspension of the rules.
2. Motion for passage of second and third considerations.

XII. Approval of All Items on the Consent Agenda

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

Community Development

1. Resolution approving Case No. FDP18-01 being the request of John Crump for a PDD Final Development Plan for a four-story hotel located north of East 53rd Street and west of Elmore Avenue on 2.28 acres, more or less. [Ward 6]
2. Motion directing staff to prepare and submit the Economic Opportunity Zone application to Iowa Economic Development Authority (IEDA). [Wards 1,2,3,4,5,7]

Public Safety

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

Mac's Tavern, St. Patrick's Day Celebration, March 18th, 12:00 PM to Midnight; Closure

Location: North sidewalk closure on 3rd Street in from of 316-318 3rd St. [Ward 3]

Stickman Race Group, Easter Egg Scramble, March 31st, 6:00 AM to 12:00 PM; Christy Street, from 11th-12th Streets; 11th Street (closed 6:00 AM - 12:00 PM), Jeresy Ridge Road to Middle Road, Middle Road to Eastmere to Bettendorf City Limits and River Drive from City of Davenport Limit and east to River Street to finish at 11th and Christy. [Ward 5 & 6]

St. Paul Catholic Church, Join the Journey 5K, April 28th (Note Change in Date), 8:00 a.m. to 10:00 a.m.; Closure Location: Begins on Arlington and Grand Avenues, south 1/2 block to High Street, west 1/2 block to Tyler Park and return. [Ward 5]

J&M Displays, Fireworks after River Bandits Games, Fridays - April -September; 9:30 PM until after game ends, Closure Location: Bike path and sidewalk in shoot area. [Ward 3]

St. Paul Lutheran Church, May Fest, May 20th, 8:00 AM - 3:00 PM; Closure Location: Lombard Street between Main and Brady Streets. [Ward 5]

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

Front Street Taproom, 421 W River Drive, Kelly's St Patrick's Day at Front Street, Saturday, March 17th, 9:00 AM to 12:00 AM, Outdoor Music, Over 50 dBa [Ward 3] (NOTE: On 1/24/18 Council approved a request for Friday, March 16th from 5:00 PM to 12:00 AM)

Leisure Lanes, 2802 West 73rd Street, St. Patty's Day Pot of Gold, March 17th, 6:00 PM to 12:00 AM, Outdoor Music, Over 50 dBa [Ward 8]

3. Motion approving beer and liquor license applications.

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

Ward 1

K & K Food and Gas (K & K Food and Gas Inc.) - New License/New Owner - 2365 Rockingham Rd. - License Type: E Liquor / C Beer (*200' letters mailed on 2/16/18 to all surrounding property owners.*)

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

Ward 1

Gunchies (Big E Properties, Inc.) – 2905 Telegraph Rd. – Outdoor Area – License Type: C Liquor

Ward 3

Boozies Bar and Grill (BZE Holdings, Inc.) – 114 ½ W 3rd St. – License Type: C

Liquor

Cru 221 (Cru 221, LLC) – 221 Brady St. – License Type: C Liquor / B Wine

Golden Mart (Golden Mart Inc.) – 1026 W River Dr. – License Type: E Liquor / C Beer / B Wine

LaFinca LLC (LaFinca LLC) – 916 W 2nd St. – License Type: B Beer

Palmer College of Chiropractic (Palmer College Foundation) – 1000 Brady St. – Outdoor Area – License Type: Beer / Wine

Redstone Room (River Music Experience) – 129 Main St. 2nd Floor – License Type: C Liquor

Scott's Shovelhead Shed (S.S.S. Inc.) – 220 N Pine St. – Outdoor Area – License Type: C Liquor

Triple Crown Whiskey Bar and Raccoon Motel (Triple Crown Whiskey Bar LLC) – 304 E 3rd St. – Outdoor Area – License Type: C Liquor

Zeke's Island Café on the Hill (Lumpy's, Inc.) – 1509 N Harrison St. – Outdoor Area – License Type: C Liquor

Ward 4

Hy-Vee Market Café (Hy-Vee, Inc.) – 2351 W Locust St. Café Area – License Type: C Liquor

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc.) – 2815 W Locust St. – Outdoor Area – License Type: C Liquor

Ward 5

Brew In the Village (3 Blessings Incorporated) – 1104 Jersey Ridge Rd. – Outdoor Area – License Type: C Liquor

The 11th Street Precinct Bar and Grill (Carpe Diem I LLC) – 2108 E 11th St. – Outdoor Area – License Type: C Liquor

Grumpy's Saloon (2118-2120, Inc.) – 2120 E 11th St. – License Type: C Liquor

Ward 6

Biaggi's Ristorante Italiano LLC (Biaggi's Ristorante Italiano LLC) – 5195 Utica Ridge Rd. – License Type: C Liquor / B Wine

Camp McClellan Cellars (Julie Keehn) – 2302 E 11th St. – License Type: C Beer / B Wine

Los Agaves Mexican Grill (Los Agaves, Inc.) – 4882 Utica Ridge Rd. – Outdoor Area – License Type: C Liquor

QC Dynasty Buffet (Osaka Buffet Inc.) – 5388 Elmore Cir. – License Type: C Liquor

QC Mart (Bethany Enterprises, Inc.) – 2415 E 53rd St. – License Type: C Beer

Rave Davenport 53 & Imax (Cinemark USA, Inc.) – 3601 E 53rd St. – License Type: Beer / Wine

Ward 7

Outback Steakhouse (Outback Steakhouse of Florida, LLC) – 1235 E Kimberly Rd. – Outdoor Area – License Type: C Liquor / B Native Wine

Ward 8

Express Lane #76 (Expresslane Inc.) – 6268 Brady St. – License Type: C Beer / B Native Wine

Fareway Stores, Inc. #987 (Fareway Stores, Inc.) – 1635 W 53rd St. – License Type: E Liquor / C Beer / B Wine

Public Works

1. Resolution to enter into an Intergovernmental Reimbursable Agreement between the City of Davenport and the Federal Aviation Administration in connection with the funding of the Visual Approach Slope Indicator Power Cabling Relocation during the Reconstruction of Runway 15/33 at the Davenport Municipal Airport, in the amount of \$85,053.11 FY2019 CIP #20010. [Ward 8]
2. Resolution approving the contract for the W. 5th & Western Avenue Intersection Improvement project from Hawkeye Paving Corporation of Bettendorf, IA at the amount of \$478,265.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #10548 [Ward 3]
3. Resolution of the plans, specifications, forms of contract and estimated cost for the FY2018 Microsurfacing and Cape Seal Program, CIP #35026. [All Wards]
4. Resolution approving the Main Street Landing Design Guidelines as the official material palette to be incorporated in the development of the portion of the Davenport Riverfront known as Main Street Landing, CIP #68004. [Ward 3]
5. Resolution approving the contract for the Pheasant Creek Stream Stabilization project from Ardo Schmidt Construction, Inc. of Preston, IA at the amount of \$136,092.57 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #33023 [Ward 6]
6. Resolution approving the contract for the ADA Sidewalk Ramp Improvement project from McDermott Concrete, LLC of Blue Grass, IA in the amount of \$380,623.70 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #28016 [All Wards]
7. Resolution adopting the resolution of necessity covering the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. [Wards 3 & 5]

8. Resolution amending resolution of necessity covering the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. [Wards 3 & 5]
9. Resolution overruling objections for the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. [Wards 3 & 5]
10. Resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract and publication of the notice to bidders and notice of hearing covering the FY17 Alley Resurfacing Program Part 2, for the the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. The current estimate of \$70,500 with a budgeted amount of \$76,000 in CIP #35017. [Ward 5]
11. Resolution approving the specifications, form of contract, and estimated cost for the FY2019-2020 Contract Sewer Repair Program CIP #30044 and #33001. [All Wards]
12. Resolution approving the contract for Runway 15/33 Reconstruction Construction Observation and Administration Services (Task Order #1) with McClure Engineering Company of Fort Dodge, Iowa, in the amount not to exceed \$584,749, to provide construction observation and technical oversight for the reconstruction of Runway 15/33 at the Davenport Municipal Airport, FY2019 CIP #20010. [Ward 8]

XIII. Other Ordinances, Resolutions and Motions

XIV. 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 can not take action on any complaint or suggestions tonight, and can not respond to any allegations at this time.

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Agenda Group: Council
Department: City Clerk
Contact Info: Jackie E Holecek
Wards: ALL

Action / Date
3/14/2018

Subject:
Approval of the City Council Meeting Minutes for February 28, 2018

ATTACHMENTS:

| Type | Description |
|--------------|---------------|
| ▢ Cover Memo | CC MIN 022818 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|--------------------|
| City Clerk | Admin, Default | Approved | 3/7/2018 - 5:33 PM |

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, February 28, 2018---The Council observed a moment of silence. Pledge of Allegiance. The Council met in regular session at 5:30 PM with Mayor Klipsch presiding and all aldermen present.

The minutes of the February 14, 2017 City Council meeting were approved as printed.

The report of the Committee of the Whole was as follows: COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, February 21, 2018--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Klipsch presiding and all alderman present. The following Public Hearings were held: Community Development: for the ordinance for case REZ17-08 being the request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, of property generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District; Public Works: on the plans, specifications, form of contract and estimated cost for the Junge Park - Bike Path Reconstruction Project. The estimated cost is \$100,000 budgeted in CIP #64044; on the plans, specifications, form of contract and estimated cost for the East Locust Street Pavement Improvements Project. The estimated cost is \$1,290,000 budgeted in CIP #35032; Finance: on the FY 2019 Operating Budget, FY 2019 Capital Improvement Budget, and the FY 2019 - FY 2024 Capital Improvement Plan; to convey city owned parcel W0425-01 adjacent to the east of 2305 W. 67th Street owned by the Dirksens; regarding the conveyance of a vacant lot Parcel G0034-25, formerly 1012 W 9th Street, located in Mitchell's Bluff Addition. On motion by Ald. Dickmann, second by Ald. Rawson the following Appointment was approved: Riverfront Improvement Commission: Breanna Pairrett, 54. Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Clewell, second by Ald. Matson items 1 and 5 moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Safety: Ald. Rawson reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Meginnis the street closure for Ride the River was deleted. On motion by Ald. Condon, second by Ald.

Ambrose all items moved to the Consent Agenda. Public Works: Ald. Ambrose reviewed all items listed. On motion by Ald. Dunn, second by Ald. Matson all items moved to the Consent Agenda. Finance: Ald. Tompkins reviewed all items listed. On motion by Ald. Meginnis, second by Ald. All items moved to the Consent Agenda. Council adjourned at 7:30 p.m.

The following Presentation was given: Junior Theatre Update – “A Brave, Bold Tomorrow”, Daniel Sheridan, MFA.

The Discussion Agenda items were as follows: NOTE: The votes on all ordinances and resolutions were by roll call vote. The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.

The following ordinance moved to second consideration: for Case REZ17-08 being the request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, of property generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: “R-4” Moderate Density Dwelling District, “R-6M” High Density Dwelling District, “C-1” Neighborhood Commercial District, “C-2” General Commercial District, “C-4” Central Business District and “M-1” Light Industrial District to “PID” Planned Institutional District.

The following resolution was adopted: approving Case No. F17-18 being the final plat of Landon Prairie, being a replat of Lot 2 Victory Acres, located at 1366 West Kimberly Road, containing three (3) residentially zoned lots on 1.37 acres, more or less, 55.

The Consent Agenda was as follows: NOTE: These are routine items and are enacted at the City Council meeting by one roll call vote. The vote was unanimous unless otherwise noted.

Community Development: The following resolutions were adopted: approving Case No. ANX18-01, the annexation of 16.84 acres more or less, of territory located west of North Division Street and south of Slopertown Road. (Sterilite Corporation, petitioner), 56; approving the annexation of 155 acres more or less, of territory located west of Hillandale Road south of Slopertown Road. (Meyer-Keppy, petitioner.) Case No. ANX18-02. [Ward 8 as expanded], 57; approving the annexation of 0.24 acres more or less, of railroad property located south of Slopertown Road. (City of Davenport, petitioner.) Case No. ANX18-04. [Ward 8 as expanded], 58; approving 2018 Urban Revitalization Tax Exemption Projects, 59;

supporting a Workforce Housing Tax Credit application to the State of Iowa for a housing project located at 1606 Brady Street, 60; authorizing the Mayor to execute the Iowa Certified Local Government 2017 Annual Report, 61.

Public Safety: The following resolution was adopted: closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s), 62.

The following motions were passed: approving noise variance request(s) for various events on the listed dates at the listed times, 63; approving all submitted beer and liquor license applications, 64.

Public Works: The following resolutions were adopted: approving the proposed plans, specifications, form of contract and estimate of cost for the Junge Park - Bike Path Reconstruction Project. The estimated cost is \$100,000 budgeted in CIP #64044, 65; approving a contract to replace two Motor Control Centers (MCC) and one switchgear line at Water Pollution Control Plant to Tri-City Electric Co. of Davenport, in the amount of \$359,170 budgeted in CIP #39003, 66; approving the contract for the Federal Street Sewer Improvement Project from Hawkeye Paving Corporation in the amount of \$638,489.00 budgeted in CIP #30001, 67; approving the plans, specifications, form of contract and estimated cost for the East Locust Street Pavement Improvements Project. The estimated cost is \$1,290,000 budgeted in CIP #35032, 68; accepting the Kimberly Road bridge over Duck Creek Replacement Project completed by Helm Group, Inc (dba Civil Constructors, Inc) of Freeport, IL. This project was completed with a final contract amount of \$1,265,886 budgeted in CIP #01589, 69; assessing the cost of brush and debris, boarding up building, sewer inspection and repairing water service at various lots and tracts of real estate, 70, 71, 72, 73.

The following motions were passed: accepting an agreement to reimburse MidAmerican Energy Company to raise overhead electrical wires to construct traffic signals at Veterans Memorial Parkway (VMP) and Elmore Avenue, as part of the VMP paving project from Jersey Ridge to I-74 in the amount of \$55,000, budgeted in CIP #02418, 74; approving submittal of two applications to the State Revolving Fund Sponsored Project Program, each requesting up to \$800,000 for watershed improvement projects, 75.

Finance: The following resolutions were adopted: adopting the FY 2019 Operating Budget, FY 2019 Capital Improvement Budget, and the FY 2019 - FY 2024 Capital Improvement Plan, 76; setting March 14, 2018 as the date for the sale of General Obligation Corporate and Refunding Bonds, Series 2018A; and Taxable General Obligation Corporate and Refunding Bonds, Series 2018B; and approving the Preliminary Official Statement, 77; conveying city-owned parcel W0425-01 adjacent to the east of 2305 W. 67th Street, owned by the Dirksens. (Petitioners, Ronald & Janice Dirksen), 78; conveying a vacant lot Parcel G0034-25, formerly 1012 W. 9th Street, located in Mitchell's Bluff Addition (Paul Goulet, Petitioner), 79; awarding a contract for the Miracle Field Safety Surface to Surface America, Inc. of Williamsville NY in the amount of \$144,232. CIP # 64030, 80.

The following motions were passed: authorizing the Mayor to sign an Intergovernmental 28D Agreement with the Davenport Community School District for the assignment of a School Liaison Officer and a School Resource Officer, 81; awarding a contract for golf car leasing to Harris Golf Cars of Dubuque, IA in the annual amount of \$91,120, 82.

The following Civil Service Certification lists were received and filed: *Code Enforcement Officer II*: Jeff Anthony, Thorian Twyner, James Doty; *Assistant Fire Chief – Operations*: Robb Macdougall, Michael Carlsten, Leslie Norin, Tyler Schmidt, Ron Burchette; *Park Supervisor*: Paul Leathers, Jose Hernandez, Craig Randerson, Jason Manfull, Eric Sands, Cade Fogerty, Stephanie Henshaw, Samuel Welch; *Rehabilitation Specialist*: Alan Conner, Aaron Cress, Ann Martin; *Turf Technician*: Jason Manfull, James Hurning, 83.

On motion by Ald. Meginnis, second by Ald. Rawson, with all aldermen present voting aye, the Council recessed to Executive Session at 6:25 PM to discuss the purchase of particular real estate pursuant to Iowa Code Section 21.5(1)(j). Council reconvened in Executive Session with Mayor Klipsch and all aldermen present. On motion by Ald. Matson, second by Ald. Ambrose, the Council reconvened in Open Session at 6:52 PM.

On motion Council adjourned at 6:52 P.M.

PO# 1812728

February 28, 2018

A handwritten signature in black ink that reads "Jackie E. Holecek". The signature is written in a cursive style with a large, stylized 'J' and 'H'.

Jackie E. Holecek, MMC
Deputy City Clerk
PO# 1812728

City of Davenport

Agenda Group: Council
Department: City Clerk
Contact Info: Jackie E Holecek
Wards: ALL

Action / Date
3/14/2018

Subject:
Approval of the Report of the Committee of the Whole for March 7, 2018

ATTACHMENTS:

| Type | Description |
|--------------|-------------------|
| ▢ Cover Memo | COW Report 030718 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|--------------------|
| City Clerk | Admin, Default | Approved | 3/7/2018 - 5:35 PM |

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, March 7, 2018--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Klipsch presiding and all alderman present. The following Public Hearings were held: Public Works: on the plans, specifications, forms of contract and estimated cost for the FY2018 Microsurfacing and Cape Seal Program, CIP #35026; on the specifications, form of contract and estimated cost for the FY2019-2020 Contract Sewer Repair Program, CIP #30044 and #33001. Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Clewell, second by Ald. Rawson item 1# moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Safety: Ald. Rawson reviewed all items listed. On motion by Ald. Condon, second by Ald. Dickmann all items moved to the Consent Agenda. Public Works: Ald. Ambrose reviewed all items listed. On motion by Ald. Dunn, second by Ald. Rawson all items moved to the Consent Agenda. Finance: Ald. Tompkins reviewed all items listed. On motion by Ald. Meginnis, second by Ald. Grip all items moved to the Discussion Agenda with the recommendation that all items be passed on first consideration. Other Ordinances, Resolutions and Motions: On motion by Ald. Ambrose, second by Ald. Rawson with all aldermen voting aye, the rules were suspended and the following motion passed: approving the request for an exemption for 19-and 20-year old on premises subject to issuance of Final Occupancy Permit: At the Stardust (At The Stardust, LLC) - 218 Iowa Street - NEW LICENSE: Type: C Liquor, 84. Council adjourned at 6:02 p.m.

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Ryan Rusnak 563-888-2022
rusnak@ci.davenport.ia.us
Wards: Ward 3

Action / Date
2/21/2018

Subject:

Second Consideration: Ordinance for Case REZ17-08 being the request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, of property generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District. [Ward 3]

Recommendation:

The Plan and Zoning Commission forwards Case REZ17-08 to the City Council with a recommendation for approval subject to the following conditions:

1. That any property rendered non-conforming by the adoption of the "PID" Planned Institutional District not be subject to Section 17.46.020 entitled Discontinuance-Conformance required;
2. That the buildings achieve consistency with the required 25 foot front yard setback if a "PID" Planned Institutional District ordinance amendment is not adopted to allow setback reductions as depicted on the adopted Land Use Plan;
3. That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan as private use by Palmer College of Chiropractic. These areas on the Land Use are descriptive only with respect to the future use of the property and does not compel approval of any vacation/abandonment request; and
4. In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer College of Chiropractic, a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue. The cost of removing the roadway material, curbs and sidewalks and the installation of the pedestrian walkway and historical markers shall be the expense of Palmer College of Chiropractic.

The Plan and Zoning Commission vote was 9-yes and 0-no.

Relationship to Goals:
Urban revitalization.

Background:

The "PID" Planned Institutional District zoning classification is intended to encourage a comprehensive approach to development by encouraging the adoption of a land use plan rather than the piece-meal review of individual development proposals through the special use permit process. The district is also intended to:

1. Further the policies of the Comprehensive Plan;
2. Encourage the preparation of a land use plan that enables the community to understand the

levels of development being proposed, their likely impacts and appropriate mitigation measures;

3. Permit appropriate institutional growth within boundaries of the campus while minimizing the adverse impacts associated with development and geographic expansion;
4. Balance the ability of major institutions to grow and adapt to changing needs while protecting the livability and vitality of adjacent areas.

Once approved, the Land Use Plan shall remain effective for a period of ten years, although updates and amendments may be pursued during that time period. Development projects consistent with the adopted land use plan will undergo administrative site plan and building permit review and will not require a reopening of the rezoning.

Palmer Chiropractic College was encouraged to consider the Planned Industrial District when it requested the Historic Preservation Commission to allow the demolition of 12 historic properties and removal of a protected brick street.

“PID” Planned Institutional District zoning is required to contain two primary components:

1. Land Use Plan - establishes the range of acceptable uses and intensities that will be permitted. The land use plan provides detailed development data for the site from which a determination can be made on the appropriateness of the proposed distribution of land uses that are to be developed. Once approved, the land use plan shall remain effective for a period of ten years, although updates and amendments may be pursued during that time period. Development projects consistent with the adopted land use plan will undergo administrative site plan and building permit review and will not require a reopening of the rezoning.
2. Narrative of intent and compatibility with surrounding area - describes the relationship between the institution and the surrounding area.

The Land Use Plan proposes to vacate (abandon) portion of streets and alleys. Palmer College of Chiropractic would need to formally request that the City Council vacate (abandon) the public streets and alleys. An Ordinance condition is proposed that the future private use of public streets and alleys as depicted on the Land Use are descriptive only and do not compel approval of any vacation/abandonment request. The City Traffic Engineer have reviewed the proposed Land Use Plan and did not express an objection to the potential of these street and alley closures.

The Davenport Civil Rights Commission Director indicated that the Civil Rights Commission discussed the rezoning request at its August 8, 2017 meeting because it has concerns that the request will have a disparate impact on low income and minority communities. The Plan and Zoning Commission tabled this request indefinitely at its September 5, 2017 regular meeting to allow the City sufficient time to hire a consultant to analyze if the approval of the rezoning (and ultimate plan buildout) would cause a disparate impact on low income and minority communities. The analysis was completed in December 2017 and determined in part “... the City of Davenport’s approval of the Palmer’s PID rezoning application does not create a disparate impact on protected racial or ethnic groups.” The Plan and Zoning Commission removed the request from the table at February 6, 2018 meeting and unanimously voted to recommend approval of the request.

The City has received two objections to the request:

1. 318 East 10th Street. Objection based on the buildings proposed to be demolished.
2. 118 East 11th Street and 1019 Perry Street. Objection based on adverse effects caused to

their property by Palmer College of Chiropractic.

ATTACHMENTS:

| Type | Description |
|-------------------|--|
| ▣ Ordinance | REZ17-08 - Ordinance |
| ▣ Backup Material | Land Use Plan - Part 1 |
| ▣ Backup Material | Land Use Plan - Part 2 |
| ▣ Backup Material | Written Narrative |
| ▣ Backup Material | Plan and Zoning Commission Letter to City Council - 2-8-2018 |
| ▣ Backup Material | Final Staff Report to Plan and Zoning Commission - 2-6-2018 |
| ▣ Backup Material | 2-6-2018 Plan and Zoning Commission Vote Results |
| ▣ Backup Material | Opposed, In Favor, General Correspondence |
| ▣ Cover Memo | Mosaic Palmer PID Disparate Impact Analysis |
| ▣ Cover Memo | REZ 17-08 Objection KW QC |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|--------------------|
| City Clerk | Admin, Default | Approved | 3/1/2018 - 9:40 AM |

ORDINANCE NO.

ORDINANCE for Case No. ROW17-08: Request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, of property generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District [3rd Ward]

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

Section 1. The following described property in Scott County, Iowa real estate is hereby rezoned from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District:

Part of the Northwest Quarter of Section 25, Township 78 North, Range 3 East and the Northeast and Southeast Quarter Section 26, Township 28 North, Range 3 East of the 5th Principal Meridian, Scott County, Iowa, more particularly described as follows:

Beginning at the intersection of the centerlines of Main Street and Palmer Drive; thence east along said centerline of Palmer Drive to the centerline of Brady Street; thence North along said centerline of said Brady Street to the south property line of 1139 Brady Street extended westerly to the centerline of Main Street; thence East along said south property line and its extensions westerly and easterly to the centerline of a public alley; thence North along said centerline of said public alley to the centerline of East 12th Street; thence East along said centerline of East 12 Street to the centerline of Pershing Avenue; thence South along said centerline of Pershing Avenue to the south property line of 826 Pershing Avenue extended easterly to the centerline of Pershing Avenue; thence West along said south property line and its extensions easterly and westerly to the centerline of a public alley; thence South along said centerline of a public alley to the south property line of 809 Perry Street extended easterly; thence West along said south property line to the southwest corner of 809 Perry Street; thence north to the south line of 809 Perry Street; thence west along the south line of 809 Perry Street and its extension westerly to the centerline of Perry Street; thence South along said centerline of Perry Street to the north property line of 702 Perry Street extended easterly to the centerline of Perry Street; thence west along said north property line and its easterly extension to the west property line of 702 Perry Street; thence south along said west property line of 702 Perry Street and its southerly extension to the centerline of East 7th Street; thence West along said centerline of East 7th Street to the

centerline of Brady Street; thence South along said centerline of Brady Street to the centerline of a public alley extended easterly to centerline of Brady Street; thence West along said centerline of a public alley and its westerly extension to the centerline of Main Street; thence North along said centerline of Main Street to the north property line of 614 Main Street (Devries Halligan McCabe Funeral Home) extended easterly to the centerline of Main Street; thence west along said north property line and its extensions easterly and westerly to the centerline of a public alley; thence North along said centerline of a public alley to the north property line of 703 Harrison Street extended easterly to the centerline of a public alley; thence West along said north property line and its extensions easterly and westerly to the centerline of Harrison Street; thence North along said centerline of Harrison Street to the centerline of West 8th Street extended westerly to centerline of Harrison Street; thence East along said centerline of West 8th Street to the centerline of Main Street; thence North along said centerline of Main Street to the Point of Beginning.

Properties excluded from the above described PID boundary are as follows: 805 Brady Street, 1111 Perry Street, and 208 East 11th Street.

Four additional properties included in the PID boundary but not attached to the above described boundary are described as follows:

Beginning at the intersection of the centerlines of Brady Street and East 6th Street; thence east along the centerline of East 6th Street to the centerline of Pershing Avenue; thence south along said centerline of Pershing Avenue to the centerline of a public alley extended easterly to the centerline of Pershing Avenue; thence west along said centerline of a public alley and its extensions easterly and westerly to the west right of way line of Perry Street; thence south along said west right of way line to the south line of 520 Perry Street; thence west along said south line and its westerly extension to the centerline of Brady Street; thence north along said centerline of Brady Street to the Point of Beginning.

The boundaries of the legal descriptions contain 48.58 acres, more or less.

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

1. That any property rendered non-conforming by the adoption of the "PID" Planned Institutional District not be subject to Section 17.46.020 entitled Discontinuance-Conformance required;
2. That the buildings achieve consistency with the required 25 foot front yard setback if a "PID" Planned Institutional District ordinance amendment is not adopted to allow setback reductions as depicted on the adopted Land Use Plan;
3. That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan as private use by Palmer College of Chiropractic. These areas on the Land Use are descriptive only with respect to the future use of the property and does not compel approval of any vacation/abandonment request; and
4. In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer College of Chiropractic, a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue. The cost of removing the roadway

material, curbs and sidewalks and the installation of the pedestrian walkway and historical markers shall be the expense of Palmer College of Chiropractic.

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: _____

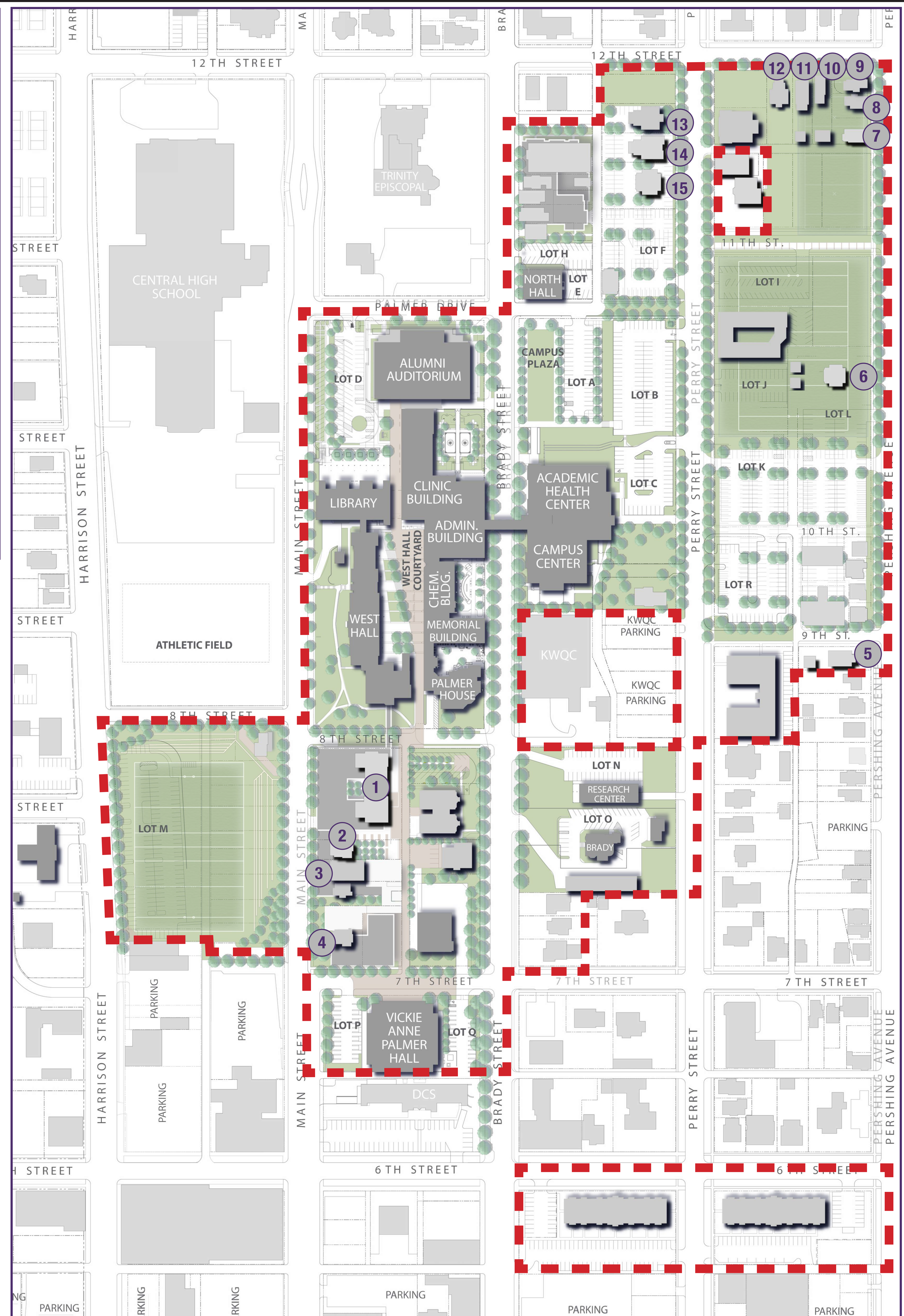
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____





- 1 121 8TH STREET BOARDING HOUSE
- 2 719 MAIN STREET
- 3 715 MAIN STREET
- 4 705 MAIN STREET
- 5 826 PERSHING STREET
- 6 1028 PERSHING STREET
- 7 1118 PERSHING STREET
- 8 1124 PERSHING STREET
- 9 225 12TH STREET
- 10 221 12TH STREET
- 11 219 12TH STREET
- 12 215 12TH STREET
- 13 1138-1140 PERRY STREET
- 14 1132 PERRY STREET
- 15 1126 PERRY STREET



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|--|--|--|--|
| <p>PALMER PLANNED INSTITUTIONAL DISTRICT DAVENPORT, IA</p> | | <p>Missman Project No: C16L060</p> | |
| <p>POTENTIAL DEMOLITION PROPERTIES</p> | | <p>PG Project #: R3001.734.00</p> | |
| <p>Copyright © 2017 All Rights Reserved</p> | | <p>Drawn By: JMA</p> | |
| <p>Checked By: JMA</p> | | <p>Date: 6/27/17 REV: 2/13/18</p> | |
| <p>MP-2</p> | | <p>Sheet 2 of 3</p> | |

PARKING DATA

2015 EXISTING PARKING TOTAL: 808

MASTER PLAN PROPOSED TOTAL: 947

NOTE: Estimates do not take into account
ADA accessible stalls or additional green
space requirements.

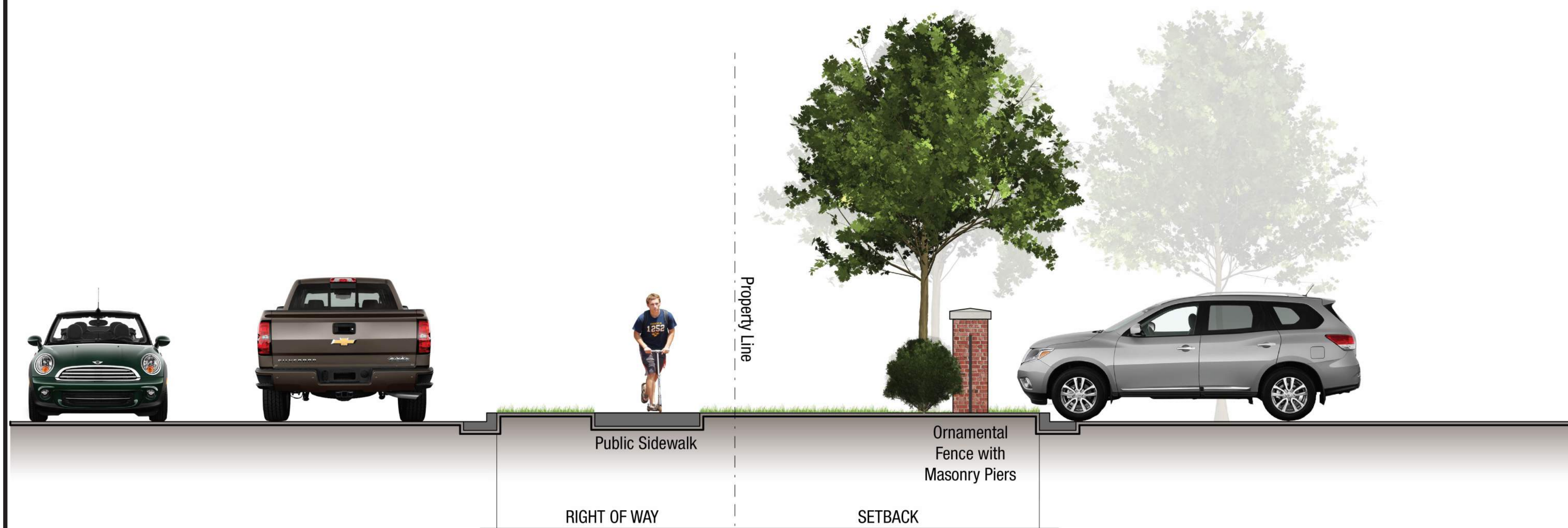
CAMPUS LOADING DOCKS



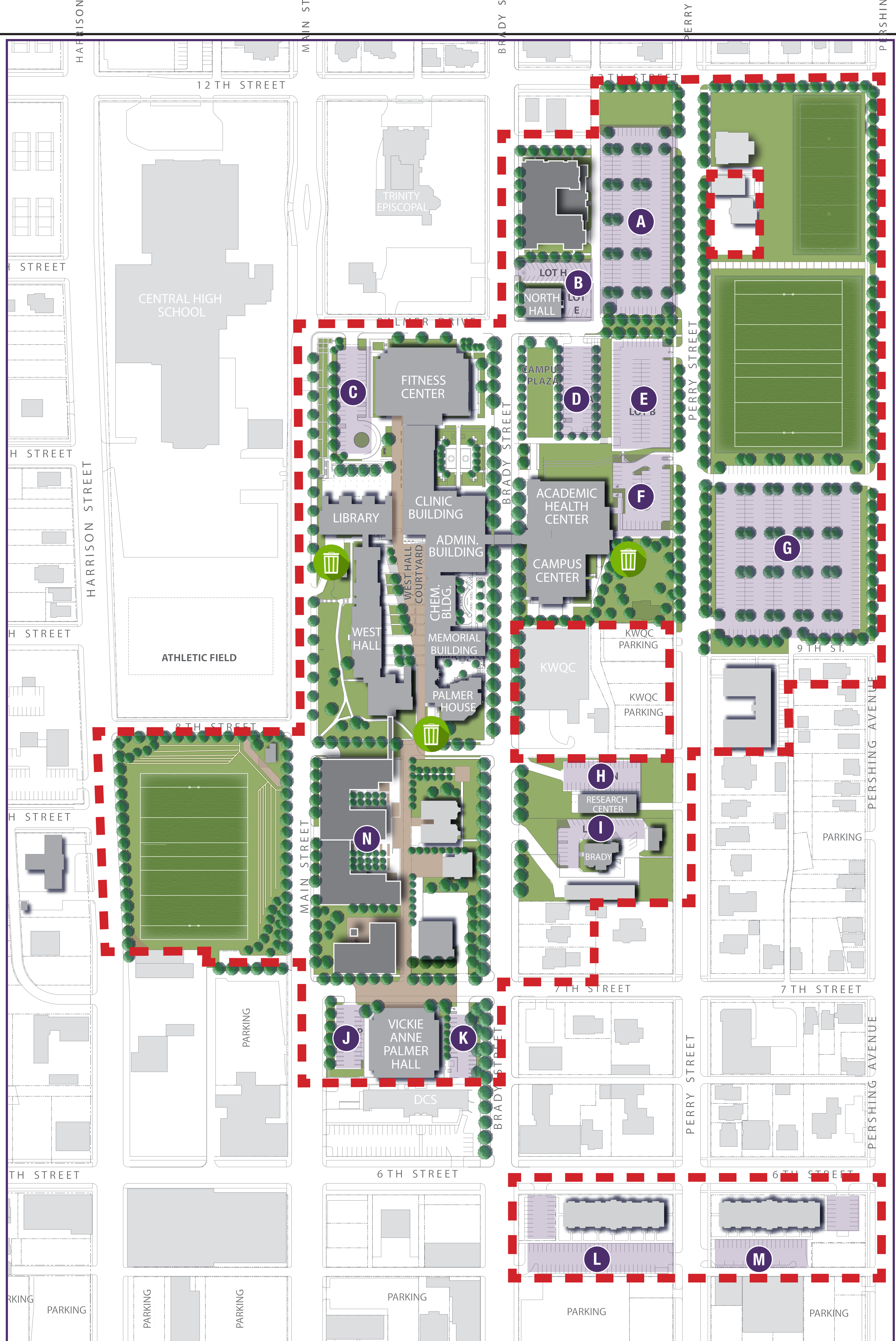
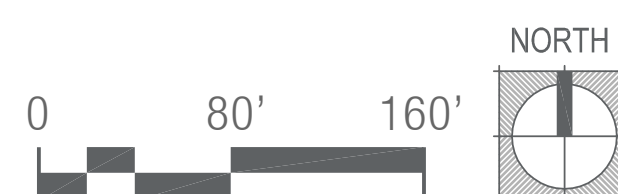
LOADING DOCKS &
RECEIVING AREAS



ELEVATION: PROPOSED CAMPUS EDGE TREATMENT/PARKING LOT SCREENING



SECTION: PROPOSED CAMPUS EDGE TREATMENT/PARKING LOT SCREENING



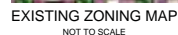
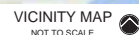
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| PALMER PLANNED INSTITUTIONAL DISTRICT DAVENPORT, IA | |
| PARKING, LOADING AREAS & LANDSCAPE DIAGRAMS | |

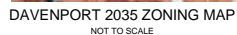
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| Missman Project No: C16L060 | |
| RDG Project #: R3001.734.00 | |
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| Checked By: JMA | |
| DATE: 6/27/17 REV: 2/13/18 | |
| MP-3 | |
| Sheet | 3 of 3 |

DAVENPORT, IOWA

 Parcels Included in Rezoning Petition

1000 Brady Street
Davenport, IA 52803
(563)-884-5653

STUDIO 483
Greg Gowey
(563)-326-2555

 Parcels Included in Rezoning Petition[illegible]

| | |
|---------------------------------|------|
| COVER SHEET | C-0 |
| CAMPUS MASTER PLAN | MP-1 |
| OVERALL LAND USE PLAN | C-1 |
| LAND USE PLAN - NORTH | C-2 |
| LAND USE PLAN - SOUTH | C-3 |
| OVERALL EXISTING CONDITIONS | C-4 |
| EXISTING CONDITIONS - NORTH | C-5 |
| EXISTING CONDITIONS - SOUTH | C-6 |
| POTENTIAL DEMOLITION PROPERTIES | MP-2 |
| SITE AREA AND SOILS - NORTH | C-7 |
| SITE AREA AND SOILS - SOUTH | C-8 |
| SITE UTILITY PLAN - NORTH | C-9 |
| SITE UTILITY PLAN - SOUTH | C-10 |
| GRADING & DRAINAGE - NORTH | C-11 |
| GRADING & DRAINAGE - SOUTH | C-12 |
| DATA SHEET | C-13 |
| DATA SHEET 2 | C-14 |
| PARKING LOADING AND LANDSCAPING | MP-3 |

THE LOCATIONS OF UTILITIES BURIED AND ABOVE GROUND UTILITIES SHOWN ARE APPROXIMATE. ARE SHOWN FOR CONTRACTOR INFORMATIONAL USE ONLY, AND ARE NOT TO BE REFERENCED FOR CONSTRUCTION PURPOSES. THE IMPLIED PRESENCE OR ABSENCE OF UTILITIES IS NOT TO BE USED FOR ANY PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY AND COMPLETE REPRESENTATION OF UTILITIES THAT MAY OR MAY NOT EXIST ON THE CONSTRUCTION SITE. BURIED AND ABOVE GROUND UTILITY LOCATION, IDENTIFICATION, AND MARKING ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. REROUTING, DISCONNECTION, OR REMOVAL OF ANY UTILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE COMPANY AND OWNER. SITE SAFETY, INCLUDING THE AVOIDANCE OF HAZARDS ASSOCIATED WITH BURIED AND ABOVEGROUND UTILITIES, REMAINS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

MISSMAN, INC. HAS ADOPTED SAFETY PROCEDURES FOR ITS EMPLOYEES WHO PROVIDE PROFESSIONAL ENGINEERING AND SURVEYING SERVICES. A COPY OF THESE PROCEDURES IS AVAILABLE FROM THE SAFETY OFFICER. MISSMAN, INC. PERSONNEL ARE NOT TRAINED IN CONTRACTOR (CONSTRUCTION) SAFETY AND COMPLIANCE PROCEDURES. THE METHODS AND MEANS TO COMPLY WITH CONSTRUCTION SITE SAFETY ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

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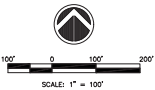
[illegible]PALMER PLANNED INSTITUTIONAL DISTRICT
DAVENPORT, IA

COVER SHEET

Missman Project No:
C16L060

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Drawn By: AEK
Checked By: JLH
Date: 7/26/17

Sheet 1 of 18



- PROPOSED SPORTS FIELD
- PROPOSED LANDSCAPE
- PROPOSED STRUCTURE
- PROPOSED PARKING
- PROPOSED ENHANCED CAMPUS CORRIDOR

- NOTES:
- All information was gathered by multiple resources and location of all features shown is approximate.

| ITEM | SQUARE FOOTAGE | ACRES | RUNOFF COEFFICIENT |
|---|----------------|----------|--------------------|
| EXISTING: | | | |
| Buildings / Structures | 348,044 | 7.99 | 0.95 |
| Parking/Driveways | 568,022 | 13.04 | 0.95 |
| Total Existing Impervious | 916,066 | 21.03 | |
| Total Existing Pervious | 608,969 | 13.98 | |
| Total | 1,525,035 | 35.01 | |
| PROPOSED: | | | |
| Buildings / Structures | 348,916 | 8.01 | 0.95 |
| Parking Lots / Driveways | 483,081 | 11.09 | 0.95 |
| Enhanced Campus Corridor | 51,993 | 1.19 | 0.95 |
| South West Rugby Field | 159,574 | 3.66 | 0.61 |
| North East Green Space | 162,547 | 3.73 | 0.61 |
| Remaining Green Space | 319,295 | 7.33 | 0.61 |
| Total Proposed Impervious | 883,990 | 20.29 | |
| Total Proposed Pervious | 641,416 | 14.72 | |
| Total | 1,525,406 | 35.01 | |
| Additional Pervious from Vacated Roadways | 33,521 | 0.769536 | 0.61 |

REVISIONS

| No. | DESCRIPTION | DATE |
|-----|----------------------------------|--------|
| 1 | BOUNDARY REVISIONS | 8/1/17 |
| 2 | COMMITTEE OF THE WHOLE REVISIONS | 2/1/18 |

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PALMER PLANNED INSTITUTIONAL DISTRICT
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OVERALL LAND USE PLAN

Missman Project No: C16L060

File Name: C:\16L060\LAND USE

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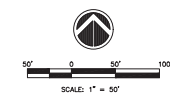
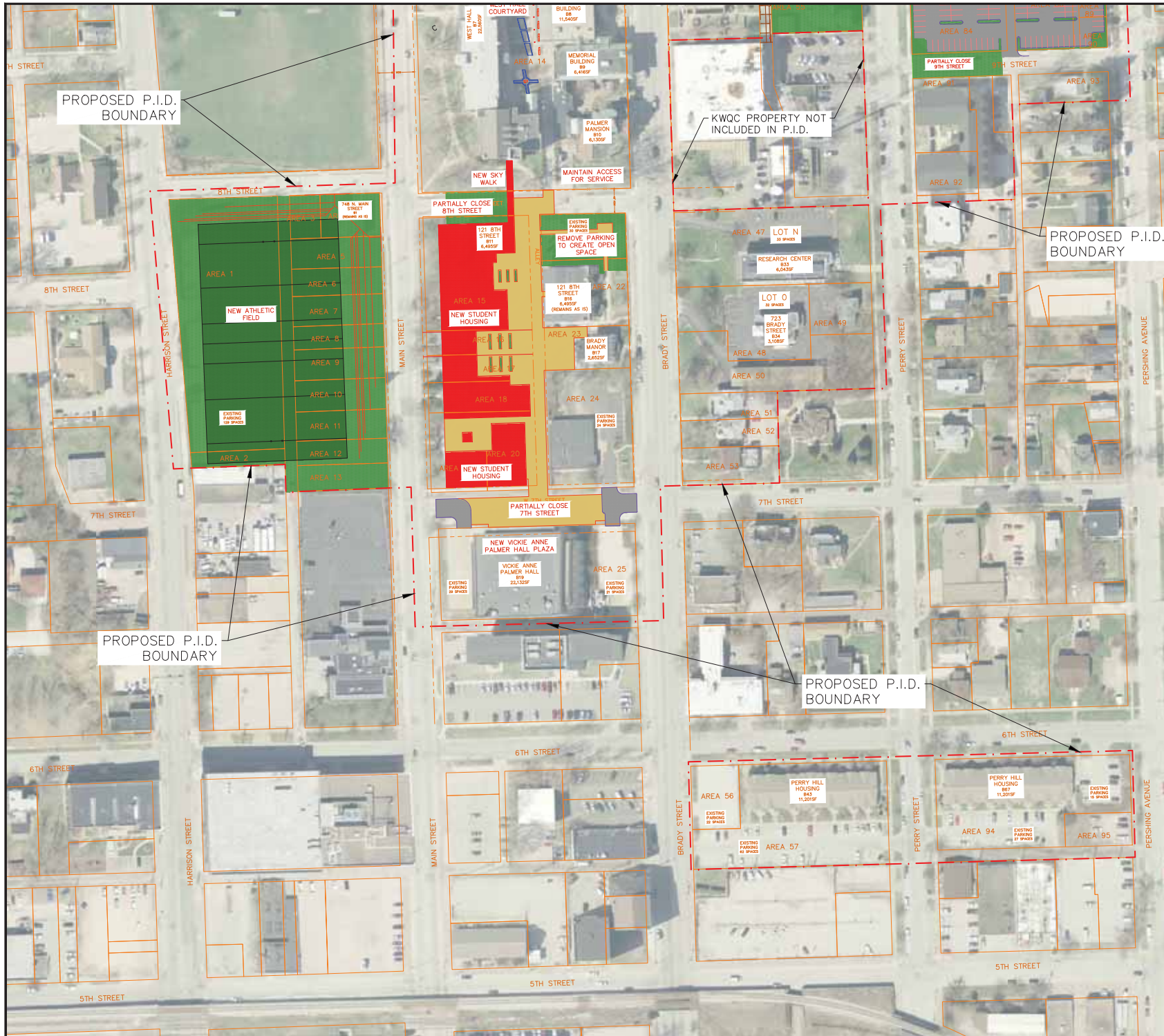
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Checked By: JLH

Date: 7/26/17

C-1

Sheet 3 of 18



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

- PROPOSED SPORTS FIELD
- PROPOSED LANDSCAPE
- PROPOSED STRUCTURE
- PROPOSED PARKING
- PROPOSED ENHANCED CAMPUS CORRIDOR

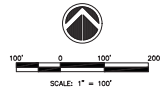
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| DATE | DESCRIPTION |
| 01/17/18 | BOUNDARY REVISIONS |
| 01/17/18 | COMMITTEE OF THE WHOLE REVISIONS |
| No. | |
| 1 | |
| 2 | |

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LAND USE PLAN-SOUTH



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.
2. See P.I.D. Data sheet for additional information on existing properties, buildings, and parking lots. (C-13)

| REVISIONS | |
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| NO. | DESCRIPTION |
| 1 | BOUNDARY REVISIONS |
| 2 | COMMITTEE OF THE WHOLE REVISIONS |



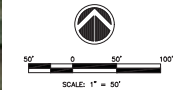
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| PALMER PLANNED INSTITUTIONAL DISTRICT DAVENPORT, IA | |
| OVERALL EXISTING CONDITIONS | |

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| File Name: C:\16L060\EXISTING | |
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| Checked By: JLH | |
| Date: 7/26/17 | |
| C-4 | |
| Sheet 6 of 18 | |



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

- ① LOADING AREA
- ② RECEIVING AREA
- ③ WASTE COLLECTION POINT



| REVISIONS | |
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| NO. | DESCRIPTION |
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EXISTING CONDITIONS-NORTH

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C16L060

File Name:
CHALLENGE-EXISTING

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Checked By: JLH
Date: 7/26/17

C-5

Sheet 7 of 18



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

① LOADING AREA
② RECEIVING AREA
③ WASTE COLLECTION POINT

Scale: 1" = 50'

| REVISIONS | |
|-----------|----------------------------------|
| NO. | DESCRIPTION |
| 1 | BOUNDARY REVISIONS |
| 2 | COMMITTEE OF THE WHOLE REVISIONS |

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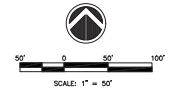
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EXISTING CONDITIONS-SOUTH

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C-6
Sheet 8 of 18



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

- PROPOSED SPORTS FIELD
- PROPOSED LANDSCAPE
- PROPOSED STRUCTURE
- PROPOSED PARKING
- PROPOSED ENHANCED CAMPUS CORRIDOR
- SOIL CLASSIFICATION LINE
- SOIL CLASSIFICATION
- LOADING AREA
- RECEIVING AREA
- WASTE COLLECTION POINT

| REVISIONS | |
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AREA AND SOILS-NORTH



50' 0 50' 100'
SCALE: 1" = 50'

NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

- PROPOSED SPORTS FIELD
- PROPOSED LANDSCAPE
- PROPOSED STRUCTURE
- PROPOSED PARKING
- PROPOSED ENHANCED CAMPUS CORRIDOR

— SOIL CLASSIFICATION LINE
4162C SOIL CLASSIFICATION

- (L) LOADING AREA
- (R) RECEIVING AREA
- (W) WASTE COLLECTION POINT

| REVISIONS | |
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| NO. | DESCRIPTION |
| 1 | BOUNDARY REVISIONS |
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DATE: 8/1/17

DATE: 2/1/18

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PALMER PLANNED INSTITUTIONAL DISTRICT
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AREA AND SOILS-SOUTH

Missman Project No: C16L060

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Field Book No:

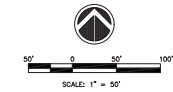
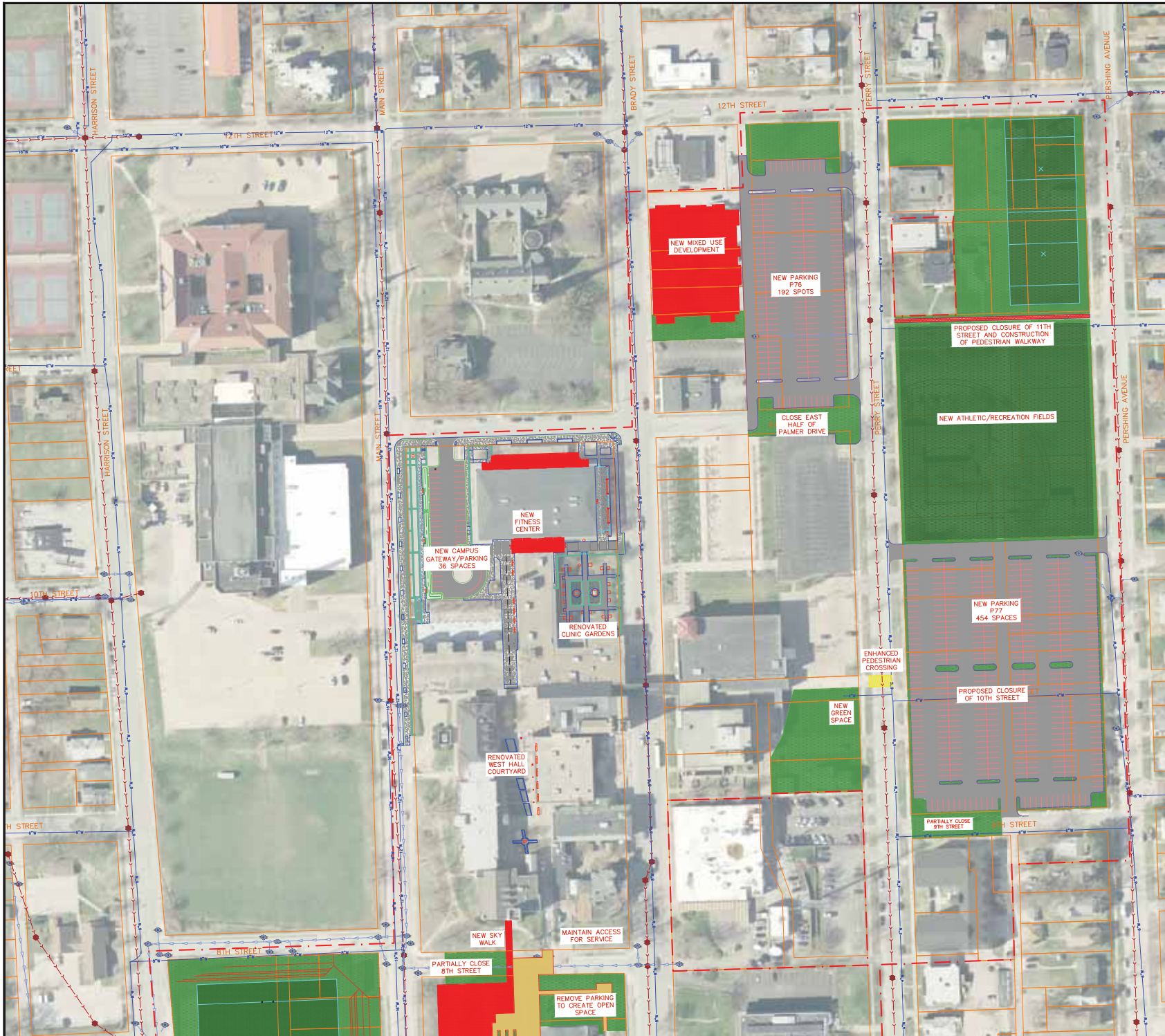
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Checked By: JLH

Date: 7/26/17

C-8

Sheet 11 of 18



NOTES:
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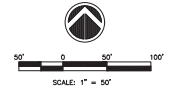
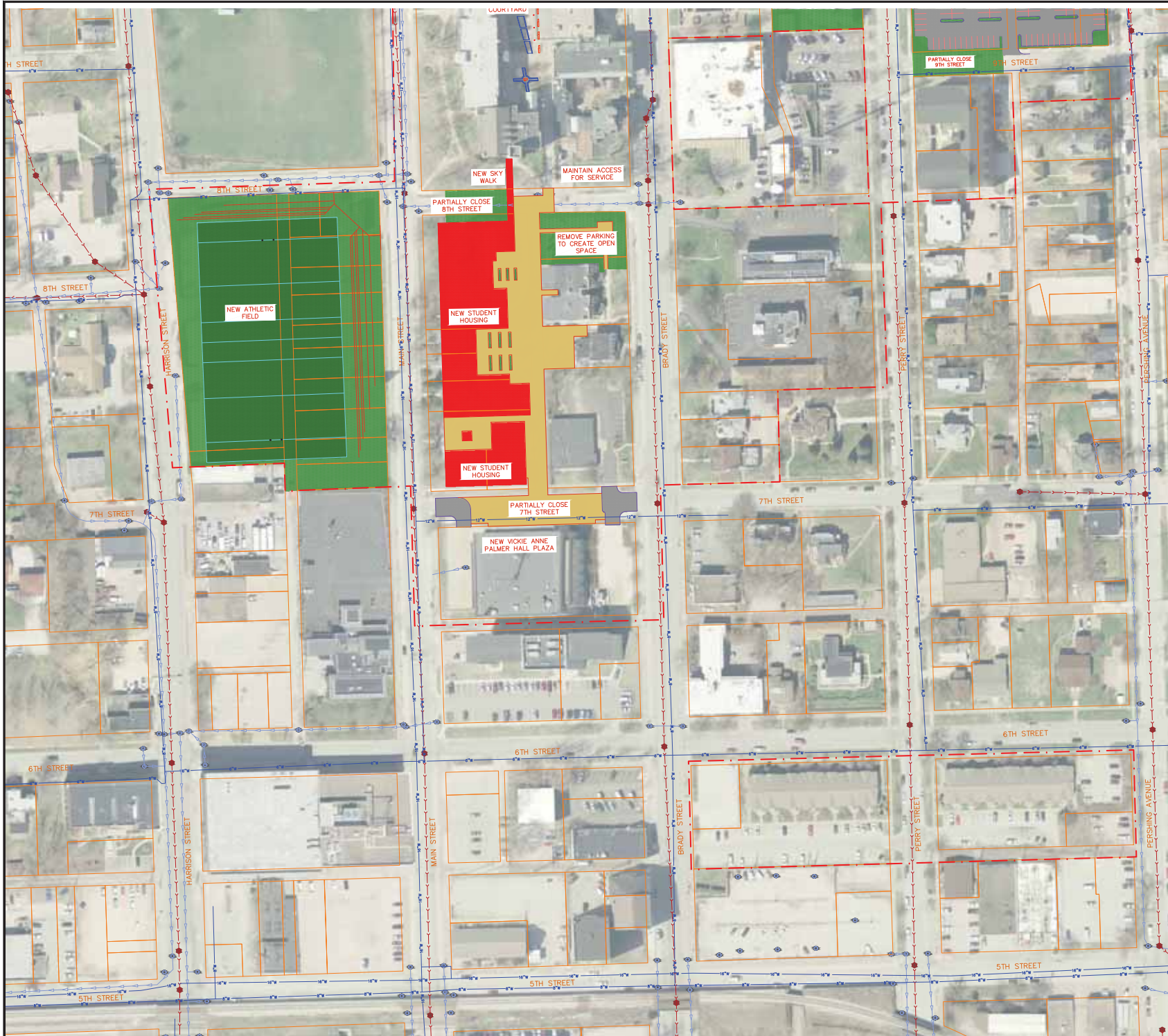
- PROPOSED SPORTS FIELD
- PROPOSED LANDSCAPE
- PROPOSED STRUCTURE
- PROPOSED PARKING
- PROPOSED ENHANCED CAMPUS CORRIDOR
- EXISTING
 - STORM MANHOLE
 - STORM INLET
 - PROPERTY LINE
 - SANITARY SEWER
 - STORM SEWER
 - WATER LINE

| REVISIONS | |
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| NO. | DESCRIPTION |
| 1 | BOUNDARY REVISIONS |
| 2 | COMMITTEE OF THE WHOLE REVISIONS |

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Bethesda, MD
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| | |
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| PALMER PLANNED INSTITUTIONAL DISTRICT DAVENPORT, IA | SITE UTILITIES-NORTH |
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| Missman Project No: C16L060 |
| File Name: C:\PROJECTS\1606\1606 SITE UTILITIES-NORTH.dwg |
| Field Book No: Drawn By: AEK |
| Checked By: JLH |
| Date: 7/26/17 |
| C-9 |
| Sheet 12 of 18 |



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

- PROPOSED SPORTS FIELD
 - PROPOSED LANDSCAPE
 - PROPOSED STRUCTURE
 - PROPOSED PARKING
 - PROPOSED ENHANCED CAMPUS CORRIDOR
-
- EXISTING
 - STORM MANHOLE
 - STORM INLET
 - PROPERTY LINE
 - SANITARY SEWER
 - STORM SEWER
 - WATER LINE

| REVISIONS | |
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| NO. | DESCRIPTION |
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PALMER PLANNED INSTITUTIONAL DISTRICT
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SITE UTILITIES-SOUTH

Missman Project No:
C16L060

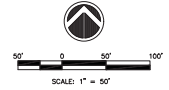
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Field Book No:
Drawn By: AEK
Checked By: JLH
Date: 7/26/17

C-10

Sheet 13 of 18



NOTES:
1. All information was gathered by multiple resources and location of all features shown is approximate.

-  PROPOSED SPORTS FIELD
-  PROPOSED LANDSCAPE
-  PROPOSED STRUCTURE
-  PROPOSED PARKING
-  PROPOSED ENHANCED CAMPUS CORRIDOR
-  SLOPES > 10%
-  CONTOUR
-  DRAINAGE DIRECTION

| REVISIONS | |
|-----------|----------------------------------|
| NO. | DESCRIPTION |
| 1 | BOUNDARY REVISIONS |
| 2 | COMMITTEE OF THE WHOLE REVISIONS |



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Professional Engineers & Land Surveyors
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| | |
|--|--|
| PALMER PLANNED INSTITUTIONAL DISTRICT DAVENPORT, IA | |
| GRADING & DRAINAGE-SOUTH | |

| | |
|---|--|
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| Field Book No: Drawn By: AEK | |
| Checked By: JLH | |
| Date: 7/26/17 | |
| C-12 | |
| Sheet 15 of 18 | |

| APPROXIMATE OVERALL AREA USE DESCRIPTION | | | | | | | | | | | | |
|--|-----------|---------------------|---------|------------------|------------------------|---------------------------------------|----------------------|------------------|---|---------------------------------------|--|--|
| Area | Structure | Structure Footprint | Stories | Gross Floor Area | Existing Use | Property Name | Building Height (FT) | Parcel Size (ac) | Coverage Type - Initial Impervious (ac) | Coverage Type - Initial Pervious (ac) | Coverage Type - Proposed Impervious (ac) | Coverage Type - Proposed Pervious (ac) |
| 1 | P1 | 41,542 | - | 41,542 | Parking Lot | - | - | 1.62 | 0.95 | 0.67 | 0.00 | 1.62 |
| 2 | - | 2,118 | - | 2,118 | - | - | - | 0.09 | 0.05 | 0.04 | 0.00 | 0.09 |
| 3 | - | - | - | - | Empty Lot | - | - | 0.08 | 0.00 | 0.08 | 0.00 | 0.08 |
| 4 | B1 | 1,074 | 1 | 1,074 | Storage | - | - | - | 0.02 | 0.02 | 0.02 | - |
| 5 | B2 | 96 | 1 | 96 | Shed | - | - | 0.17 | 0.00 | 0.10 | 0.00 | 0.10 |
| 6 | P2 | 2,209 | - | 2,209 | Paved Surface | - | - | - | 0.05 | 0.05 | 0.05 | - |
| 7 | - | - | - | - | Empty Lot | - | - | 0.17 | 0.00 | 0.17 | 0.00 | 0.17 |
| 8 | - | - | - | - | Empty Lot | - | - | 0.15 | 0.00 | 0.15 | 0.00 | 0.15 |
| 9 | - | - | - | - | Empty Lot | - | - | 0.17 | 0.00 | 0.17 | 0.00 | 0.17 |
| 10 | - | - | - | - | Empty Lot | - | - | 0.11 | 0.00 | 0.13 | 0.00 | 0.13 |
| 11 | - | - | - | - | Empty Lot | - | - | 0.18 | 0.00 | 0.18 | 0.00 | 0.18 |
| 12 | - | - | - | - | Empty Lot | - | - | 0.18 | 0.00 | 0.18 | 0.00 | 0.18 |
| 13 | - | - | - | - | Empty Lot | - | - | 0.17 | 0.00 | 0.17 | 0.00 | 0.17 |
| 14 | - | - | - | - | Empty Lot | - | - | 0.14 | 0.00 | 0.14 | 0.00 | 0.14 |
| 15 | B3 | 28,375 | 2 | 43,758 | Fitness Center | - | - | 40 | 0.65 | 0.65 | - | - |
| 16 | B4 | 23,608 | 2 | 55,114 | Classroom Building | - | - | 38 | 0.54 | 0.54 | - | - |
| 17 | B5 | 16,620 | 3 | 51,343 | Library | - | - | 40 | 0.38 | 0.38 | - | - |
| 18 | B6 | 8,502 | 4 | 36,987 | Admin Building | - | - | 65 | 0.20 | 0.20 | - | - |
| 19 | B7 | 22,560 | 3 | 81,240 | West Hall | - | - | 40 | 0.52 | 0.52 | - | - |
| 20 | B8 | 11,540 | 2 | 19,035 | Chemistry Building | - | - | 34 | 0.26 | 0.26 | - | - |
| 21 | B9 | 6,416 | 3 | 20,918 | Memorial Building | - | - | 38 | 0.15 | 0.15 | - | - |
| 22 | B10 | 6,130 | 3 | 12,718 | Palmer Mansion | - | - | 48 | 0.14 | 0.14 | - | - |
| 23 | P3 | 27,856 | - | 27,856 | Parking Lot | - | - | - | 0.64 | 0.64 | - | - |
| 24 | P4 | 3,056 | - | 3,056 | Parking Lot | - | - | - | 0.07 | 0.07 | - | - |
| 25 | - | 139,803 | - | 139,803 | Non-Building Campus | - | - | - | 1.93 | 1.93 | - | - |
| 26 | B11 | 6,495 | 3 | 23,232 | Campus Housing | - | - | 50 | 0.15 | 0.48 | - | - |
| 27 | P5 | 9,004 | - | 9,004 | Parking Lot | - | - | 0.98 | 0.22 | 0.41 | 0.45 | 0.05 |
| 28 | P6 | 8,890 | - | 8,890 | Paved Alley | - | - | - | 0.20 | 0.20 | - | - |
| 29 | B12 | 1,854 | - | 1,854 | Residential Housing | - | - | 0.17 | 0.04 | 0.05 | 0.05 | 0.01 |
| 30 | P7 | 3,578 | - | 3,578 | Paved Area | - | - | - | 0.08 | 0.05 | 0.11 | 0.01 |
| 31 | B13 | 2,568 | - | 4,216 | Residential Housing | - | - | 0.19 | 0.06 | 0.06 | 0.07 | 0.01 |
| 32 | P8 | 2,855 | - | 2,855 | Paved Area | - | - | - | 0.07 | 0.06 | 0.11 | 0.01 |
| 33 | B14 | 1,466 | - | 2,885 | Residential Housing | - | - | 0.21 | 0.03 | 0.15 | 0.19 | 0.00 |
| 34 | P9 | 1,156 | - | 1,156 | Paved Area | - | - | - | 0.03 | 0.02 | 0.02 | - |
| 35 | B15 | 2,034 | - | 4,040 | Residential Housing | - | - | 0.31 | 0.05 | 0.14 | 0.05 | 0.06 |
| 36 | P10 | 640 | - | 640 | Paved Area | - | - | - | 0.01 | 0.25 | 0.11 | 0.06 |
| 37 | - | - | - | - | Empty Lot | - | - | 0.20 | 0.02 | 0.18 | 0.19 | 0.01 |
| 38 | P11 | 9,000 | - | 9,000 | Parking Lot | - | - | 0.24 | 0.21 | 0.03 | 0.03 | 0.21 |
| 39 | - | 1,375 | - | 1,375 | - | - | - | 0.36 | 0.03 | 0.19 | 0.13 | 0.23 |
| 40 | B16 | 6,126 | - | 23,948 | Resident Hall | 121 8th Street | - | - | 0.14 | 0.06 | 0.06 | 0.05 |
| 41 | B17 | 2,652 | 3 | 8,329 | Resident Hall | Brady Manor | 36 | 0.22 | 0.06 | 0.11 | 0.06 | 0.05 |
| 42 | P12 | 4,200 | - | 4,200 | Parking Lot | - | - | - | 0.10 | 0.06 | 0.11 | - |
| 43 | B18 | 5,600 | - | 5,600 | Office Building | Palmer Admissions Building | - | 0.60 | 0.13 | 0.22 | 0.13 | 0.22 |
| 44 | P13 | 11,029 | - | 11,029 | Parking Lot | - | - | - | 0.25 | 0.22 | 0.25 | 0.22 |
| 45 | B19 | 22,132 | 4 | 123,046 | Office Building | - | 86 | 0.51 | 0.51 | 0.51 | 0.51 | 0.22 |
| 46 | P14 | 8,891 | - | 8,891 | Parking Lot | Vickie Anne Palmer Hall | - | 1.12 | 0.20 | 0.22 | 0.20 | 0.22 |
| 47 | P15 | 8,420 | - | 8,420 | Parking Lot | - | - | - | 0.19 | 0.19 | 0.19 | - |
| 48 | B20 | 7,740 | 1 | 7,740 | Retail Store | Brady Home Furniture | - | 0.38 | 0.18 | 0.02 | 0.23 | 0.15 |
| 49 | P16 | 7,840 | - | 7,840 | Parking Lot / Alley | - | - | - | 0.18 | 0.02 | 0.23 | 0.15 |
| 50 | B21 | 1,287 | 1.5 | 1,860 | Residential Housing | - | - | 0.11 | 0.03 | 0.07 | 0.10 | 0.01 |
| 51 | B22 | 576 | 1 | 576 | Garage | - | - | - | 0.01 | 0.07 | 0.10 | 0.01 |
| 52 | B23 | 1,240 | 2 | 2,468 | Barber Shop | - | - | 0.10 | 0.03 | 0.00 | 0.10 | 0.00 |
| 53 | P17 | 3,050 | - | 3,050 | Paved Area | - | - | - | 0.07 | 0.00 | 0.10 | 0.00 |
| 54 | B24 | 1,640 | 2 | 2,915 | Retail Store | - | - | 0.13 | 0.04 | 0.01 | 0.13 | 0.00 |
| 55 | P18 | 3,300 | - | 3,300 | Parking Lot | - | - | - | 0.08 | 0.00 | 0.13 | 0.00 |
| 56 | B25 | 1,333 | 2 | 2,693 | Apartment Housing | - | - | 0.15 | 0.03 | 0.12 | 0.04 | 0.11 |
| 57 | P19 | 7,034 | - | 7,034 | Parking Lot | - | - | 0.21 | 0.16 | 0.05 | 0.16 | 0.05 |
| 58 | B26 | 4,800 | 2 | 6,600 | Classroom Building | - | 26 | 0.21 | 0.11 | 0.02 | 0.11 | 0.02 |
| 59 | P20 | 3,600 | - | 3,600 | Parking Lot | North Hall | - | - | 0.08 | 0.02 | 0.08 | 0.02 |
| 60 | - | - | - | - | Empty Lot | - | - | 0.21 | 0.00 | 0.21 | 0.00 | 0.21 |
| 61 | B27 | 2,400 | 2 | 4,093 | Multi-Residential | - | - | 0.21 | 0.06 | 0.15 | 0.17 | 0.04 |
| 62 | B28 | 2,734 | 2 | 4,385 | Multi-Residential | - | - | 0.21 | 0.06 | 0.15 | 0.21 | 0.00 |
| 63 | B29 | 2,240 | 2 | 4,286 | Multi-Residential | - | - | 0.33 | 0.05 | 0.28 | 0.33 | 0.00 |
| 64 | P21 | 20,500 | - | 20,500 | Parking Lot | - | - | 0.58 | 0.47 | 0.11 | 0.56 | 0.02 |
| 65 | B30 | 1,440 | 2 | 2,400 | Residential Housing | - | - | 0.10 | 0.03 | 0.07 | 0.08 | 0.02 |
| 66 | - | 5,000 | - | 5,000 | - | - | - | 0.17 | 0.11 | 0.06 | 0.11 | 0.06 |
| 67 | P22 | 2,009 | - | 2,009 | Parking Lot | - | - | - | 0.07 | 0.05 | 0.02 | 0.05 |
| 68 | - | 1,500 | - | 1,500 | - | - | - | 0.07 | 0.04 | 0.03 | 0.04 | 0.03 |
| 69 | - | 6,500 | - | 6,500 | - | - | - | 1.08 | 0.15 | 0.58 | 0.15 | 0.58 |
| 70 | B31 | 19,847 | 3 | 59,541 | Academic Health Center | - | 48 | 0.11 | 0.35 | 0.58 | 0.35 | 0.58 |
| 71 | P22 | 30,727 | - | 30,727 | Parking Lot | Lot B | - | 1.58 | 0.71 | 0.35 | 0.71 | 0.35 |
| 72 | P23 | 17,813 | - | 17,813 | Parking Lot | Lot C | - | - | 0.41 | 0.41 | 0.41 | - |
| 73 | B32 | 7,437 | - | 58,136 | Campus Center | Palmer College of Chiropractic Campus | - | 0.33 | 0.22 | 0.11 | 0.22 | 0.11 |
| 74 | - | 5,617 | - | - | Campus Center | - | - | 0.27 | 0.24 | 0.03 | 0.24 | 0.03 |
| 75 | - | 2,716 | - | - | Campus Center | - | - | 0.26 | 0.18 | 0.08 | 0.18 | 0.08 |

| APPROXIMATE OVERALL AREA USE DESCRIPTION | | | | | | | | | | | | |
|--|-----------|---------------------|---------|------------------|---------------------|---------------------------------------|----------------------|------------------|---|---------------------------------------|--|--|
| Area | Structure | Structure Footprint | Stories | Gross Floor Area | Existing Use | Property Name | Building Height (FT) | Parcel Size (ac) | Coverage Type - Initial Impervious (ac) | Coverage Type - Initial Pervious (ac) | Coverage Type - Proposed Impervious (ac) | Coverage Type - Proposed Pervious (ac) |
| 47 | B33 | 6,043 | 4 | 26,910 | Research Center | - | - | 40 | 0.97 | 0.14 | 0.54 | 0.14 |
| 48 | P33 | 12,794 | - | 12,794 | Lot N | - | - | - | 0.29 | 0.29 | 0.29 | 0.54 |
| 49 | B34 | 3,180 | 3 | 9,525 | Brady Manor | - | - | 48 | 0.53 | 0.08 | 0.10 | 0.08 |
| 50 | P35 | 15,246 | - | 15,246 | Lot O | - | - | - | 0.35 | 0.35 | 0.35 | 0.10 |
| 51 | B35 | 1,098 | 1 | 1,098 | Residential Housing | Palmer College of Chiropractic Campus | - | 0.19 | 0.10 | 0.06 | 0.10 | 0.06 |
| 52 | P36 | 4,275 | - | 4,275 | Lot O | - | - | - | 0.10 | 0.10 | 0.10 | 0.06 |
| 53 | B36 | 3,456 | 2 | 6,912 | Apartment Housing | - | - | 0.55 | 0.08 | 0.33 | 0.08 | 0.33 |
| 54 | P37 | 6,286 | - | 6,286 | Lot O | - | - | - | 0.14 | 0.14 | 0.14 | 0.33 |
| 55 | B37 | 1,509 | 2 | 2,600 | Residential Housing | - | - | - | 0.04 | 0.04 | 0.04 | - |
| 56 | B38 | 356 | - | 356 | Garage | - | - | 0.17 | 0.01 | 0.04 | 0.01 | 0.04 |
| 57 | P38 | 3,485 | - | 3,485 | Paved Area | - | - | - | 0.08 | 0.08 | 0.08 | - |
| 58 | B39 | 1,424 | 2 | 2,625 | Residential Housing | - | - | 0.17 | 0.03 | 0.09 | 0.03 | 0.09 |
| 59 | P39 | 2,357 | - | 2,357 | Paved Area | - | - | - | 0.05 | 0.05 | 0.05 | - |
| 60 | B40 | 1,643 | 2 | 2,888 | Residential Housing | - | - | - | 0.04 | 0.04 | 0.04 | - |
| 61 | P40 | 1,981 | - | 1,981 | Paved Area | - | - | 0.20 | 0.05 | 0.11 | 0.05 | 0.11 |
| 62 | P41 | 3,800 | - | 3,800 | Paved Area | - | - | - | 0.34 | 0.09 | 0.25 | 0.03 |
| 63 | B41 | 1,754 | 2 | 3,284 | Residential Housing | - | - | 0.17 | 0.04 | 0.11 | 0.00 | 0.17 |
| 64 | B42 | 836 | 1 | 836 | Garage | - | - | - | 0.02 | 0.11 | 0.00 | 0.17 |
| 65 | P42 | 7,100 | - | 7,100 | Parking Lot | - | - | 0.18 | 0.16 | 0.02 | 0.16 | 0.02 |
| 66 | B43 | 11,201 | 3 | 27,736 | Residential Hall | Perry Hill Housing | 44 | 1.06 | 0.26 | 0.36 | 0.26 | 0.36 |
| 67 | P43 | 19,100 | - | 19,100 | Parking Lot | - | - | - | 0.44 | 0.44 | 0.44 | - |
| 68 | - | - | - | - | Empty Lot | - | - | 0.19 | 0.00 | 0.19 | 0.00 | 0.19 |
| 69 | B44 | 3,986 | 2 | 7,972 | Student Housing | 8 Gables | 26 | 0.18 | 0.09 | 0.09 | 0.09 | 0.09 |
| 70 | B45 | 1,833 | 2 | 2,969 | Residential Housing | - | - | 0.18 | 0.04 | 0.12 | 0.00 | 0.18 |
| 71 | P44 | 772 | - | 772 | Paved Area | - | - | - | 0.02 | 0.00 | 0.00 | 0.18 |
| 72 | B46 | 1,960 | 2 | 3,017 | Residential Housing | - | - | 0.21 | 0.05 | 0.15 | 0.00 | 0.21 |
| 73 | B47 | 648 | 1 | 648 | Garage | - | - | - | 0.01 | 0.15 | 0.00 | 0.21 |
| 74 | B48 | 1,266 | 2 | 1,948 | Residential Housing | - | - | 0.14 | 0.03 | 0.10 | 0.00 | 0.14 |
| 75 | P45 | 268 | - | 268 | Paved Area | - | - | - | 0.01 | 0.10 | 0.00 | 0.21 |
| 76 | - | - | - | - | Empty Lot | - | - | 0.21 | 0.00 | 0.21 | 0.00 | 0.21 |
| 77 | B49 | 1,188 | 2 | 1,520 | Residential Housing | - | - | 0.14 | 0.03 | 0.11 | 0.00 | 0.14 |
| 78 | B50 | 1,152 | 2 | 2,002 | Residential Housing | - | - | - | 0.09 | 0.03 | 0.05 | 0.00 |
| 79 | P46 | 1,331 | - | 1,331 | Paved Area | - | - | - | 0.03 | 0.05 | 0.00 | 0.09 |
| 80 | B51 | 1,184 | 2 | 2,108 | Residential Housing | - | - | 0.09 | 0.03 | 0.04 | 0.00 | 0.09 |
| 81 | B52 | 1,218 | 2 | 1,838 | Residential Housing | - | - | - | 0.10 | 0.03 | 0.07 | 0.00 |
| 82 | - | - | - | - | Empty Lot | - | - | 0.35 | 0.00 | 0.35 | 0.00 | 0.35 |
| 83 | P47 | 20,000 | - | 20,000 | Parking Lot | - | - | - | 0.46 | 0.01 | 0.00 | 0.47 |
| 84 | B53 | 7,768 | - | 12,960 | Commercial Building | - | - | - | 0.18 | 0.01 | 0.00 | 0.18 |
| 85 | P48 | 3,871 | - | 3,871 | Courtyard Area | - | - | 0.51 | 0.09 | 0.16 | 0.00 | 0.51 |



PALMER COLLEGE OF CHIROPRACTIC

July 24, 2017 (Revised 8-7-2017) #2016-120D

PLANNED INSTITUTIONAL DISTRICT APPLICATION

NARRATIVE

Narrative of intent and compatibility with surrounding area. A narrative shall be provided that describes the relationship between the institution and the surrounding area. The narrative at a minimum shall include the following:

- a. Description of overall architectural and/or urban design theme:
 - **Palmer College of Chiropractic has evolved to meet the needs of its students and faculty as it has grown over the past 100 years; however, the architectural theme has remained constant. Buildings and houses of brick and stone dominate the campus, with more metal and glass introduced into recent projects. All have an urban “academic” design style with 2 to 4 floors of space. The campus plan and interaction with the neighborhood has also evolved aligning the core of academic spaces with Brady Street and residential buildings/parking at the perimeter. The proposed Master Plan strengthens the campus edge through expanded greenspace and landscaping at perimeter streets, buildings, and parking lots.**
- b. Total number of existing and proposed users and employees of the facility:
 - **Palmer’s current enrollment on at their Davenport Campus is approximately 1,000 students supported by 300 faculty and staff. 150 students live on campus. The proposed 10-year plan allows for an accommodation of up to 1,500 students with 400 living on campus.**
- c. Description of existing and proposed conditions of development along the outer boundaries of the planned institutional district and its relationship with the surrounding area. Standards must be established to permit a compatible transition from the institutional use to the surrounding area. Standards include, but are not limited to building height and form, exterior lighting, landscaping, etc.
 - **The Master Plan goals are to “create sensitive and mutually beneficial transitions between campus and the adjacent properties.” The proposed Campus Master Plan created by RDG Planning & Design is to create connection and comfort establishing a campus presence with the surrounding area. New buildings are minimal (residential only) and adding enhanced lighting, fencing, and landscaping will enhance this design concept.**

- d. Description of existing and proposed methods of communication between the institution and the community, including a method of resolution of community concerns:
- **Palmer College has been actively involved with Hilltop Campus Village since its inception, as well as in communication with Davenport Community Schools and adjacent businesses regarding any campus activities and improvements that impact the surrounding neighborhood. Although there are no known active residential groups, Palmer proposes to open a line of communication with the neighbors similar to their relationships with surrounding businesses. Palmer will schedule annual meetings with the neighborhood stake holders and residents to present and discuss campus planning and schedule, as well as neighbor concerns.**
- e. Description of any existing and proposed impacts of development and the surrounding area and how these impacts should be mitigated. This description shall include property outside the boundaries of the planned institutional district and their interaction with the surrounding area. Impacts include, but are not limited to lighting, noise, parking, etc.
- **The developments proposed in Palmer's Master Plan are primarily defining and softening their campus edge through expanding green space and landscaping. Proposed buildings will be designed to respect and complement the existing architectural theme on campus.**
- f. Description of existing and proposed relationship of institutional transportation system (auto, bus, bicycle, pedestrian) to the external street network. A description of specific programs to reduce traffic impacts and to encourage the use of public transit, carpooling, bicycling and pedestrian.
- **The urban nature of this campus is reinforced by student living. 15% of Palmer's students live on campus and another 30% to 40% live in rented neighborhood and downtown houses and apartments. The Master Plan proposes an additional 80-100 beds in new student housing. These students all walk to campus. Other students and faculty are encouraged to use public transportation and/or car-pooling for other daily trips to campus. The greening of Brady Street proposed in the Master Plan provides more opportunity for bus access in proximity to campus buildings.**

February 7, 2018

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of February 6, 2018, the City Plan and Zoning Commission considered Case No. REZ17-08 being the request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District.

Findings:

1. The proposed rezoning facilitates the adoption of a land use plan that enables the community to understand and visualize the levels of development being proposed, their likely impacts and appropriate mitigation measures;
2. The proposed rezoning would articulate the limits of the institutional growth and mitigate potential the adverse impacts associated with development and geographic expansion;
3. The proposed rezoning would facilitate the ability of Palmer College of Chiropractic to grow and adapt to changing needs while protecting the livability and vitality of adjacent neighborhoods.
4. The design of the campus mitigates any potential impacts to the surrounding neighborhoods.

The Plan and Zoning Commission accepted the listing findings and forwards Case REZ17-08 to the City Council with a recommendation for approval subject to the following conditions:

1. That any property rendered non-conforming by the adoption of the "PID" Planned Institutional District not be subject to Section 17.46.020 entitled Discontinuance-Conformance required;
2. That the buildings achieve consistency with the required 25 foot front yard setback if a "PID" Planned Institutional District ordinance amendment is not adopted to allow setback reductions as depicted on the adopted Land Use Plan;
3. That the Land Use Plan be amended to depict a minimum 25 foot front yard setback for the buildings along Main Street south of West 8th Street;
4. That the Land Use Plan table be amended to clearly articulate the existing (including those to be preserved) vs. proposed use of the all properties and proposed building height and setbacks;

5. That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan as private use by Palmer College of Chiropractic. These areas on the Land Use are descriptive only with respect to the future use of the property and does not compel approval of any vacation/abandonment request; and
6. In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer College of Chiropractic, a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue. The cost of removing the roadway material, curbs and sidewalks and the installation of the pedestrian walkway and historical markers shall be the expense of Palmer College of Chiropractic.

The Plan and Zoning Commission vote was 9-yes and 0-no.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', with a stylized flourish at the end.

Robert Inghram, Chairperson
City Plan and Zoning Commission



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

Meeting Date: February 6, 2018
Request: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District.
Location: Harrison Street and Pershing Avenue and between East 12th and East 5th Streets
Case No.: REZ17-08
Applicant: Palmer College of Chiropractic

Update:

The Plan and Zoning Commission tabled this request indefinitely at its September 5, 2017 regular meeting to allow the City sufficient time to hire a consultant to analyze if the approval of the rezoning (and ultimate plan buildout) would cause a disparate impact on low income and minority communities. The analysis was completed in December 2017 and determined in part "... the City of Davenport's approval of the Palmer's PID rezoning application does not create a disparate impact on protected racial or ethnic groups."

Please note that the Plan and Zoning Commission would need to vote to remove REZ17-08 from the table in order to discuss and vote on the request.

Since the initial request, Palmer College of Chiropractic withdrew a portion of its "PID" Planned Institutional District request as indicated in red on the map to the right. Palmer College of Chiropractic does not own these properties.



Introduction:

AREA CHARACTERISTICS:

Zoning Map



Land Use Map



Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Civic and Institutional, Residential General and Downtown.

- Civic / Institutional (CI) – Reserved for major developments for government, education, religion, medical, utilities, and other cultural or non-profit organizations located outside of the Downtown (DT).
- 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.

- Downtown (DT) – the original center of the City, marked by historical buildings, regional cultural attractions, large scale single-purpose or mixed-use developments, government or institutional centers. Development in DT shall be governed by detailed design guidelines marked by high quality design and building materials, set in an environment that is supportive of all transportation modes, including pedestrian.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed use would comply with the Davenport 2035 proposed land use section.

Technical Review:

Streets. The Land Use Plan proposes that the following streets and alley be vacated at a future time (see map on the next page):

Streets:

- West 7th Street between Main Street and Brady Street. This is to allow for a pedestrian corridor from the core of the campus to Vickie Anne Palmer Hall.
- West 8th Street between Main Street and Brady Street. This is to allow for a pedestrian corridor from the core of the campus to Vickie Anne Palmer Hall.
- Palmer Drive between the alley east of Brady Street and Perry Street. The remaining Palmer Drive would be converted back to two-way traffic.
- East 11th Street between Perry Street and Pershing Avenue. This section of East 11th Street is a protected brick street. At its August 8, 2017 meeting, the Historic Preservation Commission recommended that this street be removed from the list of protected brick streets subject to the conditions that a pedestrian corridor be constructed utilizing salvaged bricks and historical markers be erected commemorating the brick street.
- East 10th Street between Perry Street and Pershing Avenue. This portion of East 10th Street is functionally the width of an alley.
- East 9th Street between Perry Street and the alley west of Pershing Avenue.

Alleys:

- The alley between Harrison Street and Main Street south of West 8th Street to the southern limit of the revised "PID" Planned Institutional District boundary.
- A portion of the alley between East 11th Street and East 12th Street between Perry Street and Pershing Avenue.
- The alleys between East 9th Street and East 11th Street and between Perry Street and Pershing Avenue.

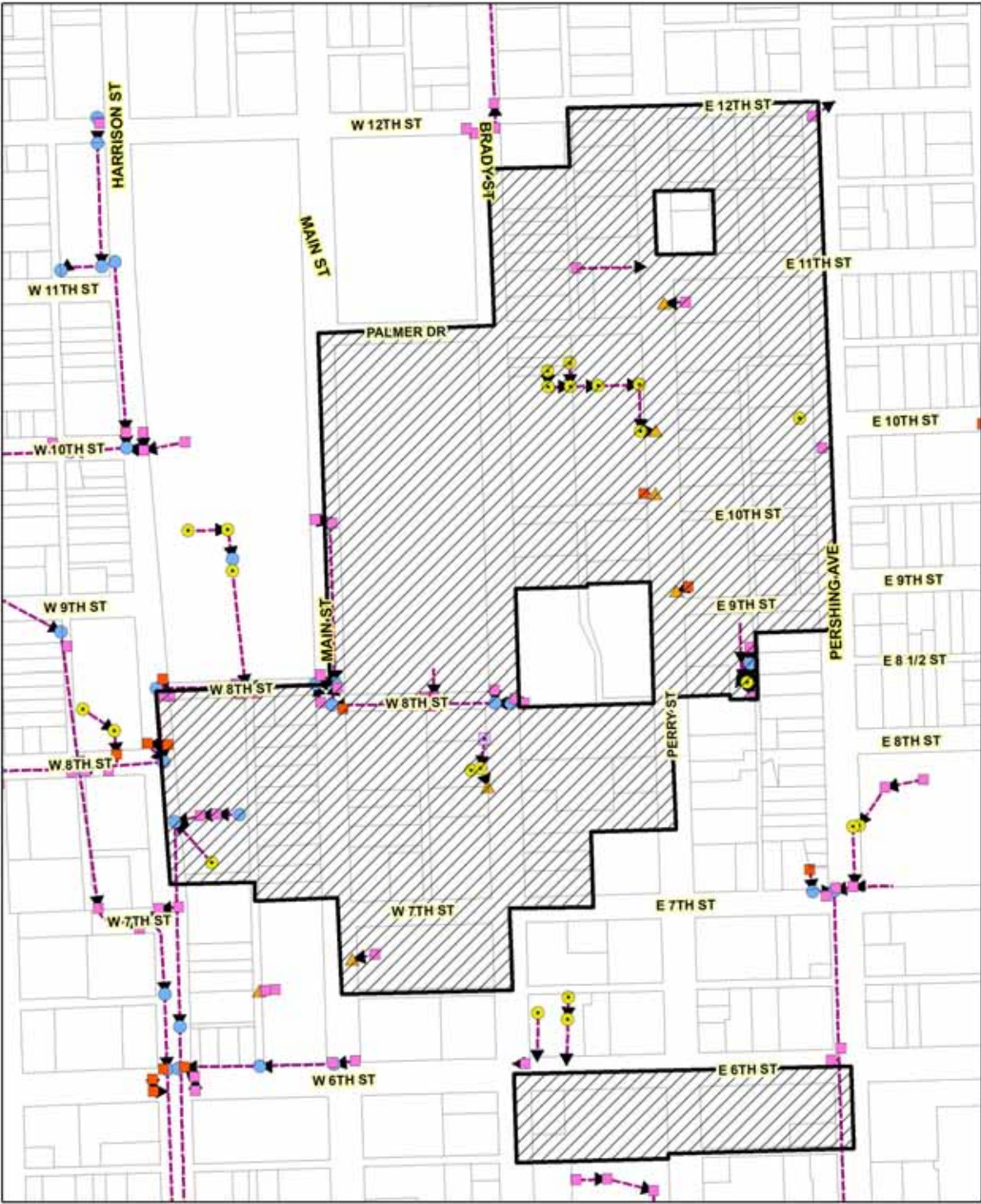



 Subject Property



Notably, the City Traffic Engineer did not express an objection to the potential of these street and alley closures.

Storm Water. Storm water management may be challenging when portions of the campus are redeveloped as there is limited storm sewer in restructure in the area.



 Subject Property



Sanitary Sewer. There is sanitary sewer infrastructure throughout the subject property.

Other Utilities. There are other utilities (water, electric, gas, communications) throughout the boundary of the project.

Emergency Services. There should be no change in emergency access. The campus area is within .6 mile of Central Fire Station.

Parks/Open Space. Palmer College of Chiropractic has indicated that the newly green space west of Pershing Avenue would be available for use by the public.

Public Input:

Notices were sent to property owners within 500 feet of the request notifying them of the August 1, 2017 Plan and Zoning Commission public hearing. Previously, the applicant held a stakeholder meeting on April 13, 2017 and a neighborhood meeting on April 20, 2017. Approximately 10 stakeholders attended the meeting and approximately 50 surrounding property owners attended the meeting.

Since the request was tabled indefinitely, notices were sent to property owners within 500 feet of the request notifying them of the February 6, 2018 Plan and Zoning Commission regular meeting. To date, staff has received six written letters in favor of the request and two letters in opposition of the request.

Staff discussed the request with the general manager of KWQC who expressed concerns that rezoning the property may affect the value of the property should it choose to sell the property at some point in the future. As a response, Palmer College of Chiropractic withdrew the KWQC property from the request. A concern was also expressed regarding the potential closing of West 8th Street because it lines up with the KWQC property's driveway entrance and that the roadway closure would alter its current travel route to the downtown.

The map to the right depicts the properties not owned by Palmer College of Chiropractic. The property circled in red would become non-conforming if rezoned to "PID" Planned Institutional District because a standalone commercial use is not listed as a permitted use. City staff is recommending that properties rendered non-conforming by the adoption of the "PID" Planned Institutional District not be subject to the discontinuation provision in the Davenport City Code.



The Plan and Zoning Commission may recall that the Civil Rights Commission discussed the rezoning request at its August 8, 2017 meeting because of concerns that the rezoning would have a disparate impact on low income and minority communities. The Civil Rights Commission urged that the request be tabled until a disparate impact analysis has been conducted. The Plan and Zoning Commission tabled the request indefinitely at its September 5, 2017 regular meeting to allow the City sufficient time to hire a consultant to analyze if the approval of the rezoning (and ultimate plan buildout) would cause a disparate impact on low income and minority communities. Notably, Palmer College of Chiropractic agreed to an indefinite tabling until the analysis was performed.

The analysis was completed by Mosaic Community Planning in December 2017 and determined in part "... the City of Davenport's approval of the Palmer's PID rezoning application does not create a disparate impact on protected racial or ethnic groups."

Discussion:

In June 2011, the City of Davenport adopted a new "PID" Planned Institutional District zoning classification (Ord. No. 2011-243). The Planned Institutional District applies to all major educational and medical campuses. Existing and proposed campus uses on properties in excess of forty acres in area are required to obtain (apply for) the planned institutional district within five years of the effective date of the ordinance. Additionally, any proposed development of more than five thousand square feet of impervious area within that five year time period shall also require the Planned Institutional District.

The "PID" Planned Institutional District zoning classification is intended to encourage a comprehensive approach to development by encouraging the adoption of a land use plan rather than the piece-meal review of individual development proposals through the special use permit process. The district is also intended to:

1. Further the policies of the Comprehensive Plan;
2. Encourage the preparation of a land use plan that enables the community to understand the levels of development being proposed, their likely impacts and appropriate mitigation measures;
3. Permit appropriate institutional growth within boundaries of the campus while minimizing the adverse impacts associated with development and geographic expansion;
4. Balance the ability of major institutions to grow and adapt to changing needs while protecting the livability and vitality of adjacent areas.

Once approved, the Land Use Plan shall remain effective for a period of ten years, although updates and amendments may be pursued during that time period. Development projects consistent with the adopted land use plan will undergo administrative site plan and building permit review and will not require a reopening of the rezoning.

Notably, the proposed rezoning contains less than 40 acres. As such, Palmer Chiropractic College is not compelled to rezone the property. However, Palmer Chiropractic College was encouraged to consider the Planned Industrial District when it requested the Historic Preservation Commission to allow the demolition of 12 historic properties and removal of a protected brick street.

"PID" Planned Institutional District zoning is required to contain two primary components:

1. Land Use Plan - establishes the range of acceptable uses and intensities that will be permitted. The land use plan provides detailed development data for the site from which a determination can be made on the appropriateness of the proposed distribution of land uses that are to be developed. Once approved, the land use plan shall remain effective for a period of ten years, although updates and amendments may be pursued during that time period. Development projects consistent with the adopted land use plan will undergo administrative site plan and building permit review and will not require a reopening of the rezoning.
2. Narrative of intent and compatibility with surrounding area - describes the relationship between the institution and the surrounding area.

Major Elements of the Land Use Plan:

1. Campus between Brady Street and Main Street
 - Conversion of the existing parking lot and green space to a practice field. There would be a net loss of 129 parking spaces.
2. Campus between Main Street and Brady Street.
 - Formalizing the improvements being made to the fitness facility and surrounding area.
 - Demolition of the former St. Luke's Hospital (already completed) and houses to the south and in its place construction of new student housing and underground parking for the new student housing and existing student housing to the east. The Data Sheet lists a proposed building height of 50 feet, which is permissible. It appears that the proposed building would not achieve consistency with the required 25 foot front yard setback along Main Street and West 8th Street. It is staff's opinion that a 0 foot setback would be appropriate along West 8th Street because a portion of West 8th Street is proposed to be vacated. Moreover, a skywalk may be constructed to connect to the buildings on the north of West 8th Street. However, the character of buildings along Main Street is such that a 25 foot setback is warranted.
 - Vacating and closing a portion of West 7th Street and West 8th Street to allow an "enhanced campus corridor" from the north to Vickie Anne Palmer Hall. Please note that the alley between West 7th and West 8th Street and Main Street and Brady Street has already been vacated.
3. Campus between Brady Street to Perry Street.
 - New mixed use building south of the current gas station located at the corner of Brady Street and East 12th Street. The Data Sheet does not identify the proposed building height. It appears that the proposed building would not achieve consistency with the required 25 foot front yard setback. It is staff's opinion that a 0 foot setback would be appropriate along Brady Street because the character of buildings along Brady Street is defined by a minimal front yard setback.
 - Demolition of four buildings and expansion of the surface parking area south of East 12th Street and west of Perry Street. There would be a net increase of 138 parking spaces.
 - Vacating and closing a portion of Palmer Drive between Perry Street and the alley to the west.
4. Campus between Perry Street and Pershing Street.
 - Vacating and removing East 11th Street between Perry Street and Pershing Street and demolition of nine buildings and in its place passive green space. There would be a decrease of 38 parking spaces.
 - Vacating and closing East 9th Street and East 10th Street between Perry Street and Pershing Street and the alley in between and demolition of five buildings and in its place construction of a new 454 space surface parking lot. There would be a net increase of 245 parking spaces.

Please note that future street vacations would need to be considered by the Plan and Zoning Commission and approved by the City Council.

As discussed, the "PID" Planned Institutional District requires a 25 foot front yard setback. When the City authorized the PID Ordinance, it was envisioned that the required 25 foot front yard setback would be applicable to the campus edge, not internal to the campus. In that light, staff anticipates an ordinance amendment to allow setback reductions as depicted on the adopted Land Use Plan.

The Land Use Plan specifies that "... Any and all properties included within the boundaries of this PID, that do not have proposed future uses specified on the Land Use Plan and/or the Data Sheet may continue to be used as they currently exist and/or permitted under the PID zoning classification. Said properties may also be used for open space proposes in the event of demolition..."

On July 11, 2017 the Historic Preservation approved the demolition of the 12 historic properties. 11 of the 12 were approved contingent upon the approval of the "PID" Planned Institutional District. The demolition of the former St. Luke's Hospital was approved without any contingencies. There are two buildings listed on the National Register of Historic Places that are not clearly specified on the Land Use Plan or Data Sheet: 732 Brady Street – Argyle Flats and 1117 Perry Street – Eight Gables. While approval of the PID would not supplant review authority of the Historic Preservation Commission, staff is concerned about the potential loss of individually significant historic properties because these building are not clearly articulated as being preserved. Although not historic, staff shares this concern for 748 Main Street – former gas station.

The landscape plan shows significant greening along public streets and campus edge treatments.



Major Elements of the Narrative of intent and compatibility with surrounding area:

1. Architectural and/or urban design theme. Architecture varies based on the time period in which it was constructed. Palmer Chiropractic College is noticeably urban and the Land Use Plan enhances the urban environment.
2. Total number of existing and proposed users and employees. The Current student population is 1,000 students (currently 150 live on campus) and 300 faculty and staff. The proposed Land Use Plan would allow for up to 1,500 students with 400 living on campus.
3. The landscape plan shows significant greening along public streets and campus edge treatments.
4. Description of existing and proposed methods of communication between the institution and the community, including a method of resolution of community concerns. Palmer College of Chiropractic is committing to scheduling annual meetings with the neighborhood stake holders and residents to present and discuss campus planning and schedule, as well as neighbor concerns. It is staff's opinion that this would also be an opportunity to share City initiated infrastructure improvements in the area.
5. Description of any existing and proposed impacts of development and the surrounding area and how these impacts should be mitigated. The proposed Land Use Plan shows a softening of the campus edge.
6. Description of existing and proposed relationship of institutional transportation system (auto, bus, bicycle, pedestrian) to the external street network. The proposed Land Use Plan proposed to better manage vehicular access and would create an enhanced (pedestrian) campus corridor.

Staff Recommendation:

Findings:

1. The proposed rezoning facilitates the adoption of a land use plan that enables the community to understand and visualize the levels of development being proposed, their likely impacts and appropriate mitigation measures;
2. The proposed rezoning would articulate the limits of the institutional growth and mitigate potential the adverse impacts associated with development and geographic expansion; and
3. The proposed rezoning would facilitate the ability of Palmer College of Chiropractic to grow and adapt to changing needs while protecting the livability and vitality of adjacent neighborhoods.
4. The design of the campus mitigates any potential impacts to the surrounding neighborhoods.

Staff recommends that the Plan and Zoning Commission accept the listing findings and forward Case REZ17-08 to the City Council with a recommendation for approval subject to the following conditions:

1. That any property rendered non-conforming by the adoption of the "PID" Planned Institutional District not be subject to Section 17.46.020 entitled *Discontinuance-Conformance required*;
2. That the buildings achieve consistency with the required 25 foot front yard setback if a "PID" Planned Institutional District ordinance amendment is not adopted to allow setback reductions as depicted on the adopted Land Use Plan;
3. That the Land Use Plan be amended to depict a minimum 25 foot front yard setback for the buildings along Main Street south of West 8th Street;
4. That the Land Use Plan table be amended to clearly articulate the existing (including those to be preserved) vs. proposed use of the all properties and proposed building height and setbacks;
5. That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan as private use by Palmer College of Chiropractic. These areas on the Land Use are descriptive only with respect to the future use of the property and does not compel approval of any vacation/abandonment request; and

6. In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer College of Chiropractic, a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue. The cost of removing the roadway material, curbs and sidewalks and the installation of the pedestrian walkway and historical markers shall be the expense of Palmer College of Chiropractic.

Prepared by:

A handwritten signature in blue ink, appearing to read "Ryan Rusnak", with a stylized flourish at the end.

Ryan Rusnak, AICP
Planner III

APPROVED

| | | | | | | | | | |
|----------|-----------|----------------------------|--|--|--|--|--|--|--|
| Name: | Roll Call | REZ17-08 | | | | | | | |
| Connell | P | Y | | | | | | | |
| Hepner | P | Y | | | | | | | |
| Inghram | P | | | | | | | | |
| Kelling | P | Y | | | | | | | |
| Lammers | P | Y | | | | | | | |
| Maness | P | Y | | | | | | | |
| Martinez | EX | | | | | | | | |
| Medd | P | Y | | | | | | | |
| Quinn | P | Y | | | | | | | |
| Reinartz | P | Y | | | | | | | |
| Tallman | P | Y | | | | | | | |
| | | 9-YES 0-NO 0-ABSTAIN | | | | | | | |

The undersigned - **opposes** / **does not oppose** (circle one) REZ17-08

Comments: I am in favor of Palmer College of
Chiropractic's Request. I have experience with other
institutions in other Midwest communities that such planned
districts have/continue to serve the campus and city
very well. Thank you.

Mail to: Plan and Zoning Commission
City Hall, 226 W 4TH Street
Davenport, Iowa 52801

NAME Kelly Young
ADDRESS 809 Perry Street
DATE 7-26-17
(please print legibly)

809 Perry Street
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

The undersigned - **opposes** / **does not oppose** (circle one) REZ17-08

Comments: _____

Mail to: Plan and Zoning Commission
City Hall, 226 W 4TH Street
Davenport, Iowa 52801

NAME Theodore Priester ^{President of :} 601 Brady Cor,
ADDRESS 601 Brady St., Suite 220
DATE 7/22/17 Daw 03
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

The undersigned – **opposes** / **does not oppose** (circle one) REZ17-08

Comments: Would be nice to purchase Lincoln School for Palmer, or possibly have the city give it to Palmer, to help improve neighborhood.

Mail to: Plan and Zoning Commission
City Hall, 226 W 4th Street
Davenport, Iowa 52801

DAVE
PORT IA 52801
226 W 4th St
CITY OF D/ PORT
Community Planning & Economic Dev.

NAME Joyce + Randy Yaddof
ADDRESS 4034 W. 60th St. Dav.
DATE 7-24-2017
(please print legibly)

304-306-304 E 8th St. Davenport, Ia.

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

(detach here)

The undersigned – **opposes** / **does not oppose** (circle one) REZ17-08

Comments: _____

Mail to: Plan and Zoning Commission
City Hall, 226 W 4th Street
Davenport, Iowa 52801

NAME THOMAS ERICKSON
ADDRESS 1703 BRADY STREET
DATE 7-22-17
(please print legibly)

1115 BRADY ST.

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

The undersigned - **opposes** / **does not oppose** (circle one) REZT7-08

Comments: We fully support

Mail to: Plan and Zoning Commission
City Hall, 226 W 4TH Street
Davenport, Iowa 52801

NAME Richard Adam Sacchetti
ADDRESS 422 E 10th St
DATE July 26, 2017
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

15/2/101M

Rusnak, Ryan

From: Aaron Houzenga <boarderforlife78@hotmail.com>
Sent: Sunday, January 28, 2018 6:48 PM
To: Planning Division – CPED
Subject: Case No. REZ17-08

I received a letter from the city on the Rez one that Palmer College wants to do. My house is 402 east 8th st. I am fine with whatever Palmer wants to do.

Aaron
Sent from my iPhone

January 29, 2018

CPED
226 W. 4th Street
Davenport, IA 52801

RE: Case No. REZ17-08

TO WHOM IT MAY CONCERN:

We own the property at 1225 N. Perry Street, Davenport, IA.

We have no objection to the requested zoning action.

John & Kathryn Denholm
2676 Il Road
Garden, MI 49835
(906) 644-7198

A handwritten signature in dark ink, appearing to read "John & Kathryn Denholm", written over the printed name and address.

Comments: I want a complete list of houses to be torn down. Many of these houses have historic significance for the City of Davenport. Looking at the map, a house at the corner of 7th Street and Perry will be torn down, that house is on the National Registry. Palmer should be restoring these houses so that students can live there

Mail to: Plan and Zoning Commission
City Hall, 226 W 4TH Street
Davenport, Iowa 52801

NAME Garrett Development
ADDRESS 3806 Forest Road, Davenport, IA
DATE 7/22/2017
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



Dan Hirstein
2809 E. 44th St.
Davenport, IA 52807
Residence (563) 355-4062
Office & Fax: (563) 359-6815
Mobile: (563) 449-2854
email: ICPDAN@aol.com

7/25/17

Davenport Plan & Zoning Commission
226 West 4th Street
Davenport, Iowa

Subject: Case No. REZ17-08

Dear Planning & Zone Commission:

I own two properties that could be affected by the proposed PID District.

- 118 E. 11th St. also known as 118 E. Palmer Drive. This property appears to be part of the knock out on your map.
- 1019 Perry St.- This property does not appear to be noted as a knock out on your map.

I don't know if this is even important at this time, but want to bring it to your attention.

My current concerns center around a meeting with Palmer School's Vice Chancellor for Administration on June 23rd this year. This meeting addressed the consideration of selling my 118 E. 11th property to Palmer School.

In the course of our dialogue, I commented that a local appraiser stated that this property should continue to appreciate 2-3% a year in value. The Vice Chancellor for Administration at Palmer commented back to me, "That depends what I put next to your building". Not sure if that was a threat to lower the value of my property or what?

The second concern involves the Palmer parking lot directly to the East and North of my 118 E. 11th St. property.

Back in the 90's, Palmer constructed this parking area. The engineering of this parking lot illegally raised or changed the natural elevation surrounding my property. Rain water is now directed toward my building. My property has no rain water run off because of their engineering. The building now sits in a depression. (Pictures attached)

Over the years, I have extended down spout extension (see picture) to help move the water away from the building. I have suffered water seepage that affected the walls on the East side of the building. Last year I spent \$8,000 to water proof and put concrete waterproof wall board in the lower apartment facing the parking lot.

I commented to the Vice Chancellor for Administration the problem their parking lot had created and if this illegal grading could be corrected? His response was, "I will check to see if the Statue of Limitations has expired"? I requested that he get back to me. He has never responded back. Pictures showing the illegal grading attached. Palmer School ignores me or refuses to address this issue???

Our family owned this property for over 50 years. In fact, Dr. Dennis Marchiori, Chancellor /CEO at Palmer rented from my Father at 705 Perry when he attended Palmer. Our relationship with Palmer School has always been one of working together to meet the needs of the students. The relationship has been mutually beneficial and exemplary.

I don't believe this relationship should change because of a few comments by an individual. We have been partners for too many years. I always felt that Palmer School represented high standards

and values. If Palmer accidentally illegally misgraded a parking lot, it should be corrected. I have never given thought to legal action. We're partners and neighbors. Where are the values of correcting an obvious mistake and doing what is right? I'm sure Palmer strives to instill values in their students.

As the Commission reviews Palmer's rezoning request, it is of utmost importance the Zoning Commission be confident that Palmer School will be operating with "principles" and "values" toward its neighbors. The comments and attitude on June 23rd are not consistent with the values, principles, and our relationship of the past 50+ years. Has something changed?? I feel it is important that the Zoning Board and Community be aware of how Palmer School responds to various situations.

At this time, I oppose any changes to zoning until Vice Chancellor for Administration clarifies what was said to me on June 23rd

For Your Information,

Dan Hirstein

Dan Hirstein
Principal
Hirstein Properties

Cc: Dr. Dennis Marchiori







August 2, 2017

Dan Hirstein
2809 E. 44th Street
Davenport, Iowa 52807

VIA EMAIL: ICPDAN@aol.com

Dan:

It was great to see you at the meeting last night. I'm sorry I didn't get a chance to speak to you. Yesterday city staff provided me a copy of your letter dated 7/25/2017 addressed to "Planning & Zone Commission" which I read after the meeting. I wish you had sent me a copy or even emailed or called me and I would have been able to respond to you sooner.

At our June 23rd meeting, my statement, "That depends what I put next to your building" was about what could occur to your property values over the next 10 years. It was in the context of our proposed PID plan which shows no new development immediately adjacent to your property and an improved mixed-use development along Brady Street. I indicated that if we were to be able to develop that it could potentially POSITIVELY affect your property value, not lower it. We also discussed that if Palmer is able to move forward with our plans and the number of students on campus grew, that too could POSITIVELY affect your property value.

After indicating that you were not interested in selling your property for less than at least three times current fair market value, you brought up the issue of landscaping around your property. Our landscaping crews came out the next day on June 24th and cleared the area you were concerned about and we have maintained it properly ever since. You also expressed concern about the adjacent parking lot. I told you that I would look into it and see if parking lot run off was indeed draining toward your property and if anything needed to be done.

The parking lot is not higher than Palmer Drive or the adjacent allyway. Further a 3-4 inch curb exists along the parking lot so water cannot flow from the parking lot onto your property. As such, I saw no immediate need to address the issue as I didn't see how any water from the parking lot could affect your property. The reality of your property is that it is built below street level, the adjacent ally, and your gravel parking area to the rear of the property.

I've asked our facilities department to seek quotes for a barrier between the parking lot and your property and we have had contractors inspect the area and they are working on bids. Once those are back, I'll evaluate them to determine if we need to do any work in that area.

Warm regards,

A handwritten signature in black ink, appearing to read 'J. Aaron Christopher'.

Dr. J. Aaron Christopher, Ph.D., CPA
Vice Chancellor for Administration and
Treasurer of the College
(563) 884-5653
aaron.christopher@palmer.edu

Cc: Planning and Zoning Commission

Rusnak, Ryan

From: Lacey, Latrice
Sent: Monday, August 14, 2017 4:06 PM
To: Rusnak, Ryan
Cc: Berger, Bruce
Subject: RE: Zoning Commission Meeting

Palmer's meeting or notice of the meeting has no bearing on the City of Davenport's duty to provide adequate notice and effectively communicate with community members. Further, one person is enough to violate the FHA and ADA.

The Commission is requesting that this process be tabled until a comprehensive analysis on the impact of the community is done. If this moves forward without the Commission's requested study, they may direct staff to file an injunction or temporary restraining order to stop the process while the impact of this plan is studied.

Christina would likely be the best resource on changes to the notice as the City's ADA Coordinator, but we would be available to assist as necessary.

Thanks Ryan.

Latrice L. Lacey
Director
Davenport Civil Rights Commission
226 West 4th Street
Davenport, IA 52803
Phone (563)326-7888 TTY (563) 326-7959
Fax (563) 326-7956

Notice: Since e-mail messages sent between you and the Davenport Civil Rights Commission and its employees are transmitted over the Internet, the Davenport Civil Rights Commission cannot assure that such messages are secure. You should be careful in transmitting information to the Davenport Civil Rights Commission that you consider confidential. If you are uncomfortable with such risks, you may decide not to use e-mail to communicate with the Davenport Civil Rights Commission. This message is covered by the Electronic Communication Privacy Act, 18 U.S.C. Sections 2510-2515, is intended only for the use of the person to whom it is addressed and may contain information that is confidential. It should also not be forwarded to anyone else. If you received this message and are not the addressee, you have received this message in error. Please notify the person sending the message and destroy your copy.

From: Rusnak, Ryan
Sent: Monday, August 14, 2017 2:41 PM
To: Lacey, Latrice
Subject: RE: Zoning Commission Meeting

No, I did not speak to this gentleman. I'm not sure who he talked to.

I really can't answer why something that was mailed on 7/21/2017 wasn't received until a day before the public hearing. I believe someone receiving a notice the day for the meeting is an exception and not the norm.

I would mention that Palmer held a neighborhood meeting in April to discuss this with the Community. They used the City's mail list.

It would be at the Chairperson's discretion to allow you address the Commission at the meeting.

We would appreciate suggested changes to the public hearing notice.

Ryan Rusnak, AICP
Planner III
City of Davenport
Community Planning and
Economic Development Department
226 West 4th Street
Davenport, Iowa 52801
(563) 888-2022

E Plan is now live. Click [here](#) for more information.



Click for [more](#) information about the Zoning Ordinance Rewrite. **Spread the Word.**

From: Lacey, Latrice
Sent: Monday, August 14, 2017 12:56 PM
To: Rusnak, Ryan
Subject: RE: Zoning Commission Meeting

So did the gentleman talk to you?

I have some concerns about the notice timeframes and the lack of alternative formatting. For instance, the individual who contacted us has stated that he received the notice without adequate time to request transportation due to his disability. He also would not have time to submit a written response and get it in by noon the next day, or the next day at all.

Someone with a visual impairment would not be able to read the letter, and this timeframe certainly would not give them adequate time or opportunity to receive it in an alternative format, such as braille.

Further, we do not give any information about how someone with disabilities could receive accommodations for the public hearing, for example, a person who is deaf or hard of hearing might require an ASL interpreter, 24 hours' notice is likely is not enough time to request or accommodate that.

This notice and procedure is probably not consistent with the FHA or ADA requirements.

With regard to our concerns, I will be fine to go up and speak on those without prior approval from the chairperson as a staff person, correct?

Latrice L. Lacey
Director
Davenport Civil Rights Commission
226 West 4th Street

Davenport, IA 52803
Phone (563)326-7888 TTY (563) 326-7959
Fax (563) 326-7956

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From: Rusnak, Ryan
Sent: Monday, August 14, 2017 12:01 PM
To: Lacey, Latrice
Subject: RE: Zoning Commission Meeting

Latrice,

This was a large mailer so we used Midwest Mail Works. We confirmed this morning that the notices were mailed on 7/21/2017.

Attached is the notice that was sent. My contact information was provided.

Ryan Rusnak, AICP
Planner III
City of Davenport
Community Planning and
Economic Development Department
226 West 4th Street
Davenport, Iowa 52801
(563) 888-2022

E Plan is now live. Click [here](#) for more information.



Click for [more](#) information about the Zoning Ordinance Rewrite. **Spread the Word.**

From: Lacey, Latrice
Sent: Monday, August 14, 2017 11:03 AM
To: Rusnak, Ryan
Subject: RE: Zoning Commission Meeting

Was this the only notice that impacted residents received?

After the article was published, I was contacted by a community member with disabilities and he has stated that he received notice of the meeting by mail at 3 p.m. the day before the meeting, so that did not give him appropriate time to arrange transportation to the meeting. He stated that he then called city hall for clarity on the purpose of the

meeting and whether this was still on the agenda at the next meeting- tomorrow's meeting and he was told that it was, so he has arranged for transportation to come. He also stated that initially he could not get a clear answer to his question which was frustrating for him, whose number is listed on the notice? Also, does it include information on how to request ADA accommodations?

Latrice L. Lacey
Director
Davenport Civil Rights Commission
226 West 4th Street
Davenport, IA 52803
Phone (563)326-7888 TTY (563) 326-7959
Fax (563) 326-7956

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From: Rusnak, Ryan
Sent: Monday, August 14, 2017 10:55 AM
To: Lacey, Latrice
Subject: RE: Zoning Commission Meeting

Good morning,

The public hearing was on the 1st. That is typically the opportunity for people to speak. At this point, it would be at the Chairperson's discretion.

If you prefer to put something in writing, I would be able to update the meeting packet .

Ryan Rusnak, AICP
Planner III
City of Davenport
Community Planning and
Economic Development Department
226 West 4th Street
Davenport, Iowa 52801
(563) 888-2022

E Plan is now live. Click [here](#) for more information.



Click for [more](#) information about the Zoning Ordinance Rewrite. **Spread the Word.**

From: Lacey, Latrice
Sent: Monday, August 14, 2017 10:50 AM
To: Rusnak, Ryan
Subject: Zoning Commission Meeting

Good morning Ryan,

I was looking over the meeting agenda for tomorrow and I notice that it is stating that tomorrow is not a public hearing and is time for the Commission to discuss the items on the agenda with City Staff and the developers, does that mean that members of the public are not allowed to have discussion on the agenda items?

If so, I would like to discuss this with you.

Thanks!

Latrice L. Lacey
Director
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Davenport, IA 52803
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Palmer PID Disparate Impact Analysis

December 2017

Prepared for the
City of Davenport
Community Planning & Economic Development Department
by



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Executive Summary

In June 2017, Palmer College of Chiropractic applied to rezone its campus, as well as approximately 13 additional acres in the surrounding neighborhood, into a Planned Institutional District (PID). Recognizing that Palmer's plans call for some demolition and new construction of housing units and that the campus is located in a racially and ethnically diverse area of the city, Davenport sought a disparate impact analysis of the proposed rezoning to determine whether its approval of Palmer's application could present any fair housing issues.

A demographic analysis of the proposed PID area shows that renter households with white householders and with householders of color in the city of Davenport are equally likely to live within the proposed PID boundary and face potential displacement as a result of housing demolition called for by Palmer's Master Plan. About 1.8% of Davenport renter households with a white householder live within the proposed PID, as do 1.8% of renter households with a householder of color. Contemplating the potential change in racial and ethnic composition in the proposed PID as a result of Palmer's housing construction and demolition shows that the area may become slightly less diverse. After build out, the PID area is projected to change from being approximately 65.09% white to 67.75% white, while the nonwhite population decreases from approximately 34.91% nonwhite to approximately 32.25% nonwhite. These figures assume that the only residential changes are those effected by the Master Plan, and do not take into account other moves in or out of the PID, or construction of other housing there by an entity other than Palmer.

In making a decision regarding Palmer's proposed PID, the zoning's consistency with the City's 2025 Comprehensive Plan, 2035 Land Use Plan Update, 2015-2019 Consolidated Plan, and 2012 Analysis of Impediments to Fair Housing Choice are all considered. Palmer's planned demolition of vacant units primarily for redevelopment into athletic fields and parking lots can be construed as meeting some aspects of the Comprehensive Plan's recommendations, but in other ways it falls short. Relative to the Comprehensive Plan, Palmer's PID should be considered a viable, but less-preferred course compared to other alternatives. The 2012 Analysis of Impediments identified 18 "impacted areas" in Davenport that have both rates of 51% or more residents of low- or moderate-income and "areas of minority concentration". Because Palmer is in an impacted area, investing funds to retain affordable rental housing units there is likely to further increase socioeconomic disparities in the community. Accordingly, the Consolidated Plan does not prioritize the Palmer campus area as a location where affordable housing investments are planned, a position with which Palmer's plans are consistent.

Under the federal Fair Housing Act and the Supreme Court's interpretation of HUD's 2013 Disparate Impact Rule in the *Inclusive Communities* case, a practice may have a discriminatory effect in one of two ways: if it "actually or predictably results in a disparate impact on a group of persons or [if it] creates, increases, reinforces, or perpetuates segregated housing patterns because of race, color, religion, sex, handicap, familial status, or national origin." To establish such a claim, a plaintiff must prove a significant statistical disparity is created; that the discriminatory policy directly or proximately causes the disparity; that the disparity is not borne of a substantial, legitimate, and nondiscriminatory public interest; and that there is no alternative that would have a less discriminatory effect.

In taking these considerations together, this disparate impact analysis finds that:

- a. The potential for displacement of neighborhood residents within the proposed PID area as a result of housing demolition does not create a statistical disparate impact on people of color.
- b. The proposed PID area will likely have a higher share of white residents and lower share of African American residents at build out than it does currently as a result of the growing student population, which is less diverse than the surrounding community.
- c. The proposed zoning change itself, understood apart from Palmer's plans, fails to represent a strong causal relationship to expected demographic changes.
- d. The City's zoning decision represents a choice between reasonable alternatives to promoting its valid and nondiscriminatory interests.
- e. Palmer's plans are not necessarily inconsistent with housing policy objectives promoted by the City, but in some cases, could be better aligned.
- f. The City's interest could likely be served by an alternative practice that requires less housing demolition and displacement.

While this analysis does not find a disparate impact that would arise from the City's approval of Palmer's rezoning request, some demographic shifts that do not amount to statistical disparities are projected to occur as Palmer implements its plans. The City is encouraged to consider opportunities to reduce or mitigate these unintended effects by seeking to:

1. Incorporate conflicting points of view into the planning and decision-making process;
2. Consider alternate siting of features and uses within the PID; and
3. Explore partnerships between Palmer and neighborhood nonprofits.

Introduction

The City of Davenport adopted a change to its zoning ordinance in 2012, incorporating a new Planned Institutional Development (PID) district. According to the ordinance, the intent behind the PID was to “encourage a comprehensive approach to development by encouraging the adoption of a land use plan rather than individual development proposals.”¹ Palmer College of Chiropractic has filed an application with the City of Davenport to establish a PID based on a 10-year master plan for its campus just north of downtown Davenport. Recognizing that Palmer’s plans call for some demolition and new construction of housing units and that the campus is located in a racially and ethnically diverse area of the city, Davenport sought a disparate impact analysis of the proposed rezoning to determine whether its approval of Palmer’s application could present any fair housing issues. Mosaic Community Planning, as a consultant to the City, has performed this analysis to assist the City in its decision-making.

Disparate impact is an established doctrine under the federal Fair Housing Act that recognizes that some policies or actions that seem neutral on their face could potentially have a disproportionate effect on a class of people protected under the Fair Housing Act. Such a policy may be found to be discriminatory, even if discrimination was not the intent simply because it creates a disproportionate negative impact for a group of people. The core of this disparate impact analysis then is a statistical study of the projected effects of Palmer’s master plan, should the City approve its zoning application. In addition to the statistical analysis, this report also considers the consistency of the proposed PID with various City plans and policy documents and also evaluates the application and the City’s options in light of potential Fair Housing Act liability. These dimensions of analysis are all tied together in a conclusion followed by a short set of recommendations for the City’s consideration as it deliberates the zoning application currently before it.

Procedural Background

In June 2017, Palmer College of Chiropractic submitted an application to the City of Davenport to rezone its approximate 25-acre campus in the central city area, as well as approximately 13 additional contiguous acres in the surrounding neighborhood, into a consolidated Planned Institutional District (PID) of approximately 38 contiguous acres. The application includes a 10-year land use plan (Master Plan) as required by the PID ordinance which shows Palmer’s interest in eventually acquiring the 13 privately held additional acres into its campus in order to meet its strategic goals of providing additional student housing, student amenities such as a recreation/lacrosse field, and additional parking for its chiropractic clinic patients. Palmer’s application contends that will also provide benefits to the larger community in the form of streetscape and landscape enhancements. As the original innovator of chiropractic, the leading college of chiropractic, and the world’s largest chiropractic clinic, Palmer is an important local institution and a draw for both students and patients. If Palmer is able to expand as contemplated by its rezoning application, its campus would accommodate 1,500 students.

Palmer’s proposed PID boundary is somewhat irregular (see map, p. 9) but is roughly bound by 12th Street to the north, Pershing Avenue to the east, 6th Street to the south, and Main Street to the west.

¹ Davenport City Code §17.57.010.

The most significant changes proposed in Palmer's plans include the demolition of several existing but vacant homes in the northeast corner of the campus to make way for athletic fields and a parking lot; the demolition and replacement of student housing on Main Street between 7th and 8th Streets; conversion of a parking lot into an athletic field on the western edge of campus; and a new mixed-use development on Brady Street on the north end of campus. In addition, multiple cosmetic improvements are planned throughout the campus, enhancing streetscapes, greenspaces, plazas, gateway and wayfinding signage, and parking lots.

Portions of the existing campus are currently zoned C-0, C-1, C-2 (Neighborhood Shopping and General Commercial); R-6M (High Density Residential), R-4 (Moderate Density Residential); and M-1 (Light Industrial). The adjacent properties that Palmer does not currently own continue with their existing zoning and intensity of land use unless Palmer is able to acquire those individual lots. A sunset provision in the PID regulations ensures that if Palmer fails to acquire the additional lots before a 10-year period expires, the unacquired lots revert back to their previous zoning designation. Ultimately, Palmer may not be able to complete all phases of its proposed Master Plan, as there are many hurdles to acquiring privately-owned properties (including the current owner's refusal to sell) and because eminent domain and condemnation are not a legal option.

There are an estimated 209 housing units currently within the proposed PID boundary, and projections estimate the population within that boundary is 360 persons. Some of those units currently are owned by Palmer and some are privately owned/controlled by others; some off-campus units are occupied by Palmer students or private residents, some are vacant, and some are unable to be occupied due to their substandard condition. Palmer's application claims that if its 10-year Master Plan is eventually fully realized (i.e. it acquires the additional acreage, receives applicable permits to demolish existing structures and redevelop others for student housing and other purposes, assumes right-of-way control of certain City streets and alleys, etc.), the residential population within the PID will go from 150 to 400 potential campus residents. However, projections based on data obtained from Palmer and through the Census show that with full build out and new student housing units, there may be accommodation for an additional 51 student residents. A complete build out also would lead to a loss of population of 84 residents in the existing community within the proposed PID boundary. With the addition of more students to the residential population but displacement of other non-student residents in the neighborhood, the population in the proposed PID would potentially decrease from 360 current residents to 327 residents, for a net loss within the proposed PID boundaries of 33 residents or a 9% decrease in population.

The Davenport Civil Rights Commission has raised concern about potential displacement of protected classes of persons from the neighborhood, which includes a tract currently recognized by HUD as one of two low-income tracts in Scott County. The Commission believes approval of the PID could have a disparate impact on low-income communities of color. Accordingly, as part of the hearing and review process, the City is investigating what impact the proposed PID rezoning may have on housing choice for the community and whether any such impact may disproportionately affect a protected group to the degree that it could subject Davenport to liability under the Fair Housing Act.

The proposed PID area includes tracts that are more diverse in terms of racial makeup than compared to most other areas of the City or the City as a whole. Broken down by classes of (a) white alone or (b) nonwhite, a full build out of the proposed PID and Master Plan represents a net loss of housing for 55 white people and 29 people of color. In percentage terms, approximately 34.9% of

persons potentially displaced are nonwhite and 65.1% are white. Because the current percentage of the population within the two census tracts which the proposed PID straddles is 50.77% nonwhite and 49.23% white, it can be argued that the potential displacement does not represent a disparate impact on persons of color compared to non-protected classes of persons within the proposed PID. However, overall the full build out would potentially change the composition of the proposed PID area to 67.75% white (from 65.09%) and 32.25% nonwhite (from 34.91%).

In considering approval of the proposed rezoning and Master Plan, in addition to determining any disproportionate impact on a class of nonwhite persons, the City faces the questions of whether any such disparity is directly or proximately caused by the City's zoning change or other factors, and even if so, whether the City has a valid interest to pursue which justifies the impact on protected persons.

Demographic Analysis

This section examines the demographic makeup of the PID area, surrounding census tracts, and city. It also compares the racial and ethnic composition of the PID as it is currently estimated to the potential projected racial and ethnic composition at build out of the PID plan.

Demographic Profile

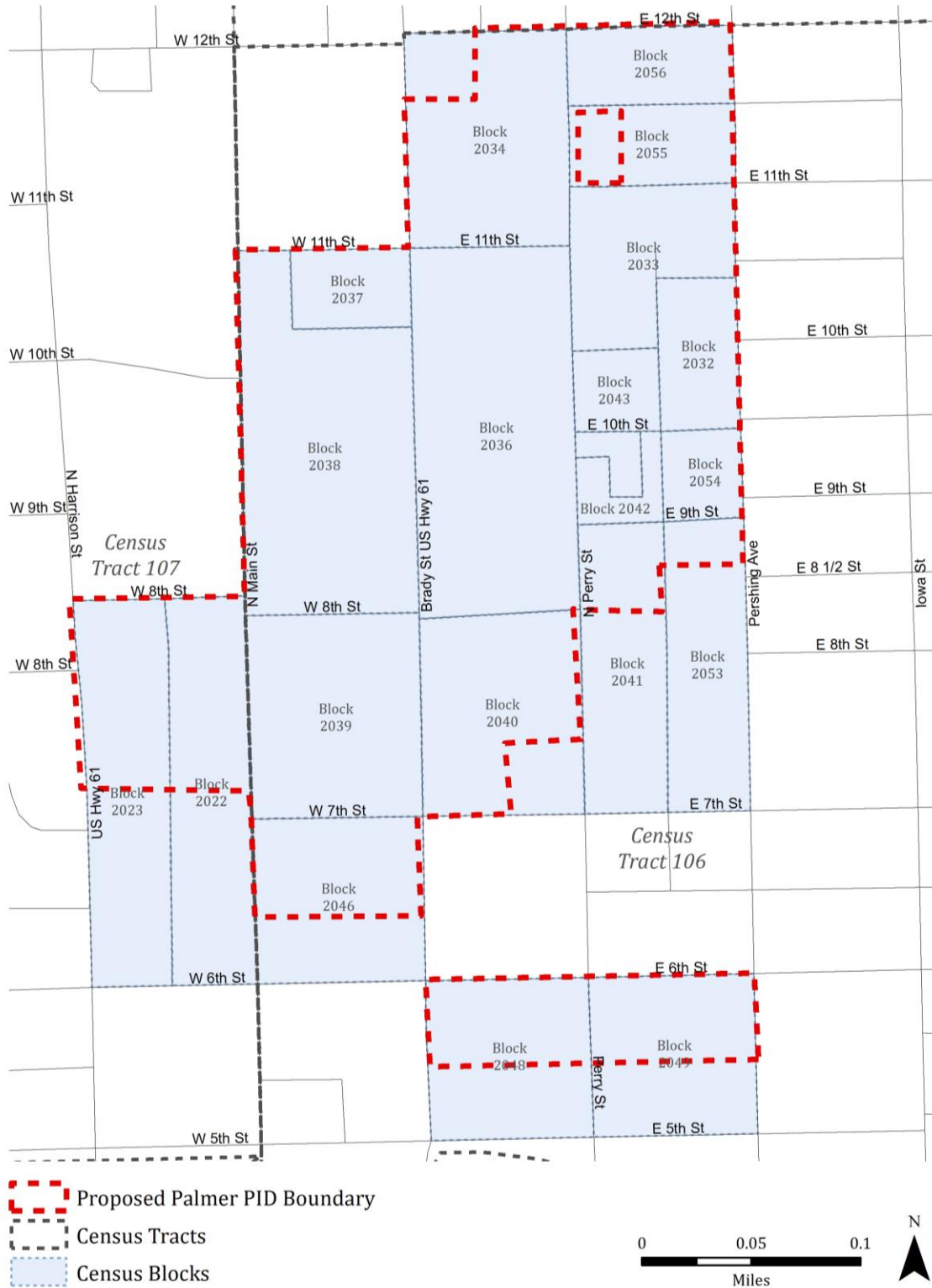
To gather demographic data about the PID area, its boundary was overlaid with census block boundaries to determine the blocks included or partially included in the PID. As shown in the map on the following page, the PID includes or partially includes 21 blocks. Demographic data for the population and households within these blocks and within the city of Davenport was then gathered from the 2010 Census.

Because the proposed residential demolition within the PID will affect rental housing, this analysis examines the degree to which rental households in the city may be impacted by householder race and ethnicity. The table below provides number of households by householder race and ethnicity in the proposed PID and in the city of Davenport.

| Households by Tenure by Race and Ethnicity in the Proposed Palmer PID Blocks and the City of Davenport, 2010 | | | |
|--|--|--|--|
| Householder Race and Ethnicity | Renter Households in Proposed PID Blocks | Renter Households in City of Davenport | Share of Davenport Renters in Proposed PID |
| Householder Race | | | |
| White | 194 | 11,232 | 1.73% |
| Black or African American | 32 | 2,639 | 1.21% |
| American Indian or Alaska Native | 0 | 74 | 0.00% |
| Asian or Pacific Islander | 28 | 287 | 9.76% |
| Other or Multiple Races | 10 | 708 | 1.41% |
| Total | 264 | 14,940 | 1.77% |
| Householder Ethnicity | | | |
| Non-Latino | 254 | 14,011 | 1.81% |
| Latino | 10 | 929 | 1.08% |
| Total | 264 | 14,940 | 1.77% |
| Householder Race and Ethnicity | | | |
| Non-Latino White | 190 | 10,750 | 1.77% |
| Households of Color | 74 | 4,190 | 1.77% |
| Total | 264 | 14,940 | 1.77% |

Source: 2010 Census SF1 Tables H14, H15, H16I

Census Block Groups within the Proposed Palmer PID



Source: U.S. Census Bureau, Decennial Census, 2010; Palmer College of Chiropractic

Nearly three-quarters (72.0%) of renter households within the proposed PID have non-Latino white householders, the same share as within the city. African Americans comprise 12.1% of renter households in the proposed PID, compared to 17.7% of renter households in Davenport. Asian renters are 10.6% of renters in the proposed PID, well above their share of renter households citywide (1.9%).

To look at how renters within each racial and ethnic group may be impacted by changes within the proposed PID, the final column of the table calculates the share of Davenport renter households who reside within the proposed PID boundaries. Asian or Pacific Islander renters live within the proposed PID at the highest rate (9.76%), and thus would be most likely to be impacted by housing demolition there. Nearly two-percent of non-Latino white renters live within the proposed PID boundaries (1.77%), as do 1.2% of African American renters and 1.08% of Latino renters. Taken together, 1.77% of renter households of color in Davenport live within the proposed PID, and may be impacted by demolition of rental units there, which is the same proportion as non-Latino white renters.

The table on the following page provides additional demographic data for residents of the proposed PID and city. About 65% of the proposed PID population is non-Latino white, compared to 76.65% in Davenport. African Americans and Asians/Pacific Islanders make up larger shares of the population in the proposed PID than they do at the city level: 18.69% of residents in the proposed PID are African American versus 10.50% in Davenport; and 6.37% of proposed PID residents are Asian or Pacific Islander, compared to 2.18% in the city.

Nearly two-thirds of residents within the proposed PID boundary are male (64.68%) and about one-third are female (35.32%). Citywide, the shares are closer: 48.71% of Davenport residents are male and 51.29% are female.

Encompassing the Palmer College of Chiropractic campus, including Palmer-owned student housing properties, the proposed PID has a considerably younger population than the city. About one-half of residents of the proposed PID are between the ages of 18 and 29 (55.65%). In comparison, only 18.86% of the city falls within this age range. Children under age 18 comprise a smaller share of the population living in the proposed PID area than in the city (9.45% versus 24.02%), as do seniors over the age of 62 (2.26% versus 15.54%). The proposed PID and the city have roughly the same share of residents between the ages of 30 and 54 (29.98% and 32.93%, respectively).

Housing within the proposed PID is overwhelmingly renter-occupied at 94.96%, which is well-above the share of rental households citywide (36.78%).

As the population by age data indicates, households in the proposed PID area are less likely to have children under the age of 18 than are households within the city. Only one-tenth of households in the proposed PID have children under age 18. In Davenport, the share of households with children about three times that figure, at 30.91%.

| Population Characteristics for the Proposed Palmer PID and the City of Davenport, 2010 | | | | |
|--|---------------------|----------------|-------------------|----------------|
| Population Characteristics | Proposed Palmer PID | | City of Davenport | |
| | Number | Percent | Number | Percent |
| Race and Ethnicity | | | | |
| Non-Latino | | | | |
| White | 317 | 65.09% | 76,404 | 76.65% |
| Black or African American | 91 | 18.69% | 10,465 | 10.50% |
| American Indian or Alaska Native | 4 | 0.82% | 270 | 0.27% |
| Asian or Pacific Islander | 31 | 6.37% | 2,176 | 2.18% |
| Other or Multiple Races | 14 | 2.87% | 3,115 | 3.12% |
| Latino | 30 | 6.16% | 7,255 | 7.28% |
| Total | 487 | 100.00% | 99,685 | 100.00% |
| Sex | | | | |
| Male | 315 | 64.68% | 48,558 | 48.71% |
| Female | 172 | 35.32% | 51,127 | 51.29% |
| Total | 487 | 100.00% | 99,685 | 100.00% |
| Age | | | | |
| Under 18 | 46 | 9.45% | 23,946 | 24.02% |
| 18-29 | 271 | 55.65% | 18,800 | 18.86% |
| 30-54 | 146 | 29.98% | 32,828 | 32.93% |
| 55-61 | 13 | 2.67% | 8,623 | 8.65% |
| 62 and older | 11 | 2.26% | 15,488 | 15.54% |
| Total | 487 | 100.00% | 99,685 | 100.00% |
| Tenure for Occupied Households | | | | |
| Owner | 14 | 5.04% | 25,680 | 63.22% |
| Renter | 264 | 94.96% | 14,940 | 36.78% |
| Total | 278 | 100.00% | 40,620 | 100.00% |
| Familial Status | | | | |
| With children under 18 years | 28 | 10.07% | 12,556 | 30.91% |
| No children under 18 years | 250 | 89.93% | 28,064 | 69.09% |
| Total | 278 | 100.00% | 40,620 | 100.00% |

Source: 2010 Census SF1, Tables P9, P12, and H19

Potential Demographic Composition Changes in the Proposed PID

This section considers how the racial and ethnic composition of the population in the proposed PID area may change following the residential demolition and constructed contemplated in Palmer's Master Plan for the area. The table below identifies properties and number of units anticipated to be demolished and built as part of the Plan, not including existing vacant housing. A total of 75 residential units would be taken down; the plan includes construction of about 100 single-bedroom units of student housing. Of the units planned to be demolished, 33 are currently student housing, the majority owned by Palmer. The remaining 42 units are owned and operated by other private landlords in 5 different properties within the proposed PID.

| Proposed Property Demolitions and Construction | | | |
|--|-----------------|--------------------------------------|-----------------|
| Anticipated Demolitions | | Anticipated Construction | |
| Address | Number of Units | Address | Number of Units |
| 1039 Perry Street | 22 | Main Street & 7 th Street | 100 |
| 1019 Perry Street | 8 | | |
| 715 Main Street | 2 | | |
| 719 Main Street | 4 | | |
| 723 Main Street | 1 | | |
| 118 Palmer Drive | 4 | | |
| 1028 Pershing | 6 | | |
| 217 E. 10 th Street | 12 | | |
| 218-224 E. 9 th Street | 12 | | |
| 1115 Brady Street | 4 | | |
| Total | 75 | Total | 100 |

Note: List does not include vacant residential properties.

Source: Palmer College of Chiropractic Master Plan

To estimate potential demographic changes at build out of the Master Plan for the proposed PID, the current population of the area was estimated based on number of residential units, information provided by Palmer regarding occupancy in student housing, and the average renter household size in the city of Davenport of 2.26 persons. This estimate indicates a population of about 360 people currently living in the proposed PID area. Applying the 2010 racial and ethnic composition for the PID blocks (from the table on page 11) yields the estimated current PID population by race and ethnicity shown in column A of the table that follows.

To consider how the population might change over the 10-year Master Plan build out, the analysis estimated the potential net change in students living within the PID area based on housing demolition and construction. With the demolition of 33 units occupied by an estimated 49 students and the construction of 100 new single-occupancy student housing units, there would be a net addition of 51

students in the PID area. Assuming that the racial and ethnic composition of the Palmer students moving to newly constructed student housing is reflective of the student population currently living on or near Palmer's campus, the estimated change in student population by race and ethnicity is shown in column B of the table below.

With demolition of 42 other housing units, there would be a loss of approximately 84 non-student residents over the ten-year period. Assuming that the racial and ethnic composition of the PID residents lost due to housing demolition are reflective of the PID as a whole, changes in population by race and ethnicity is shown in column C of the table below.

| Potential Change in Racial/Ethnic Composition in the Proposed PID at Master Plan Build out | | | | | |
|--|--------------------------------------|---|------------------------------------|---------------------------------------|----------------|
| Race/Ethnicity | Estimated Current PID Population (A) | Net Change in Palmer Student Population (B) | Net Change in Other Population (C) | Projected PID Population at Build out | |
| | | | | Number (A+B+C) | Percent |
| Non-Latino | | | | | |
| White | 235 | 42 | -55 | 222 | 67.75% |
| Black or African American | 67 | 1 | -16 | 52 | 16.15% |
| American Indian or Alaska Native | 3 | 1 | -1 | 3 | 0.85% |
| Asian or Pacific Islander | 23 | 4 | -5 | 22 | 6.60% |
| Other or Multiple Races | 10 | 1 | -2 | 9 | 2.80% |
| Latino | 22 | 2 | -5 | 19 | 5.85% |
| Total | 360 | 51 | -84 | 327 | 100.00% |

Note: Palmer College of Chiropractic estimates that their student population living on or near their campus, and thus the potential market for on-campus housing, is 82.21% white, 2.37% African American, 0.99% American Indian, 7.91% Asian or Pacific Islander, 2.37% other or multiple races, and 4.15% Latino. These percentages are used to estimate the additional student population by race and ethnicity shown in the third column of the table.

Source: 2010 Census SF1, Palmer College of Chiropractic

Overall, housing demolition and construction within the PID has the potential to affect the racial and ethnic composition of the area over the next ten years. Considering only the changes contemplated in the Palmer Master Plan, it is estimated that the white population may grow as a share of total population while the share of residents of color declines. However, these findings do not take into account potential moves by other households in the PID or the possible construction of additional, non-Palmer-owned housing in the PID over the next ten years.

Planning and Policy Implications

The City of Davenport has engaged in considerable planning and policymaking around the issue of housing in the city. These plans and policies include the City's 2025 Comprehensive Plan, 2035 Land Use Plan Update, 2015-2019 Consolidated Plan, and 2012 Analysis of Impediments to Fair Housing Choice. Each of these plans is described within this section with a particular focus on their bearing on and potential implications for approval of the PID zoning district. In making a decision regarding Palmer's proposed PID, the zoning decision's consistency with these existing plans and policies should be considered.

Davenport 2025: Comprehensive Plan for the City

In 2005, the Davenport City Council adopted Davenport 2025, a 20-year, long range comprehensive plan for the City. Development of the plan involved significant public participation and closely studied existing conditions in the city, including in such areas as housing, neighborhoods and districts, and land use. In the housing section of its plan, the City endorses a policy favoring infill development and adaptive re-use as a strategy for addressing abandoned and vacant properties:

*"While most buildings and infrastructure are designed for a long service life, technology, community needs, and aesthetics change over time. These recommendations indicate a commitment to the existing city and its history, recognizing that while new development can certainly address today's needs, adaptive re-use and infill can do likewise, especially for businesses and citizens that value locations within established areas of the community."*²

The plan concludes with an implementation section that establishes 144 recommendations. Of those, 13 are designated as being of "critical" priority. The one critical priority recommendation related to housing is an objective of "reduc[ing] the number of unoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill."³ This objective is linked to the establishment of a policy to "Encourage adaptive re-use and infill projects within the community."⁴

A major component of Palmer's plan involves the demolition of currently vacant housing units in the northeast section of the campus to make way for parking and an athletic field. Redevelopment of these vacant properties would seem to advance the Davenport 2025 objective of reducing the number of vacant buildings, however, razing them for a parking lot and athletic field is neither infill nor an adaptive reuse. On the other hand, this objective is in service of a larger goal of "strengthening the existing built environment" which acknowledges, in the extended quotation above, that community needs change over time.

Based on the goals, objectives, and recommendations expressed by the City in the Davenport 2025 plan, the most preferred course would likely be one of retaining the existing vacant structures (consistent with "a commitment to the existing city and its history" and seeking to redevelop them for reuse in some adaptive capacity. An alternative of demolishing these vacant units for redevelopment as contemplated by Palmer could also reasonably be said to reflect the spirit of the Davenport 2025 goal to strengthen and keep vital the already built-out portions of the city, given the

² Davenport 2025: Comprehensive Plan for the City, 2005. Page 147.

³ Ibid. Page 148.

⁴ Ibid. Page 148.

changing needs of the community over time. As this latter course does not necessarily follow the letter of the Comprehensive Plan's recommendation in this area, it should be considered a viable, but less-preferred alternative.

Davenport 2035 Land Use Plan Update

The City updated Davenport 2025's land use element through a new plan, adopted in 2016, called the Davenport 2035 Land Use Plan Update. The plan contains updated demographic data and observes trends in growth and development since the time of the 2025 Comprehensive Plan. While the recommendations of the underlying comprehensive plan were all affirmed, the 2035 update added additional objectives and recommendations. Of the additions related to housing, none have an apparent bearing on any of the issues arising from Palmer's proposed rezoning application.

2015-2019 Consolidated Plan

As an entitlement recipient of federal Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) funds from HUD, the City is required to prepare a Consolidated Plan every five years describing community needs and intended uses of the anticipated grant funds. The most recent Consolidated Plan was filed with HUD in 2015. The Consolidated Plan identifies four priority needs that the City's grant funds will be directed toward. These needs are related to housing, economic development, neighborhood quality, and public services. Of these, the housing need is most germane to consideration of Palmer's rezoning application and is stated as follows:

"Increasing affordable decent housing for both renters and homeowners, particularly larger units, those households with very low incomes, and units outside areas of concentrated low income and minority populations."⁵

Palmer's plans call for demolition of a total of 75 existing housing units (housing both students and the general community) and construction of 100 new student rental units, a net increase of 25 rental housing units. The current units are estimated to rent for between \$400 and \$650 per month, which are relatively affordable when compared with HUD Fair Market Rents for the market. While Palmer is not able to estimate rents for the new units it plans to construct, they are likely to be higher, if only because the housing will be newer and come with improved amenities. The new housing is also intended to specifically serve Palmer students, so it is difficult to view the net 25 housing unit increase as directly consistent with the City's need for additional "affordable decent housing for renters". However, Palmer's construction of new housing for its students should indirectly cause other rental units in the vicinity of the campus to become available for the general community as Palmer's students opt to live in the new student housing rather than off campus.

Another important feature of the Consolidated Plan's statement of housing need is the specification that these units are particularly needed "outside areas of concentrated low income and minority populations." This is reflective of HUD's regulations requiring grantees to affirmatively further fair housing. In the City's 2012 Analysis of Impediments (further described below), the city is determined to have 18 census block groups where at least 51% of residents are low- or moderate-income and where "areas of minority concentration" also exist. These 18 block groups, which include the Palmer

⁵ City of Davenport Consolidated Plan for Federal Fiscal Years 2015-2019, Page 7.

campus and its surrounding neighborhoods, are termed “impacted areas”. HUD interprets the Fair Housing Act as discouraging investment in new affordable housing in areas of high poverty that lack access to certain opportunities, in other words, in the city’s impacted areas.

Because Palmer is in an impacted area, the use of CDBG or HOME funds to retain affordable rental housing units there is not consistent with the Consolidated Plan. Rather, the City’s investments in such housing should focus on non-impacted areas in order to expand housing choice and access to opportunity for Davenport’s low- and moderate-income residents.

2012 Analysis of Impediments

Another requirement of CDBG grantees is that they prepare a fair housing study every five years. Although HUD’s regulations have since changed and the City is now beginning the process of preparing its next study, at the time the last study was required of Davenport, it was known as an Analysis of Impediments to Fair Housing Choice, or AI. The 2012 AI, as described above in the Consolidated Plan section, identified 18 “impacted areas” in Davenport that have both rates of 51% or more residents of low- or moderate-income and “areas of minority concentration”.

In proposing actions to resolve impediments to fair housing choice in Davenport, the AI suggests Davenport “should continue to balance [its] CDBG and HOME investments between the revitalization of impacted areas and the creation of new housing opportunities in non-impacted areas.”⁶ Striking such a balance is a key feature of the more recent iterations of HUD regulations and policy guidance on fair housing. Community development investments in impacted areas can be designed to improve measures of opportunity there (e.g. access to jobs, labor market participation, proficient schools, transit access, etc.) so that residents of those areas who wish to remain in their neighborhoods can remain and still have improved access to opportunity. At the same time, parallel investments in new housing should be focused in areas that already have opportunity features so that people who wish to relocate to areas where they have greater amenities and resources at their disposal are able to do so.

While advocacy for such a balanced approach is fairly standard in the current fair housing climate, the 2012 AI is clear that the investments in impacted areas need not be restricted to non-housing elements: “Continue to make *affordable housing investments* in both impacted and non-impacted areas.” While this is the policy advocated by the AI, it appears to be somewhat dissonant with contemporary fair housing interpretations and also appears not to have been carried forward into the Consolidated Plan, which steers affordable housing investments into non-impacted areas. Because the AI provides for and encourages investment in affordable housing, even in impacted areas, Palmer’s plans to demolish affordable rental housing run counter to the AI’s recommendation. However, the inconsistency between the AI and the Consolidated Plan is an important caveat here. The Consolidated Plan’s approach appears to be more sound with regard to City’s fair housing obligations and, as was assessed earlier, Palmer’s plans do not appear inconsistent with the Consolidated Plan.

⁶ 2012 Analysis of Impediments to Fair Housing Choice, Page 229.

Fair Housing Act Implications

Following the Supreme Court's recent landmark decision in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.* ("Inclusive Communities"), 135 S. Ct. 2507 (2015), statistical disparity alone is not enough to establish a prima facie case of disparate impact liability under the Fair Housing Act (42 U.S.C. §§ 3601–3619, 3631 (2012)). Below is a summary of the post-Inclusive Communities framework for analyzing a disparate impact claim against a municipality for a local zoning decision and what potential liability the City of Davenport may accordingly face as a result of Palmer's proposed PID rezoning and Master Plan. This framework is distilled from two important journal articles on the subject of disparate impact claims and the Inclusive Communities decision, one by Stacy Seicshnaydre⁷ of Tulane Law School and the other by Robert Schwemm⁸ of the University of Kentucky College of Law.

Framework for Analyzing a Disparate Impact Claim

HUD's 2013 Disparate Impact Rule (Implementation of the Fair Housing Act's Discriminatory Effects Standard, 78 Fed. Reg. 11460 (Feb. 15, 2013) (promulgating 24 C.F.R. § 100.500 et seq.) and the Supreme Court's 2015 decision in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.*, 135 S. Ct. 2507 (2015), settled the question of whether disparate impact claims are cognizable under the federal Fair Housing Act ("FHA"). Disparate impact claims are now a well-established part of housing discrimination law. However, following the standards laid out by HUD's Rule and the Inclusive Communities decision, proof of such claims has shifted, and many stakeholders and housing advocates see the level of proof and burden-shifting framework required as a greater challenge to surviving motions to dismiss or summary judgement.

A practice may be discriminatory in one of two ways: if it "actually or predictably results in a disparate impact on a group of persons or [if it] creates, increases, reinforces, or perpetuates segregated housing patterns because of race, color, religion, sex, handicap, familial status, or national origin." (78 Fed. Reg. 11460, 11482, codified at 24 C.F.R. § 100.500(a)). The aggrieved plaintiff (for example, a person denied equal opportunity to housing) and defendant (such as a municipality in a zoning case) must follow a burden-shifting framework to establish a discriminatory impact claim.

First, the plaintiff must prove a prima facie case of discriminatory effect. This first burden is further broken down into 3 proof elements (or 4 depending on the case precedent being followed). If the elements of the prima facie case are met, the burden then shifts to the defendant to prove that the practice in question is necessary to achieve a "valid interest" (Inclusive Communities, 135 S. Ct. at 2522) or to achieve "one or more substantial, legitimate, nondiscriminatory interests" (HUD Rule, 78 Fed. Reg. at 11482, codified at C.F.R. § 100.500(c)(2)). If the defendant meets that burden, the burden shifts back to the plaintiff to prove that the interests identified by the defendant "could be served by another practice that has a less discriminatory effect." (Inclusive Communities, 135 S. Ct. at 2518; HUD Rule, 78 Fed. Reg. at 11482, codified at C.F.R. § 100.500(c)(3)).

⁷ Seicshnaydre, Stacy E., "Disparate Impact and the Limits of Local Discretion after *Inclusive Communities*" (August 1, 2016). *George Mason Law Review*, Vol. 24, No. 3, 2017.

⁸ Schwemm, Robert G. and Bradford, Calvin, "Proving Disparate Impact in Fair Housing Cases After *Inclusive Communities*" (2016). *Law Faculty Scholarly Articles*. 594.

a. Plaintiff's prima facie case

Under step one, for aggrieved plaintiffs to establish a prima facie case, they must (1) identify a specific, facially-neutral policy that (2) creates an artificial, arbitrary, and unnecessary barrier to housing and (3) causes a statistical/significant disparity between subject groups. *See Inclusive Cmty. Project, Inc. v. Texas Dep't of Hous. & Cmty. Affairs*, C.A. No. 3-08-00546, 2016 WL 4494322 (N.D. Tex. Aug. 26, 2016); *City of Miami v. Bank of Am. Corp.*, No. 13-24506-Civ-Dimitrouleas, 2016 WL 1072488, at *4 (S.D. Fla. Mar. 17, 2016). After *Inclusive Communities*, simple statistical evidence of disparity is no longer sufficient for establishing a prima facie case. The challenged policy and resultant disparity must be linked by a showing of “robust causality.” *Inclusive Communities*, 135 S. Ct. at 2523. Many neutral policies and practices that appear to have a disparate impact/effect on protected classes’ access to affordable housing may actually be one of a myriad of indirect causes or factors such as private market and economic forces, land and development costs, and socioeconomic realities like systemic inequalities. *Inclusive Communities* and cases since have reiterated that not every action or policy that has a disproportionate impact rises to the level of liability or an unlawful violation of housing laws. The Supreme Court recognized disparate impact as a viable cause of action, but limited it in “key respects” by also requiring a showing of “robust causality.” Mere statistical disparity will not be sufficient to support disparate impact liability. The Supreme Court layered in a “robust causality requirement” between the identified policy and disparate effect to “protect[] defendants from being held liable for racial disparities they did not create.” *Id.*

i. Plaintiff must identify a specific, facially-neutral policy to challenge

There is some split over whether a sole instance of alleged discrimination or a decision or series of decisions that do not evince an underlying policy, such as a single zoning decision, may be challenged at all under a disparate impact claim. The Supreme Court’s decision cautioned that a “one-time decision may not be a policy at all.” *Inclusive Communities*, 135 S. Ct. 2507, 2523 (2015). *See also Azam v. City of Columbia Heights*, Civil No. 14-1044, 2016 WL 424966, at *11 (D. Minn. Feb. 3, 2016) (citing *Inclusive Communities* for the proposition that “a single decision generally is not an identifiable policy capable of supporting a disparate impact claim”). *See, e.g., City of Joliet v. New West, L.P.*, 825 F.3d 827, 830 (7th Cir. 2016) (“[T]he condemnation of Evergreen Terrace is a specific decision, not part of a policy to close minority housing in Joliet.”). But there is precedent that a zoning decision such as blocking a proposed housing development of affordable housing was properly challenged under disparate impact theory. *See Mhany Mgmt., Inc. v. Cty. of Nassau*, 819 F.3d 581, 619 (2d Cir. 2016) (expressing confidence that zoning decision affecting one piece of property constituted “general policy” because of months of hearings and meetings, asserted community-wide impacts on traffic and school overcrowding, and purported necessity to change local law).

Davenport’s PID ordinance is a neutral regulation which on its face does not prevent construction of affordable housing, require the removal of existing housing or a decrease in density, or facially discriminate against protected classes of persons. Maximum density under a PID and other design criteria are determined by the land use plan in conformance with the City’s Comprehensive Plan. Since the PID ordinance was adopted, there have been few requests for the PID designation before Palmer. St. Ambrose University’s main campus received PID approval but a second request for redevelopment of an athletic complex was vetoed by the then-mayor after being initially approved by City Council.

Although Davenport's decision to rezone the proposed PID area could be described as a single discretionary decision and not a policy per se, on the other hand the long review, public hearing, and approval processes; the potential community-wide impacts on permitted land uses of privately-owned lots on the additional 13 acres; and stakeholder engagement and opposition give credence an argument that the potential rezoning and approval of a Master Plan constitute a general policy of the City rather than a simple series of discretionary decisions.

ii. Does the neutral policy cause a statistical/significant disparity between protected and similarly-situated nonprotected groups

There is no single test for evaluating whether statistical evidence proffered is a plausible measure of significant disproportionate impact, but there are certain guidelines distilled from previous court opinions. For instance, the comparisons must use the proper similarly-situated groups and focus on "the subset of the population affected by the challenged policy." *Reinhart v. Lincoln Cty.*, 482 F.3d 1225, 1230 (10th Cir. 2007); see also *Hallmark Developers Inc. v. Fulton County*, 466 F.3d 1276, 1286-87 (11th Cir. 2006) (holding that "the appropriate inquiry is into the impact on the total group to which a policy or decision applies"). For example, if the challenged policy is the demolition or eviction in a particular housing complex, only those persons residing therein would be affected and relevant. *Betsey v. Turtle Creek Assocs.*, 736 F.2d 983, 987-88 (4th Cir. 1984); *Mt. Holly Gardens Citizens in Action, Inc. v. Twp. of Mount Holly*, 658 F.3d 375, 382 (3d Cir. 2011) (using data showing that 22.54% of African-American households and 32.31% of Hispanic households would be affected by the challenged housing demolition, compared to only 2.73% of white households); *Hallmark Developers*, 466 F.3d at 1286-87 (citing various FHA decisions in support of the proposition that the affected-population focus here should be on those area residents eligible for subsidized housing).

In the case of Palmer's requested PID rezoning, the proposed build out is projected to add to the current student population but reduce or displace the non-student population within the neighborhood for a total net decrease in population of the proposed PID area of 17% (204 current residents to 171 residents upon build out). The applicable subset population is those persons projected to be displaced or evicted by the build out of the Master Plan, which is 84 people total (all renters), and the relevant comparison groups would be the displaced persons of color who are a protected class and the similarly situated white residents displaced, which in this case is projected to be 29 nonwhite residents and 55 white residents.

Second, the complainant must show the policy hurts protected persons more than others because it is disparate impact and not just impact that the FHA protects. Generally, statistical comparisons should show relative percentages of protected versus non-protected class members adversely affected by the policy, rather than absolute numbers. In this case, of the 264 renter households in the proposed PID who face potential displacement, 190 (or 72.00%) have non-Latino white householders and 28.00% have nonwhite householders. If compared to the overall population of renter households in the City, which is comprised of 72.00% white and 28.00% nonwhite renter householders, there does not appear to be a disparate impact on a class of protected persons. Put another way, 190 of the 10,750 non-Latino white renter households (1.77%) live within the proposed PID. Similarly, 74 of the 4,190 nonwhite renter households (also 1.77%) live within the proposed PID. This indicates that a disparity ratio of 1.0, and that the proposed zoning change will not have a disproportionately harmful impact on protected persons compared to similarly situated white residents.

Another perspective for comparison is the overall change in composition of white to nonwhite residents in the proposed PID area. After build out, the PID area is projected to change from being approximately 65.09% white to 67.75% white while the nonwhite population decreases from approximately 34.91% nonwhite to approximately 32.25% nonwhite.

Finally, the disparity in the relative adverse impact on the two groups must be statistically significant. Courts have made clear that the FHA, like Title VII, only prohibits practices with “significant” discriminatory effects. See, e.g., *Schwarz v. City of Treasure Island*, 544 F.3d 1201, 1217 (11th Cir. 2008); *Budnick v. Town of Carefree*, 518 F.3d 1109, 1118–19 (9th Cir. 2008); *Reinhart v. Lincoln Cty.*, 482 F.3d 1225, 1229 (10th Cir. 2007). There is not a specific rule for what constitutes a minimum disparity ratio to prove significant effect in the FHA cases reviewed. Courts have found liability where the disparity ratio was, for example, 2 times, 3 times, and 7 times higher for nonwhites compared to whites.

A rejection or displacement ratio that corresponds to the selection rate recognized in Title VII employment discrimination cases, would require a plaintiff in a housing case to show that the disparity ratio was at least 1.25, although the majority of appellate decisions finding a large enough difference in rates to satisfy the plaintiff’s burden have all involved disparity ratios well above 1.25. See, e.g., *Mt. Holly Gardens Citizens in Action, Inc. v. Twp. of Mount Holly*, 658 F.3d 375, 382 (3d Cir. 2011) (black percentage harmed was over seven times that of whites (22% versus 3%)); *Huntington Branch, NAACP v. Town of Huntington*, 844 F.2d 926, (2d Cir. 1988), *aff’d per curiam*, 488 U.S. 15 (1988) (showing that the black percentage harmed was over three times that of whites (24% versus 7%)); *Keith v. Volpe*, 858 F.2d 467 (9th Cir. 1988) (showing that minorities were twice as likely as whites to be in the harmed group).

Here, if the number of nonwhite renters in the PID and at potential risk of displacement as a percentage of the total number of nonwhite renters in the City is compared to the number of white renters in the PID who may be displaced as a percentage of the total number of white renters, the disparity ratio would be 1.00. (74 nonwhite renters in the PID of a total of 4,190 nonwhite renters in the city is 1.77%; 190 white renters in the PID of a total of 10,750 white renters in the City, coincidentally, is also 1.77%). A disparity ratio of 1.00 indicates no disparity. As a share of renters in the city, renters in the PID who could potentially be affected by Palmer’s plans to demolish rental units are no more likely to be households of color or white households; both are affected in the same proportion as their share of the city’s total population.

iii. “robust causality” link between the challenged policy and resultant disparity

After *Inclusive Communities*, plaintiffs must link the challenged policy and the disparate impact in a way that shows a “robust causality,” that is, the plaintiff must prove that the defendant’s policy directly or proximately causes the disparity. If multiple causes or factors other than the defendant’s challenged policy have caused the statistical disparities identified, then the plaintiff’s *prima facie* case would fail. For example, in *Inclusive Communities*, the Supreme Court expressed skepticism about whether the causal connection was strong enough because other factors, like federal law governing tax credit properties, substantially limited the housing authority’s discretion. Indeed, on remand, the trial court ruled against the plaintiff’s impact claim, in part because of the absence of this causation element. See *Inclusive Cmty. Project, Inc. v. Tex. Dep’t of Hous. and Cmty. Affairs*, No. 3:08-CV-0546-D, 2016 WL 4494322, at *8–9 (N.D. Tex. Aug. 26, 2016). As another example of the multiple causes

disqualification, a developer defendant could show that locating a new building in one location rather than another is due to multiple factors that go into investment decisions.

The City's possible decision to approve Palmer's PID rezoning and the proposed 10-year land use plan could not be described as the "but for" cause of the displacement of minority residents. The zoning change itself does not affect existing housing units or compel the redevelopment of units and displacement of residents. It is too speculative to say whether the private properties proposed for rezoning and eventual acquisition will ever be acquired by Palmer and redeveloped under the proposed ten-year Master Plan. And if Palmer fails to acquire the desired properties, they revert back to their original zoning.

Moreover, even if the City left the zoning and current land use requirements as is, many other factors could lead to the same displacement result, including increasing vacancy rates, development or redevelopment plans of current or future property owners, changes in the market, etc. These scenarios may be just as likely as Palmer's vision. If Palmer, a third-party, is granted the PID zoning, eventually acquires additional properties, and then is given discretion within the bounds of its approved land use plan over the construction, redevelopment, or demolition of housing on those properties, and it chooses to remove housing from the market or to raise the cost of housing, that decision in itself may be influenced by a multitude of factors not related to the approved zoning, including its own economic priorities, the interests of its students, the vitality of its private clinical practice, the need for housing for its employees and students, the strategic planning of its board, etc. Thus, it will be a high bar for a potential plaintiff to specify the policy or policies that are a "but for" or "robust" cause of housing being made unavailable by the City or Palmer.

b. Defendant's rebuttal – the policy in question was necessary to achieve a valid interest

Despite the reasoning above, if an aggrieved plaintiff established a prima facie case of disparate impact against Davenport, the City would still have the opportunity to show that the rezoning decision was necessary to achieve a valid interest. Under the HUD Rule, the defendant must prove that "the challenged practice is necessary to achieve one or more of its substantial, legitimate, nondiscriminatory interests." 24 C.F.R. § 100.500(c)(2). This gives local governments discretion to implement policy within the bounds of fair housing standards without being second-guessed for choosing one reasonable alternative over another.

For example, the City may have a valid interest in supporting the vitality and success of Palmer as an educational, economic, and historic pillar of the City. The proposed Master Plan may meet the City's own Comprehensive Plan objectives if it allows opportunity to redevelop underutilized and vacant properties within the neighborhood in a way that strengthens the existing built environment, etc.

Over the last four decades of FHA jurisprudence, plaintiffs have not usually been successful in cases challenging revitalization plans for their displacing effects. Displaced tenants have won only three of 14 appeals, in large part because of the discretion afforded to local zoning authorities to choose between competing priorities and methods of fulfilling fair housing goals. *See Stacy E. Seicshnaydre, Is Disparate Impact Having Any Impact? An Appellate Analysis of Forty Years of Disparate Impact Claims Under the Fair Housing Act*, 63 AM. U. L. REV. 357, 364–65 (2013).

c. Plaintiff's burden to show defendant's interest could be served by a policy that has a less discriminatory effect

The last step in the burden shifting analysis requires the Plaintiff to show that the City's valid interest "could be served by another practice that has a less discriminatory effect." 78 Fed. Reg. 11482 (codified at C.F.R. § 100.500(c)(3)); *Inclusive Communities*, 747 F.3d 275, 282. Although the onus is on the Plaintiff to overcome the City's valid interest and reasonable method of achieving that interest, that this element may have to be litigated should signal to the City and Palmer that they should engage neighborhood stakeholders and potential complainants during the application review process for input in developing reasonable mitigation efforts, conditions on the land use/master plan, or concessions so that the valid interests of the City and Palmer are pursued in a manner that can be accepted by potential complainants.

Potential for FHA Liability

Approving or denying Palmer's PID rezoning and Master Plan involves a trade-off between either (a) maintaining the status quo of a neighborhood that is one of the more diverse and integrated areas of the City but which also faces challenges with vacant or uninhabitable housing units and other low-opportunity area challenges, or (b) allowing for the opportunity for an expanded institutional campus which could bring revitalization and redevelopment to the area and support the ongoing vitality of one of the City's important educational, economic, and cultural institutions but which also could lead to a demographic shift causing the neighborhood to become less diverse.

If it is a compelling priority of the City that zoning changes not cause a loss of affordable units nor displace protected or historically disadvantaged persons from their choice of housing—no matter what other valid interests might be served—then regardless of whether the City is likely safe from FHA liability, the PID request could be denied in its current form or amended to address the strongest disparate impact issues. However, as long as the rezoning is framed as a reasonable revitalization policy, under the post-*Inclusive Communities* framework it will be difficult for an aggrieved plaintiff to prove a prima facie disparate impact case or that the City's choice between two reasonable alternatives was not a valid exercise of its zoning and land use discretion.

Conclusion

As the individual components of this analysis have documented, a disparate impact, especially one that would constitute a violation of the Fair Housing Act, requires multiple points of consideration. A disparate impact can be calculated statistically, but such a determination, without taking into account the existence of a “robust causality” and the degree to which the contemplated action achieves a valid government interest, may not rise to the level of a violation of law. In turn, those determinations may rely on interpretation of plans and other documents of public policy.

In taking these considerations together, this analysis finds that:

- a. The potential for displacement of neighborhood residents within the proposed PID area as a result of housing demolition that may be carried out by Palmer does not create a statistical disparate impact on African American or Latino renter households, or on renter households of color as a whole.
- b. Because Palmer plans to construct new student housing on its campus and because Palmer’s student body is, on average, less diverse than the community, the population in the proposed PID area will likely have higher shares of white residents and lower shares of African American residents at build out of the master plan than it does currently. These shares would also depend on moves in or out of the proposed PID by other households and any additional, non-Palmer-owned housing construction within the proposed PID over the next ten years.
- c. The zoning change itself, understood apart from Palmer’s plans, would not affect existing housing units or compel the redevelopment of units and/or displacement of residents and therefore fails to represent a robust causality relative to any such demographic changes.
- d. The City’s ultimate zoning decision represents a choice between reasonable alternatives to promoting its substantial, legitimate, and nondiscriminatory interests.
- e. Opportunity exists to better align Palmer’s plans with the goals of the City’s Comprehensive Plan, however, Palmer’s plans are not necessarily inconsistent with housing policy objectives promoted by the City in its Comprehensive Plan and Consolidated Plan.
- f. The City’s interest could likely be served by another practice that requires less housing demolition and displacement; however, pursuit of such an alternative, while perhaps beneficial to community relations, is not incumbent upon the City as the other burden-shifting steps in the disparate impact framework are not met.

In summary, this disparate impact analysis has determined that the City of Davenport’s approval of Palmer’s PID rezoning application does not create a disparate impact on protected racial or ethnic groups. Some demographic shifts that do not amount to statistical disparities are projected to occur as Palmer implements its plans, however, consideration of certain alternatives could minimize these effects.

Recommendations

While this analysis does not find a disparate impact that would arise from the City’s approval of Palmer’s rezoning request, it does find opportunities to potentially reduce or mitigate unintended effects projected to arise as a result of Palmer implementing its master plan. The recommendations here are intended for consideration by the City of Davenport and may also be useful to Palmer as it continues in the rezoning process.

1. **Incorporate conflicting points of view into the planning and decision-making process.**
Because the Davenport Civil Rights Commission has already received an objection to Palmer's rezoning application from a community resident, the City should take the opportunity to bring to the table the diverse interests and concerns of current residents, stakeholders, and fair housing advocates to craft reasonable conditions that could be attached to the zoning approval which might mitigate or eliminate the potential displacement or demographic change projected to occur as a result of the current plan's implementation. This involvement would be different and more substantial than the community and stakeholder meetings required by the PID process as a means of informing residents. Rather, in this setting the Palmer's detractors could be asked what specific changes, limitations, or specifications could be attached to an eventual zoning approval that would make this project one they could support.
2. **Consider alternate siting of features and uses within the PID.**
If the athletic fields slated for the northeast corner of the campus could be relocated to another site in order to preserve the housing units currently existing there for affordable non-student housing, the area's racial and ethnic composition would remain closer to its current profile, maintaining the diversity present in the community. Similarly, if the same units were retained and redeveloped for some adaptive reuse, the plan would fit more squarely within the priorities of the Davenport 2025 Comprehensive Plan. A third option for consideration would be the retention of rental housing units along Pershing, south of 10th Street. The dwelling on the southwest corner of Pershing and 9th is slated for demolition, but it's unclear what the future use of the property will be. The dwellings between 9th and 10th Streets will be demolished to make way for an extension of an adjacent parking lot. If those parking spaces were eliminated or located elsewhere and the dwellings allowed to remain as affordable non-student housing, the degree of demographic change expected would be reduced.
3. **Explore partnerships between Palmer and neighborhood nonprofits.**
Existing housing in the neighborhoods around Palmer is in greater need of repair than average for the city and several nonprofit organizations have track records working in the community on housing issues. Palmer could explore partnerships with these organizations to determine if there are types of financial or in-kind support the College can provide that would help these nonprofits advance their missions and maintain a safe and healthy housing stock in the community. Supporting these neighborhood organizations could potentially help offset, at least in the public's eye, any negative consequences of the Palmer campus expansion.

Appendix

1. Palmer PID Housing Detail Matrix
2. 2010 Census Demographic Data – Blocks
3. 2010 Census Demographic Data – City

| Palmer PID - Housing Detail Matrix | | | | | | | |
|--|--|------------------|-----------------|-----------------|--------------------|-----------------|----------------|
| Existing Housing that will Remain | | | | | | | |
| Palmer Owns | Address/Location | 711 Brady Street | 732/734 Brady | 1117 Perry | 722/724 Brady | Perry Hill Apts | |
| | # of Units | 12 | 29 | 8 | 8 | 70 | |
| | Projected # of Residents (post PID implementation) | 12 | 29 | 12 | 6 | | |
| | Projected Occupancy (vacant, Palmer students, general community) | Palmer Students | Palmer Students | Palmer Students | Vacant /Renovation | | |
| | Current Rent Amount | \$435 | \$400-\$450 | \$525-\$650 | \$450-\$465 | | |
| | Projected Rent Amount (post PID implementation) | \$435 | \$400-\$450 | \$525-\$650 | Unknoen | | |
| Palmer Will Own/ Not Own | | | | | | | |
| | Address/Location | 702 Perry | 701 Brady | 705 Brady | 707 Brady | | |
| | # of Units | Single Family | Single Family | 3 | 2 | | |
| | Projected # of Residents (post PID implementation) | Unknown | Unknown | Unknown | Unknown | | |
| | Projected Occupancy (vacant, Palmer students, general community) | Unknown | Unknown | 3 Palmer | 3 Palmer | | |
| | Current Rent Amount | Unknown | Unknown | Unknown | Unknown | | |
| | Projected Rent Amount (post PID implementation) | Stays As Is | Stays As Is | Stays As Is | Stays As Is | | |
| Existing Housing that will be Demolished | | | | | | | |
| Palmer Currently Owns | Address/Location | 215 E 12th | 219 E 12th | 221 E 12th | 225 E 12th | 1118 Pershing | 1124 Pershing |
| | # of Units | | | | | | |
| | # of Residents | | | | | | |
| | Occupancy (vacant, Palmer students, general community) | Vacant | Vacant | Vacant | Vacant | Vacant | Vacant |
| | Current Rent Amount | | | | | | |
| | Future Use of Property | Athletic Field | Athletic Field | Athletic Field | Athletic Field | Athletic Field | Athletic Field |
| Not Palmer Owned | Address/Location | 723 Main | 118 Palmer Dr | 1019 Perry | 1028 Pershing | 217 E 10th | 218-224 E 9th |
| | # of Units | 1 | 4 | 8 | 6 | 12 | 12 |
| | # of Residents | 1 | Unknown | Unknown | Unknown | Unknown | Unknown |
| | Occupancy (vacant, Palmer students, general community) | PCC Student | 4 Palmer | 8 Palmer | Unknown | 3 Palmer | Unknown |
| | Current Rent Amount | Frat House | Unknown | Unknown | Unknown | Unknown | Unknown |
| | Future Use of Property | Housing | Parking | Parking | Parking | Parking | Parking |

| Palmer PID - Housing Detail Matrix | | | | | | | | | |
|--|--|-----------------|------------|-----------------|-----------------|----------|-----------------|-----------------|--|
| Existing Housing that will Remain | | | | | | | | | |
| Palmer Owns | Address/Location | | | | | | | | |
| | # of Units | | | | | | | | |
| | Projected # of Residents (post PID implementation) | | | | | | | | |
| | Projected Occupancy (vacant, Palmer students, general community) | | | | | | | | |
| | Current Rent Amount | | | | | | | | |
| | Projected Rent Amount (post PID implementation) | | | | | | | | |
| Palmer Will Own/ Not Own | Address/Location | | | | | | | | |
| | # of Units | | | | | | | | |
| | Projected # of Residents (post PID implementation) | | | | | | | | |
| | Projected Occupancy (vacant, Palmer students, general community) | | | | | | | | |
| | Current Rent Amount | | | | | | | | |
| | Projected Rent Amount (post PID implementation) | | | | | | | | |
| Existing Housing that will be Demolished | | | | | | | | | |
| Palmer Currently Owns | Address/Location | 1126/1128 Perry | 1132 Perry | 1138/1140 Perry | 1039 Perry | 705 Main | 715 Main | 719 Main | |
| | # of Units | | | | 22 | | 2 | 4 | |
| | # of Residents | | | | 22 | | 4 | 4 | |
| | Occupancy (vacant, Palmer students, general community) | Vacant | Vacant | Vacant | Palmer Students | Vacant | Palmer Students | Palmer Students | |
| | Current Rent Amount | | | | \$435 | | \$580 | \$635 | |
| | Future Use of Property | Parking | Parking | Parking | Athletic Field | Housing | Housing | Housing | |
| Not Palmer Owned | Address/Location | 1115 Brady | | | | | | | |
| | # of Units | 4 | | | | | | | |
| | # of Residents | Unknown | | | | | | | |
| | Occupancy (vacant, Palmer students, general community) | Unknown | | | | | | | |
| | Current Rent Amount | Unknown | | | | | | | |
| | Future Use of Property | Mixed Use | | | | | | | |

2010 Census Demographic Data – Blocks

| Geography | Block 2032, Census Tract 106 | Block 2033, Census Tract 106 | Block 2034, Census Tract 106 | Block 2036, Census Tract 106 | Block 2037, Census Tract 106 | Block 2038, Census Tract 106 | Block 2039, Census Tract 106 | Block 2040, Census Tract 106 | Block 2041, Census Tract 106 | Block 2042, Census Tract 106 | Block 2043, Census Tract 106 | Block 2044, Census Tract 106 | Block 2046, Census Tract 106 | Block 2048, Census Tract 106 | Block 2049, Census Tract 106 | Block 2053, Census Tract 106 | Block 2054, Census Tract 106 | Block 2055, Census Tract 106 | Block 2056, Census Tract 106 | Block 2022, Census Tract 107 | Block 2023, Census Tract 107 | TOTAL | % of Total |
|--|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|-------|------------|
| Total Population | 1 | 37 | 21 | 9 | 0 | 0 | 57 | 30 | 48 | 0 | 0 | 0 | 78 | 35 | 45 | 40 | 39 | 16 | 31 | 0 | 0 | 487 | 100.00% |
| Hispanic or Latino | 0 | 0 | 2 | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 6 | 4 | 1 | 1 | 4 | 0 | 9 | 0 | 0 | 30 | 6.16% |
| Not Hispanic or Latino | 1 | 37 | 19 | 7 | 0 | 0 | 57 | 30 | 47 | 0 | 0 | 0 | 72 | 31 | 44 | 39 | 35 | 16 | 22 | 0 | 0 | 457 | 93.84% |
| One race | 1 | 36 | 19 | 5 | 0 | 0 | 55 | 28 | 47 | 0 | 0 | 0 | 70 | 30 | 41 | 39 | 34 | 16 | 22 | 0 | 0 | 443 | 90.97% |
| White | 0 | 19 | 18 | 3 | 0 | 0 | 38 | 25 | 40 | 0 | 0 | 0 | 46 | 27 | 36 | 14 | 20 | 16 | 15 | 0 | 0 | 317 | 65.09% |
| Black or African American | 1 | 10 | 0 | 1 | 0 | 0 | 6 | 2 | 7 | 0 | 0 | 0 | 23 | 2 | 2 | 24 | 7 | 0 | 6 | 0 | 0 | 91 | 18.69% |
| American Indian and Alaska Native | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 4 | 0.82% |
| Asian | 0 | 7 | 0 | 0 | 0 | 0 | 11 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 1 | 6 | 0 | 1 | 0 | 0 | 31 | 6.37% |
| Native Hawaiian and Other Pacific Islander | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% |
| Some Other Race | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% |
| Two or More Races | 0 | 1 | 0 | 2 | 0 | 0 | 2 | 2 | 0 | 0 | 0 | 0 | 2 | 1 | 3 | 0 | 1 | 0 | 0 | 0 | 0 | 14 | 2.87% |

Source: U.S. Census Bureau, 2010 Census, Summary File 1, Tables P9, P12, and H19.

| 2010 Census Demographic Data – City | | |
|--|-------------------|------------|
| Geography | City of Davenport | % of Total |
| Total* | 99685 | 100.00% |
| Hispanic or Latino | 7255 | 7.28% |
| Not Hispanic or Latino | 92430 | 92.72% |
| One race | 89443 | 89.73% |
| White | 76404 | 76.65% |
| Black or African American | 10465 | 10.50% |
| American Indian and Alaska Native | 270 | 0.27% |
| Asian | 2140 | 2.15% |
| Native Hawaiian and Other Pacific Islander | 36 | 0.04% |
| Some Other Race | 128 | 0.13% |
| Two or More Races | 2987 | 3.00% |

Source: U.S. Census Bureau, 2010 Census. Summary File 1, Tables P9, P12, and H19.

*This count has been revised.

Revised count: 99,687

Revision date: 12-31-2012

Rusnak, Ryan

From: Ramsett, Susan <sramsett@kwqc.com>
Sent: Wednesday, March 07, 2018 5:33 PM
To: Berger, Bruce; Rusnak, Ryan; Warner, Tom
Cc: Scott Tunnickliff; Meginnis, Marion
Subject: KWQC - thank you & clarification

Bruce, Tom and Ryan,

I wanted to thank you for your time on Monday afternoon to hear KWQC's concerns regarding the proposed closure of W. 8th Street. I was encouraged to know you are willing to propose some alternatives to closing W. 8th.

I also appreciated the opportunity to more closely review how the current rendering illustrates the upper drive/parking on the east side of the station. I'll describe this as the c-shaped drive which runs North/South behind KWQC, with two entry/exit points onto Perry St. Can you confirm for me whether Palmer is proposing to abandon that North entry/exit point onto Perry Street to create additional green space? I am a bit confused by the illustration, as I don't believe that alley/drive is listed among those Palmer is requesting to abandon.

IF altering or closing any portion of that alley is part of the proposal, I would request another meeting to discuss alternatives. Since our meeting on Monday, I have confirmed that blocking the north entry/exit (as the full-color drawing illustrates) would create a dead end at the north end of our upper parking lot. As this is already a narrow drive, access would be problematic for our employees, deliveries, waste removal, emergency vehicles and any others that enter and exit this upper lot.

As I shared with you on Monday, I would like to see my questions and concerns about the closure of W. 8th Street documented for future consideration by city leaders.

Thank you!

Sincerely,

Susan Ramsett

Vice President & General Manager

Main: 563.383.7000 / Direct: 563.383.7036

805 Brady Street / Davenport, IA / 52803



Serving the Quad Cities in Iowa and Illinois

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brandon Wright 326-7750
Wards: All

Action / Date
3/7/2018

Subject:

First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$34,365,000 General Obligation Corporate and Refunding Bonds, Series 2018A, and for the levy of taxes to pay the same. [All Wards]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND
PASSAGE ON FIRST CONSIDERATION:

1. Motion for suspension of the rules.
2. Motion for passage of second and third considerations.

Recommendation:

Suspend the rules and pass the ordinance on first consideration.

Relationship to Goals:

Financially Responsible City Government

Background:

On April 19, 2017, a public hearing was held on the issuance of not-to-exceed \$25,320,000 General Obligation Corporate Bonds. Proceeds of these bonds are to finance the FY2018 Capital Improvement Program. On January 17, 2018, a second public hearing was held to increase the not-to-exceed amount by \$9,500,000 in order to issue bonds related to the City's economic development agreement with Sterilite. The total of General Obligation Corporate and Refunding Bonds to be sold is \$34,365,000.

On January 17, 2018, a public hearing was held on the issuance of Taxable General Obligation Corporate and Refunding Bonds. This action will refund the Series 2010A, Series 2010B, and Taxable Series 2010C bonds for an estimated total savings of \$204,751 and present value savings of \$187,019. The total of Taxable General Obligation Corporate and Refunding Bonds to be sold is \$8,330,000.

Bond ratings have been sought from Moody's and Standard & Poor's. The result of those meetings will be released when available.

ATTACHMENTS:

| Type | Description |
|-------------|------------------------|
| ▣ Ordinance | Ordinance Series 2018A |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:20 AM |

ORDINANCE NO. _____

An Ordinance providing for the sale and issuance of \$_____ General Obligation Corporate and Refunding Bonds, Series 2018A, and for the levy of taxes to pay the same

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City of Davenport, Iowa (the "City"), notice duly published and a hearing held thereon, the City Council of the City has determined it to be in the best interests of the City to issue General Obligation Corporate and Refunding Bonds, Series 2018A (the "Series 2018A Bonds") for the purpose of paying costs in connection with various improvements and projects in the City and refunding the outstanding balances of the City's Taxable General Obligation Corporate Bonds, Series 2010A and General Obligation Refunding Bonds, Series 2010B; and

WHEREAS, sealed bids for the purchase of the Series 2018A Bonds were received and canvassed on behalf of the City; and

WHEREAS, PFM Financial Advisors, LLC, municipal advisor for the City, has reported that, upon review of all bids received for the purchase of the Series 2018A Bonds, the bid of _____ (the "Purchaser") proposes the lowest interest cost to the City and the City should issue the Series 2018A Bonds in the principal amount of \$_____; and

WHEREAS, it is necessary at this time to award the Series 2018A Bonds to the Purchaser and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2018A Bonds and the levy of taxes to pay the same;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the Series 2018A Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale of the Series 2018A Bonds is hereby approved, and the Mayor and Deputy City Clerk are hereby authorized to execute the same for and on behalf of the City.

Section 3. The Series 2018A Bonds, dated April 3, 2018, in the denomination of \$5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate

principal amount of \$_____, and shall mature on June 1 in each of the years, in the respective principal amounts and bear interest at the respective rates, as follows:

| Year | Principal Amount | Interest Rate Per Annum | Year | Principal Amount | Interest Rate Per Annum |
|------|------------------|-------------------------|------|------------------|-------------------------|
| 2019 | \$3,385,000 | ____ % | 2027 | \$1,545,000 | ____ % |
| 2020 | \$3,510,000 | ____ % | 2028 | \$1,590,000 | ____ % |
| 2021 | \$3,610,000 | ____ % | 2029 | \$1,645,000 | ____ % |
| 2022 | \$2,985,000 | ____ % | 2030 | \$1,690,000 | ____ % |
| 2023 | \$3,070,000 | ____ % | 2031 | \$1,745,000 | ____ % |
| 2024 | \$2,940,000 | ____ % | 2032 | \$1,805,000 | ____ % |
| 2025 | \$1,465,000 | ____ % | 2033 | \$1,870,000 | ____ % |
| 2026 | \$1,510,000 | ____ % | | | |

Section 4. The CFO/Assistant City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2018A Bonds and may be hereinafter referred to as the “Bond Registrar” or the “Paying Agent”.

All of the interest on the Series 2018A Bonds is payable semiannually on the first day of June and December in each year, commencing December 1, 2018. Payment of interest on the Series 2018A Bonds shall be made in lawful money of the United States of America to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Series 2018A Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Series 2018A Bond or Bonds at the office of the Paying Agent.

The City reserves the right to call for redemption prior to maturity the Series 2018A Bonds maturing in the years 2027 to 2033, inclusive, in whole or from time to time in part, in one or more units of \$5,000, on June 1, 2026, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. If less than all of the Series 2018A Bonds of any like maturity are to be redeemed, the particular part of those Series 2018A Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2018A Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Series 2018A Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2018A Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2018A Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by

certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Series 2018A Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Series 2018A Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2018A Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

The Series 2018A Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Deputy City Clerk, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Series 2018A Bonds shall cease to be such officer before the delivery of the Series 2018A Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

The Series 2018A Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar. Each Series 2018A Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2018A Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2018A Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Series 2018A Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2018A Bond for each maturity date, in aggregate principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Series 2018A Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Series 2018A Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2018A Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified

securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Series 2018A Bonds.

Ownership interest in the Series 2018A Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2018A Bonds as nominees will not receive certificated Series 2018A Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Series 2018A Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Series 2018A Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for which they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for which the Participant acquires an interest in the Series 2018A Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Series 2018A Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Series 2018A Bonds acquired. Transfers of ownership interest in the Series 2018A Bonds will be

accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Series 2018A Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of the Series 2018A Bonds shall be substantially as follows:

(Form of Series 2018A Bond)

UNITED STATES OF AMERICA
STATE OF IOWA

COUNTY OF SCOTT CITY OF DAVENPORT

GENERAL OBLIGATION CORPORATE AND REFUNDING BOND, SERIES 2018A

No. _____ \$ _____

| RATE | MATURITY DATE | BOND DATE | CUSIP |
|-------|---------------|---------------|-------|
| _____ | _____ | April 3, 2018 | _____ |

The City of Davenport (the “City”), in Scott County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of the CFO/Assistant City Administrator, Davenport, Iowa (hereinafter referred to as the “Bond Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2018. Interest on this Bond is payable to the registered owner appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a duly authorized series of General Obligation Corporate and Refunding Bonds, Series 2018A (the “Series 2018A Bonds”), issued by the City in the aggregate principal amount of \$_____, pursuant to and in strict compliance with the laws of the State of Iowa and the special Charter of the City, and all laws amendatory thereof and supplementary thereto, and in conformity with an ordinance (the “Ordinance”) adopted by the City Council of the City providing for the issuance of the Series 2018A Bonds and for the levy of taxes to pay the same for the purpose of paying the cost in connection with various improvements and projects in the City and refunding the outstanding balances of the City’s Taxable General Obligation Corporate Bonds, Series 2010A and General Obligation Refunding Bonds, Series 2010B.

The City reserves the right to prepay part or all of the principal of the Series 2018A Bonds maturing in each of the years 2027 to 2033, inclusive, prior to and in any order of maturity on June 1, 2026, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2018A Bonds of any like maturity are to be redeemed, the particular part of those Series 2018A Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2018A Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Series 2018A Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2018A Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2018A Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. All of such Series 2018A Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purposes of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and

performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or Charter limitations or provisions.

IN TESTIMONY WHEREOF, the City of Davenport, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its Deputy City Clerk, all as of April 3, 2018.

CITY OF DAVENPORT, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
Deputy City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2018A Bonds described in the within-mentioned Ordinance.

By (DO NOT SIGN)
Bond Registrar

ABBREVIATIONS

| | | | |
|---------|---|--|---|
| TEN COM | - | as tenants in common | UTMA_____ |
| TEN ENT | - | as tenants by the entireties | _____ (Custodian) |
| JT TEN | - | as joint tenants with right of survivorship and not as tenants in common | As Custodian for_____ (Minor) under Uniform Transfers to Minors Act _____ (State) |

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Series 2018A Bonds shall be executed as herein provided as soon after the adoption of this ordinance as may be possible, and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or upon the order of the Purchaser, upon confirmation of receipt by the Bond Registrar of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Series 2018A Bonds is hereby ratified and confirmed in all respects.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Series 2018A Bonds as it falls due on December 1, 2018, and on each interest payment date thereafter to maturity, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the City in each of the years while the Series 2018A Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2018,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2019,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2020,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of \$_____.

Section 9. A certified copy of this ordinance shall be filed with the County Auditor of Scott County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Series 2018A Bonds hereby authorized and for no other purposes whatsoever. The amounts received by the City as accrued interest shall be deposited into such special account and used to pay interest due on the Series 2018A Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2018A Bonds utilized to defray the costs of certain projects related to such funds. Therefore, such funds may be employed and used to the extent available from year to year for the payment of that portion of the principal of and interest on the Series 2018A Bonds which is applicable to that portion of the total Series 2018A Bond issue applicable to such fund. Each year while any of said Series 2018A Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient

to meet the interest on that portion of the Series 2018A Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2018A Bonds during each year may be used for that purpose, in accordance with the Series 2018A Bond Financing Plan on file with the CFO/Assistant City Administrator, and in that event, the tax hereinbefore provided for the payment of such interest and principal may be reduced by the amount so used. The Deputy City Clerk is hereby authorized and directed to certify to the County Auditor of Scott County as to the remission or reduction of said ad valorem tax so that said tax, to the extent such fund is actually available and set aside for such purpose, shall not be extended or entered upon the tax rolls for collection.

It is hereby declared to be the purpose and intent of the City to issue the Series 2018A Bonds hereby authorized as general municipal obligations, but at the same time permitting the use of such funds for the payment of the principal and interest of that portion of the Series 2018A Bonds issued with respect to such funds.

Section 12. All funds held in any fund or account created or required to be maintained under the terms of this ordinance shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds, or as may be otherwise required to comply with the rebate provisions of the Internal Revenue Code.

All interest received by the City as a result of investments under this section in excess of the amount, if any, required to be paid to the United States Government in order to comply with the rebate provisions of the Internal Revenue Code, shall be deposited into or transferred to the Debt Service Fund subaccount referred to herein and used solely and only for the purpose of paying principal of and/or interest on the Series 2018A Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2018A Bonds to become taxable as “arbitrage bonds” pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the “SEC”) has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”) that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Series 2018A Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the

provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. It is the intention of the City that interest on the Series 2018A Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Series 2018A Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 15. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 14, 2018.

Mayor

Attest:

Deputy City Clerk

Published on the _____ day of _____, 2018.

Deputy City Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true, correct and complete transcript of the minutes of the meeting of the City Council related to the adoption of an ordinance providing for the sale and issuance of the City's General Obligation Corporate and Refunding Bonds, Series 2018A, and for the levy of taxes to pay the same, including a true and correct copy of such ordinance.

WITNESS MY HAND this _____ day of _____, 2018.

Deputy City Clerk

STATE OF IOWA

SS:

COUNTY OF SCOTT

I, the undersigned, County Auditor of Scott County, do hereby certify that the Deputy City Clerk of the City of Davenport, Iowa, certified and delivered to me a complete copy of an ordinance of that municipality adopted by the City Council thereof on March 14, 2018, providing for the sale and issuance of General Obligation Corporate and Refunding Bonds, Series 2018A, and for the levy of taxes to pay the same, and that I have duly placed said copy of the ordinance on file in my records.

I further certify that the taxes provided for in the ordinance will, in due time, manner and season, be entered on the State and County tax lists of the County for collection in each fiscal year as provided in the said ordinance.

WITNESS MY HAND this _____ day of _____, 2018.

County Auditor

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that an ordinance providing for the sale and issuance of General Obligation Corporate and Refunding Bonds, Series 2018A, and for the levy of taxes to pay the same, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2018.

Deputy City Clerk

(Attach hereto publisher's affidavit of publication with a clipping of the ordinance as published.

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brandon Wright 326-7750
Wards: All

Action / Date
3/7/2018

Subject:

First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$8,330,000 Taxable General Obligation Corporate and Refunding Bonds, Series 2018B, and for the levy of taxes to pay the same. [All Wards]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE ON FIRST CONSIDERATION

1. Motion for suspension of the rules.
2. Motion for passage of second and third considerations.

Recommendation:

Suspend the rules and pass the ordinance on first consideration.

Relationship to Goals:

Financially Responsible City Government

Background:

On April 19, 2017, a public hearing was held on the issuance of not-to-exceed \$25,320,000 General Obligation Corporate Bonds. Proceeds of these bonds are to finance the FY2018 Capital Improvement Program. On January 17, 2018, a second public hearing was held to increase the not-to-exceed amount by \$9,500,000 in order to issue bonds related to the City's economic development agreement with Sterilite. The total of General Obligation Corporate and Refunding Bonds to be sold is \$34,365,000.

On January 17, 2018, a public hearing was held on the issuance of Taxable General Obligation Corporate and Refunding Bonds. This action will refund the Series 2010A, Series 2010B, and Taxable Series 2010C bonds for an estimated total savings of \$204,751 and present value savings of \$187,019. The total of Taxable General Obligation Corporate and Refunding Bonds to be sold is \$8,330,000.

Bond ratings have been sought from Moody's and Standard & Poor's. The result of those meetings will be released when available.

ATTACHMENTS:

| Type | Description |
|-------------|----------------------------|
| ▣ Ordinance | Ordinance G O Series 2018B |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:20 AM |

ORDINANCE NO. _____

An Ordinance providing for the sale and issuance of \$_____Taxable General Obligation Corporate and Refunding Bonds, Series 2018B, and for the levy of taxes to pay the same

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City of Davenport, Iowa (the "City"), notice duly published and a hearing held thereon, the City Council of the City has determined it to be in the best interests of the City to issue Taxable General Obligation Corporate and Refunding Bonds, Series 2018B (the "Series 2018B Bonds") for the purpose of paying costs in connection with various improvements and projects in the City and refunding the outstanding balance of the City's Taxable General Obligation Refunding Bonds, Series 2010C; and

WHEREAS, sealed bids for the purchase of the Series 2018B Bonds were received and canvassed on behalf of the City; and

WHEREAS, PFM Financial Advisors, LLC, municipal advisor for the City, has reported that, upon review of all bids received for the purchase of the Series 2018B Bonds, the bid of _____ (the "Purchaser") proposes the lowest interest cost to the City and the City should issue the Series 2018B Bonds in the principal amount of \$_____; and

WHEREAS, it is necessary at this time to award the Series 2018B Bonds to the Purchaser and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2018B Bonds and the levy of taxes to pay the same;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the Series 2018B Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale of the Series 2018B Bonds is hereby approved, and the Mayor and Deputy City Clerk are hereby authorized to execute the same for and on behalf of the City.

Section 3. The Series 2018B Bonds, dated April 3, 2018, in the denomination of \$5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate principal amount of \$_____, and shall mature on June 1 in each of the years, in the respective principal amounts and bear interest at the respective rates, as follows:

| Year | Principal Amount | Interest Rate Per Annum | Year | Principal Amount | Interest Rate Per Annum |
|------|------------------|-------------------------|------|------------------|-------------------------|
| 2019 | \$740,000 | ___ % | 2027 | \$480,000 | ___ % |
| 2020 | \$805,000 | ___ % | 2028 | \$500,000 | ___ % |
| 2021 | \$835,000 | ___ % | 2029 | \$515,000 | ___ % |
| 2022 | \$410,000 | ___ % | 2030 | \$535,000 | ___ % |
| 2023 | \$420,000 | ___ % | 2031 | \$555,000 | ___ % |
| 2024 | \$435,000 | ___ % | 2032 | \$580,000 | ___ % |
| 2025 | \$450,000 | ___ % | 2033 | \$605,000 | ___ % |
| 2026 | \$465,000 | ___ % | | | |

Section 4. The CFO/Assistant City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2018B Bonds and may be hereinafter referred to as the “Bond Registrar” or the “Paying Agent”.

All of the interest on the Series 2018B Bonds is payable semiannually on the first day of June and December in each year, commencing December 1, 2018. Payment of interest on the Series 2018B Bonds shall be made in lawful money of the United States of America to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Series 2018B Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Series 2018B Bond or Bonds at the office of the Paying Agent.

The City reserves the right to call for redemption prior to maturity the Series 2018B Bonds maturing in the years 2027 to 2033, inclusive, in whole or from time to time in part, in one or more units of \$5,000, on June 1, 2026, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. If less than all of the Series 2018B Bonds of any like maturity are to be redeemed, the particular part of those Series 2018B Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2018B Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Series 2018B Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2018B Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2018B Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of

funds on or before the date fixed for redemption sufficient to pay the redemption price of the Series 2018B Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Series 2018B Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2018B Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

The Series 2018B Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Deputy City Clerk, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Series 2018B Bonds shall cease to be such officer before the delivery of the Series 2018B Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

The Series 2018B Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar. Each Series 2018B Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2018B Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2018B Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Series 2018B Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2018B Bond for each maturity date, in aggregate principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Series 2018B Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Series 2018B Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2018B Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance

with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Series 2018B Bonds.

Ownership interest in the Series 2018B Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2018B Bonds as nominees will not receive certificated Series 2018B Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Series 2018B Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Series 2018B Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for which they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for which the Participant acquires an interest in the Series 2018B Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Series 2018B Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Series 2018B Bonds acquired. Transfers of ownership interest in the Series 2018B Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Series 2018B Bonds, except as specifically provided herein. Interest and principal

will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of the Series 2018B Bonds shall be substantially as follows:

(Form of Series 2018B Bond)

UNITED STATES OF AMERICA
STATE OF IOWA

COUNTY OF SCOTT CITY OF DAVENPORT

TAXABLE GENERAL OBLIGATION CORPORATE AND REFUNDING BOND, SERIES 2018B

No. _____ \$ _____

RATE

MATURITY DATE

BOND DATE

CUSIP

April 3, 2018

The City of Davenport (the “City”), in Scott County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of the CFO/Assistant City Administrator, Davenport, Iowa (hereinafter referred to as the “Bond Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2018. Interest on this Bond is payable to the registered owner appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a duly authorized series of Taxable General Obligation Corporate and Refunding Bonds, Series 2018B (the “Series 2018B Bonds”), issued by the City in the aggregate principal amount of \$_____, pursuant to and in strict compliance with the laws of the State of Iowa and the special Charter of the City, and all laws amendatory thereof and supplementary thereto, and in conformity with an ordinance (the “Ordinance”) adopted by the City Council of the City providing for the issuance of the Series 2018B Bonds and for the levy of taxes to pay the same for the purpose of paying the cost in connection with various improvements and projects in the City and refunding the outstanding balance of the City’s Taxable General Obligation Refunding Bonds, Series 2010C.

The City reserves the right to prepay part or all of the principal of the Series 2018B Bonds maturing in each of the years 2027 to 2033, inclusive, prior to and in any order of maturity on June 1, 2026, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2018B Bonds of any like maturity are to be redeemed, the particular part of those Series 2018B Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2018B Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Series 2018B Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2018B Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2018B Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. All of such Series 2018B Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purposes of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a

sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or Charter limitations or provisions.

IN TESTIMONY WHEREOF, the City of Davenport, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its Deputy City Clerk, all as of April 3, 2018.

CITY OF DAVENPORT, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
Deputy City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2018B Bonds described in the within-mentioned Ordinance.

By (DO NOT SIGN)
Bond Registrar

ABBREVIATIONS

| | | | |
|---------|---|------------------------------|---------------------------------------|
| TEN COM | - | as tenants in common | UTMA_____ |
| TEN ENT | - | as tenants by the entireties | _____ |
| | | | (Custodian) |
| JT TEN | - | as joint tenants with | As Custodian for_____ |
| | | right of survivorship and | (Minor) |
| | | not as tenants in common | under Uniform Transfers to Minors Act |
| | | | _____ |
| | | | (State) |

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Series 2018B Bonds shall be executed as herein provided as soon after the adoption of this ordinance as may be possible, and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or upon the order of the Purchaser, upon confirmation of receipt by the Bond Registrar of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Series 2018B Bonds is hereby ratified and confirmed in all respects.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Series 2018B Bonds as it falls due on December 1, 2018, and on each interest payment date thereafter to maturity, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the City in each of the years while the Series 2018B Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2018,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2019,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2020,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of \$_____.

Section 9. A certified copy of this ordinance shall be filed with the County Auditor of Scott County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Series 2018B Bonds hereby authorized and for no other purposes whatsoever. The amounts received by the City as accrued interest shall be deposited into such special account and used to pay interest due on the Series 2018B Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2018B Bonds utilized to defray the costs of certain projects related to such funds. Therefore, such funds may be employed and used to the extent available from year to year for the payment of that portion of the principal of and interest on the Series 2018B Bonds which is applicable to that portion of the total Series 2018B Bond issue applicable to such fund. Each year while any of said Series 2018B Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient

to meet the interest on that portion of the Series 2018B Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2018B Bonds during each year may be used for that purpose, in accordance with the Series 2018B Bond Financing Plan on file with the CFO/Assistant City Administrator, and in that event, the tax hereinbefore provided for the payment of such interest and principal may be reduced by the amount so used. The Deputy City Clerk is hereby authorized and directed to certify to the County Auditor of Scott County as to the remission or reduction of said ad valorem tax so that said tax, to the extent such fund is actually available and set aside for such purpose, shall not be extended or entered upon the tax rolls for collection.

It is hereby declared to be the purpose and intent of the City to issue the Series 2018B Bonds hereby authorized as general municipal obligations, but at the same time permitting the use of such funds for the payment of the principal and interest of that portion of the Series 2018B Bonds issued with respect to such funds.

Section 12. All funds held in any fund or account created or required to be maintained under the terms of this ordinance shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds, or as may be otherwise required to comply with the rebate provisions of the Internal Revenue Code.

All interest received by the City as a result of investments under this section in excess of the amount, if any, required to be paid to the United States Government in order to comply with the rebate provisions of the Internal Revenue Code, shall be deposited into or transferred to the Debt Service Fund subaccount referred to herein and used solely and only for the purpose of paying principal of and/or interest on the Series 2018B Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2018B Bonds to become taxable as “arbitrage bonds” pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the “SEC”) has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”) that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Series 2018B Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the

provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. It is the intention of the City that interest on the Series 2018B Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Series 2018B Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 15. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 14, 2018.

Mayor

Attest:

Deputy City Clerk

Published on the _____ day of _____, 2018.

Deputy City Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true, correct and complete transcript of the minutes of the meeting of the City Council related to the adoption of an ordinance providing for the sale and issuance of the City's Taxable General Obligation Corporate and Refunding Bonds, Series 2018B, and for the levy of taxes to pay the same, including a true and correct copy of such ordinance.

WITNESS MY HAND this _____ day of _____, 2018.

Deputy City Clerk

STATE OF IOWA

SS:

COUNTY OF SCOTT

I, the undersigned, County Auditor of Scott County, do hereby certify that the Deputy City Clerk of the City of Davenport, Iowa, certified and delivered to me a complete copy of an ordinance of that municipality adopted by the City Council thereof on March 14, 2018, providing for the sale and issuance of Taxable General Obligation Corporate and Refunding Bonds, Series 2018B, and for the levy of taxes to pay the same, and that I have duly placed said copy of the ordinance on file in my records.

I further certify that the taxes provided for in the ordinance will, in due time, manner and season, be entered on the State and County tax lists of the County for collection in each fiscal year as provided in the said ordinance.

WITNESS MY HAND this _____ day of _____, 2018.

County Auditor

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that an ordinance providing for the sale and issuance of Taxable General Obligation Corporate and Refunding Bonds, Series 2018B, and for the levy of taxes to pay the same, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2018.

Deputy City Clerk

(Attach hereto publisher's affidavit of publication with a clipping of the ordinance as published.)

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brandon Wright 326-7750
Wards: All

Action / Date
3/7/2018

Subject:

First Consideration: Ordinance amending Chapters 13.16.107A and 13.16.107B entitled "Sanitary Sewer Rates – Amount" from \$4.16 to \$4.45 to \$4.76 to \$5.09 to \$5.45 per one hundred cubic feet of water use as determined by water meter readings; and amending per bill rates for monthly commercial bills from \$15.86 to \$16.98 to \$18.17 to \$19.44 to \$20.80; and amending per bill rates for monthly residential bills from \$16.52 to \$17.15 to \$18.34 to \$19.61 to \$20.97; and per bill rates for quarterly residential bills from \$23.33 to \$23.33 to \$24.93 to \$26.64 to \$28.47 and quarterly commercial bills from \$21.33 to \$22.83 to \$24.43 to \$26.14 to \$27.97. [All Wards]

COMMITTEE OF THE WHOLE RECOMMENDS PASSAGE ON FIRST CONSIDERATION

1. Motion for suspension of the rules.
2. Motion for passage of second and third considerations.

Recommendation:
Approve the ordinance.

Relationship to Goals:
Financially Responsible City Government
Upgraded City Infrastructure & Public Facilities

Background:

The City is responsible for protecting health and property of its citizens. One of its most significant operations in this mission is the establishment and maintenance of the sanitary sewer system and operations of the regional water pollution control plant. For more than 40 years sewer rates have been established to generate fees in order to fund this operation and maintain the necessary infrastructure. The purpose of using a fee versus the use of property tax is based on the theory that users should pay for the quantity of usage. Also, entities such as hospitals, colleges, and churches do not pay property tax; however, they are significant users of the services and receive substantial benefit. Therefore, sewer fees are an equitable way for all users to share the cost of operation.

The rates and fees provide a utility rate structure that can fully fund the operating and capital components of the utility. The capital improvement program includes all of the projects on the City's consent order from the Iowa Department of Natural Resources. The consent order requires an estimated \$180 million over the next 20 years. These projects include the investigations of the system, rehabilitation and replacement to reduce inflow and infiltration of stormwater, improvements to the water pollution control plant, and compliance to more stringent EPA and Iowa Department of Natural Resources regulations.

As mentioned above, the sewer rate includes funding for projects mandated by the Administrative

Consent Order issued by the Iowa Department of Natural Resources to eliminate all bypasses from the treatment facility and complying with more stringent requirement on plant effluent. The consent order specifically identifies projects such as studies on the system, reduction and elimination of the amount of ground, rain and river water entering the sewer system, rehabilitation and replacement the sewer system, optimization of the water pollution control plant operations and construction of an equalization basin.

This rate increase will not impact customers who are exempt from sewer fees. The current eligibility guidelines include those customers age 65 and older and people with disabilities who have an income level below \$22,855.00.

The no-fault sewer backup reimbursement policy will also continue to be funded. The residential customer charge will be reduced from \$2.00 per quarter to \$0.50 to provide the benefits of the program. This program has been successful assisting residents to both clean-up after a sewer backup and provide mechanisms to prevent future backups.

ATTACHMENTS:

| Type | Description |
|-------------|-------------------------------|
| ▣ Ordinance | Ordinance Sewer Rate Increase |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:20 AM |

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 13.16.107A AND 13.16.107B ENTITLED "SANITARY SEWER RATES – AMOUNT" FROM \$4.16 to \$4.45 to \$4.76 TO \$5.09 to \$5.45 PER ONE HUNDRED CUBIC FEET OF WATER USE AS DETERMINED BY WATER METER READINGS; AND AMENDING PER BILL RATES FOR MONTHLY COMMERCIAL BILLS FROM \$15.86 to \$16.98 to 18.17 to \$19.44 to \$20.80; AND AMENDING PER BILL RATES FOR MONTHLY RESIDENTIAL BILLS FROM \$16.52 to \$17.15 to 18.34 to 19.61 to 20.97; AND PER BILL RATES FOR QUARTERLY RESIDENTIAL BILLS FROM \$23.33 to \$23.33 to \$24.93 to \$26.64 to \$28.47 AND QUARTERLY COMMERCIAL BILLS FROM \$21.33 to \$22.83 to \$24.43 to \$26.14 to 27.97; AND REDUCING THE NO-FAULT SEWER BACKUP REIMBURSEMENT PROGRAM FEE FROM \$2.00 TO \$0.50 PER QUARTER FOR RESIDENTIAL CUSTOMERS.

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

SECTION 1. That Chapter 13.16.107A entitled "Rates-Amount" is hereby amended to read as follows:

1. 445.00 cents per one hundred cubic feet of water use as determined by water meter readings.

SECTION 2. That Chapter 13.16.107B entitled "Rates-Amount" is hereby amended to read as follows:

1. 1698.00 cents per bill for monthly billed commercial customers,
2. 1715.00 cents per bill for monthly billed residential customers,
3. 2283.00 cents per bill for quarterly commercial billed customers,
4. 2333.00 cents per bill for quarterly residential billed customers.

SECTION 3. That Chapter 13.16.107A entitled "Rates-Amount" is hereby amended to read as follows:

3. 476.00 cents per one hundred cubic feet of water use as determined by water meter readings.

SECTION 4. That Chapter 13.16.107B entitled "Rates-Amount" is hereby amended to read as follows:

1. 1817.00 cents per bill for monthly billed commercial customers,
2. 1834.00 cents per bill for monthly billed residential customers,
3. 2443.00 cents per bill for quarterly billed commercial customers,
4. 2493.00 cents per bill for quarterly billed residential customers.

SECTION 5. That Chapter 13.16.107A entitled "Rates-Amount" is hereby amended to read as follows:

1. 509.00 cents per one hundred cubic feet of water use as determined by water meter readings.

SECTION 6. That Chapter 13.16.107B entitled "Rates-Amount" is hereby amended to read as follows:

1. 1944.00 cents per bill for monthly billed commercial customers,
2. 1961.00 cents per bill for monthly billed residential customers,
3. 2614.00 cents per bill for quarterly commercial billed customers,
4. 2664.00 cents per bill for quarterly residential billed customers.

SECTION .7 That Chapter 13.16.107A entitled "Rates-Amount" is hereby amended to read as follows:

1. 545.00 cents per one hundred cubic feet of water use as determined by water meter readings.

SECTION 8. That Chapter 13.16.107B entitled "Rates-Amount" is hereby amended to read as follows:

1. 2080.00 cents per bill for monthly billed commercial customers,
2. 2097.00 cents per bill for monthly billed residential customers,
3. 2797.00 cents per bill for quarterly commercial billed customers,
4. 2847.00 cents per bill for quarterly residential billed customers.

SECTION 9. That Chapter 13.16.107F entitled "Rates-Amount" is hereby amended to read as follows:

50.00 cents of rates established in Section B for residential customers per quarter to fund the no-fault sewer backup reimbursement program.

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 not illegal or void provisions.

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

EFFECTIVE DATE. Sections 1, 2 and 9 of this ordinance shall be in full force and effective on July 1, 2018; Sections 3 and 4 shall be in full force and effective on July 1, 2019, Sections 5 and 6 shall be in full force and effective on July 1, 2020, Sections 7 and 8 shall be in full force and effective on July 1, 2021, after its final passage and publication as by law provided.

First Consideration_____

Second Consideration_____

Approved_____

Frank Klipsch
Mayor

Attest:_____

Jackie Holecek, CMC
Deputy City Clerk

Published in the Quad City Times on _____

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Matt Flynn 563.888.2286
matt.flynn@ci.davenport.ia.us
Wards: 6

Action / Date
3/7/2018

Subject:
Resolution approving Case No. FDP18-01 being the request of John Crump for a PDD Final Development Plan for a four-story hotel located north of East 53rd Street and west of Elmore Avenue on 2.28 acres, more or less. [Ward 6]

Recommendation:
Approve the resolution.

Relationship to Goals:
Welcome investment.

Background:
The proposal is to construct a four-story, 123 room Woodspring Suites Hotel. The property would contain 131 parking spaces, landscaping and storm water detention.

ATTACHMENTS:

| Type | Description |
|---------------------|---|
| ▢ Resolution Letter | Resolution |
| ▢ Backup Material | Final Development Plan |
| ▢ Backup Material | Plan and Zoning Commission Letter to City Council |
| ▢ Backup Material | Plan and Zoning Commission Vote Results |
| ▢ Backup Material | Staff Report to Plan and Zoning Commission |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:17 AM |

Resolution No. _____

Resolution offered by Kyle Gripp, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. FDP18-01 being the request of John Crump dba Woodspringsone LLC for a PDD Final Development Plan for a four-story hotel located north of East 53rd Street and west of Elmore Avenue (Lot 1 of Lakehurst Commercial Park Third Addition) on 2.28 acres, more or less. [Ward 6]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the PDD Final Development Plan approval for a four-story hotel be the same and is hereby approved and accepted. Please refer to the Plan and Zoning Commission's letter dated February 21, 2018 (please note that the revised final development plan achieves consistency with condition 1):

and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Approved:

Attest:

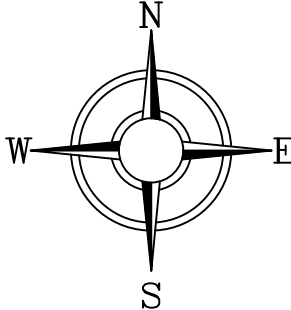
Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

Woodspring Suites Hotel

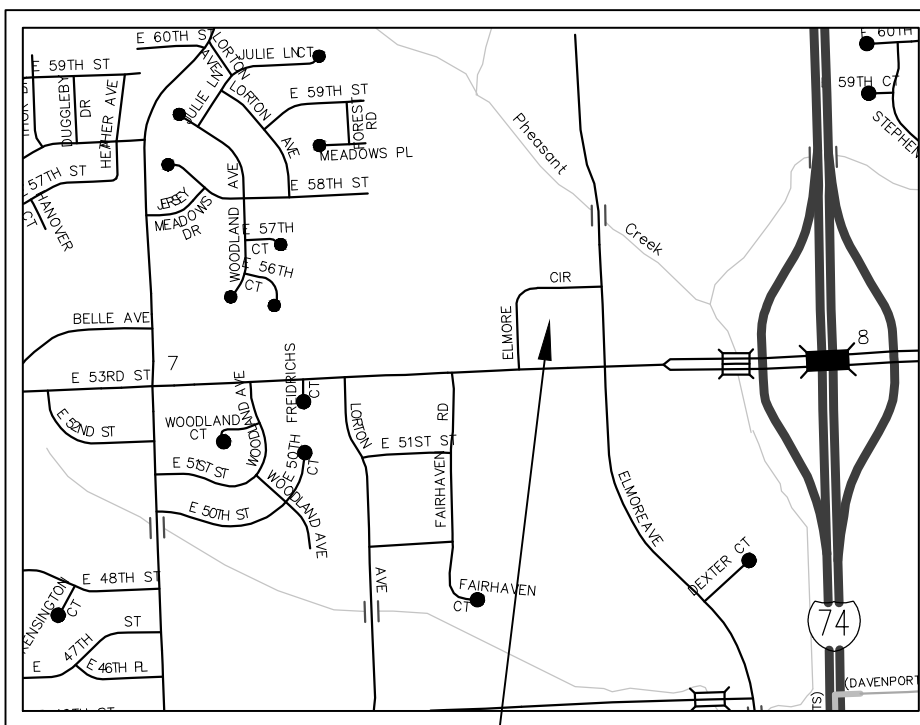
LOT 1, LAKEHURST COMMERCIAL
PARK THIRD ADDITION

Elmore Circle
Davenport, Iowa



GRAPHIC SCALE
20 0 10 20
(IN FEET)
1" = 20' (24x36)

SITE LOCATION MAP



APPROXIMATE SITE LOCATION

GENERAL NOTES

- ALL IMPROVEMENTS SHOWN ON THESE ENGINEERING PLANS SHALL COMPLY WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE STANDARDS OF THE IOWA DEPARTMENT OF NATURAL RESOURCES, LATEST EDITION.
- LEGAL DESCRIPTION OF PROPERTY:
Parcel Number: Y0817-01J
Alternate ID: Y17001D
Legal Description: Lot: 001 LAKEHURST COMM PARK 3RD ADD
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES AND PAVED STREETS, INCLUDING ANY NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF ANY CONFLICTS WITH THE DRAWINGS OCCUR. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY TRENCHING AND GRADING OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. EXISTING UTILITY LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE.
- THE CONTRACTOR SHALL NOTIFY THE CITY OF DAVENPORT AND THE ENGINEER 48 HOURS PRIOR TO COMMENCEMENT OF ANY WORK.
- PROVIDE POSITIVE DRAINAGE AT ALL TIMES WITHIN THE CONSTRUCTION AREAS. DO NOT ALLOW WATER TO DRAIN OR TO POND ONTO ADJOINING PROPERTY OR PUBLIC RIGHT-OF-WAY.
- ALL DEBRIS RESULTING FROM CONSTRUCTION OPERATIONS SHALL BE PROPERLY DISPOSED OF OFF-SITE.
- CONCRETE PAVEMENT SHALL CONFORM TO THE REQUIREMENTS OF IOWA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR HIGHWAYS AND BRIDGE CONSTRUCTION, SECTION 2301, PORTLAND CEMENT CONCRETE PAVEMENT. CONCRETE PAVEMENT WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF DAVENPORT STANDARDS AND SPECIFICATIONS.
- ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL CONFORM TO THE IOWA CONSTRUCTION SITE EROSION CONTROL MANUAL, LATEST EDITION.
- NOTE: ALL DIMENSIONS ARE TO THE BACK OF CURB, UNLESS OTHERWISE NOTED.
- THE PROPOSED STRUCTURE WILL BE A TOTAL OF FOUR (4) STORIES MEASURING 46'-11" FROM THE TOP OF THE SLAB TO THE HIGHEST RIDGE OF THE ROOF.

TRASH ENCLOSURES: SHALL HAVE 14' X 13'-4" CMU WALLS. METAL SCREEN GATE (1/2" PERFORATED METAL 20 GAUGE THICKNESS) WITH HEAVY DUTY GATE HARDWARE, AND BOLLARD PROTECTION.

LEGEND:

| | | | | | |
|-----|----------------------|---|-----------------------|-----|-----------------------|
| --- | EASEMENT | ⊗ | EXISTING GAS VALVE | --- | EXISTING CONTOUR LINE |
| --- | SETBACK LINE | ○ | EXISTING WATER VALVE | --- | PROPOSED CONTOUR LINE |
| --- | CENTERLINE | ○ | EXISTING UTILITY POLE | --- | |
| --- | PROPERTY BOUNDARY | ○ | EXISTING LIGHT POLE | --- | |
| --- | EXISTING FENCE | ⊗ | EXISTING TREE | --- | |
| --- | EXISTING SANITARY | ⊗ | EXISTING BUSH | --- | |
| --- | PROPOSED SANITARY | ⊗ | EXISTING MANHOLE | --- | |
| --- | EXISTING STORM SEWER | ⊗ | EXISTING FIRE HYDRANT | --- | |
| --- | PROPOSED STORM SEWER | ⊗ | FOUND PROPERTY PIN | --- | |
| --- | EXISTING WATER | ⊗ | CONTROL POINT | --- | |
| --- | PROPOSED WATER | ⊗ | | --- | |
| --- | EXISTING GAS LINE | ⊗ | | --- | |
| --- | EXISTING ELECTRIC | ⊗ | | --- | |

PDD Zoning Requirements

Front Yard: 25 Ft. Minimum
Building Setback

Side Yard: 10 Ft. Minimum
Building Setback

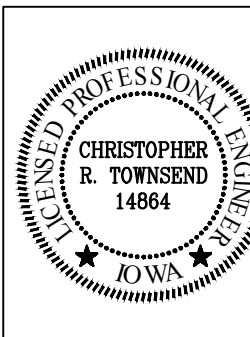
Rear Yard: 0 Ft. Minimum
Building Setback

| Curve # | Length | Radius | Delta | Chord Length | Chord Direction |
|---------|---------------------|---------------------|------------------------------|---------------------|--------------------------------|
| C1 | 157.17' (157.08) | 100.00' (100.00) | 90° 03' 10" (90° 00' 00") | 141.49' (141.42) | N42° 35' 49"E S42° 35' 49"W |

CITY LANDSCAPING REQUIREMENTS BELOW

Landscaping not shown on plan
Plan to be provided by Landscaper
Fence Or Shrubbery Buffer Required Along
East Property Line Due To Parking
Lot Being Within 5 Feet Of Property Line

| | |
|--|---|
| | Canopy/Overstory Tree: Total Quantity = 11 11 Canopy Trees Along Elmore Circle Property Lines 0 Canopy Trees Along East Side 0 Canopy Trees Along South Side 0 Canopy Trees Within Parking Lot |
| | Understory Tree: Total Quantity = 18 10 Understory Trees Along Elmore Circle Property Line 2 Understory Trees Along East Side 0 Understory Trees Along South Side 5 Understory Trees Within Parking Lot |
| | Bushes: Total Quantity = 52 14 Shrubs Along Elmore Circle Property Line 0 Shrubs Along East Side 0 Shrubs Along South Side 14 Shrubs Within Parking Lot |



I hereby certify that this Engineering document was prepared
by me or under my direct personal supervision and that I
am a duly licensed Professional Engineer under the laws of
the State of Iowa.
Christopher R. Townsend, P.E.
License number: 14884
My license renewal date is December 31, 2018
Pages or Sheets covered by this seal: C1-C4
Date: 1-16-18

DATE: 1/10/18

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

DRAWN BY:
CV

CHECKED BY:
CT

DRAWING LOCATION
S:JD Royal/JD Royal Elmore Circle Site Plan

REVISIONS:

| NO. | DESCRIPTION | DATE |
|-----|---|---------|
| 1. | Revised sideyard setback & added building height as per COD | 2-20-18 |

SITE PLAN

Woodspring Suites Hotel
LOT 1, LAKEHURST COMM. PARK 3rd ADD.
Elmore Circle
Davenport, Iowa

CONSOLIDATED INVESTORS LLC
3245 E 35TH ST CT
DAVENPORT IA 52807

SHEET NO.

C1

April 21, 2018

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of April 20, 2018, the City Plan and Zoning Commission considered Case No. FDP18-01 being the request of John Crump dba Woodspringsone LLC for a PDD Final Development Plan located north of East 53rd Street and west of Elmore Avenue (Lot 1 of Lakehurst Commercial Park Third Addition) on 2.28 acres, more or less to develop a Woodspring Suites Hotel.

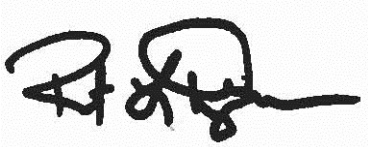
Findings:

1. The proposed Final Development Plan would achieve consistency with adopted ORD1994-625; and
2. The proposal would facilitate infill development within an area containing existing public utilities.

Staff recommends the Plan and Zoning Commission forward case FDP18-01 to the City Council with a recommendation for approval subject to the following condition:

1. That the PDD Zoning Requirements table be updated to the following:
Front Yard: 25 Ft. Minimum Building Setback.
Side Yard: 10 Ft. Minimum Building Setback.
Year Yard: 0 Ft. Minimum Building Setback.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

| APPROVED | | | | | | | | | |
|----------|-----------|---|----------------------------|----------------------------|--|--|--|--|--|
| Name: | Roll Call | FDP18-01 John Crump Woodspringsone LLC | P18-01 Reed's Retreat | F18-01 Reed's Retreat | | | | | |
| Connell | P | Y | Y | Y | | | | | |
| Hepner | EX | | | | | | | | |
| Inghram | P | | | | | | | | |
| Kelling | P | Y | Y | Y | | | | | |
| Lammers | P | Y | Y | Y | | | | | |
| Maness | EX | | | | | | | | |
| Martinez | P | Y | Y | Y | | | | | |
| Medd | P | Y | Y | Y | | | | | |
| Quinn | P | Y | Y | Y | | | | | |
| Reinartz | EX | | | | | | | | |
| Tallman | EX | | | | | | | | |
| | | 6-YES 0-NO 0-ABSTAIN | 6-YES 0-NO 0-ABSTAIN | 6-YES 0-NO 0-ABSTAIN | | | | | |



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

Meeting Date: February 20, 2018
Request: Final Development Plan for a four-story hotel
Address: North of East 53rd Street and west of Elmore Avenue
Case No.: FDP18-01
Applicant: John Crump dba Woodspringsone LLC

Recommendation:

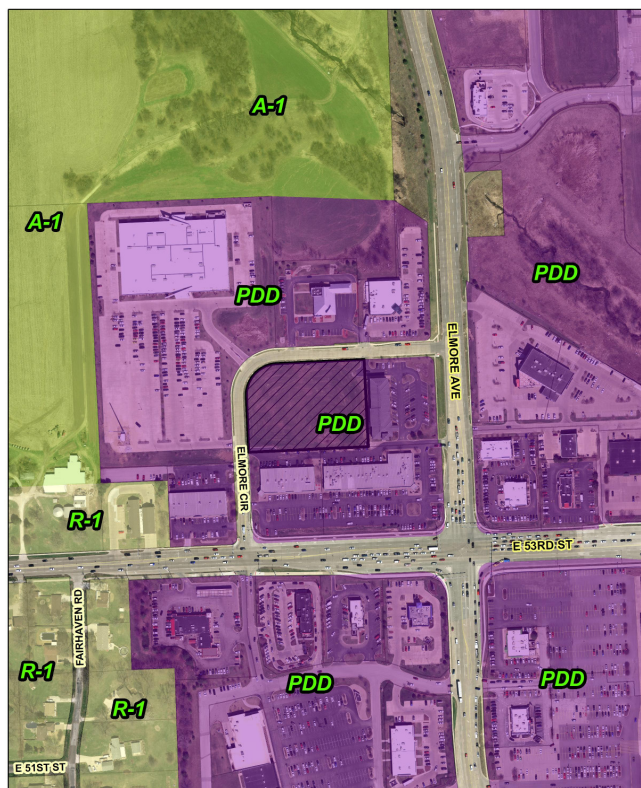
Staff recommends the Plan and Zoning Commission forward case FDP18-01 to the City Council with a recommendation for approval subject to the condition stated below.


Introduction:

Case No. FDP18-01: Request of John Crump dba Woodspringsone LLC for a PDD Final Development Plan located north of East 53rd Street and west of Elmore Avenue (Lot 1 of Lakehurst Commercial Park Third Addition) on 2.28 acres, more or less to develop a Woodspring Suites Hotel.

AREA CHARACTERISTICS:

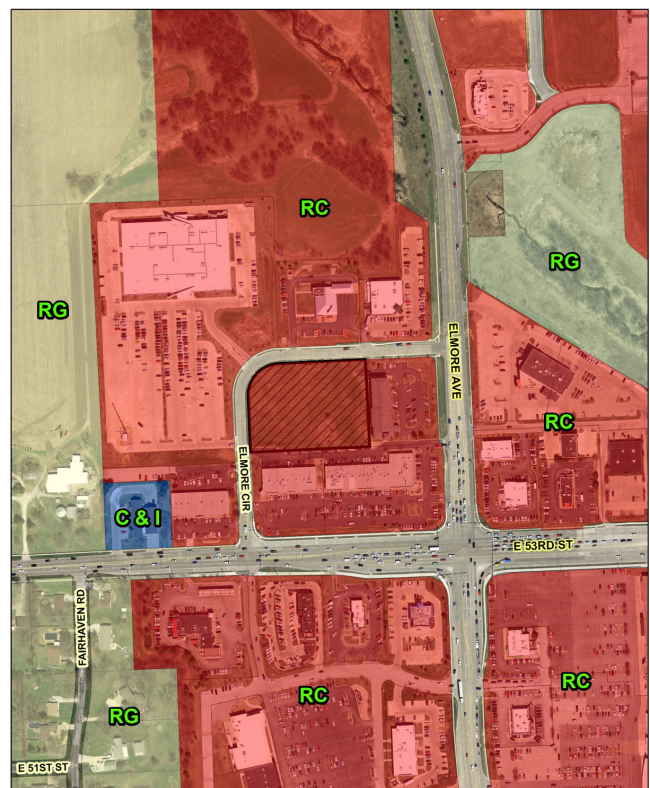
Zoning Map




 Subject Property



Land Use Map



 Subject Property



Background:**Comprehensive Plan:**

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Regional Commercial (RC) – Are 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. Connectivity to nearby neighborhoods is desirable but less important.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed use would comply with the Davenport 2035 proposed land use section.

Zoning:

The property is currently zoned "PDD" Planned Development District (Ordinance 1994-625) and is subject to the "HCOD" Highway Corridor Overlay District. The "PDD" allowable land use plan designated the property for commercial use.

Technical Review:

Streets. The property is located along Elmore Circle. Joint driveway accesses currently exist at the southwest and northeast portions of the property.

Storm Water. Storm water detention and water quality treatment are required with the proposed development. Storm water infrastructure is located in the Elmore Circle right-of-way.

Sanitary Sewer. Sanitary sewer service is located within the Elmore Circle right-of-way.

Other Utilities. Other utilities are located within this area.

Emergency Services. Station 8 is located to the southwest of the subject property.

Parks/Open Space. This request does not impact any existing or planned parks or public open spaces.

Public Input:

No public hearing is required for a Final Development Plan.

Discussion:

The proposal is to construct a four-story, 123 room Woodspring Suites Hotel. The property would contain 131 parking spaces, landscaping and storm water detention.

Staff Recommendation:

Finding:

1. The proposed Final Development Plan would achieve consistency with adopted ORD1994-625; and
2. The proposal would facilitate infill development within an area containing existing public utilities.

Staff recommends the Plan and Zoning Commission forward case FDP18-01 to the City Council with a recommendation for approval subject to the following condition:

1. That the PDD Zoning Requirements table be updated to the following:
Front Yard: 25 Ft. Minimum Building Setback.
Side Yard: 10 Ft. Minimum Building Setback.
Year Yard: 0 Ft. Minimum Building Setback.

Prepared by:

A handwritten signature in blue ink, appearing to read 'Ryan Rusnak', with a stylized flourish at the end.

Ryan Rusnak, AICP
Planner III

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Bruce Berger 326-7769
Wards: 1,2,3,4,5,7

Action / Date
3/7/2018

Subject:
Motion directing staff to prepare and submit the Economic Opportunity Zone application to Iowa Economic Development Authority (IEDA). [Wards 1,2,3,4,5,7]

Recommendation:
Pass the motion

Relationship to Goals:
Revitalized Neighborhoods and Corridors

Background:
The Tax Cut and Jobs Act of 2017 established a new economic development program called Opportunity Zones designed to encourage long-term private investments in Low-Income Community Census Tracts (LIC).

The program provides a federal tax incentive for taxpayers who reinvest unrealized gains into Opportunity Funds, which are specialized vehicles dedicated to investing in low-income areas called Opportunity Zones. Any taxpayer may defer paying tax on capital gains for the sale of any property by investing those gains in an Opportunity Zone within 180 days. The U.S. Treasury will administer the program.

The zones are comprised of LIC and designated by Governor Reynolds. Attached is a map with eligible zones outlined in blue. The city is limited to nominating only four eligible zones. The State is planning to designate one Opportunity Zone per community, but may consider up to four. Staff is still vetting which four to recommend and will present them at the Committee-of-the-Whole meeting. Zones should maximize the potential to receive the designation using the criteria and requirements of the Economic Opportunity Zone program. Once designated, the tract(s) will be in place for 10 years.

Passage of this motion will authorize staff to submit the application and the Mayor to sign the necessary program documents.

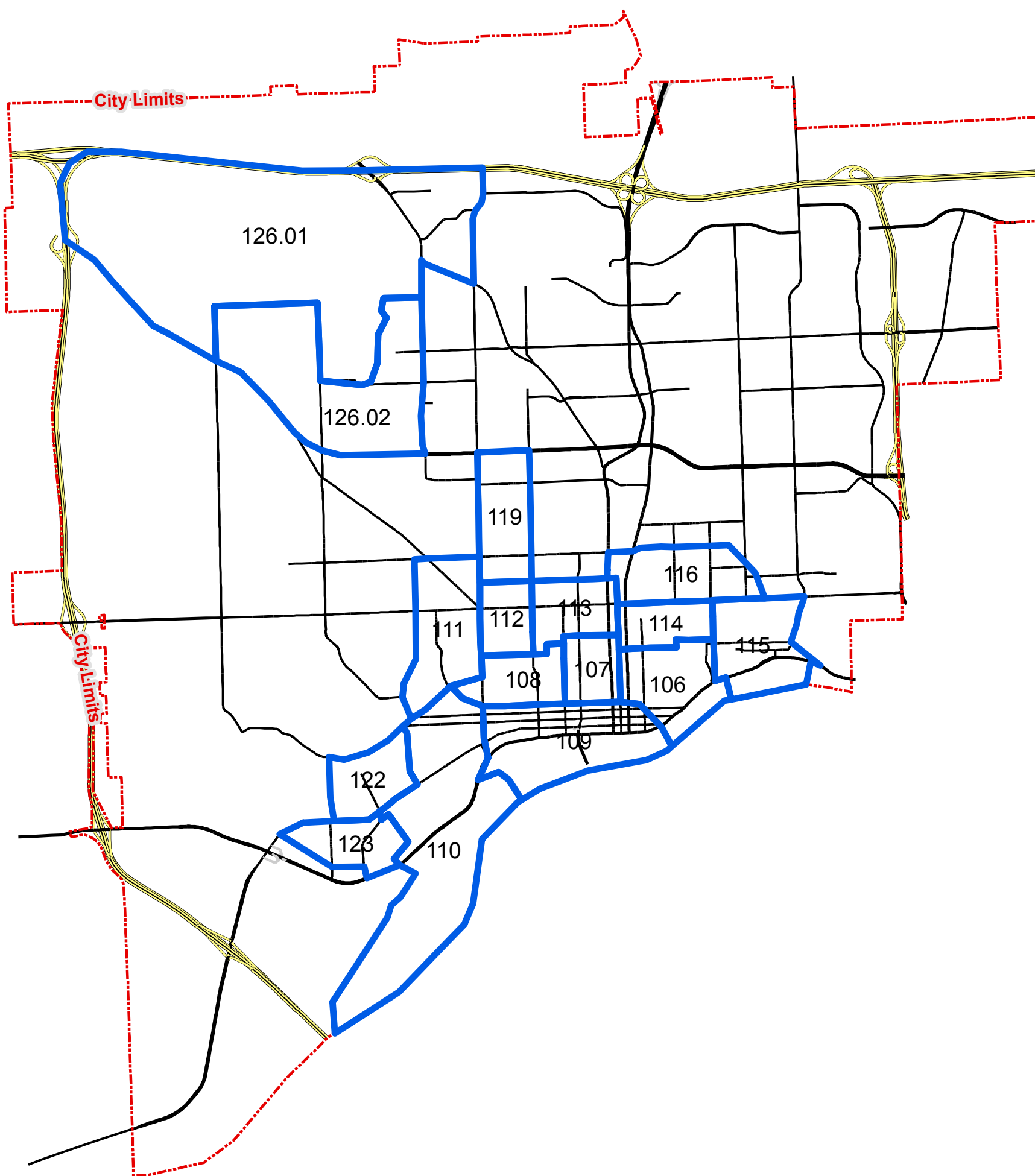
ATTACHMENTS:

| Type | Description |
|-----------------|---|
| Backup Material | Opportunity Zone eligible census tracts |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:17 AM |

City of Davenport Opportunity Zone Eligible Census Tracts



N



Legend

-  Opportunity Zone Eligible Census Tracts
-  City Limit

0 0.5 1 2 3 4 Miles

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Jackie E Holecek
Wards: Various

Action / Date
3/7/2018

Subject:

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

Mac's Tavern, St. Patrick's Day Celebration, March 18th, 12:00 PM to Midnight; Closure Location: North sidewalk closure on 3rd Street in from of 316-318 3rd St. [Ward 3]

Stickman Race Group, Easter Egg Scramble, March 31st, 6:00 AM to 12:00 PM; Christy Street, from 11th-12th Streets; 11th Street (closed 6:00 AM - 12:00 PM), Jersy Ridge Road to Middle Road, Middle Road to Eastmere to Bettendorf City Limits and River Drive from City of Davenport Limit and east to River Street to finish at 11th and Christy. [Ward 5 & 6]

St. Paul Catholic Church, Join the Journey 5K, April 28th (Note Change in Date), 8:00 a.m. to 10:00 a.m.; Closure Location: Begins on Arlington and Grand Avenues, south 1/2 block to High Street, west 1/2 block to Tyler Park and return. [Ward 5]

J&M Displays, Fireworks after River Bandits Games, Fridays - April -September; 9:30 PM until after game ends, Closure Location: Bike path and sidewalk in shoot area. [Ward 3]

St. Paul Lutheran Church, May Fest, May 20th, 8:00 AM - 3:00 PM; Closure Location: Lombard Street between Main and Brady Streets. [Ward 5]

Recommendation:
Approve the resolution.

Relationship to Goals:

ATTACHMENTS:

| Type | Description |
|--------------|-------------|
| □ Cover Memo | Resolution |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:25 AM |

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: St. Paul Catholic Church

Event: Join the Journey

Date: April 28th (NOTE THIS EVENT HAD A DATE CHANGE)

Time: 8 am – 10 a.m.

Closure Location: Begins on Arlington and Grand Avenue, south ½ block to High Street, west ½ block to Tyler Park and return

Ward: 5

Entity: Stickman Race Group

Event: Easter Egg Scramble

Date: March 31st

Time: 6:00 AM – 12:00 PM

Closure Location: Christy Street from 11th-12th Streets; 11th Street (closed 6:00 AM – 1:00 PM), Jersey Ridge Road to Middle Road, Middle Road to Eastmere to Bettendorf City Limits and River Drive from City of Davenport City Limit east to River Street to finish at 11th & Christy

Ward: 5, 6

Entity: J&M Displays

Event: Fireworks after River Bandits Games

Date: Fridays – April - September

Time: 9:30 PM until after game ends

Closure Location: Bike path and sidewalk in shoot area

Ward: 3

Entity: Mac's Tavern

Event: St. Patrick's Day Celebration

Date: March 18th

Time: Noon - Midnight

Closure Location: North sidewalk closure on 3rd Street in front of 316-318 West 3rd St

Ward: 3Ward:

Entity: St. Paul Lutheran Church

Event: May Fest

Date: May 20th

Time: 8:00 a.m. to 3:00 p.m.

Closure Location: Lombard Street between Main and Brady Streets

Ward: 5

Approved this 14th day of March, 2018.

Approved:

Attest:



Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Jackie E Holecek
Wards:

Action / Date
3/7/2018

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

Front Street Taproom, 421 W River Drive, Kelly's St Patrick's Day at Front Street, Saturday, March 17th, 9:00 AM to 12:00 AM, Outdoor Music, Over 50 dBa [Ward 3] (NOTE: On 1/24/18 Council approved a request for Friday, March 16th from 5:00 PM to 12:00 AM)

Leisure Lanes, 2802 West 73rd Street, St. Patty's Day Pot of Gold, March 17th, 6:00 PM to 12:00 AM, Outdoor Music, Over 50 dBa [Ward 8]

Recommendation:
Approve the motion.

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:25 AM |

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Sherry Eastman 326-7795
Wards: Various

Action / Date
3/7/2018

Subject:
Motion approving beer and liquor license applications.

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

Ward 1

K & K Food and Gas (K & K Food and Gas Inc.) - New License/New Owner - 2365 Rockingham Rd. - License Type: E Liquor / C Beer (*200' letters mailed on 2/16/18 to all surrounding property owners.*)

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

Ward 1

Gunchies (Big E Properties, Inc.) – 2905 Telegraph Rd. – Outdoor Area – License Type: C Liquor

Ward 3

Boozies Bar and Grill (BZE Holdings, Inc.) – 114 ½ W 3rd St. – License Type: C Liquor

Cru 221 (Cru 221, LLC) – 221 Brady St. – License Type: C Liquor / B Wine

Golden Mart (Golden Mart Inc.) – 1026 W River Dr. – License Type: E Liquor / C Beer / B Wine

LaFinca LLC (LaFinca LLC) – 916 W 2nd St. – License Type: B Beer

Palmer College of Chiropractic (Palmer College Foundation) – 1000 Brady St. – Outdoor Area – License Type: Beer / Wine

Redstone Room (River Music Experience) – 129 Main St. 2nd Floor – License Type: C Liquor

Scott's Shovelhead Shed (S.S.S. Inc.) – 220 N Pine St. – Outdoor Area – License Type: C Liquor

Triple Crown Whiskey Bar and Raccoon Motel (Triple Crown Whiskey Bar LLC) – 304 E 3rd St. – Outdoor Area – License Type: C Liquor

Zeke's Island Café on the Hill (Lumpy's, Inc.) – 1509 N Harrison St. – Outdoor Area – License Type: C Liquor

Ward 4

Hy-Vee Market Café (Hy-Vee, Inc.) – 2351 W Locust St. Café Area – License Type: C Liquor

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc.) – 2815 W Locust St. – Outdoor Area – License Type: C Liquor

Ward 5

Brew In the Village (3 Blessings Incorporated) – 1104 Jersey Ridge Rd. – Outdoor Area – License Type: C Liquor

The 11th Street Precinct Bar and Grill (Carpe Diem I LLC) – 2108 E 11th St. – Outdoor Area – License Type: C Liquor

Grumpy's Saloon (2118-2120, Inc.) – 2120 E 11th St. – License Type: C Liquor

Ward 6

Biaggi's Ristorante Italiano LLC (Biaggi's Ristorante Italiano LLC) – 5195 Utica Ridge Rd. – License Type: C Liquor / B Wine

Camp McClellan Cellars (Julie Keehn) – 2302 E 11th St. – License Type: C Beer / B Wine

Los Agaves Mexican Grill (Los Agaves, Inc.) – 4882 Utica Ridge Rd. – Outdoor Area – License Type: C Liquor

QC Dynasty Buffet (Osaka Buffet Inc.) – 5388 Elmore Cir. – License Type: C Liquor

QC Mart (Bethany Enterprises, Inc.) – 2415 E 53rd St. – License Type: C Beer

Rave Davenport 53 & Imax (Cinemark USA, Inc.) – 3601 E 53rd St. – License Type: Beer / Wine

Ward 7

Outback Steakhouse (Outback Steakhouse of Florida, LLC) – 1235 E Kimberly Rd. – Outdoor Area – License Type: C Liquor / B Native Wine

Ward 8

Express Lane #76 (Expresslane Inc.) – 6268 Brady St. – License Type: C Beer / B Native Wine

Fareway Stores, Inc. #987 (Fareway Stores, Inc.) – 1635 W 53rd St. – License Type: E Liquor / C Beer / B Wine

Recommendation:

Consider the license applications.

Relationship to Goals:

Support local businesses.

Background:

The following applications have been reviewed by the Police, Fire and Zoning Departments.

REVIEWERS:

Department

City Clerk

Reviewer

Admin, Default

Action

Approved

Date

3/6/2018 - 10:26 AM

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Thomas Vesalga; (563) 326-7783
Wards: 8

Action / Date
3/7/2018

Subject:
Resolution to enter into an Intergovernmental Reimbursable Agreement between the City of Davenport and the Federal Aviation Administration in connection with the funding of the Visual Approach Slope Indicator Power Cabling Relocation during the Reconstruction of Runway 15/33 at the Davenport Municipal Airport, in the amount of \$85,053.11 FY2019 CIP #20010. [Ward 8]

Recommendation:
Approve the Resolution

Relationship to Goals:
Sustainable Infrastructure

Background:
The airport is projected to reconstruct Runway 15/33 in FY2019-2020. This reconstruction will encompass the areas currently occupied by the Federal Aviation Administration owned Visual Approach Slope Indicator (VASI) power supply cabling. Because of the required regrading in these areas, it will be necessary to relocate the VASI power supply cables. This \$85,053.11 power cable relocation phase of the Runway 15/33 Reconstruction Project will guarantee that the required airport VASI will remain serviceable for many years to come. This project is part of Phase 3 of the larger design and construction project that McClure Engineering and the airport have been working on since FY2012. The construction (relocation) phase will be completed during the Reconstruction of Runway 15/33.

An intergovernmental funding advance (Reimbursable Agreement) of \$85,053.11 to the FAA will be required prior to start of the design review and relocation of the cabling. This design review will be conducted by the FAA to ensure that the power cabling is installed to current FAA standards. The construction (relocation) phase will be conducted by the contractor awarded the Reconstruction Project and observed by the FAA to ensure that the design standards are met. Finally, the FAA will conduct testing of the equipment to guarantee that it is performing to the minimum standards. A 90% reimbursement from the FAA will be available through Grant AIP 3-19-0024-021.

Funds for this project are available in CIP #20010. The final source of reimbursable funding is through the FAA Airport Improvement Program grant of \$76,547.80 (90%) and the CIP #20010 of \$8,505.31 (10%).

ATTACHMENTS:

| Type | Description |
|---------------------|------------------------|
| ▣ Resolution Letter | PW_RES pg2 |
| ▣ Backup Material | Reimbursable Agreement |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------|--------|------|
|------------|----------|--------|------|

City Clerk

Admin, Default

Approved

3/6/2018 - 10:19 AM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport

Resolution to enter into an Intergovernmental Reimbursable Agreement between the City of Davenport and the Federal Aviation Administration in connection with the funding of the Visual Approach Slope Indicator Power Cabling Relocation during the Reconstruction of Runway 15/33 at the Davenport Municipal Airport, in the amount of \$85,053.11 FY2019 CIP #20010. [Ward 8]

Whereas, project funding has been budgeted for in the City Capital Improvement Program.

Now, Therefore, Be It Resolved by the City Council of the City of Davenport, Iowa, that the entry into an Intergovernmental Reimbursable Agreement between the City of Davenport and the Federal Aviation Administration in connection with the funding of the Visual Approach Slope Indicator Power Cabling Relocation during the Reconstruction of Runway 15/33 project is hereby formally approved.

Pass and approved this 14th day of March, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk



U.S. Department
of Transportation
**Federal Aviation
Administration**

Southwest Region
Logistics Service Area

Fort Worth, Texas 76193

December 12, 2017

City of Davenport
Attn: Thomas Vesalga
1200 East 46th Street
Davenport, IA 52807

Dear Thomas Vesalga,

This letter is in reference to Memorandum of Agreement #AJW-FN-CSA-17-CE-001072 between the Federal Aviation Administration and City of Davenport. Enclosed are four (4) originals for your review and signature, if acceptable, sign and return four (4) originals to the following address:

Federal Aviation Administration
Attn: Bradley K. Logan (AAQ-570)
10101 Hillwood Parkway
Fort Worth, Texas 76177

For further information, please contact Mr. Bradley K. Logan, Acquisition Management Branch, AAQ-570, 817-222-4395.

Sincerely,

Bradley K. Logan

Bradley K. Logan
Contracting Officer

Enclosure
Memorandum of Agreement #AJW-FN-CSA-17-CE-001072

cc: Planning and Requirements Group, AJV-C3



U.S. Department
of Transportation
**Federal Aviation
Administration**

Southwest Region
Logistics Service Area

Fort Worth, Texas 76193

December 12, 2017

City of Davenport
Attn: Thomas Vesalga
1200 East 46th Street
Davenport, IA 52807

Dear Thomas Vesalga,

This document is the payment computation and the request for payment referenced in Article 9 of MOA #AJW-FN-CSA-17-CE-001072 of the reimbursable agreement between the Federal Aviation Administration and City of Davenport. (Herein referred to as the Agreement) to which this document is attached.

As set forth in Article 7 of MOA #AJW-FN-CSA-17-CE-001072 in the Agreement, the agency's total estimated cost to be reimbursed is \$85,053.11. The advance payment, or start-up amount will be \$85,053.11. The Sponsor can either make payment via check or you use Pay.Gov. Attached to this document are the instructions on how to use pay.gov.

Upon receipt of this notice, please send payment or pay via Pay.Gov in the amount of \$85,053.11 to the FAA as described in Article 9 of the Agreement no later than 5 days after the date of this request. After payment is received, the FAA may begin to incur obligations to implement the Agreement. **Please provide Mr. Bradley K. Logan a copy of that check.**

When you send your payment, please include a copy of this document and send payment to:

Billing Office

FAA - Mike Monroney Aeronautical Center
Attn: AMK-322, Reimbursable Receipts Team
P.O. Box 25770
Oklahoma City, Oklahoma 73125
Telephone: 405-954-3771

Fedex Address

DOT/FAA/Mike Monroney Aeronautical Center
Attn: AMK-322, Reimbursable Receipts Team
6500 S. MacArthur Blvd.
Oklahoma City, Oklahoma 73169
Telephone: 405-954-3771

For further information, please contact Mr. Bradley K. Logan, Acquisition Management Branch, AAQ-570, 817-222-4395.

Sincerely,

Bradley K. Logan

Bradley K. Logan
Contracting Officer

Enclosure

Memorandum of Agreement #AJW-FN-CSA-17-CE-001072

cc: Planning and Requirements Group, AJV-C3

**NON-FEDERAL LIMITED DESIGN AND IMPLEMENTATION
REIMBURSABLE AGREEMENT**

BETWEEN

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

AND

**CITY OF DAVENPORT
DAVENPORT MUNICIPAL AIRPORT
DAVENPORT, IOWA**

WHEREAS, the Federal Aviation Administration (FAA) can furnish directly or by contract services which the City of Davenport (Sponsor) requires, has funds available for, and has determined should be obtained from the FAA;

WHEREAS, it has been determined that competition with the private sector for provision of such services is minimal; the proposed activity will advance the FAA's mission; and the FAA has a unique capability that will be of benefit to the Sponsor while helping to advance the agency's mission;

WHEREAS, the authority for the FAA to furnish services to the Sponsor upon a reimbursable payment basis is found in 49 U.S.C. § 106(l)(6) on such terms and conditions as the Administrator may consider necessary;

NOW THEREFORE, the FAA and the Sponsor mutually agree as follows:

ARTICLE 1. Parties

The Parties to this Agreement are the FAA and City of Davenport.

ARTICLE 2. Type of Agreement

This Agreement is an "other transaction" authorized under 49 U.S.C. § 106(l)(6). It is not intended to be, nor will it be construed as, a partnership, corporation, joint venture or other business organization.

ARTICLE 3. Scope

This Agreement provides funding for FAA services limited to labor, travel, and expenses required to perform limited technical and/or engineering support, design, and

implementation services to support the Sponsor's project identified below. The scope of this Agreement is limited to technical consultation, site visits, feasibility assessments, project planning, scope definition, development of cost estimate(s), review of Sponsor provided design packages, development of FAA design packages, construction oversight, modification, removal, and restoration required to address impacted FAA NAS facilities. No government furnished equipment will be provided under this Agreement. If required, the FAA and the Sponsor will enter into a separate agreement to cover additional work beyond the scope of this Limited Agreement. Therefore, this Agreement is titled:

Limited Design and Implementation Reimbursable Agreement for RWY 15 VASI Cable replacement, RWY 33 VASI Cable replacement and RWY 33 Glide Slope Flight Check in Support of RWY 15/33 Reconstruction Project at Davenport Airport (DVN), Iowa.

This Agreement is in whole or in part funded with funding from an AIP grant [X] Yes []No. If Yes, the grant date is: TBD and the grant number is: 3-19-0024-021-2017. If the grant information is not available at the time of agreement execution, the Sponsor will provide the grant information to the FAA when it becomes available.

ARTICLE 4. Points of Contact

A. FAA:

1. The Central Service Area, NPI North Team (AJV-C33) will provide administrative oversight of this Agreement. Matt Bunke is the Lead Planner and liaison with the Sponsor and can be reached at (817) 222-4129 or via email at matt.bunke@faa.gov. This liaison is not authorized to make any commitment, or otherwise obligate the FAA, or authorize any changes which affect the estimated cost, period of performance, or other terms and conditions of this Agreement.
2. The Central Service Area Engineering and Construction/Installation Center (AJW-2C14H) will perform the scope of work included in this Agreement. Matt Sibert is the Engineering and Construction Center Manager and liaison with the Sponsor and can be reached at (816) 329-3536 or via email at matt.sibert@faa.gov. This liaison is not authorized to make any commitment, or otherwise obligate the FAA, or authorize any changes which affect the estimated cost, period of performance, or other terms and conditions of this Agreement.
3. FAA Contracting Officer: The execution, amendment, and administration of this Agreement must be authorized and accomplished by the Contracting Officer, Bradley K. Logan who can be reached at (817) 222-4395 or via email at brad.logan@faa.gov.

B. Sponsor:

Thomas Vesalga
1200 E 46th Street
Davenport, Iowa
52807
(563) 326-7783
tvesalga@ci.davenport.ia.us

ARTICLE 5. Reserved

ARTICLE 6. Reserved

ARTICLE 7. Estimated Costs

The fully-loaded estimated FAA cost associated with this Agreement is:

| DESCRIPTION OF REIMBURSABLE ITEM | ESTIMATED COST |
|---|---------------------|
| Labor | |
| Engineering/Program Management WBS4020 | \$ 18,169.60 |
| Environmental (EDDA/NEPA) WBS4030 | \$ 1,816.96 |
| Construction WBS4050 | \$ 3,633.92 |
| Commission/Closeout WBS4070 | \$ 4,542.40 |
| | |
| Labor Subtotal | \$ 26,345.92 |
| Labor Overhead | \$ 3,919.23 |
| Total Labor | \$ 30,265.15 |
| Non-Labor | |
| Travel/Per-Diem/Mileage WBS4020/4050 | \$ 5,887.70 |
| TSSC-RE Service/Flight Check/Misc. WBS4050 | \$ 35,316.00 |
| Environmental (EDDA/NEPA) WBS4030 | \$ 5,000.00 |
| Drafting WBS4020 | \$ 5,000.00 |
| | |
| Non-Labor Subtotal | \$ 51,203.70 |
| Non-Labor Overhead | \$ 3,584.26 |
| Total Non-Labor | \$ 54,787.96 |
| TOTAL ESTIMATED COST | \$ 85,053.11 |

ARTICLE 8. Period of Agreement and Effective Date

The effective date of this Agreement is the date of the last signature. This Agreement is considered complete when the final invoice is provided to the Sponsor and a refund is sent or payment is received as provided for in Article 9, Section E of this Agreement. Under no circumstances will this Agreement extend 36 months beyond its effective date.

ARTICLE 9. Reimbursement and Accounting Arrangements

- A. The Sponsor agrees to prepay the entire estimated cost of the Agreement. The Sponsor will send a copy of the executed Agreement and submit full advance payment in the amount stated in Article 7 to the Accounting Division listed in Section C of this Article. The advance payment will be held as a non-interest bearing deposit. Such advance payment by the Sponsor must be received before the FAA incurs any obligation to implement this Agreement. Upon completion of this Agreement, the final costs will be netted against the advance payment and, as appropriate, a refund or final bill will be sent to the sponsor. Per U.S. Treasury guidelines, refunds under \$1.00 will not be processed. Additionally, FAA will not bill the sponsor for amounts less than \$1.00.
- B. The Sponsor certifies that arrangements for sufficient funding have been made to cover the estimated costs of the Agreement.
- C. The Accounting Division is identified by the FAA as the billing office for this Agreement. The Sponsor will send a copy of the executed Agreement and the full advance payment to the Accounting Division. The sponsor can either mail the payment to the address shown below or submit payment (via check or credit card) electronically via pay.gov. All payments mailed to the FAA must include the Agreement number, Agreement name, Sponsor name, and project location. The mailing address is:

FAA Mike Monroney Aeronautical Center
Attn: AMK-322, Reimbursable Receipt Team
P.O. Box 25770
Oklahoma City, OK 73125

The overnight mailing address is:

FAA Mike Monroney Aeronautical Center
Attn: AMK-322, Reimbursable Receipt Team
6500 S. MacArthur Blvd.
Oklahoma City, OK 73169
Telephone: 405-954-3771

The Sponsor hereby identifies the office to which the FAA will render bills for the project costs incurred as:

City of Davenport
Attn: Thomas Vesalga
1200 East 46th Street
Davenport, IA 52807
(563) 326-7783

- D. The FAA will provide a quarterly Statement of Account of costs incurred against the advance payment.
- E. The cost estimates contained in Article 7 are expected to be the maximum costs associated with this Agreement, but may be amended to recover the FAA's actual costs. If during the course of this Agreement actual costs are expected to exceed the estimated costs, the FAA will notify the Sponsor immediately. The FAA will also provide the Sponsor an amendment to the Agreement which includes the FAA's additional costs. The Sponsor agrees to prepay the entire estimated cost of the amendment. The Sponsor will send a copy of the executed amendment to the Agreement to the FAA-Mike Monroney Aeronautical Center with the additional advance payment. Work identified in the amendment cannot start until receipt of the additional advance payment. In addition, in the event that a contractor performing work pursuant to the scope of this Agreement brings a claim against the FAA and the FAA incurs additional costs as a result of the claim, the Sponsor agrees to reimburse the FAA for the additional costs incurred whether or not a final bill or a refund has been sent.

ARTICLE 10. Changes and Amendments

Changes and/or amendments to this Agreement will be formalized by an appropriate written amendment that will outline in detail the exact nature of the change. Any amendment to this Agreement will be executed in writing and signed by the authorized representative of each party. The parties signing this Agreement and any subsequent amendment(s) represent that each has the authority to execute the same on behalf of their respective organizations. No oral statement by any person will be interpreted as amending or otherwise affecting the terms of the Agreement. Any party to this Agreement may request that it be amended, whereupon the parties will consult to consider such amendments.

ARTICLE 11. Termination

In addition to any other termination rights provided by this Agreement, either party may terminate this Agreement at any time prior to its expiration date, with or without cause, and without incurring any liability or obligation to the terminated party other than payment of amounts due and owing and performance of obligations accrued, in each case on or prior to the termination date, by giving the other party at least thirty (30) days prior written notice of termination. Payment of amounts due and owing may include all costs reimbursable under this Agreement, not previously paid, for the performance of this Agreement before the effective date of the termination; the total cost of terminating and

settling contracts entered into by the FAA for the purpose of this Agreement; and any other costs necessary to terminate this Agreement. Upon receipt of a notice of termination, the receiving party will take immediate steps to stop the accrual of any additional obligations which might require payment. All funds due after termination will be netted against the advance payment and, as appropriate, a refund or bill will be issued.

ARTICLE 12. Order of Precedence

If attachments are included in this Agreement and in the event of any inconsistency between the attachments and the terms of this Agreement, the inconsistency will be resolved by giving preference in the following order:

- A. This Agreement
- B. The attachments

ARTICLE 13. Legal Authority

This Agreement is entered into under the authority of 49 U.S.C. § 106(1)(6), which authorizes the Administrator of the FAA to enter into and perform such contracts, leases, cooperative agreements and other transactions as may be necessary to carry out the functions of the Administrator and the Administration on such terms and conditions as the Administrator may consider appropriate. Nothing in this Agreement will be construed as incorporating by reference or implication any provision of Federal acquisition law or regulation.

ARTICLE 14. Disputes

Where possible, disputes will be resolved by informal discussion between the parties. In the event the parties are unable to resolve any dispute through good faith negotiations, the dispute will be resolved by alternative dispute resolution using a method to be agreed upon by the parties. The outcome of the alternative dispute resolution will be final unless it is timely appealed to the Administrator, whose decision is not subject to further administrative review and, to the extent permitted by law, is final and binding (see 49 U.S.C. § 46110).

ARTICLE 15. Reserved

ARTICLE 16. Insurance

The Sponsor will arrange by insurance or otherwise for the full protection of itself from and against all liability to third parties arising out of, or related to, its performance of this Agreement. The FAA assumes no liability under this Agreement for any losses arising out of any action or inaction by the Sponsor, its employees, or contractors, or any third party acting on its behalf.

ARTICLE 17. Limitation of Liability

To the extent permitted by law, the Sponsor agrees to indemnify and hold harmless the FAA, its officers, agents and employees from all causes of action, suits or claims arising out of the work performed under this Agreement. However, to the extent that such claim is determined to have arisen from the act or omission by an officer, agent, or employee of the FAA acting within the scope of his or her employment, this hold harmless obligation will not apply and the provisions of the Federal Tort Claims Act, 28 U.S.C. § 2671, et seq., will control. The FAA assumes no liability for any losses arising out of any action or inaction by the Sponsor, its employees, or contractors, or any third party acting on its behalf. In no event will the FAA be liable for claims for consequential, punitive, special and incidental damages, claims for lost profits, or other indirect damages.

ARTICLE 18. Civil Rights Act

The Sponsor will comply with Title VI of the Civil Rights Act of 1964 relating to nondiscrimination in federally assisted programs.

ARTICLE 19. Protection of Information

The parties agree that they will take appropriate measures to identify and protect proprietary, privileged, or otherwise confidential information that may come into their possession as a result of this Agreement.

ARTICLE 20. Security

In the event that the security office determines that the security requirements under FAA Order 1600.72A applies to work under this Agreement, the FAA is responsible for ensuring that security requirements, including compliance with AMS clause 3.14-2, Contractor Personnel Suitability Requirements are met.

ARTICLE 21. Entire Agreement

This document is the entire Agreement of the parties, who accept the terms of this Agreement as shown by their signatures below. In the event the parties duly execute any amendment to this Agreement, the terms of such amendment will supersede the terms of this Agreement to the extent of any inconsistency. Each party acknowledges participation in the negotiations and drafting of this Agreement and any amendments thereto, and, accordingly, that this Agreement will not be construed more stringently against one party than against the other. If this Agreement is not executed by the Sponsor within 120 calendar days after the FAA transmits it to the Sponsor, the terms contained and set forth in this Agreement shall be null and void.

AGREED:

**FEDERAL AVIATION
ADMINISTRATION**

CITY OF DAVENPORT

SIGNATURE _____

SIGNATURE _____

NAME _____

NAME _____

TITLE _____

TITLE _____

DATE _____

DATE _____

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Tom Leabhart 327-5155
Wards: 3

Action / Date
3/7/2018

Subject:
Resolution approving the contract for the W. 5th & Western Avenue Intersection Improvement project from Hawkeye Paving Corporation of Bettendorf, IA at the amount of \$478,265.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #10548 [Ward 3]

Recommendation:
Pass the Resolution.

Relationship to Goals:
Improve Infrastructure

Background:
A Request for Bids was issued on February 1, 2018 and was sent to 395 contractors. On February 22, 2018 the Purchasing Division received and opened five responsive and responsible bids. Hawkeye Paving Corporation was the low bidder and is recommended for the award.

Improvements for W. 5th Street and Western Avenue Intersection include brick street removal and replacement, combination concrete curb and gutter, sidewalk, storm sewer removal and replacement and other related construction.

Funding for this project is from CIP #10548.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------|
| ▣ Resolution Letter | Resolution Letter |
| ▣ Backup Material | Bid Tabulation |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the W. 5th & Western Avenue Intersection Improvement project from Hawkeye Paving Corporation of Bettendorf, IA at the amount of \$478,265.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements.

WHEREAS, the City needs to contract the W. 5th & Western Avenue Intersection Improvement project and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation to award to Hawkeye Paving Corporation;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for W. 5th & Western Avenue Intersection Improvement project 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, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: W. 5th & WESTERN AVE. INTERSECTION IMPROVEMENTS
BID NUMBER: 18-72
OPENING DATE: FEBRUARY 22, 2018
RECOMMENDATION: AWARD THE CONTRACT TO HAWKEYE PAVING
CORPORATION OF BETTENDORF, IA

| <u>VENDOR NAME</u> | <u>LOCATION</u> | <u>AMOUNT</u> |
|-----------------------------------|-----------------------|---------------------|
| HAWKEYE PAVING CORPORATION | BETTENDORF, IA | \$478,268.00 |
| LANGMAN CONSTRUCTION, INC. | ROCK ISLAND, IL | \$516,540.75 |
| CENTENNIAL CONTRACTORS OF THE QC | MOLINE, IL | \$553,471.25 |
| VALLEY CONSTRUCTION COMPANY | ROCK ISLAND, IL | \$605,091.00 |
| ESTES CONSTRUCTION | DAVENPORT, IA | \$607,292.00 |

Prepared By Cindy Whitaker
Purchasing

Approved By Nicole Gleason 3/1/18
Department Director

Approved By Brandi Coyle 3-2-18
Budget/CIP

Approved By Linda Stollard 3-2-18
Finance Director

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: All

Action / Date
3/7/2018

Subject:
Resolution of the plans, specifications, forms of contract and estimated cost for the FY2018 Microsurfacing and Cape Seal Program, CIP #35026. [All Wards]

Recommendation:
Pass the resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
Micro-surfacing and cape sealing are applications applied to roadways to help maintain and extend the pavement life. Locations are identified and prioritized based on multiple data sources and the utilization of pavement management software to provide the greatest benefit with allocated funding.

As part of this project, curb ramps will be retro fitted to be compliant with the Americans with Disabilities Act (ADA) where required.

The project is scheduled to be bid this March with construction to be completed by the end of June 2018. Funding for the 2018 Microsurfacing and Cape Seal Program is established within CIP #35026. The current estimate is \$365,000.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------|
| ▢ Resolution Letter | PW_RES pg2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolution of the plans, specifications, forms of contract and estimated cost for the FY2018 Microsurfacing and Cape Seal Program, CIP #35026.

WHEREAS, on the 21st day of February, 2018, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the FY2018 Microsurfacing and Cape Seal Program, CIP Project #35026.

WHEREAS, Notice of Hearing on plans, 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 that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for said FY2018 Microsurfacing and Cape Seal Program.

Passed and approved this 14th day of March, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Zach Peterson; (563) 328-6709
Wards: 3

Action / Date
3/6/2018

Subject:
Resolution approving the Main Street Landing Design Guidelines as the official material palette to be incorporated in the development of the portion of the Davenport Riverfront known as Main Street Landing, CIP #68004. [Ward 3]

Recommendation:
Approve the resolution

Relationship to Goals:
Vibrant Region

Background:
The Main Street Landing Design Guidelines is a stakeholder-guided initiative to develop a material vocabulary "kit of parts" upon which this important Riverfront site should be composed throughout the duration of its development. In the absence of securing a funding source to develop the site as a whole, it is understood that development will be required to be broken down into project phases. This material palette is intended to guide the design of future project phases are integrated into a unified design theme. The final design of improvements, and the timing of their construction, are subject to funding opportunities and prioritization decisions of current and future City leaders.

ATTACHMENTS:

| Type | Description |
|---------------------|---------------------------------------|
| ▣ Resolution Letter | PW_RES pg2 |
| ▣ Backup Material | Main Street Landing Design Guidelines |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the Main Street Landing Design Guidelines as the official material palette to be incorporated in the development of the portion of the Davenport Riverfront known as Main Street Landing, CIP #68004.

WHEREAS, A Request for Proposals was issued to secure Consultant design services to prepare Design Guidelines for the portion of the Davenport Riverfront known as Main Street Landing.

WHEREAS, RDG, Inc. of Dubuque, IA was selected by an interview committee as the preferred Consultant to undertake the project scope of services.

WHEREAS, Through a stakeholder input process, RDG, Inc. facilitated and developed a set of preferred Design Guidelines to be used as a cohesive design strategy to achieve the development of Main Street Landing.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Main Street Landing Design Guidelines are hereby approved and accepted; and the Mayor and City Clerk be, and are hereby authorized and instructed to certify to the adoption of this resolution.

Passed and approved this 14th day of March, 2018.

Approved:

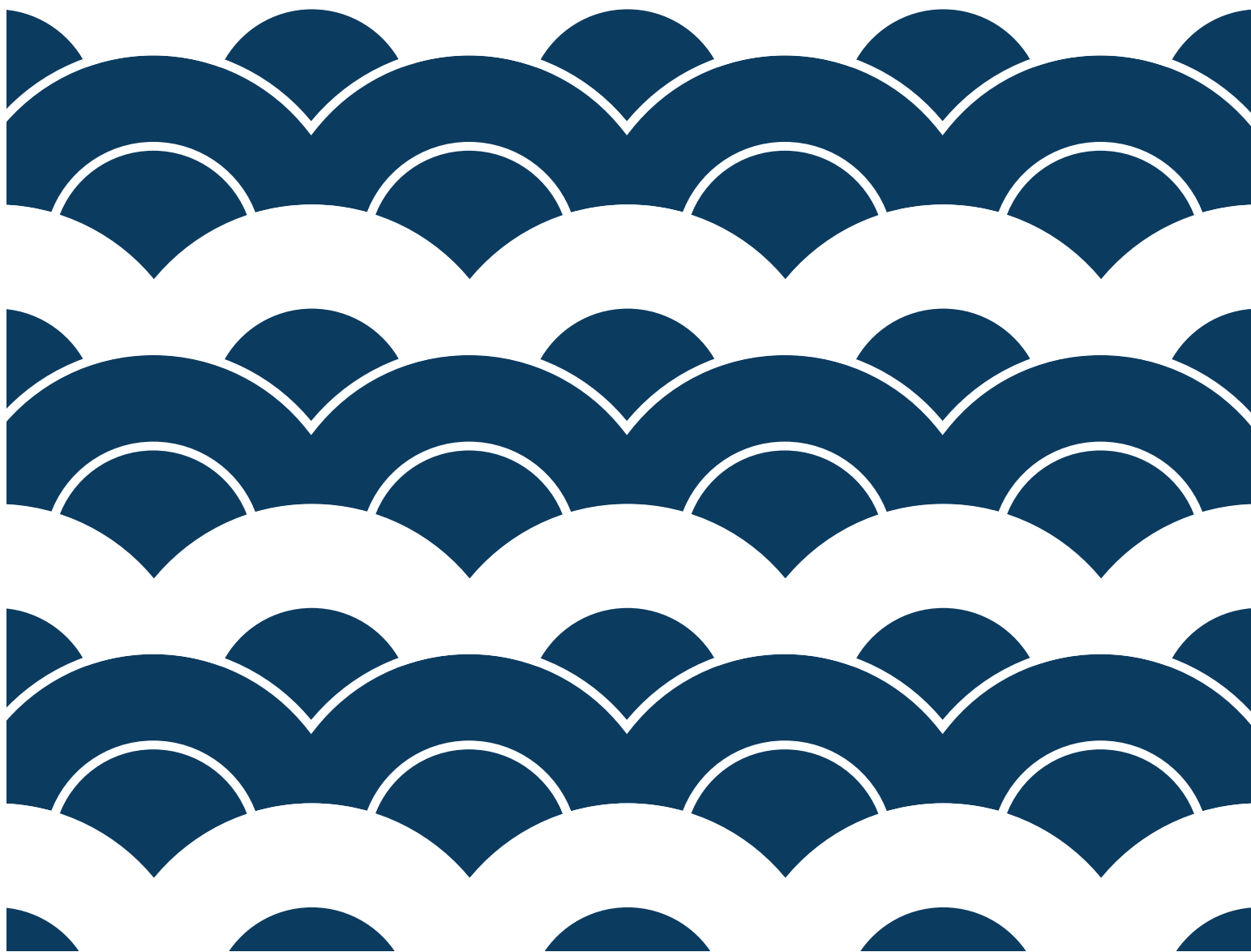
Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

Feb.
27th,
2018

City of Davenport **Main Street Landing**
Design Guidelines



ACKNOWLEDGMENTS

City of Davenport

Zach Peterson

Steve Ahrens

Matt Flynn

Scott Hock

Amy Kay

Susanne Knutsen

Clay Merritt

Jennifer Meyer

Brian Schadt

Corri Spiegel

Steering Committee

Kyle Gripp

Marion Meginnis

Richard (Dick) Davidson

Steve Duffy

Patrick Walton

Molly Otting-Carlson

Betsy Brandsgard

Kyle Carter

Kathy Wine

RDG Planning & Design

Doug Adamson

Sara Davids

Sean Gannon

Mindy Inthalangsy

Laura Kessel

Ryan Peterson

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Introduction

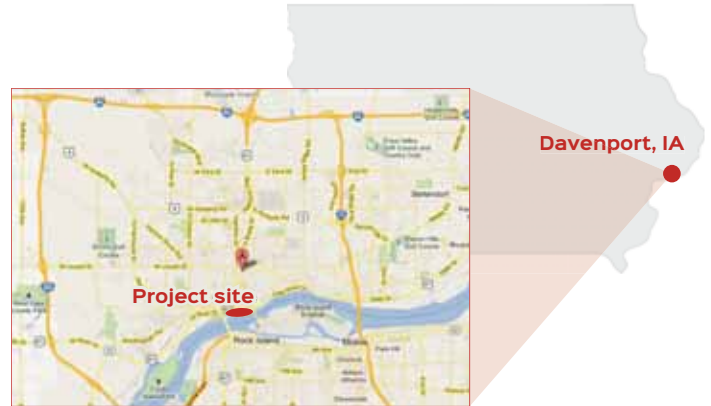
PROJECT OVERVIEW

Located on the eastern side of Iowa along the Mississippi River, the City of Davenport is a historic river town that has seen many changes through its evolution. In 2010 its population was about 100,000, roughly one quarter of the total population of the Quad Cities. So the riverfront design standards for Davenport must also reflect the context of the Quad Cities.

Davenport's history is quite unique. It's where the railroads first crossed the Mississippi River and was considered the Gateway to the West. Looking forward, this project must reflect its past in creating a gateway into Iowa and creating a Midwestern—if not national—destination. Another unique attribute of the City is its lack of a flood wall. The varying levels of flooding that occur throughout the year have a significant impact on the Riverfront site (see Chapter 3, Floodplain).

The project area is owned by the City and the Canadian Pacific Railroad, which creates some unique opportunities to organize the area into a series of "rooms." In 2004 and again in 2014, the City completed a plan called RiverVision. This plan was meant to guide the strategic future for the riverfront, intending to reinvigorate the space and create a public amenity that would be the crown jewel of Davenport. Recently one of the most important changes to the site was the relocation of Rhythm City Casino away from the Riverfront, which has opened up the site and the viewsheds (sightlines) to the Mississippi River from downtown Davenport. These standards have been created to help reinforce the visual connections tie together the built environment.

The project area is called Main Street Landing. The site is about 10.6 acres and has four-block stretches between Harrison Street on the west and Pershing Street on the east. RDG Planning & Design was hired in the fall of 2017 to create a set of design standards—a road map to help move the project forward. The project approach is to create a strategic vision for the Riverfront and the design standards that will advance the Master Plan.



The resulting approach was founded on four phases:

1. Discovery

Establish a baseline for the project.

2. Create

Interpret Discovery phase results to design the look and feel.

3. Synthesize

Prepare multiple options and synthesize them into a single option.

4. Implement

Develop a set of standards in a cohesive, professional document (these Design Guidelines) to guide the improvements as they move forward.

Early in this project, a number of individual meetings were planned and facilitated with the Steering Committee. These meetings were set up to establish a strategic vision for the project. This vision will help define the look, the brand and what this place "wants to be" when it moves forward.

Some of the feedback received during those conversations was related to programming of the site and how to make it a destination. However, this document focuses on building the design standards—the fit, the finish, the look, the feel of all the furnishings, benches, plantings, pavement, etc.



The Skybridge connects the Redstone Parking Ramp and the Riverfront, creating a dynamic observation point to see downtown and the Mississippi River.

STRATEGIC DIRECTION

As noted early on in the project, a series of one-on-one conversations—hosted by RDG Planning & Design, with members of the Steering Committee—yielded a set of Emerging Themes. The Steering Committee members were encouraged to speak candidly and freely about the project, answering a series of questions related to what they thought of the vision for the riverfront and how the standards might support that vision. They were also asked “where the project could go wrong (if we don’t think big enough)” and what other elements were important to consider. The Steering Committee provided a good baseline for the current status of the riverfront and its development efforts. This examination resulted in the development of six themes:

"A Midwestern destination."

Constituents used these words when defining what the Riverfront standards should support. Interviewees described the Riverfront as an active place for everyone that serves as a destination for the community and visitors alike with recognition that the Mississippi River is an international destination. Many individuals also spoke about the need to provide spaces for those who live and work downtown during the day and night.

Clean lines, timeless materials and color, tastefully merging the new and old.

When asked to describe the look or feel of the design standards being developed, people expressed these words. Most respondents believe that the future of the park should not be confined to historic sensibilities and believed that a new look was appropriate, as long as it works within the context of the city and fits its aesthetic.

Flooding will happen...and the standards should embrace it.

Easy-to-clean, resilient and low-maintenance materials should be used. Respondents emphasized that we should invest in materials that can be easily washed or sprayed down.

The Riverfront is its own space.

The Riverfront is the crown jewel of Davenport and the Quad Cities. Most of the respondents indicated that the standards should elevate the riverfront and connect it to downtown. When speaking about the historic downtown and Riverfront context, many people suggested that the fit and finish of the standards complement downtown, but it should not use the same standards. Meaning, it's time for a fresh look—striving to create a destination that relates to downtown but retains its own unique character.

High-quality materials matter.

Interviewees often spoke about high-quality, long-lasting materials that will stand the test of time. Respondents often spoke of this project as a significant public infrastructure project—and, as such, it should lay the foundation for future redevelopment of the park spaces.

Connect with the water and downtown.

Interviewees often spoke about the impact of the Mississippi River and its role within downtown. Most interviewees emphasized the need to get people on the water and near the water. The river is seen as a significant draw that is underused—provisions should be made to better connect it to the community.



The design team participates in a walking tour of the Riverfront with Davenport City Staff.





Riverfront
Character

INVENTORY

Existing Conditions

CHARACTER OVERVIEW

Based on the Emerging Themes, a site analysis commenced to inventory the existing context, the area surrounding Main Street Landing, to help inform the overall look, fit and finish. A number of destinations and landmarks around the riverfront were found to merit particular attention.



Roller Dam

This historic dam, located on the east side of the site, has a very strong form with repetition, clean lines and a vibrant red color. When developing the Riverwalk's brand, this attraction is a prime example of the image portrayed from this site, how it communicates to visitors, the context of its materials and the palette to be considered for both graphic signage and materials.



Centennial Bridge

This bridge connects Davenport to Rock Island. The long, arching forms define the western edge of the site and defines the space as a whole.



The Figge

Positioned north of the project site, the Figge features very clean lines with poured, formed concrete along the foundation wall; the blue color and quality of the glass reflect the Mississippi River. The furnishings here should respond to the site, something that would embrace the colorful palette and serve as a backdrop for creating something reflective of a 21st-century design that tastefully merges the new and the old.



Skybridge

The Skybridge towers over the center of the project site, connecting the downtown to the river; its form and scale have become an icon within the park itself.



The Mississippi River

The river itself is one of the most significant draws to the site. Many people come to the park to simply enjoy the river view and its serenity. It shouldn't be overlooked when considering the context.



Redstone Parking Ramp

Alongside River Drive, north of the project site, sits the Redstone Parking Ramp, which sets a strong precedent in merging historic and contemporary materials. Along with the Blackhawk Hotel and the Current, Redstone is a historic building incorporating clean lines and contemporary touches to create a unique experience—and an example of how to apply these standards.

INVENTORY

Existing Materials

MATERIALS OVERVIEW



Red Brick + White Trim

This is located on the historic restroom facilities just east of Laclaire Park near the landing.



Blue Tile + Red Trim

This is a close-up image of the Levee Inn, originally a hot dog stand, presently serving as an impromptu reminder of the various floods from years past.



Vibrant Colors

The landscaping, throughout the spring, summer and fall,, incorporates vibrant colors.



Brick + Granite

Classic materials that stand the test of time.



Bold Forms

These reference the Skybridge.

MATERIAL SAMPLES

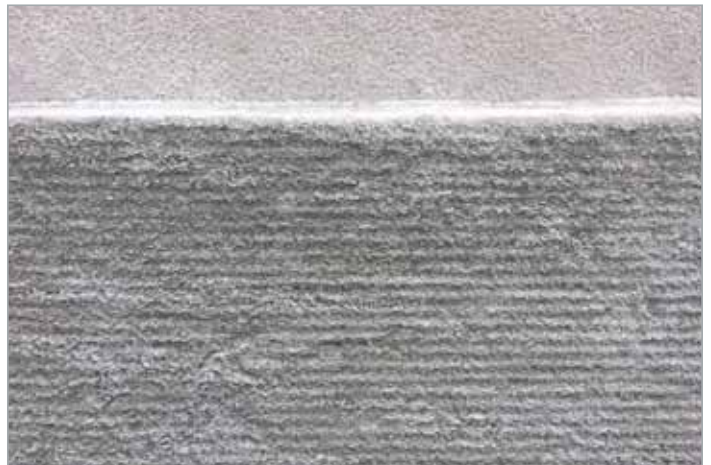
Raw materials, boiled down to the basics.
These types of materials stand the test of
the time, merging the new and old.



Concrete



Brick Paving



Indiana Limestone



Galvanized Steel



Native Limestone

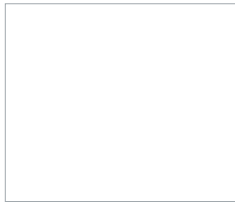
BRANDING

Signs, Standards and Printed Media

OVERVIEW

The graphic brand is the result of conversations with the Steering Committee, reviewing the existing context around the site, and what items physically inform the site. It considers how these context elements can help prompt a visual identity for what the graphic branding should look like. This is most important when considering the signage and any related publications or design documents, establishing a uniform look.

Palette



White

Evokes the Skybridge



Gray

Contemporary, a backdrop to other site improvements



Blue

Evokes the river, an earth tone color



Red

Takes its cues from the dam and brick; nice accent color for signage

Patterns

These patterns, evoking the riverfront, help reinforce the theme, as seen on the signage examples.



Signage Examples



Typefaces

SINKIN SANS FONT & BORIS BLACK BLOXX

BODY:

abcdefghijklmnopqrstuvwxyz

ABCDEFGHIJKLMNOPQRSTUVWXYZ

SUBHEADS:

abcdefghijklmnopqrstuvwxyz

ABCDEFGHIJKLMNOPQRSTUVWXYZ

HEADLINES:

abcdefghijklmnopqrstuvwxyz

ABCDEFGHIJKLMNOPQRSTUVWXYZ





Existing
Master Plan

RIVERVISION PLAN



from Hargraves and Associates

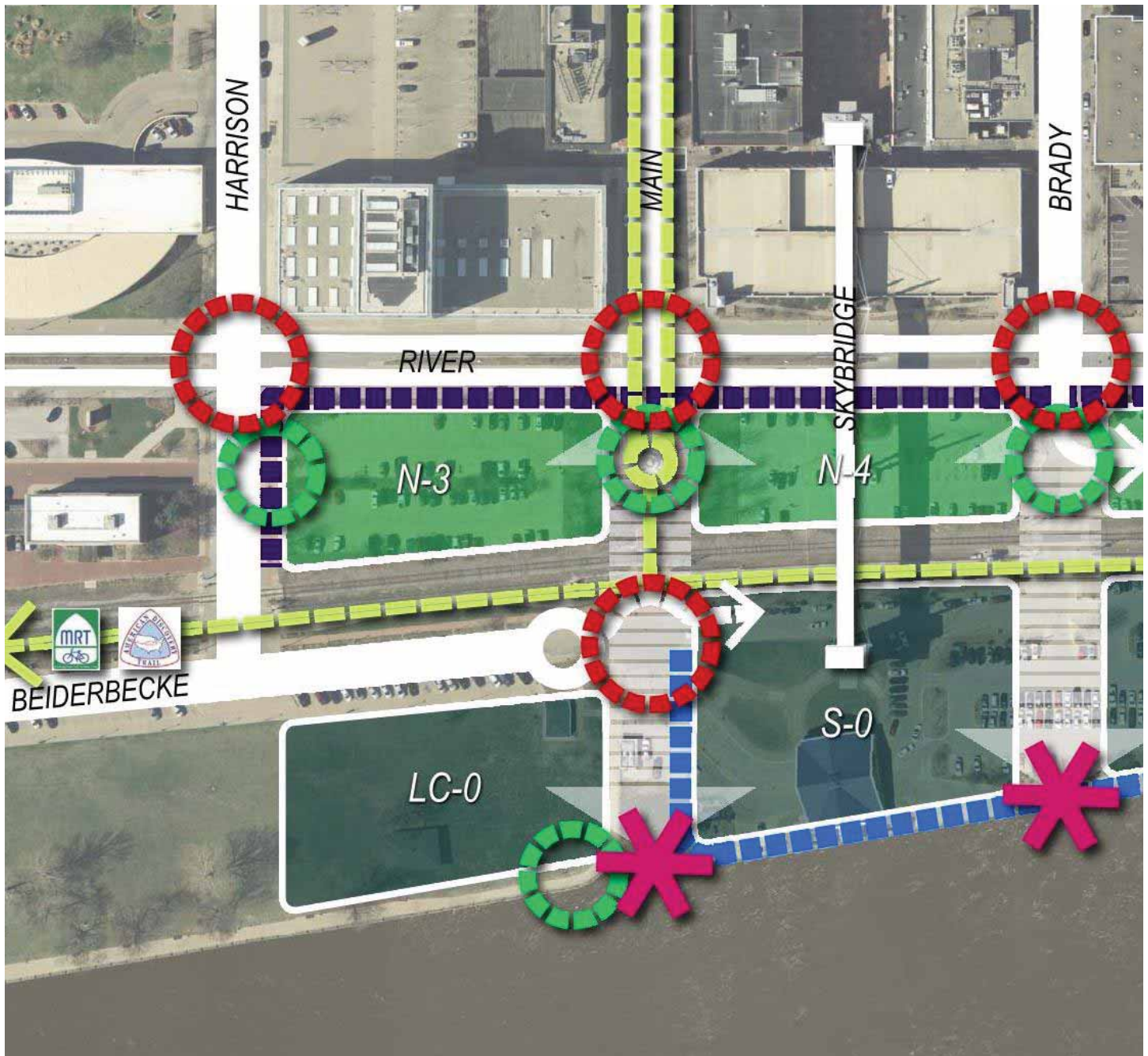


SUMMARY:

The 2014 RiverVision plan, prepared by Hargraves and Associates, outlines the direction by which the riverfront's improvements will be guided. This is ultimately the program, not necessarily exactly how the site would be developed. But it's worth noting there is an emphasis on connecting to the river,

creating a destination at the end of the Skybridge, creating a sculpture park next to the Figge and adding gardens and parking east of Brady Plaza. Other efforts within the RiverVision plan include reconnecting Main Street to the water and adding a pier that would project into the river.

MASTER PLAN FRAMEWORK



from City of Davenport



SUMMARY:

The Master Plan framework, produced by the City of Davenport, is designed to connect downtown to the Mississippi river. It has been broken into two distinct areas, bisected by the railroad tracks. One area, noted by N-3 through N-6, is north of the tracks; the other area (S-0 through S-2) is south. Woven

throughout, there is a strong emphasis on creating a destination along the river's edge and using these various "rooms" to draw people to the riverfront. There is a connection to the trail network and the defining edges are River Drive to the north and the Mississippi River to the south.

FLOODPLAIN



Hargraves and Associates
(to be updated)

100-year flood plain

SUMMARY:

The flooding diagram illustrates that, due to the lack of a flood wall, much of the site will inevitably flood. Therefore all of the improvements created for this site must be designed to accommodate the inundation of water.

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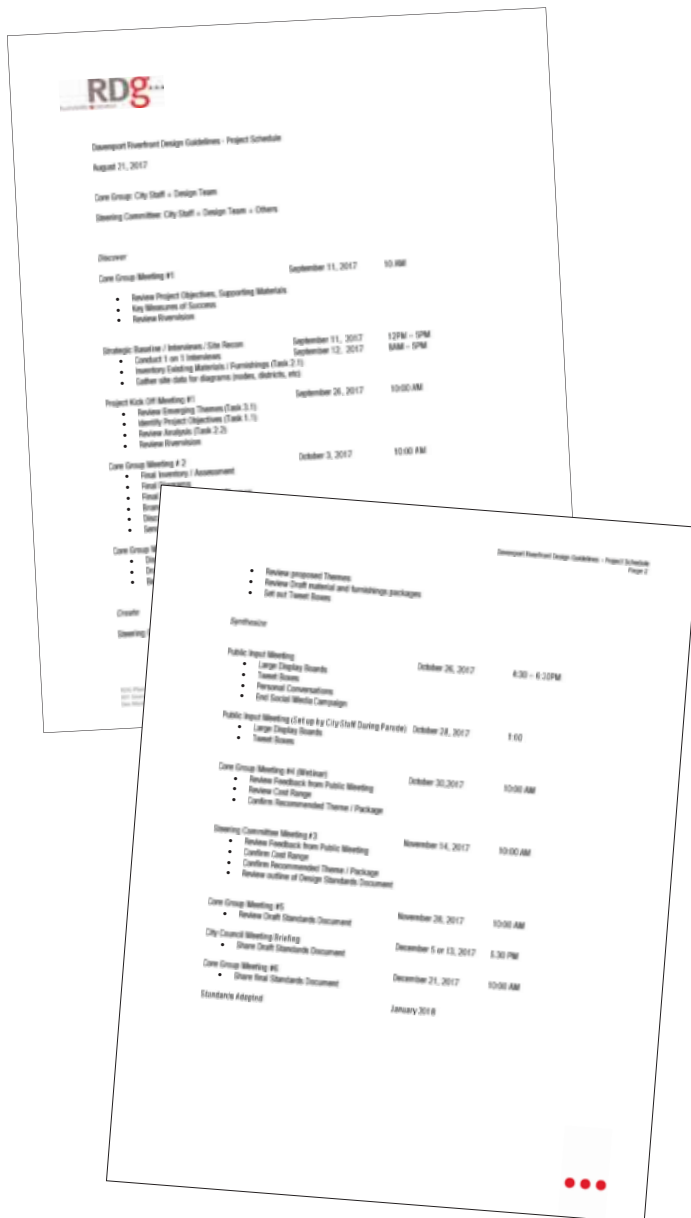


Public Input

ENGAGING THE PUBLIC

OVERVIEW

The Design Guidelines have been developed to move the 2017 RiverVision Plan forward into implementation, guiding the look, fit and finish of the Riverfront. That plan, along with the Urban Framework plan assembled by the City of Davenport, were the joint basis from which the project advanced. Additionally the strategic direction, based on stakeholder input, helped guide the choice of furnishings outlined in the next chapter.



RDG Public Engagement Guidelines

Following a site visit and assessment to review the site, the program and the context, an open house event was scheduled for which a press release was distributed to the city's publicity channels, including its Facebook page.

The public was effectively engaged in the process via a number of novel strategies, including "tweet boxes," stations along the riverfront where pedestrians could weigh in on the design standards.

The Facebook page received a significant response—word of the event reached over 4,700 people through the event page, 150 of whom interacted with the page.

The open house attracted 75 people who shared their comments and feedback on which furnishing lines they preferred.



"Tweet" box and sign

KEY TAKEAWAYS

Design Standards Summary

- Feedback received was overwhelmingly positive. People agreed that the aesthetic of this area should blend historic and contemporary features.
- People agreed that this park should be a Midwest destination that complements downtown.
- **Voting between the overall themes was split almost equally.** Several comments were made that a combination of the two themes would be desired.
- Consider specifying elements that are customized for Davenport.
- People like the color palette and its relation to existing materials in the area.

"Design seating that is unique to Davenport (trademark)!"

"Red should be dominant to tie into city, so we look like one city through different areas"

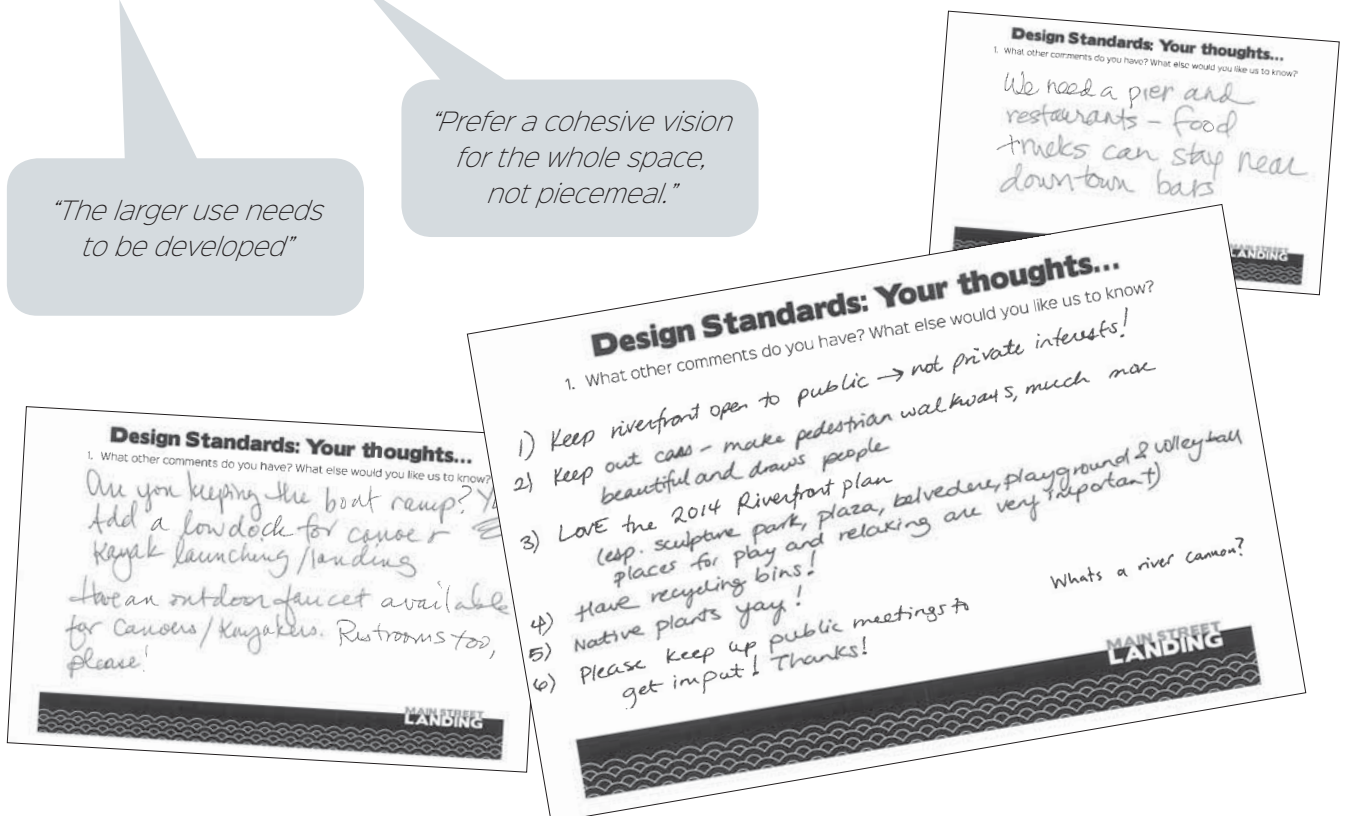
"Love the warmth of the colors"

Concerns

- People are interested in learning more about master plan updates and programming. Some expressed **concern that design standards are being selected before the master plan is updated.**

"The larger use needs to be developed"

"Prefer a cohesive vision for the whole space, not piecemeal."







Design Guidelines

OVERVIEW

Located where the Mississippi flows from East to West, Main Street Landing is being redeveloped into a premiere destination within Downtown Davenport. Visions for the Riverfront are significant - world class playgrounds, integrated art and water access will play a significant role in creating an active Riverfront.

The design standards have been developed to help unify the site, enhance the vision, and fulfill the objectives of the master plan. These standards will apply to all public spaces, including those that may be operated by private entities.

Considerations for the selected materials were chosen based on a theme of "integrating the new with the old" by using a combination of contemporary pieces, juxtaposed against materials that are indicative of the Riverfront's history.

The selection of these elements was guided by three primary factors:

- **Flooding:** The elements chosen must be able to withstand periodic inundation of floodwaters, easily cleaned and without excessive crevices for debris to collect.
- **Uniformity:** The standards must convey a sense of uniformity, creating a look that works with the site's context.
- **Sustainability:** The standards must be fabricated with sound, long lasting materials that can stand the test of time.

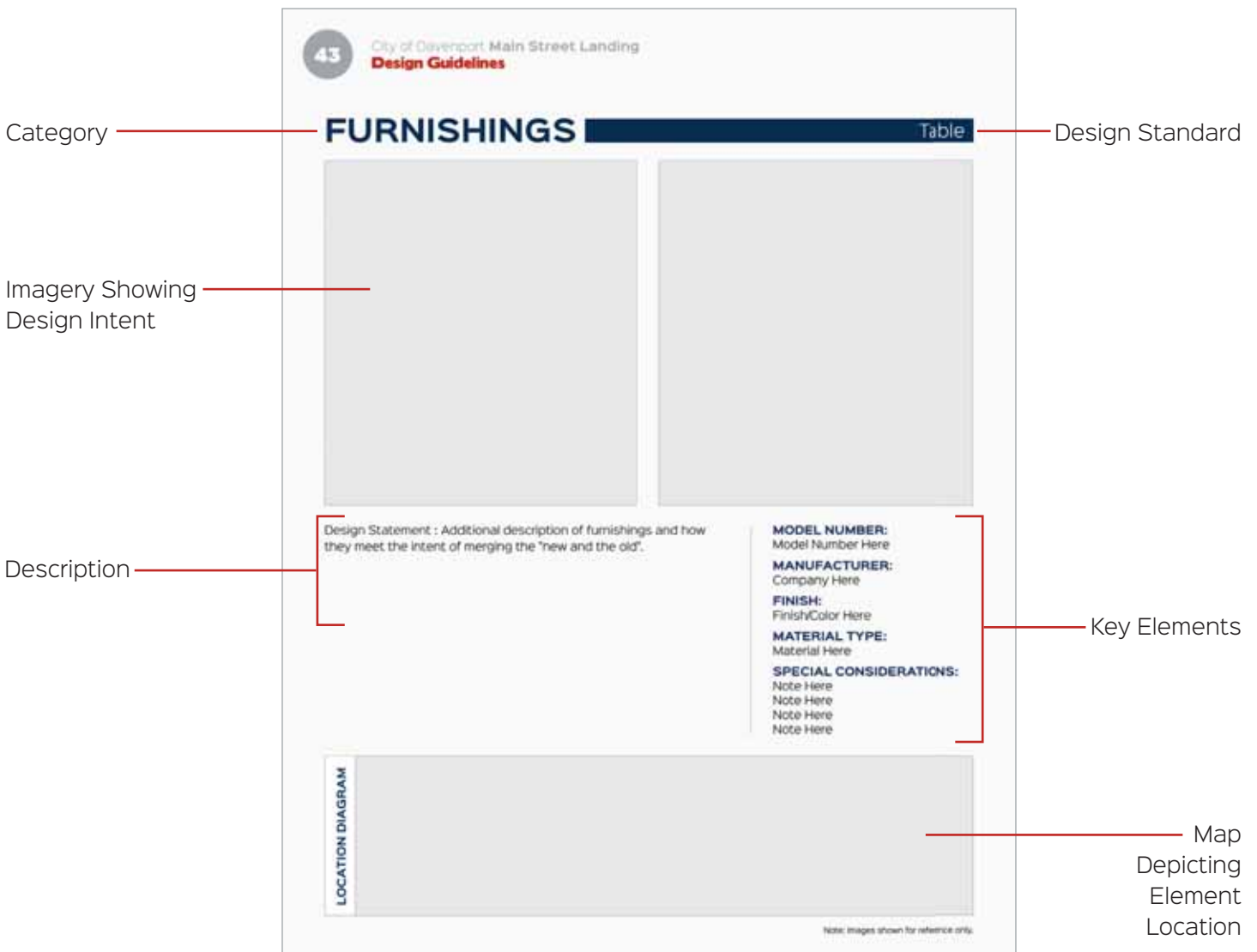
FURNISHINGS

BUILT FORM

The following design guidelines are intended to provide a family of furnishings, lighting, materials, and planting palettes to create a cohesive brand for Davenport's Main Street Landing. The selections use similar forms, materials, colors, and textures to combine the historic feel of Davenport's current

forms with contemporary styles. This vision to integrate the "new with the old" can be used as a foundation for decision making. Using these guidelines will ensure that the riverfront will fit within the larger context of Davenport while still creating a new and exciting destination.

HOW TO USE THE DESIGN GUIDELINES



FURNISHINGS

Benches



DESIGN STATEMENT: Blends historic form with contemporary character. Designed with clean lines and organic curves.

MODEL NUMBER:

Parc Vue Bench

MANUFACTURER:

Landscape Forms

FINISH:

Silver

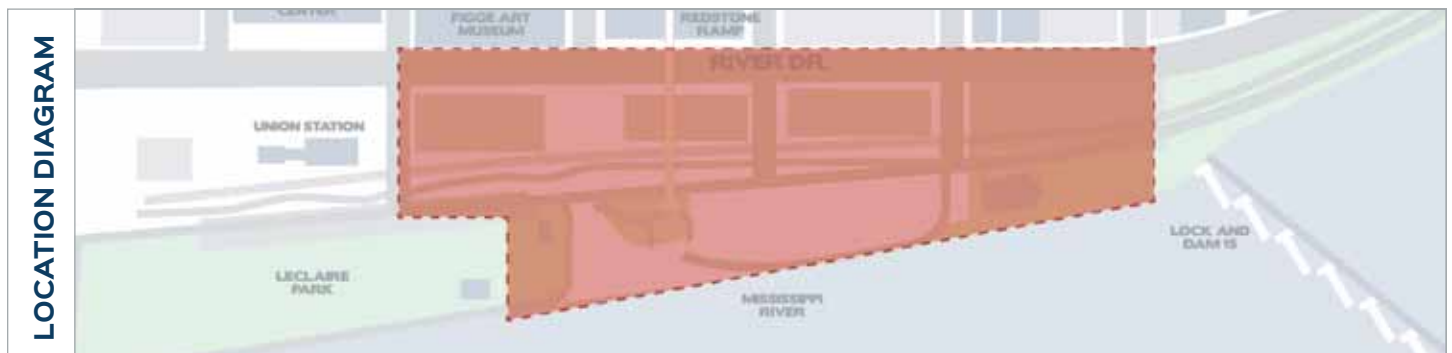
MATERIAL TYPE:

Powdercoated Steel

SPECIAL CONSIDERATIONS:

72" Long Backed with Arms

72" Long Backless



Note: Images shown for reference only.

FURNISHINGS

Fixed Table and Seating



DESIGN STATEMENT: Clean oval table top with graceful curved legs supporting twin benches.

MODEL NUMBER:

Charlie Table

MANUFACTURER:

Landscape Forms

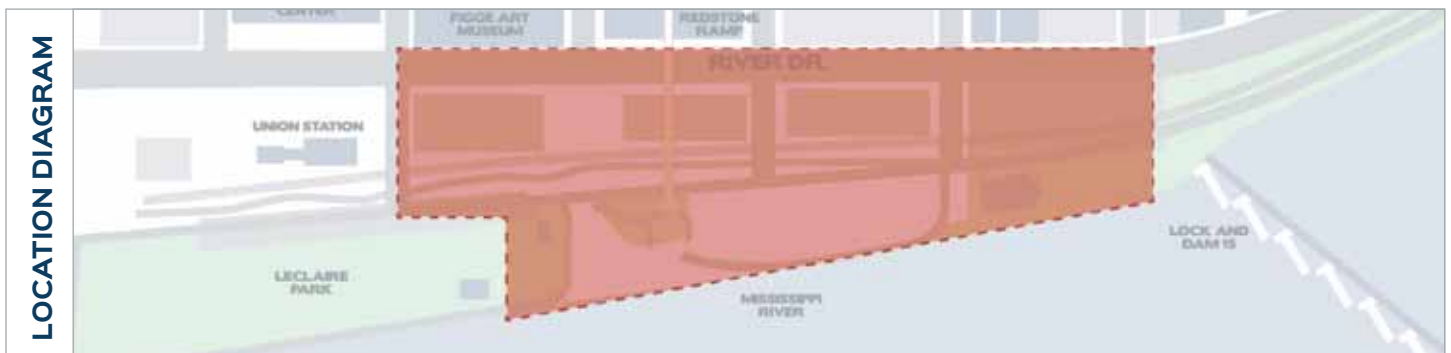
FINISH:

Silver

Powdercoated Steel / Aluminum

SPECIAL CONSIDERATIONS:

67" Table



Note: Images shown for reference only.

FURNISHINGS

Standing Table



DESIGN STATEMENT: A standing height cocktail table with a sleek top, an simple elongated pedestal, and a sturdy base.

MODEL NUMBER:

Parc Centre Table

MANUFACTURER:

Landscape Forms

FINISH:

Silver

MATERIAL TYPE:

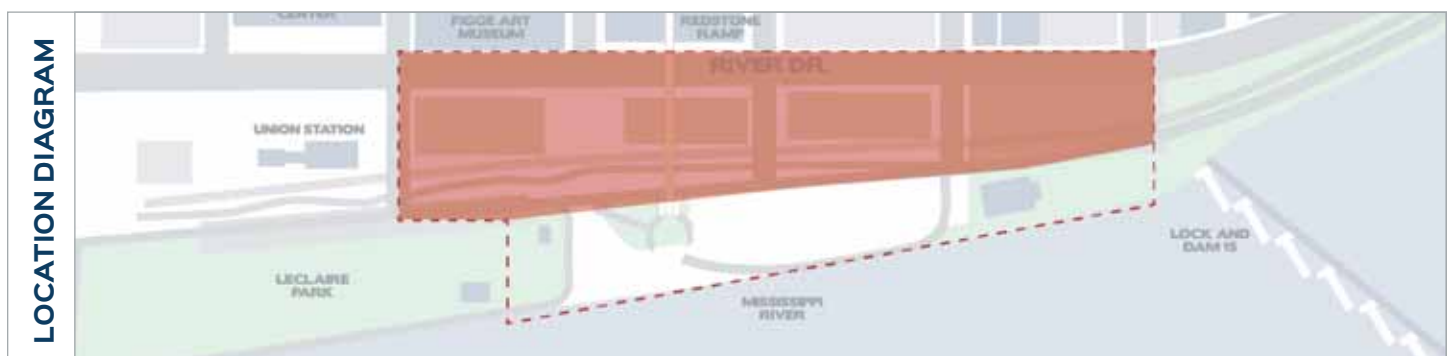
Powdercoated Steel

SPECIAL CONSIDERATIONS:

24" Round

42" Standing Height

Freestanding, Adjustable Glides



Note: Images shown for reference only.

FURNISHINGS

Table



DESIGN STATEMENT: Features a sleek top with a simple, sturdy base; is part of a collection that includes Parc Centre Chair.

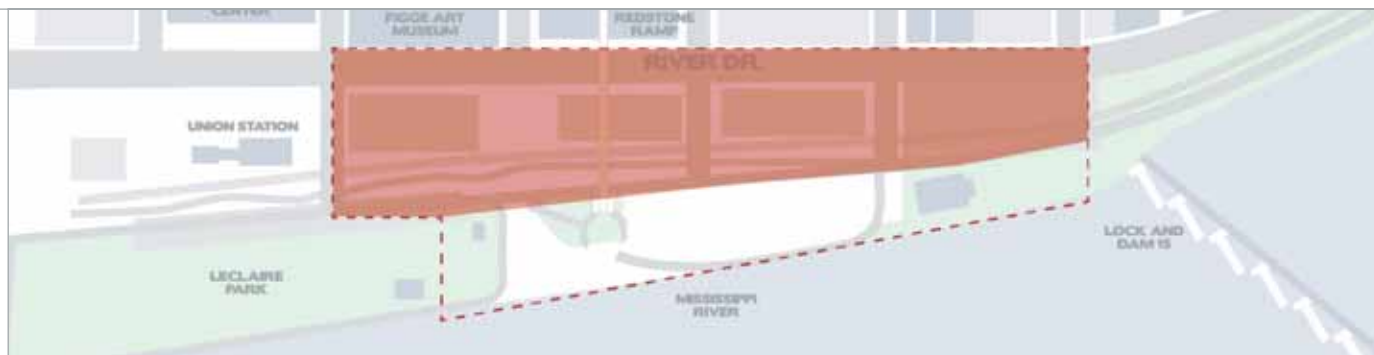
MODEL NUMBER:
Parc Centre Table

MANUFACTURER:
Landscape Forms

FINISH:
Silver
Powdercoated Steel

SPECIAL CONSIDERATIONS:
30" round
Freestanding, Adjustable Glides

LOCATION DIAGRAM



Note: Images shown for reference only.

FURNISHINGS

Chairs



DESIGN STATEMENT: Designed with clean lines and traditional forms; is part of a collection that includes Parc Centre Table.

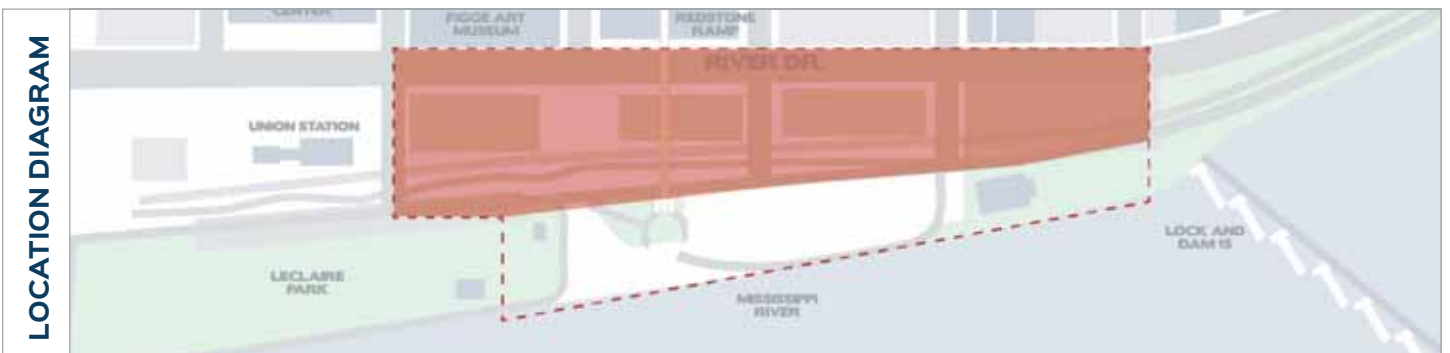
MODEL NUMBER:
Parc Centre Chair

MANUFACTURER:
Landscape Forms

FINISH:
Silver

MATERIAL TYPE:
Powdercoated Steel

SPECIAL CONSIDERATIONS:
Chair with Arms



Note: Images shown for reference only.

FURNISHINGS

Lounge Chair



DESIGN STATEMENT: With graceful curves and gentle contours, this lounge chair provides an inviting seating alternative.

**MODEL NUMBER:**

LMCH - Loma Chaise Lounge

MANUFACTURER:

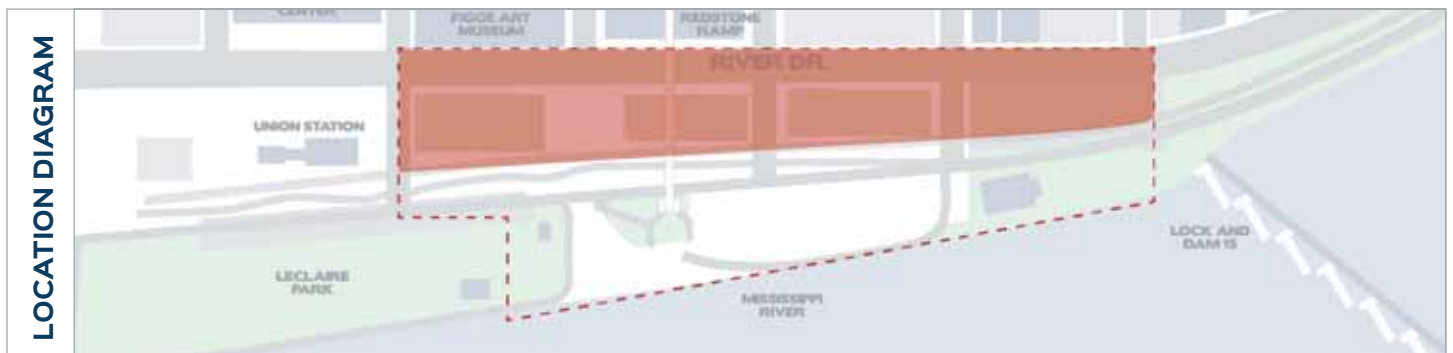
Keystone Ridge Designs

FINISH:

Silver (RAL 9022 Pearl Light Grey)

MATERIAL TYPE:

Ipe hardwood
Powdercoated Steel



Note: Images shown for reference only.

FURNISHINGS

Litter & Recycling Containers



DESIGN STATEMENT: Clean lines with traditional vertical slats.



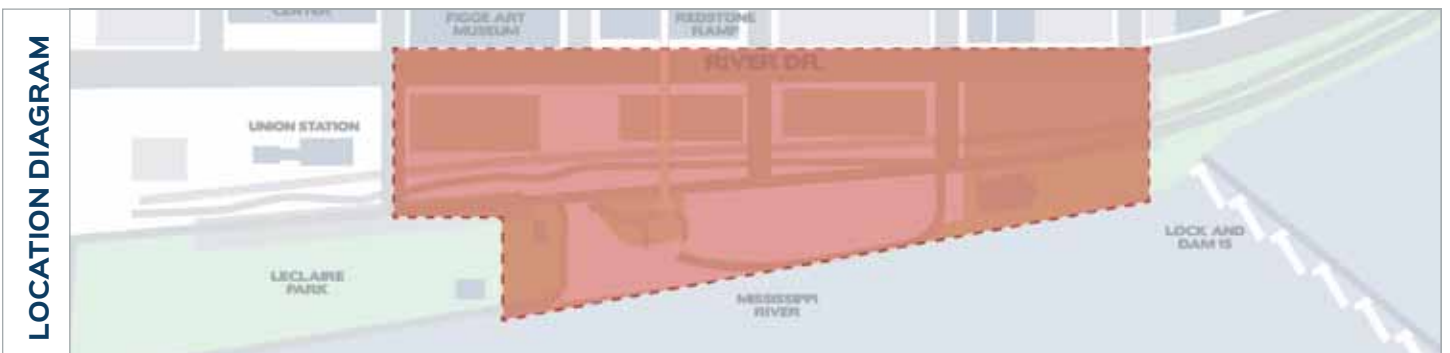
MODEL NUMBER:
Poe Litter Receptacle

MANUFACTURER:
Landscape Forms

FINISH:
Silver

MATERIAL TYPE:
Extruded Aluminum,
Cast Iron Base

SPECIAL CONSIDERATIONS:
Side Opening (litter)
Side Opening 5" Slot (recycling)
34 Gallon Capacity (all)



Note: Images shown for reference only.

FURNISHINGS

Bollards (non-illuminated)



DESIGN STATEMENT: Simple, versatile design with high quality materials.

Note: Bollard specified is used to signal to drivers that vehicular access is prohibited and is not designed to stop vehicle infringement. If an area in the master plan calls for greater security, a crash rated security bollard should be chosen. Style should match chosen finishes to provide a seamless aesthetic.

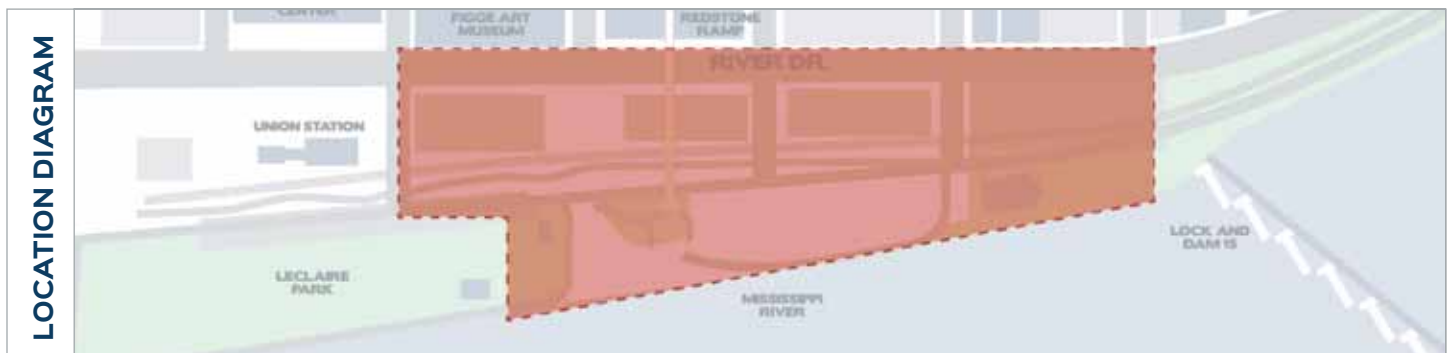
MODEL NUMBER:
R-8471

MANUFACTURER:
Reliance Foundry

FINISH:
Brushed Stainless Steel

MATERIAL TYPE:
316 Stainless Steel

SPECIAL CONSIDERATIONS:
Retractable



Note: Images shown for reference only.

FURNISHINGS

Bike Racks



DESIGN STATEMENT: Sweeping, sculptural bicycle rack that accommodates one or two bikes around its circular form.

MODEL NUMBER:

Loop Bike Rack

MANUFACTURER:

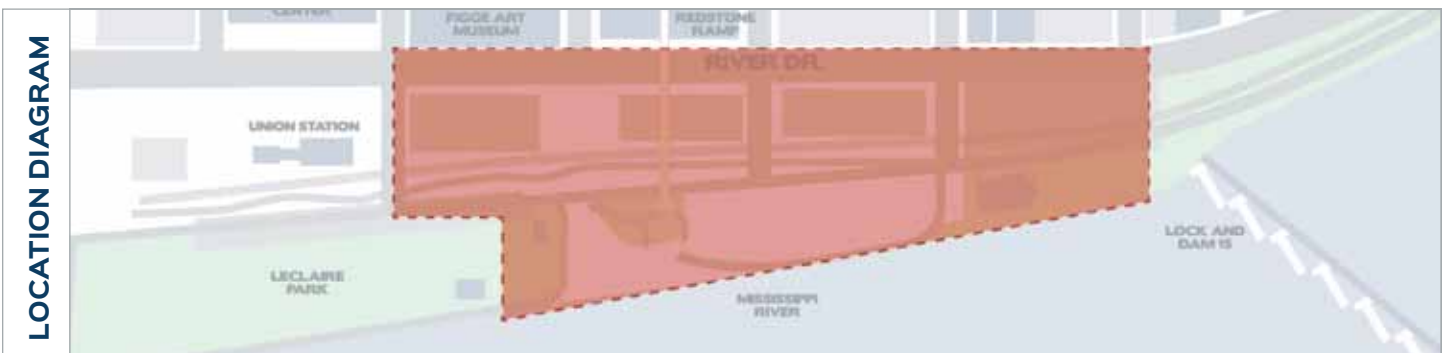
Landscape Forms

FINISH:

Silver

MATERIAL TYPE:

Powdercoated Cast Aluminum



Note: Images shown for reference only.

FURNISHINGS

Architectural Screen Wall



DESIGN STATEMENT: A custom fence with integrated art creates an aesthetically pleasing and safe screen along the railroad.

FINISH:
Silver

SPECIAL CONSIDERATIONS:
Custom Artwork
Allow Flood Debris to Flow Through
Maintain Views to River



Note: Images shown for reference only.

FURNISHINGS

Drinking Fountains



DESIGN STATEMENT: Clean, sturdy construction with options for additional features including pet fountain and water bottle refilling.



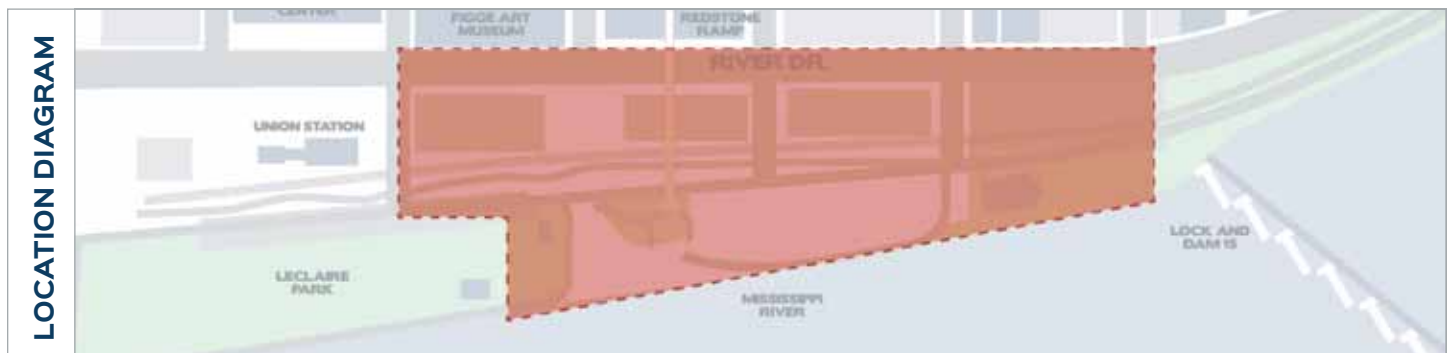
MODEL NUMBER:
440 SMSS

MANUFACTURER:
MDF, Inc.

FINISH:
Silver (RAL 9022 Pearl Light Grey)

MATERIAL TYPE:
Powdercoated Steel

SPECIAL CONSIDERATIONS:
Optional Pet Fountain



Note: Images shown for reference only.

FURNISHINGS

Pet Waste Stations



DESIGN STATEMENT: Solid construction with easy to use system that matches the aesthetics of the other furnishings.

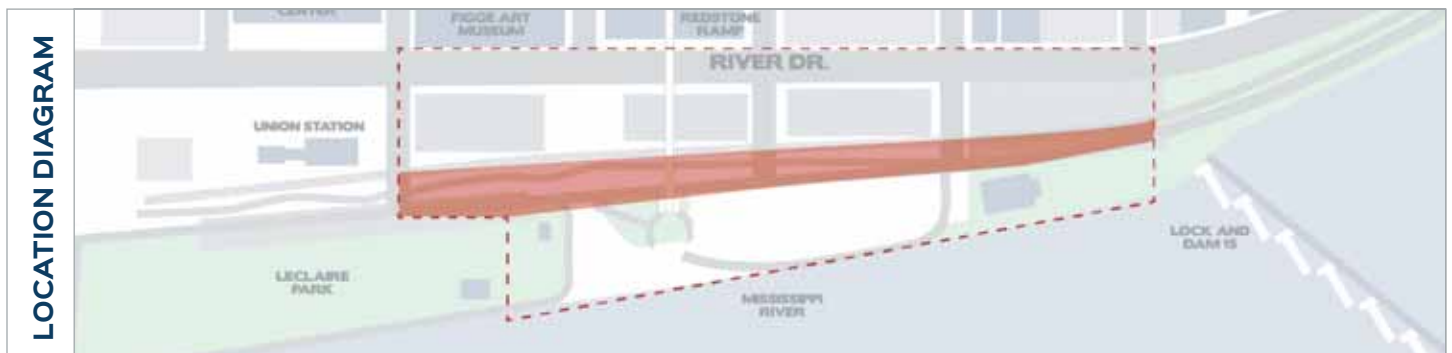
MODEL NUMBER:
CP999-06060-01SC-GRY

MANUFACTURER:
Landscape Forms

FINISH:
Silver

MATERIAL TYPE:
Steel Panel (litter receptacle)
100% Post Consumer/Industrial
Waste Plastic (dispenser)

SPECIAL CONSIDERATIONS:
SurfacMount



Note: Images shown for reference only.

FURNISHINGS

Emergency Call Box Stations

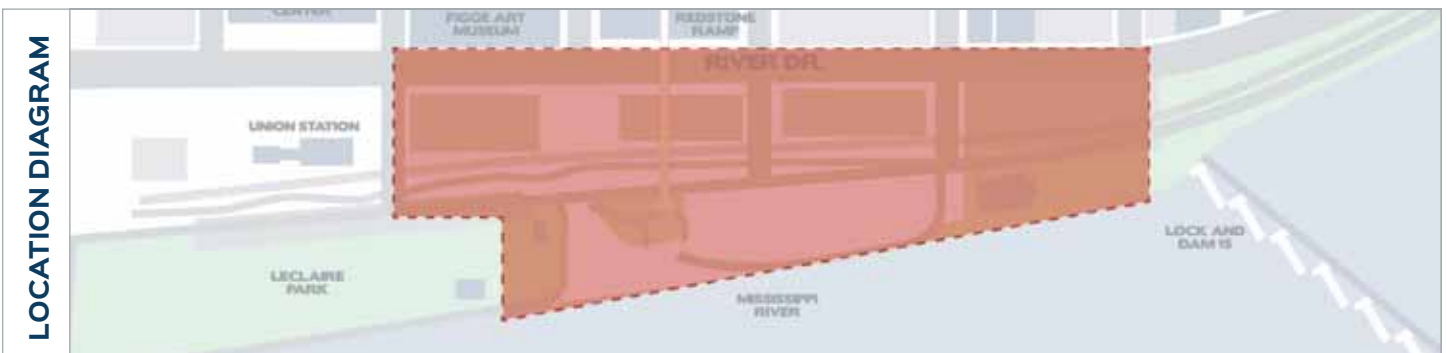


DESIGN STATEMENT: Pedestal phone with blue beacon assists guests who may be stranded, injured, or need help.

MODEL NUMBER:
5' 8" Pedestal 2100-P Series

MANUFACTURER:
Rath Security

FINISH:
White



Note: Images shown for reference only.

OVERVIEW:

The character and fixture type of the lights along the streets and throughout parking areas should complement the historic style of downtown Davenport while creating a new, more modern aesthetic, similar to the Figge Art Museum, for the future Main Street Landing site.

Lighting that projects downward is recommended to reduce light pollution. The fixtures presented use an LED system, which use less wattage than traditional lights. An additional benefit of LED lights is the ability to program the emission of the light based on different conditions. Each of the fixtures has been chosen with consideration of their durability and ability to function in a flood-prone site. Additional lighting styles should be chosen with care, taking into consideration the height and scale of pole, the appearance and style of the fixture, light distribution and photometry, and potential attachments or electrical outlets. Uniform distribution is important in maintaining a safe and secure outdoor environment.

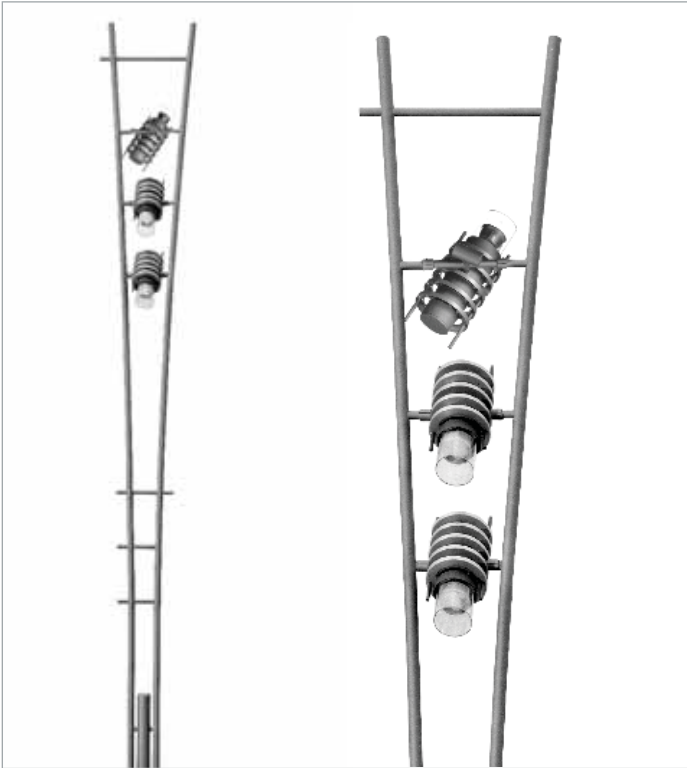
Designing a vibrant public space calls for a lighting system that adds excitement and creates a dynamic atmosphere in the evening. This family of lighting fixtures works to create an artistic and functional lighting system that provides safety and interest to the future site.



LIGHTING

LIGHTING

Parking Lot



DESIGN STATEMENT: A dramatic pole structure with adjustable triple heads provides an artistic and customizable lighting fixture.

L1 Pole | HessAmerica TANELLA II 780 MOD SPOT LIGHTS TN2 / 780-25-GG-EFAB-MOD

Modified Tanella - 25ft tall, accommodation f 3 yoke mount
LumenBeam Large Floods

L1 Luminaires | (3) Lumenpulse LBL-volts-40K-optic-finish

Note: All pole bases shall extend 6" above the adjacent surface with no more than a 2" reveal around the anchor bolt cover.

MODEL NUMBER:

TL1 - LED (Tanella)

MANUFACTURER:

Hess America

FINISH:

Matte Silver Grey Metallic

MATERIAL TYPE:

Seamless Steel Tubing

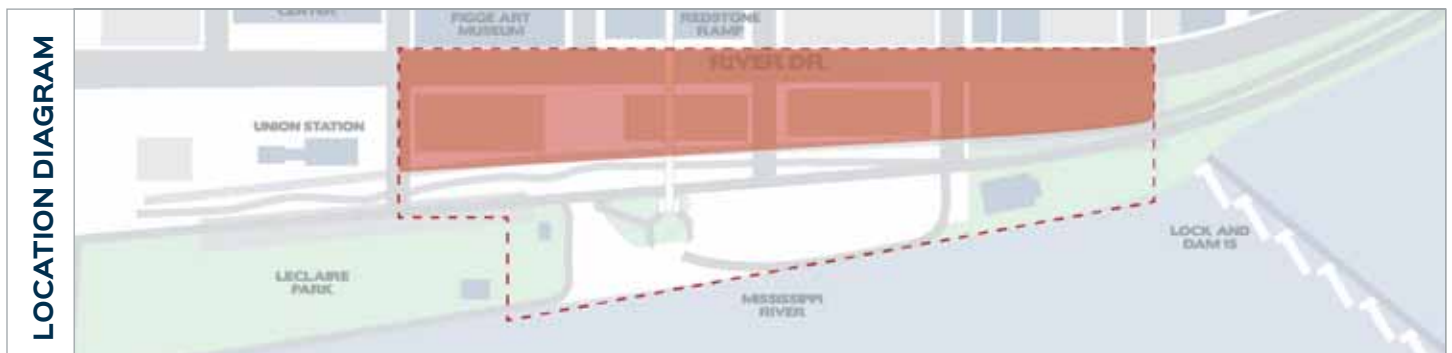
SPECIAL CONSIDERATIONS:

4000K

Custom Height: 25'

Standard Height: 32'

5-year Warranty



Note: Images shown for reference only.

LIGHTING

Pedestrian



DESIGN STATEMENT: A simple and graceful fixture that relates to angles of the Skybridge.

L2 Twin Mount | HessAmerica CP810-NW-T5-UNV-B-12RS-GG-DIM

L2A Single Mount | HessAmerica CP810-NW-T5-UNV-A-12RS-GG-DIM

*L2 and L2A provided with 12ft Round Straight Steel Poles

Note: All pole bases shall extend 6" above the adjacent surface with no more than a 2" reveal around the anchor bolt cover.

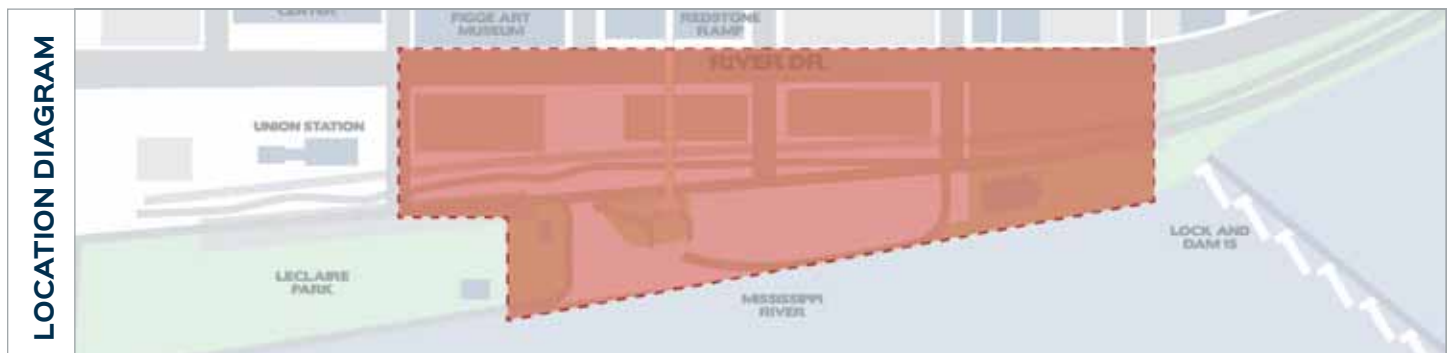
MODEL NUMBER:
CP810 (Campone)

MANUFACTURER:
Hess America

FINISH:
Matte Silver Grey Metallic

MATERIAL TYPE:
Cast Aluminum Housing
Steel Pole

SPECIAL CONSIDERATIONS:
4000K
12' Height
5-year Warranty



Note: Images shown for reference only.

LIGHTING

Bollard



DESIGN STATEMENT: Enhances pedestrian pathways with a clean and simple form. The housing and supportive rods reflect forms of the pedestrian light fixture.

L3 | HessAmerica CE180/P3.5-1LVC-NW-T5-UNV-CR01-GG

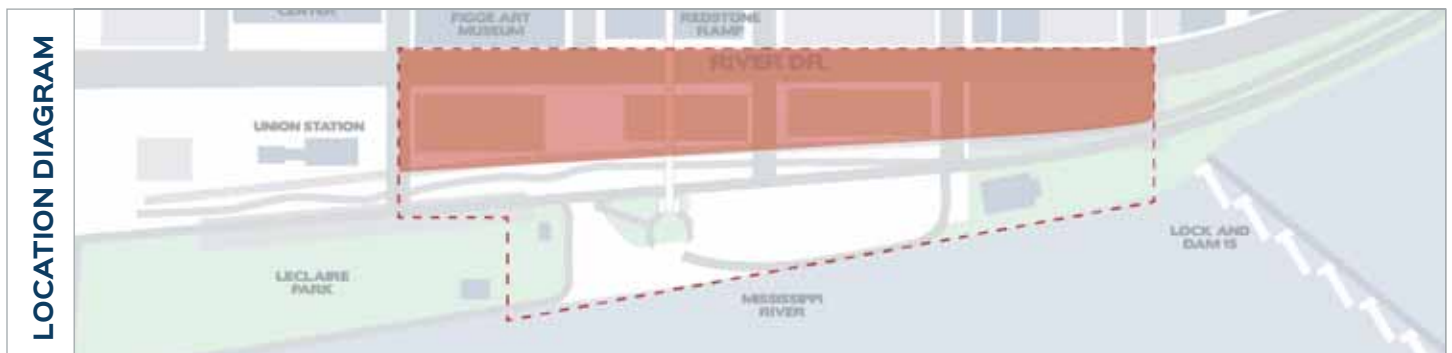
MODEL NUMBER:
CE180 (City Elements)

MANUFACTURER:
Hess America

FINISH:
Matte Silver Grey Metallic

MATERIAL TYPE:
Aluminum

SPECIAL CONSIDERATIONS:
4000K
3.5' Height, 7" Diameter
5-year Warranty



Note: Images shown for reference only.

LIGHTING

Accent



DESIGN STATEMENT: A suspended luminaire that reflects the conical forms of the pedestrian lights. Can be used to highlight unique gathering spaces.

L4 Luminaire | Hess America PEN380-LED-NW-SYM-UNV-X-GG

L4 Pole | Lytepoles 401-5007-25

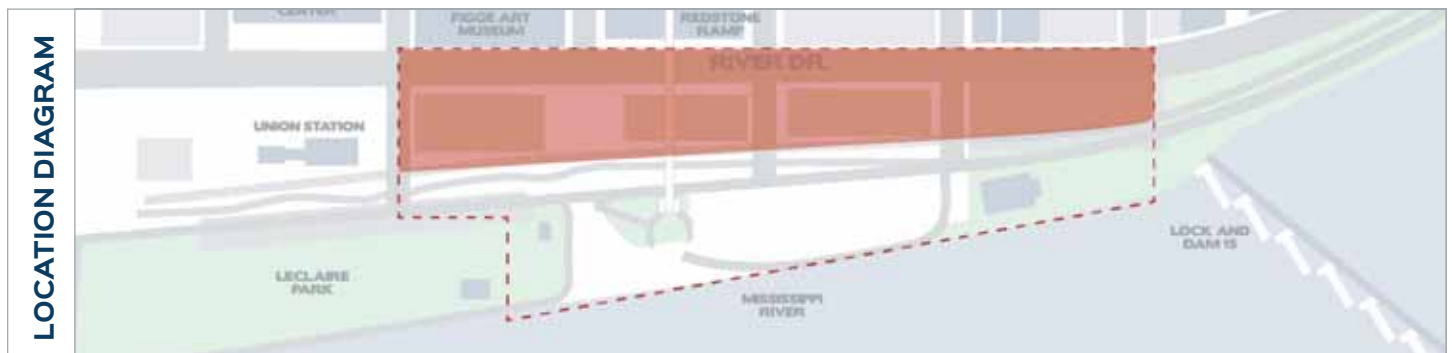
**Note: Structural engineer shall review and sign off on all catenary lighting systems.*

MODEL NUMBER:
PEN380 (Pendo)

MANUFACTURER:
Hess America

FINISH:
Matte Silver Grey Metallic

SPECIAL CONSIDERATIONS:
4000K
25' Straight Steel Pole*
1/2" Stainless Steel Cable
5 year warranty



Note: Images shown for reference only.

OVERVIEW:

A prime purpose of signage is to effectively communicate the City's "brand" while addressing wayfinding. Signs must rely on communication sensory clues, delivered, in this case, through visual elements. A successful sign system is measured by the ease with which one proceeds and is facilitated through an environment from one point of interest to another. Wayfinding systems should reassure users, reinforce the brand, create a welcoming and enjoyable environment and, ideally, provide answers to potential questions before users have to ask for assistance.

A successful wayfinding system should provide information for users to:

- Identify their location within a space.
- Reinforce they are traveling in the right direction.
- Orient themselves within space by way of maps.
- Understand the location and any potential hazards.
- Identify their destination on arrival.

Made of metal and concrete, the following family of signs convey an urban palette of flood resilient materials.

SIGNAGE

SIGNAGE

Pedestrian Kiosk

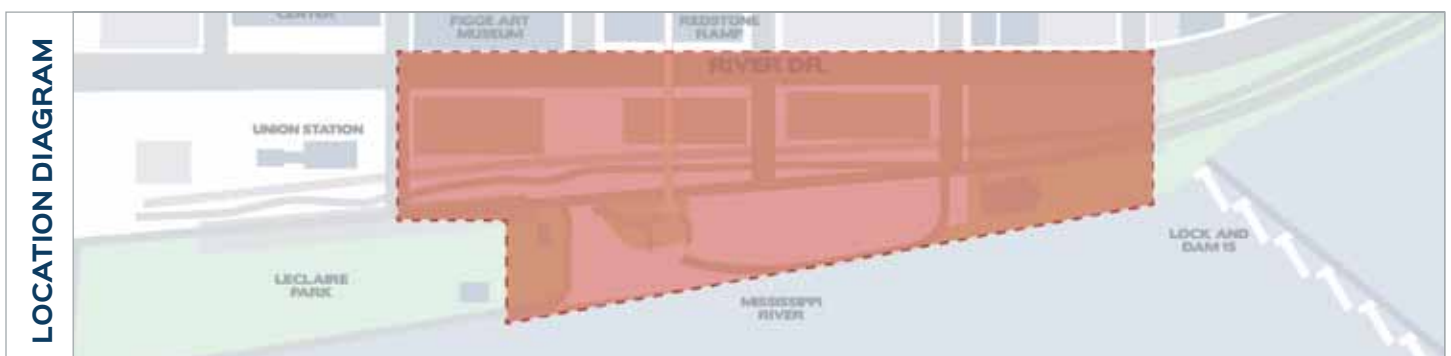
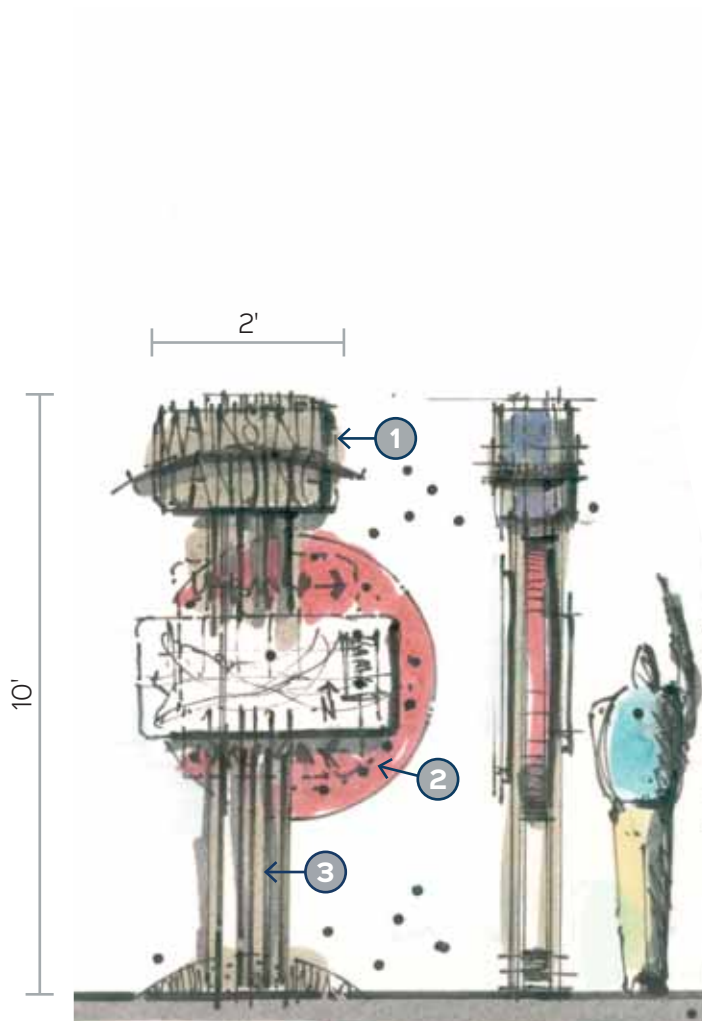
DESIGN STATEMENT:

This sign will orient the user (you are here). It will contain a map of the Main Street Landing and will locate the main elements of the park through the use of a list that is keyed to the map. Composed of metal and polycarbonate plastic, it will be double sided with LED back-lights and an internally lit map. All metal components will be a natural metal finish or will be coated with a high-performance industrial coating, or powdercoat finish.

This type of sign will be located at main entrances and other critical pathway crossings.

KEYNOTES:

1. LED backlit channel letters
2. Acrylic panels, internally illuminated
3. Galvanized steel structure



Note: Images shown for reference only.

SIGNAGE

Architectural Monument

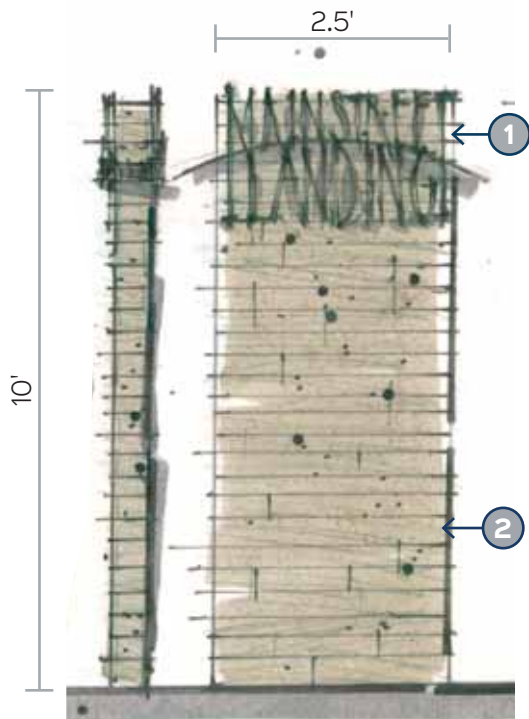
DESIGN STATEMENT:

This is both a pedestrian and vehicular scaled sign. The body of the sign will be composed of board-form concrete with a dimensional metal logo that stands off the sign body and is back-lit with LEDs. All metal components will be a natural metal finish or will be coated with a high-performance industrial coating, or powder coat finish.

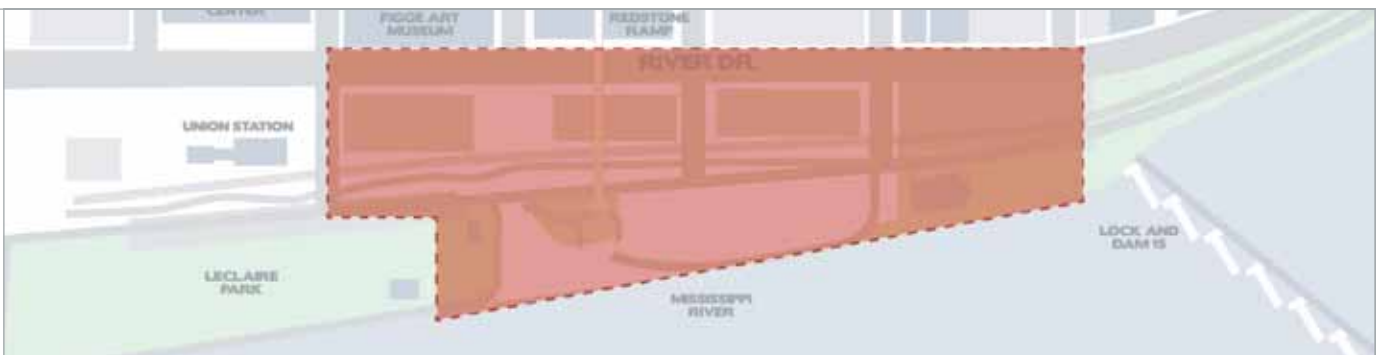
This sign will mark secondary entrances to the Main Street Landing and will mark the edges of the park along River Drive.

KEYNOTES:

1. LED backlit channel letters
2. Board formed concrete



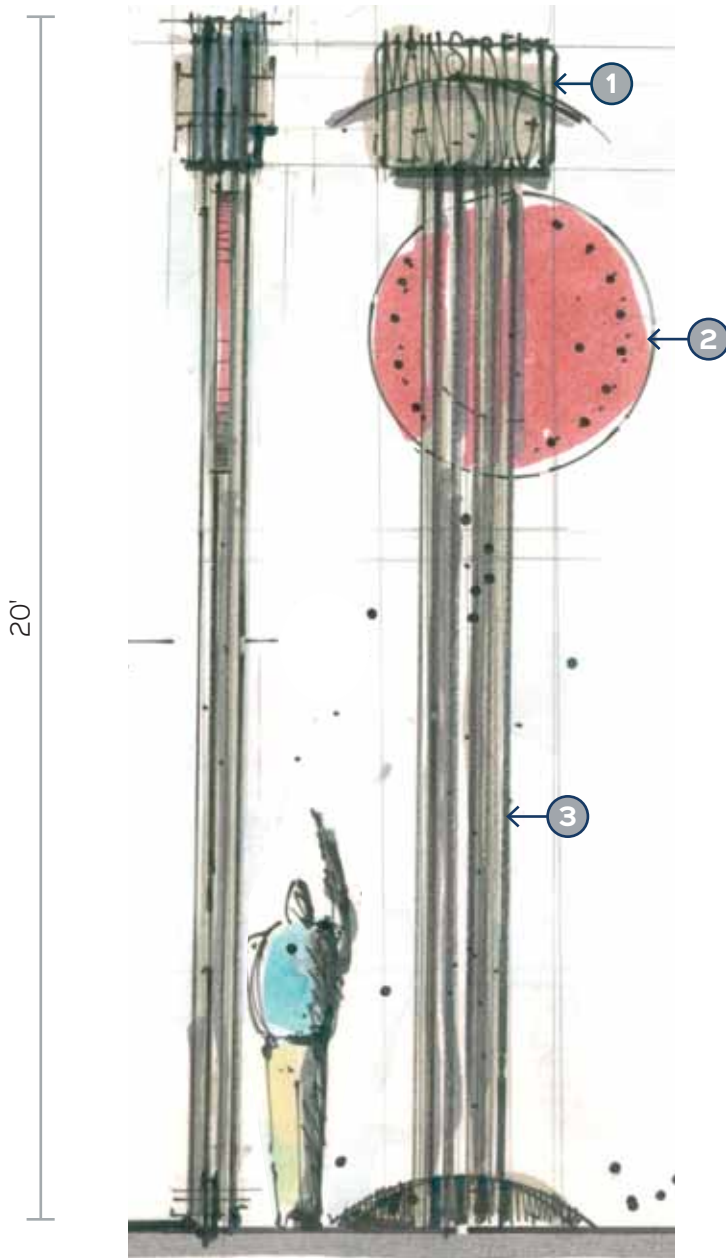
LOCATION DIAGRAM



Note: Images shown for reference only.

SIGNAGE

Pole Sign

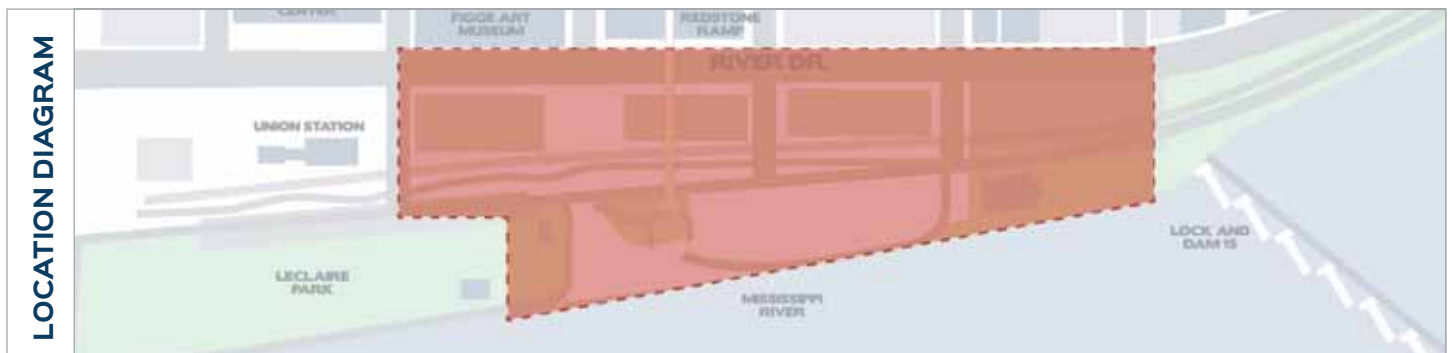
**DESIGN STATEMENT:**

This sign will be used in places that have other elements of similar scale nearby such as buildings, street lights or other tall park objects. The logo and main components of the sign could also be mounted directly to street or area light poles. This metal sign will be composed of natural metal finish or will be coated with a high-performance industrial coating, or powder coat finish.

This sign could mark secondary entrances to the Main Street Landing and will mark the edges of the park along River Drive.

KEYNOTES:

1. LED backlit channel letters
2. Acrylic panels, internally illuminated
3. Galvanized steel structure



Note: Images shown for reference only.

SIGNAGE

District & Parking

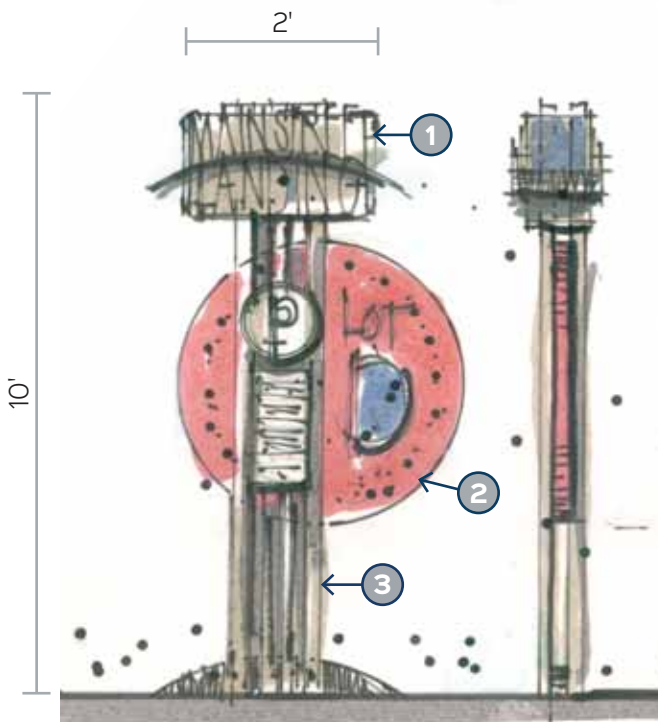
DESIGN STATEMENT:

This sign will be used to mark parking lots and various park districts. This metal sign will be double-sided and be composed of natural metal finish, or will be coated with a high-performance industrial coating, or powder coat finish.

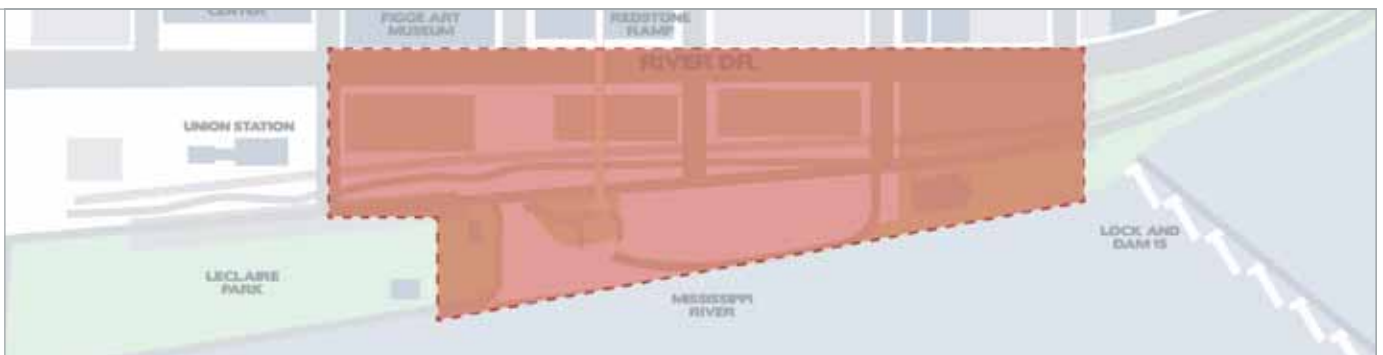
The sign will be used to mark parking lots and various park districts.

KEYNOTES:

1. LED backlit channel letters
2. Acrylic panels, internally illuminated
3. Galvanized steel structure



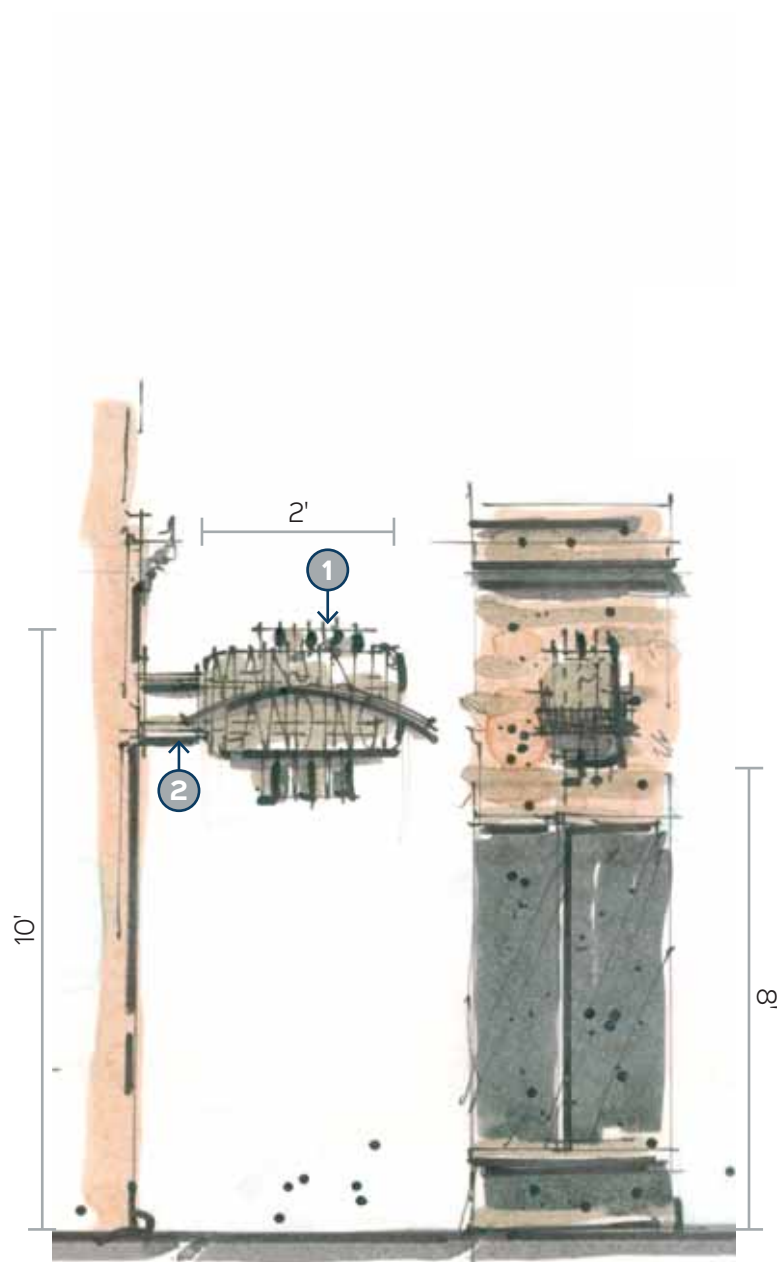
LOCATION DIAGRAM



Note: Images shown for reference only.

SIGNAGE

Building Shingle

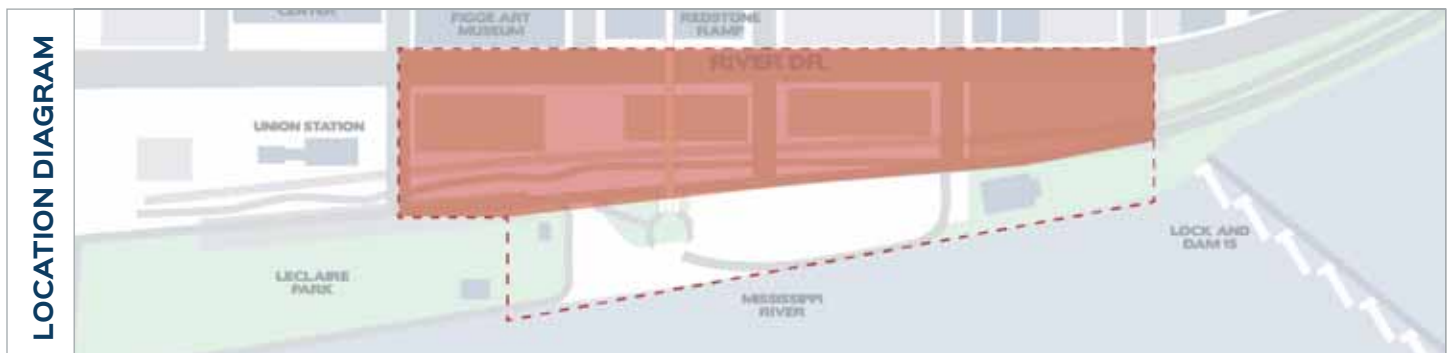
**DESIGN STATEMENT:**

This metal sign will be double-sided and be composed of natural metal finish, or will be coated with a high-performance industrial coating, or powder coat finish.

The sign will be used on exterior building facades inside or on the edge of the park.

KEYNOTES:

1. LED backlit channel letters
2. Galvanized steel structure



Note: Images shown for reference only.

SIGNAGE

Gateway



DESIGN STATEMENT :

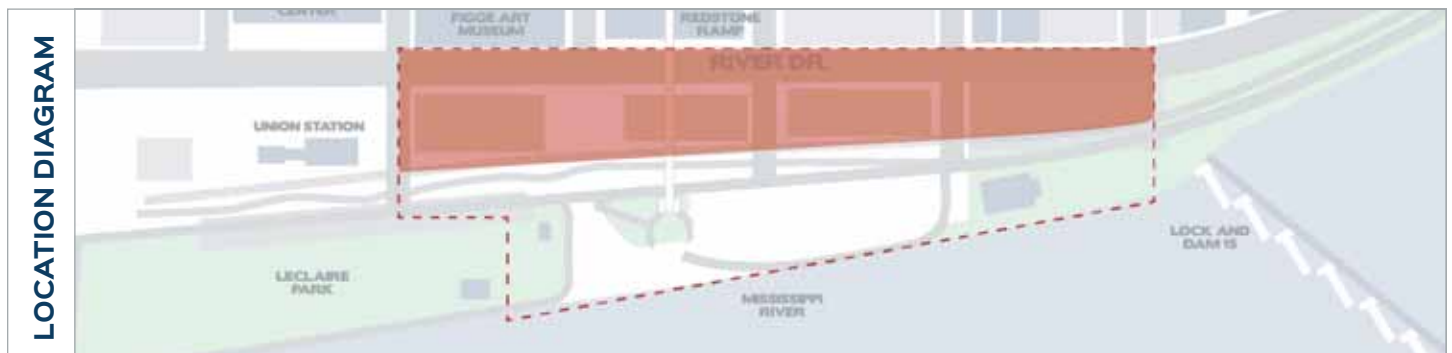
These two signs (together or independently) will be used as the main gateway into the park at the Brady Street Entrance.

The horizontal formatted sign will be composed of board-form concrete with a dimensional metal logo that stands off the sign body and is back-lit with LEDs. This sign will stand along the River Drive ROW.

The larger portal sign is composed of both board-form concrete and metal. All metal components will be a natural metal finish or will be coated with a high-performance industrial coating, or powder coat finish. The sign will be composed of natural metal finish, or will be coated with a high-performance industrial coating, or powder coat finish.

KEYNOTES:

1. Galvanized steel structure
2. LED backlit channel letters
3. Board formed concrete



Note: Images shown for reference only.

OVERVIEW:

Materials chosen for Main Street Landing integrate hints of the community's architectural fabric (namely concrete, brick and steel) into a palette that eloquently "merges the new with the old."

Material selection was based on several key factors including:

- Design character
- The materials' long term durability
- Long term maintenance
- Ease of clean up after flood events
- Safety and accessibility



MATERIALS

MATERIALS

Unit Paving



DESIGN STATEMENT: Red pavers in traditional finishes and patterns offer a nod to the historic brick streets of this area and a sharp, dynamic contrast to more contemporary furnishings and lights.



MODEL NUMBER:

Holland Premier™

MANUFACTURER:

Unilock

FINISH:

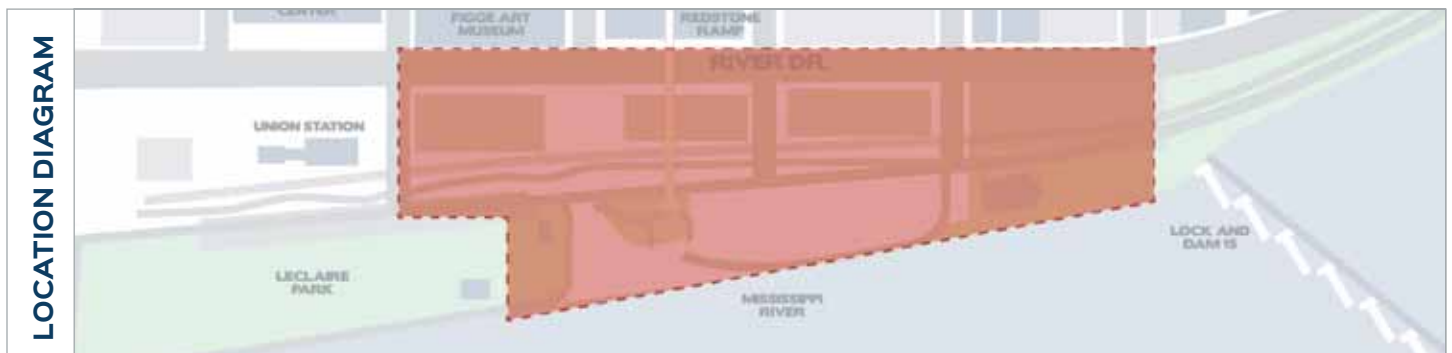
Enduracolor

COLOR:

Charleston

SPECIAL CONSIDERATIONS:

Standard (20 cm x 10 cm x 6 cm)
Hollandstone B Pattern



Note: Images shown for reference only.

MATERIALS

Unit Paving - Type 2



DESIGN STATEMENT: Grey pavers with varied finished provide texture and a modern aesthetic in traditional patterns.

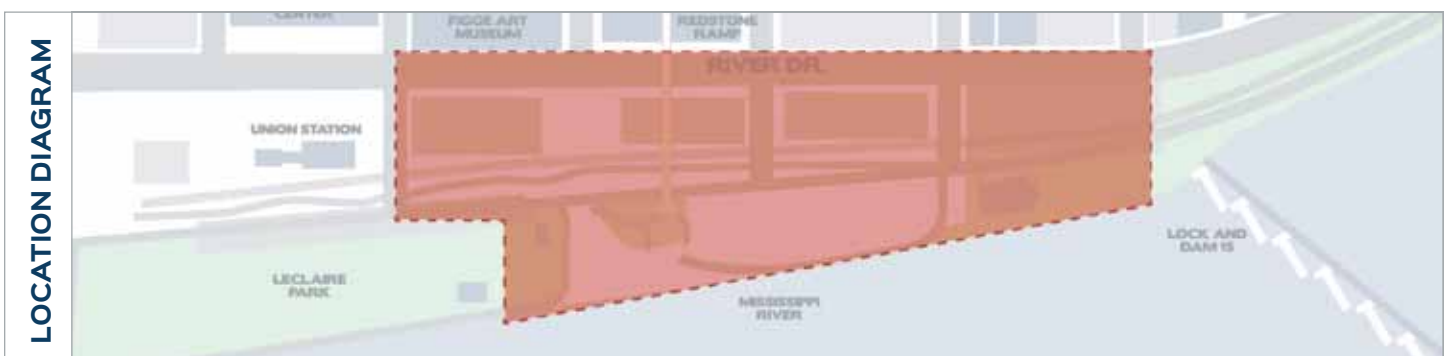
MODEL NUMBER:
Series™

MANUFACTURER:
Unilock

FINISH:
Premier
Series 3000

COLOR:
Mineral Ice Grey

SPECIAL CONSIDERATIONS:
6x12



Note: Images shown for reference only.

MATERIALS

Concrete Paving

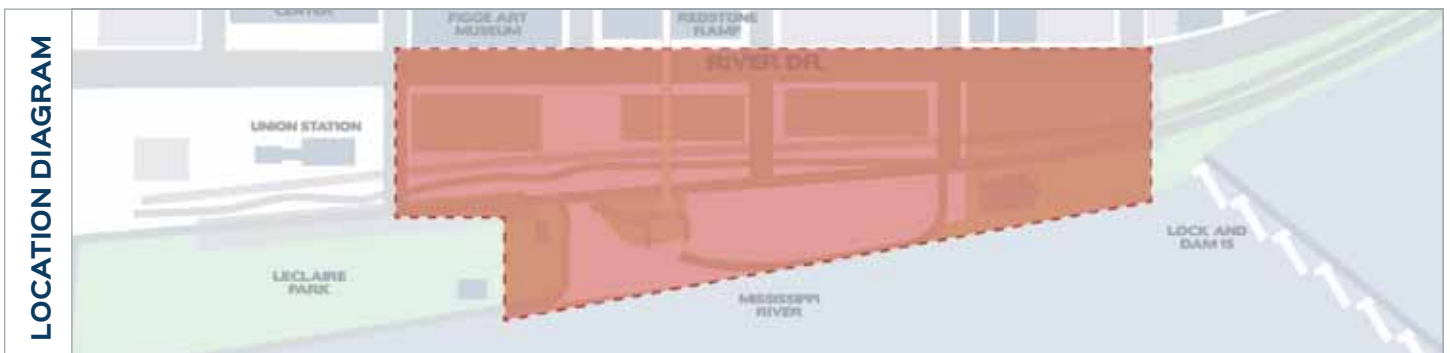


DESIGN STATEMENT: Broomed finish adds a subtle texture to paths and walkways.

FINISH:
Broomed / Brushed

MATERIAL TYPE:
Concrete

SPECIAL CONSIDERATIONS:
Saw Cut Control Joints on a 4'x4' Pattern



Note: Images shown for reference only.

MATERIALS

Concrete Seat Walls



DESIGN STATEMENT: Seat walls help define spaces and provide integrated seating. Wood slats provide additional warmth.

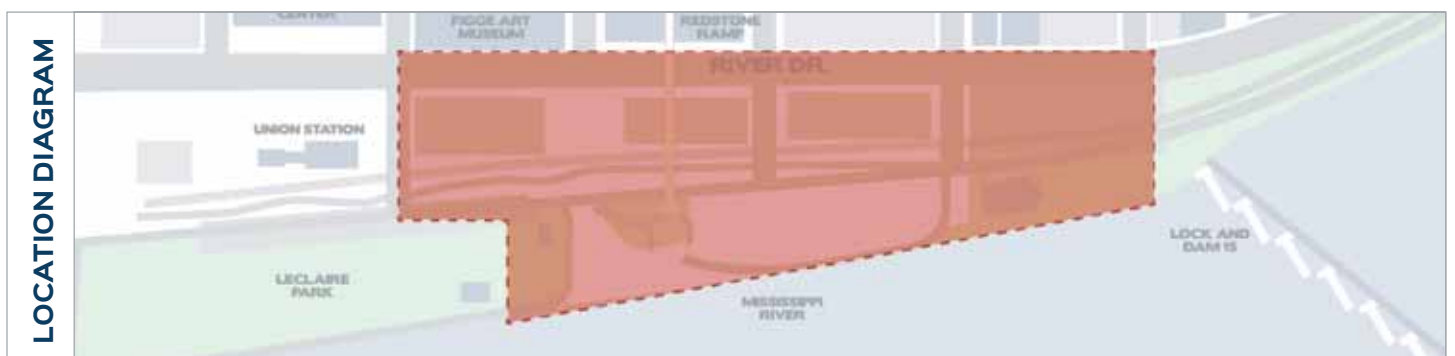


MANUFACTURER:
Custom Design or Tectura Designs

FINISH:
Light Blast

MATERIAL TYPE:
Concrete

SPECIAL CONSIDERATIONS:
Wooden Seat Top
Skate Stop
(Skatestoppers® FR 1.0 shown)



Note: Images shown for reference only.

MATERIALS

Cast Stone Walls

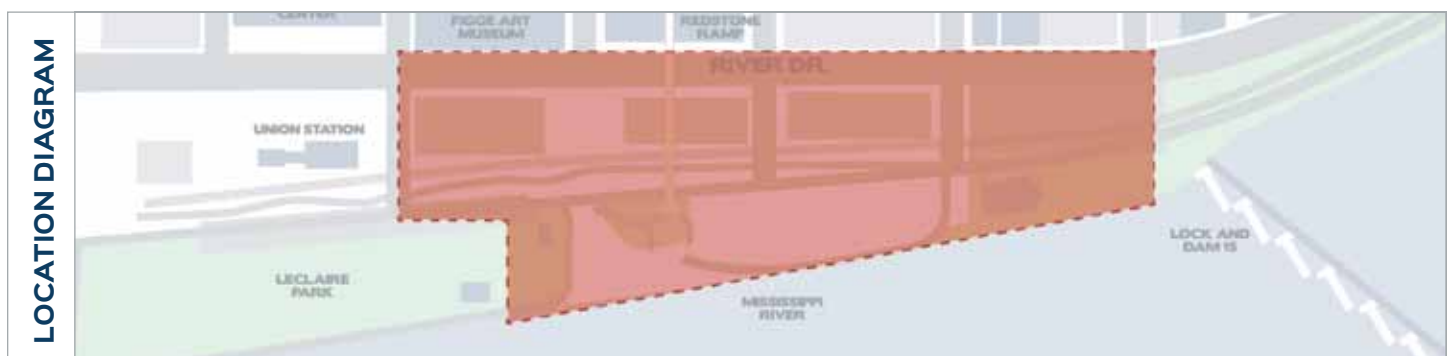


DESIGN STATEMENT: The placement and alignment of these low walls can provide seating, create focal points and outdoor rooms, and highlight raised plantings.

MANUFACTURER:
Custom Design or Tectura Designs

FINISH:
Light Blast

MATERIAL TYPE:
Cast Stone



Note: Images shown for reference only.

MATERIALS

Architectural Facade Materials



DESIGN STATEMENT: Louvered equipment screens can be used as vision barriers to hide mechanical equipment and other unattractive views.

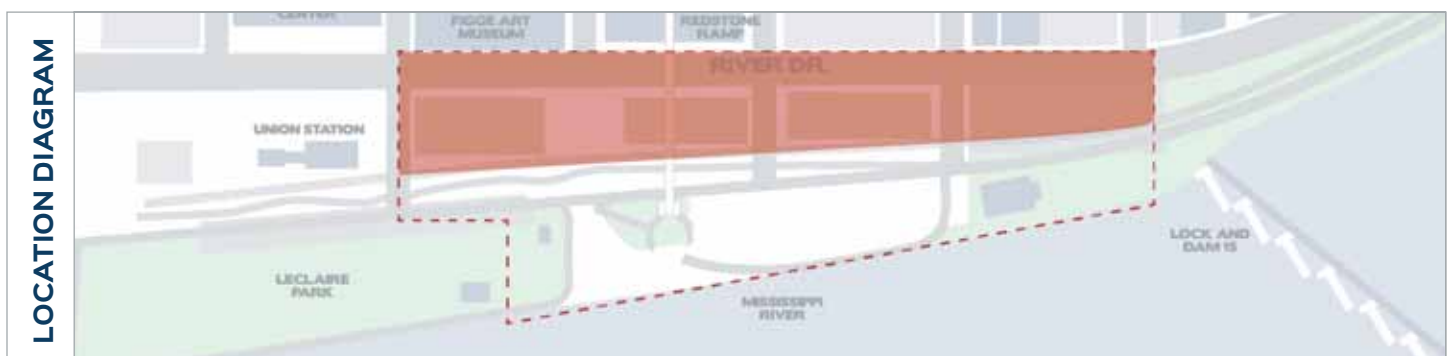
MODEL NUMBER:
V4JS

MANUFACTURER:
Architectural Louvers

FINISH:
Clear Anodized

MATERIAL TYPE:
Aluminum

SPECIAL CONSIDERATIONS:
4" Deep Inverted Blade Barrier



Note: Images shown for reference only.

OVERVIEW:

Flooding - and the plant species ability to withstand short term inundation has a big impact on the selection and placement of plant materials. The design philosophy outlined in the following pages uses native plants - along with splashes of color from "improved" varieties to create a seasonal display that is lush, vibrant and beneficial for all.

Maintenance expectations should be carefully discussed as planting plans are created; to meet the vision of Main Street Landing (a Midwest if not National destination) plantings will need to be maintained at a level that far exceeds the current conditions and at a minimum, parallels the City's efforts at nearby VanderVeer Park.

The selection of these plants was guided by these key factors:

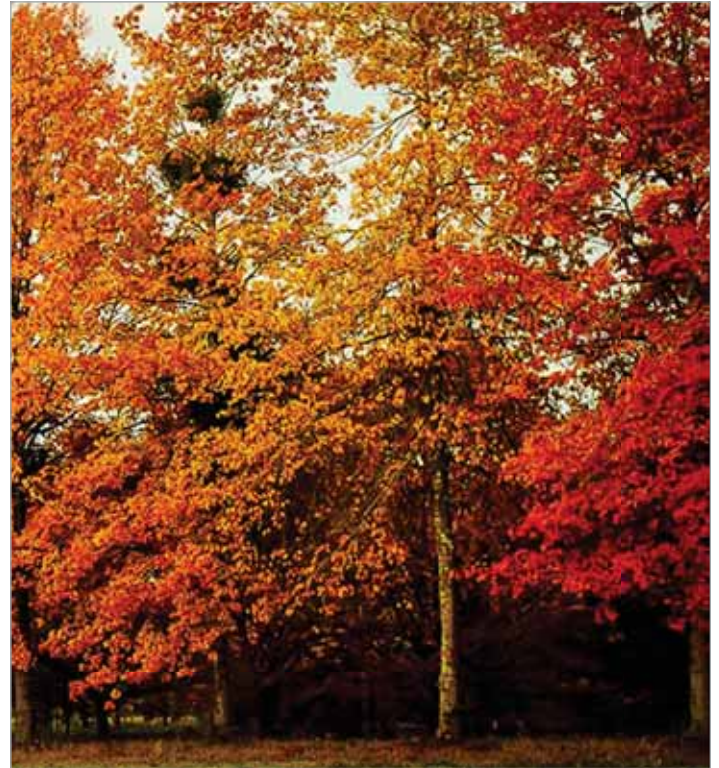
- Use a combination of plants in “layers” to provide year round vibrancy and color.
- Plants chosen should benefit the ecological, biological and human aspects of the site – more than “look good” - e.g. pollinator habitat, stormwater management.
- Turf should be limited to the focal point of the space or garden and should not run from edge to edge.
- Create edges to define spaces, transition materials and create rooms.
- Use species that thrive in floodplain conditions.



PLANTINGS

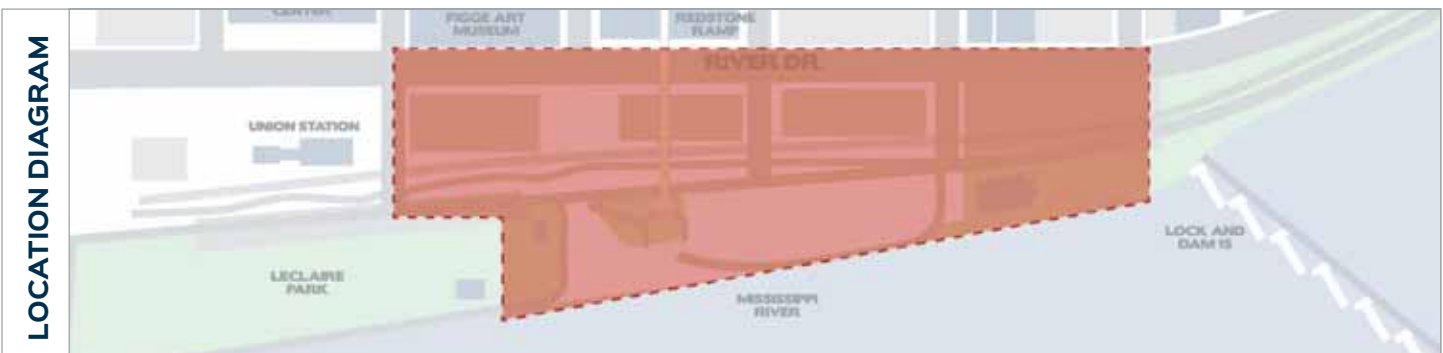
PLANTINGS

Overstory Trees



PLANT SCHEDULE - TREES

| BOTANICAL NAME | COMMON NAME | SIZE | CONDITION | SPACING | REMARKS |
|--------------------------------|----------------------------|-----------|-----------|---------|----------------------|
| <i>Acer saccharum subsp.</i> | Black Maple | 3" CAL. | B&B | | |
| <i>Betula nigra</i> | River Birch | 3" CAL. | B&B | | SINGLE STEM, MATCHED |
| <i>Celtis occidentalis</i> | Common Hackberry | 3" CAL. | B&B | | |
| <i>Gleditsia tricanthos</i> | Common Honeylocust | 3" CAL. | B&B | | |
| <i>Liquidambar styraciflua</i> | Sweetgum | 3" CAL. | B&B | | |
| <i>Populus tremuloides</i> | Quaking Aspen | 3" CAL. | B&B | | |
| <i>Quercus bicolor</i> | Swamp White Oak | 3" CAL. | B&B | | |
| <i>Quercus macrocarpa</i> | Bur Oak | 3" CAL. | B&B | | |
| <i>Quercus rubra</i> | Northern Red Oak | 1.5" CAL. | CONT | | MATCHED |
| <i>Ulmus 'new harmony'</i> | American Elm 'New Harmony' | 3" CAL. | B&B | | |



Note: Images shown for reference only.

PLANTINGS

Understory Trees & Shrubs



| PLANT SCHEDULE - UNDERSTORY TREES & SHRUBS | | | | | |
|--|-----------------------|------|-----------|------------|---------|
| BOTANICAL NAME | COMMON NAME | SIZE | CONDITION | SPACING | REMARKS |
| Amelanchier arborea | Serviceberry | #5 | CONT | 6'-0" O.C. | MATCHED |
| Cornus sericea 'farrow' arctic fire | Red Osier Dogwood | #5 | CONT | 4'-0" O.C. | |
| Cotoneaster apiculatus | Cranberry Cotoneaster | #2 | CONT | 3'-0" O.C. | |
| Hamamelis vernalis | Ozark Witch Hazel | #5 | CONT | 8'-0" O.C. | |
| Lonicera sempervirens | Honeysuckle | #5 | CONT | 6'-0" O.C. | |
| Viburnum trilobum | Highbush Cranberry | #5 | CONT | 4'-0" O.C. | |



Note: Images shown for reference only.

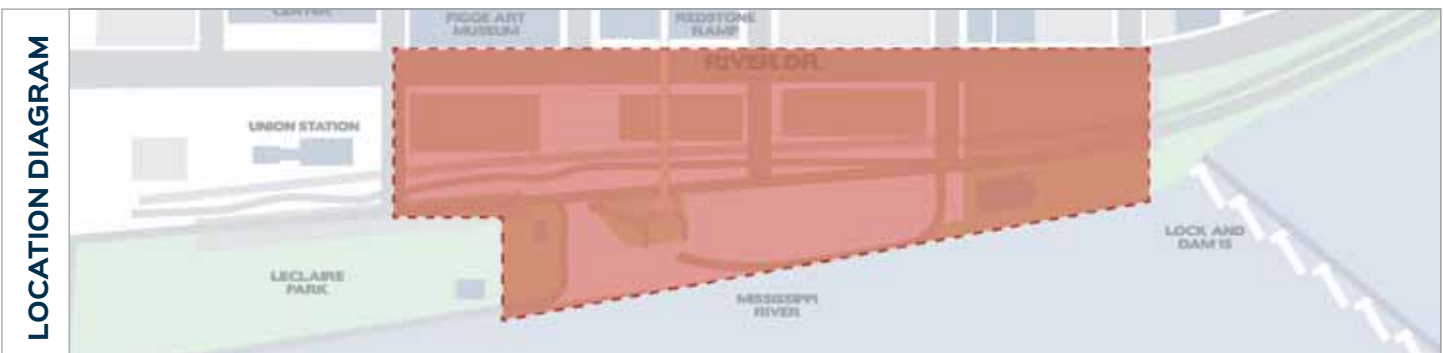
PLANTINGS

Perennials



PLANT SCHEDULE - PERENNIALS

| BOTANICAL NAME | COMMON NAME | SIZE | CONDITION | SPACING | REMARKS |
|-------------------------------|--------------------|-------------|--------------|------------|----------------|
| Graminoids | | | | | |
| Andropogon gerardii | Big Bluestem | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Bouteloua curtipendula | Side Oats Gramma | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Carex vulpinoidea | Fox Sedge | | | | |
| Koeleria macrantha | Junegrass | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Panicum virgatum 'northwinds' | Switchgrass | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Schizachyrium scoparium | Little Blue Stem | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Sporobolus heterolepis | Prairie Dropseed | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Forbs | | | | | |
| Asclepius incarnata | Swamp Milkweed | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Asclepias tuberosa | Butterfly Milkweed | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Aster novae angliae | New England Aster | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Baptisia alba | Wild Indigo | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Baptisia australis | Blue False Indigo | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Heliopsis helianthoides | Ox Eye Sunflower | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Liatris | Liatris Spicata | 2 1/4" X 5" | 38 CELL PLUG | 1'-0" O.C. | NATIVE ECOTYPE |
| Lobelia cardinalis | Cardinal Flower | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Monarda fistulosa | Wild Bergamont | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Rudbeckia hirta | Black-Eyed Susan | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Verbena hastata | Rattlesnake Master | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |
| Zizia aurea | Golden Alexander | #1 | CONT | 2'-0" O.C. | NATIVE ECOTYPE |



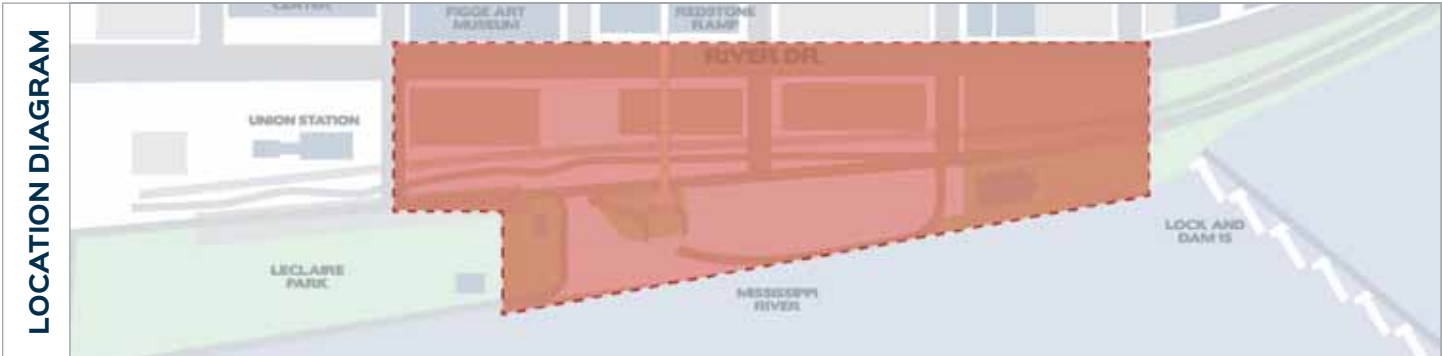
Note: Images shown for reference only.

PLANTINGS

Spring Bulbs



| PLANT SCHEDULE - SPRING BULBS | | | | | |
|-------------------------------|-----------------------------|----------|-----------|----------|----------|
| BOTANICAL NAME | COMMON NAME | SIZE | CONDITION | SPACING | REMARKS |
| Corcus vernus | Flower Record | 9 CM | | 4 PER SF | 4" DEPTH |
| Crocus vernus | Jeanne d'Arc | 9 CM | | 4 PER SF | 4" DEPTH |
| Crocus vernus | Tommasinianus Barr's Purple | 5 CM | | 4 PER SF | 4" DEPTH |
| Crocus vernus | Vernus Yellow Mammoth | 9 CM | | 4 PER SF | 4" DEPTH |
| Hyacinth orientalis | Delft Blue | 16/17 CM | | 3 PER SF | 4" DEPTH |
| Hyacinth orientalis | Gypsy Queen | 16/17 CM | | 3 PER SF | 4" DEPTH |
| Hyacinth orientalis | Jan Bos | 16/17 CM | | 3 PER SF | 4" DEPTH |
| Hyacinth orientalis | Pink Pearl | 16/17 CM | | 3 PER SF | 4" DEPTH |
| Narcissus | Golden Echo | 6 CM | | 4 PER SF | 4" DEPTH |
| Narcissus | Tete-a-Tete | 6 CM | | 4 PER SF | 4" DEPTH |



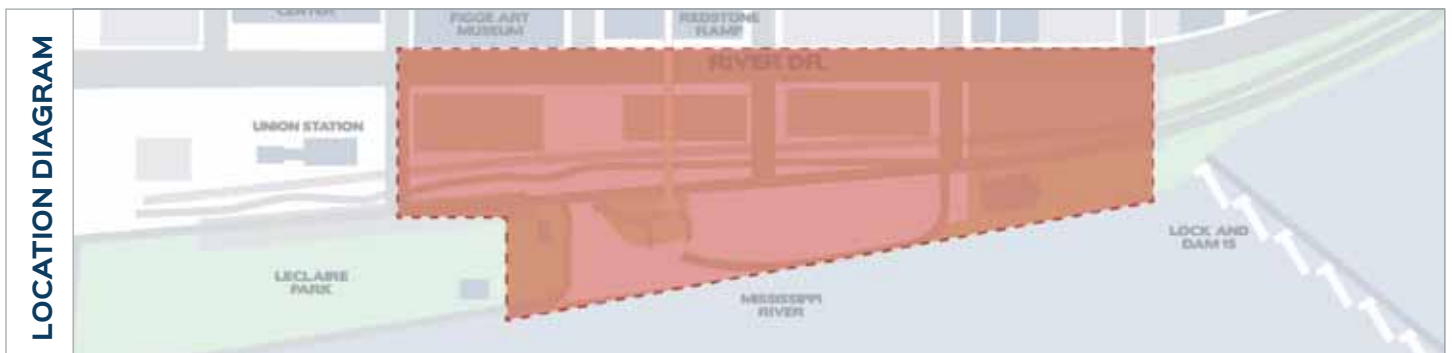
Note: Images shown for reference only.

PLANTINGS

Landscape Screening



DESIGN STATEMENT: Screening parking lots with plantings enhances the aesthetics of the site, provides shade, and reduces the amount of impervious surfaces.



Note: Images shown for reference only.

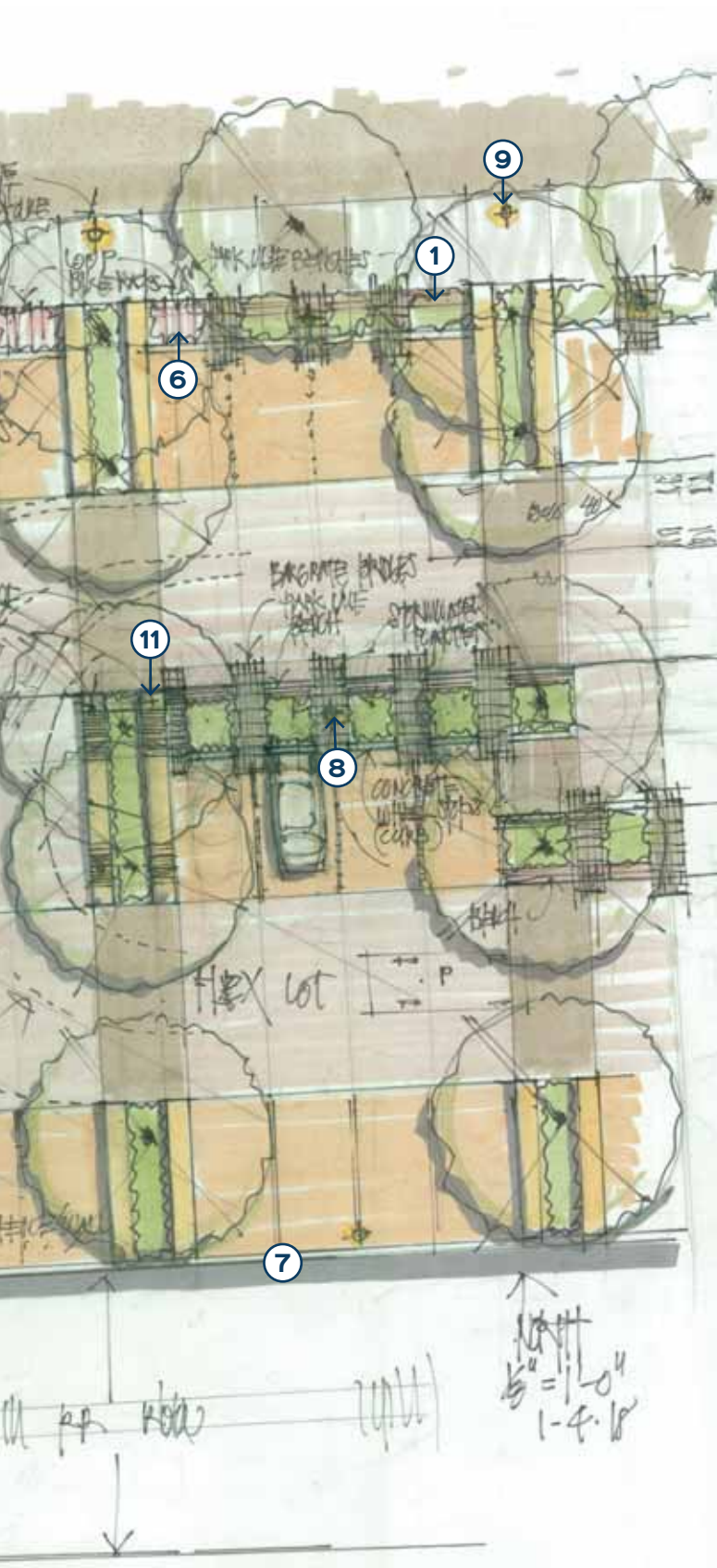
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A p p e n d i x

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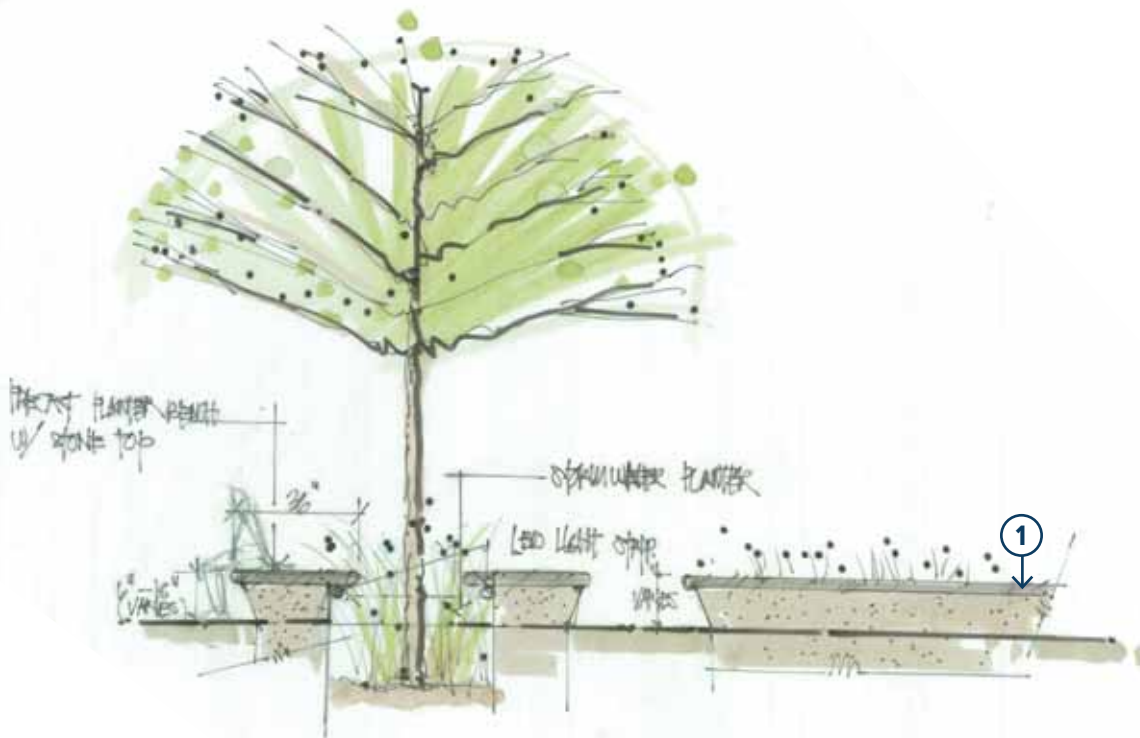
SUMMARY:

Brady Street is a key intersection in the Riverfront site. It serves as one of the gateways into the park and will be adjacent to the currently proposed flex parking space and greenspace. This image is a snapshot of how the family of furnishings fit into the space. It provides suggestions for use and placement to illustrate how various fixtures might work within the park.

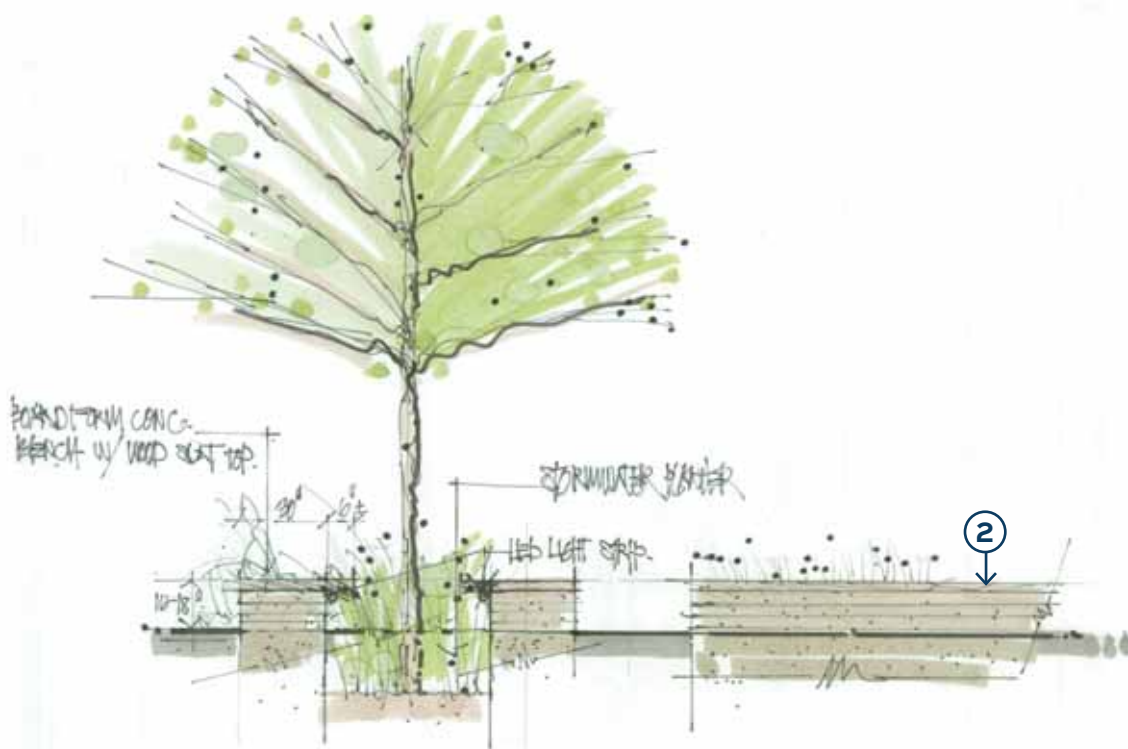
KEYNOTES:

1. Parc Vue bench (pg 35)
2. Parc Centre table & chairs (pgs 37-39)
3. Loma Chaise Lounge (pg 40)
4. Poe litter receptacle (pg 41)
5. Retractable bollards (pg 42)
6. Loop bike rack (pg 43)
7. Screen wall / fence (pg 44)
8. Tanella parking lot lighting
9. Campone pedestrian light (pg 51)
10. Pendo catenary light system (pg 53)
11. Concrete Seat Walls (pg 68)

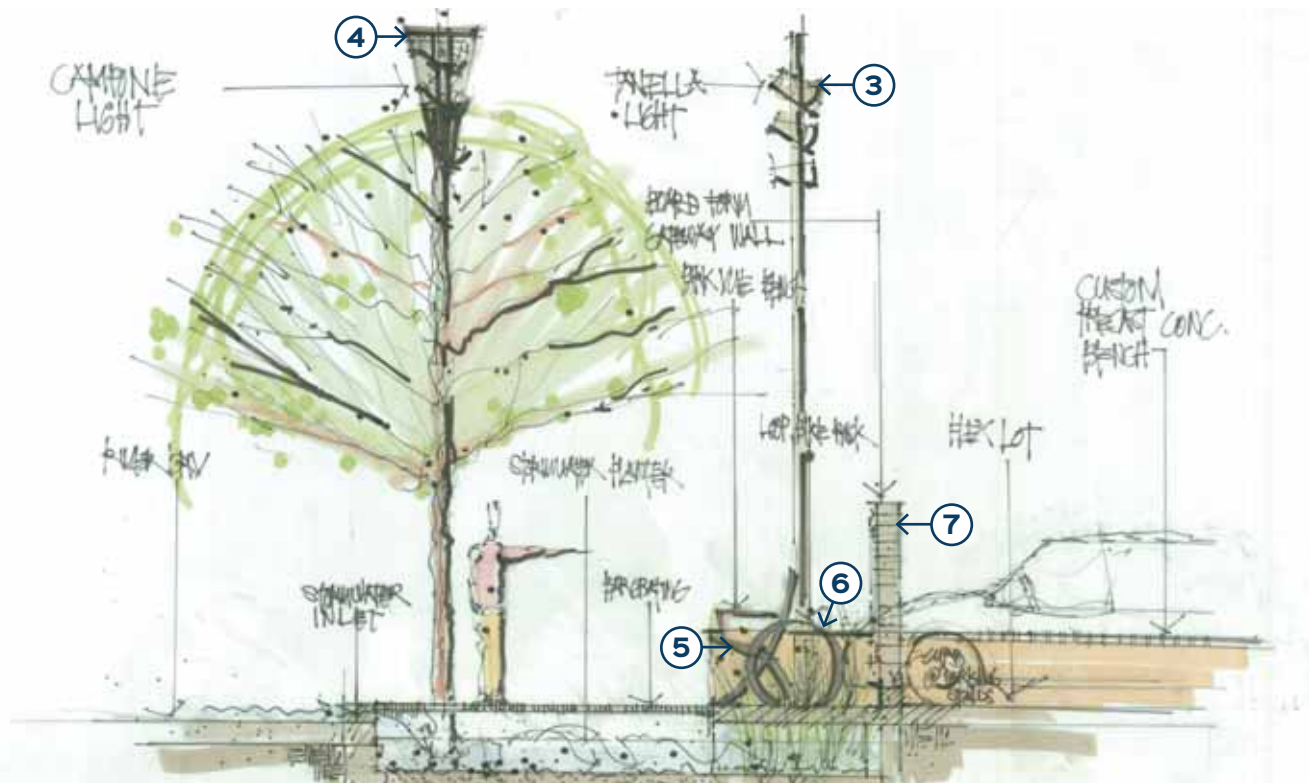
SECTION VIGNETTES



Flex Lot Planter Bench Option A



Flex Lot Planter Bench Option B



River Drive Section

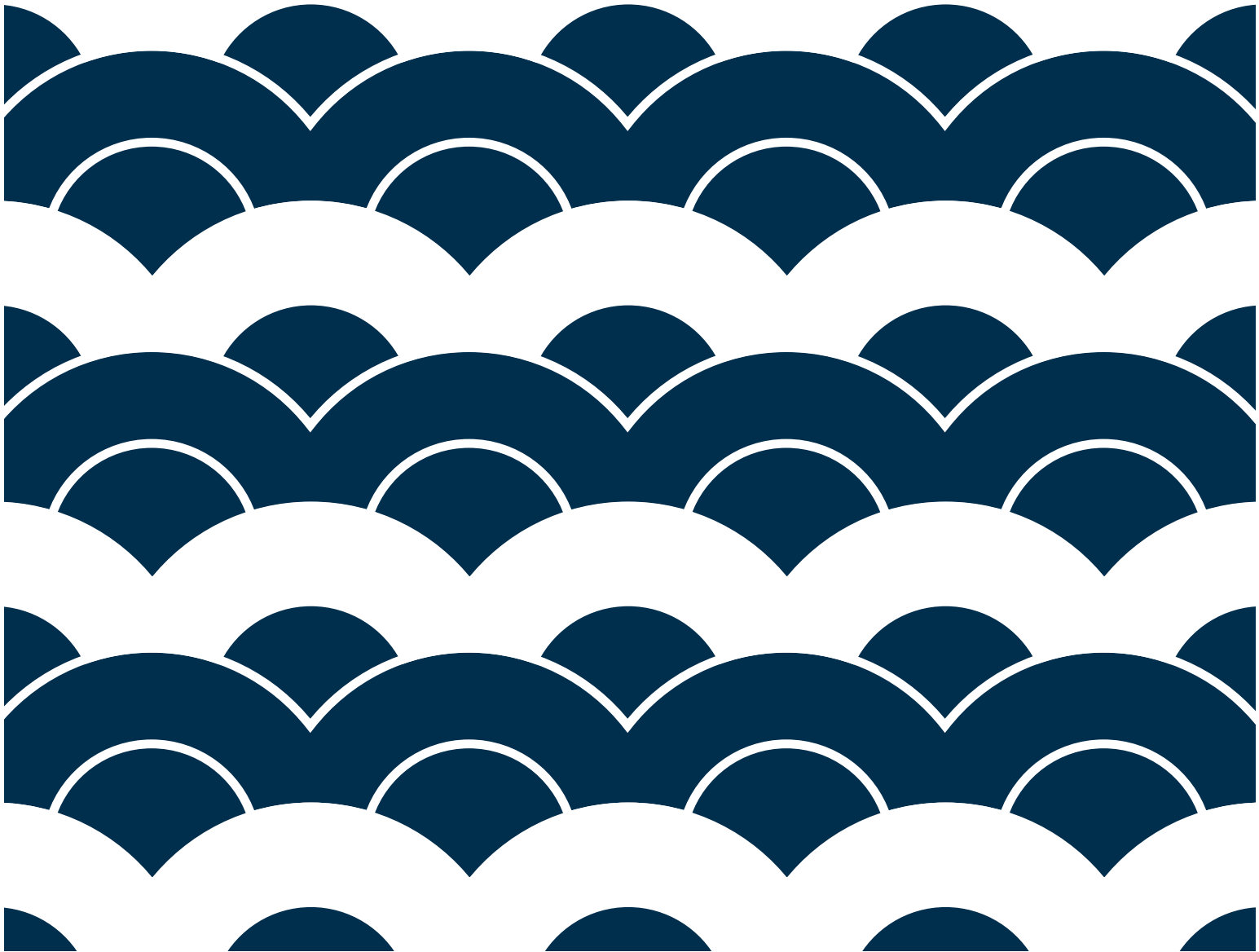
SUMMARY:

These vignettes show examples of how some of the furnishings can be incorporated. Stormwater management strategies are shown integrated into the streetscape to promote environmentally friendly design. Examples of how planters within the flex parking lot would function start to illustrate what the space would feel like at a pedestrian scale.

KEYNOTES:

1. Precast stone walls (pg 69)
2. Concrete seat walls (pg 68)
3. Tanella parking lot light (pg 50)
4. Campone pedestrian light (pg 51)
5. Parc Vue bench (pg 35)
6. Loop bike rack (pg 43)
7. Gateway wall (pg 61)

Feb.
27th,
2018



City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Amy Kay 327-5160
Wards: 6

Action / Date
3/7/2018

Subject:
Resolution approving the contract for the Pheasant Creek Stream Stabilization project from Ardo Schmidt Construction, Inc. of Preston, IA at the amount of \$136,092.57 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #33023 [Ward 6]

Recommendation:
Pass the Resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
A Request for Bids was issued on February 6, 2018 and was sent to 395 contractors. On February 27, 2018 the Purchasing Division received and opened eight bids. The lowest responsive and responsible bidder was Ardo Schmidt Construction, Inc. and they are recommended for the award.

There is a large heat cut (or knick point) east of Fairhaven Road on a tributary of Pheasant Creek that is working its way upstream. A knick point in a stream is a large point of erosion and drop in the stream level. This section of stream will soon receive even more runoff from the Veterans Memorial Parkway improvements and other drainage re-routing which will exacerbate and accelerate the erosion and soil loss. This project will stabilize the knick point with three elevation control structures and is entirely within City property.

A Public Hearing was held on January 17, 2018 and was passed at a subsequent meeting.

Funding for the project is from CIP # 33023.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------|
| ▣ Resolution Letter | Resolution Letter |
| ▣ Backup Material | Bid Tabulation |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Pheasant Creek Stream Stabilization project from Ardo Schmidt Construction, Inc. of Preston, IA at the amount of \$136,092.57 and authorizing Mayor Frank Klipsch to sign and manage any related agreements.

WHEREAS, the City needs to contract the Pheasant Creek Stream Stabilization project and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation to award to Ardo Schmidt Construction, Inc.;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for Pheasant Creek Stream Stabilization project from Ardo Schmidt Construction, Inc. 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, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: PHEASANT CREEK STREAM STABILIZATION

BID NUMBER: 18-74

OPENING DATE: FEBRUARY 27, 2018

RECOMMENDATION: AWARD THE CONTRACT TO ARDO SCHMIDT
CONSTRUCTION, INC OF PRESTON, IA

| <u>VENDOR NAME</u> | <u>LOCATION</u> | <u>AMOUNT</u> |
|---------------------------------------|--------------------|---------------------|
| ARDO SCHMIDT CONSTRUCTION, INC | PRESTON, IA | \$136,092.57 |
| LEGACY CORPORATION OF IL | EAST MOLINE, IL | \$477,990.00 |
| MILLER TRUCKING & EXCAVATING | SILVIS, IL | \$157,300.75 |
| LANGMAN CONSTRUCTION, INC | ROCK ISLAND, IL | \$189,105.00 |
| SMITH SEEDING INC. | ELDRIDGE, IA | \$206,313.00 |
| PHOENIX CORP OF THE QUAD CITIES | PORT BYRON, IL | \$217,492.85 |
| SUPERIOR SEAWALLS, DOCKS & DREDGE | ROCK ISLAND, IL | \$244,900.00 |
| VALLEY CONSTRUCTION COMPNAY | ROCK ISLAND, IL | \$393,804.00 |

Prepared By Cindy Whitaker
Purchasing

Approved By Nicole Kleason 2/28/18
Department Director

Approved By Brandi Coz 3-1-18
Budget/CIP

Approved By Bw 2-28-2018
Finance Director

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Tom Leabhart - 327-5155
Wards: All

Action / Date
3/7/2018

Subject:
Resolution approving the contract for the ADA Sidewalk Ramp Improvement project from McDermott Concrete, LLC of Blue Grass, IA in the amount of \$380,623.70 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #28016 [All Wards]

Recommendation:
Pass the Resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
A Request for Bids was issued on February 2, 2018 and was sent to 427 contractors. On February 23, 2018 the Purchasing Division received and opened four responsive and responsible bids.

The contractor will provide for ADA compliant curb ramps at various locations as indicated in the bid documents location map. The contract includes the construction of curb ramps, associated sidewalk, hydro-seeding, erosion controls, and other works required to construct ADA compliant curb ramps.

Contract pricing was provided for a two-year agreement as long as funding is available for FY2019 and the contractors work is satisfactory.

A Public Hearing was held on January 17, 2018 and was passed at a subsequent meeting.

Funding for the contract is from CIP #28016.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------|
| ▣ Resolution Letter | Resolution Letter |
| ▣ Backup Material | Bid Tabulation |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the ADA Sidewalk Ramp Improvement project from McDermott Concrete, LLC of Blue Grass, IA in the amount of \$380,623.70 and authorizing Mayor Frank Klipsch to sign and manage any related agreements.

WHEREAS, the City needs to contract the ADA Sidewalk Ramp Improvement project and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation to award to McDermott Concrete, LLC;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for ADA Sidewalk Ramp Improvement project from McDermott Concrete, LLC 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, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: FY18 ADA SIDEWALK RAMPS & UPGRADES
BID NUMBER: 18-73
OPENING DATE: FEBRUARY 23, 2018
RECOMMENDATION: AWARD THE CONTRACT TO MEDERMOTT CONCRETE, LLC
OF BLUE GRASS, IA

| <u>VENDOR NAME</u> | <u>LOCATION</u> | <u>AMOUNT</u> |
|----------------------------------|-----------------------|---------------------|
| MCDERMOTT CONCRETE, LLC | BLUE GRASS, IA | \$380,623.70 |
| KELLY CONSTRUCTION OF DAV | DAVENPORT, IA | \$407,819.02 |
| EMERY CONSTRUCTION GROUP INC | MOLINE, IL | \$479,423.30 |
| CENTENNIAL CONTRACTORS OF THE QC | MOLINE, IL | \$562,631.75 |

Prepared By Cindy Whitaker
Purchasing

Approved By Nicole Gleason 3/1/18
Department Director

Approved By Brandi Couper 3-2-18
Budget/CIP

Approved By Linda Stollard 3-2-18
Finance Director

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Nichole Kriz; (563) 326-7784
Wards: 3,5

Action / Date
2/7/2018

Subject:
Resolution adopting the resolution of necessity covering the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. [Wards 3 & 5]

Recommendation:
Pass the resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
The city accepted an alley resurfacing petition, signed by over 50% of owner occupied properties abutting the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. The public hearing for these alleys was held on January 17, 2018.

Half of the alley resurfacing program cost is paid for by the city and the other half is assessed to the abutting property owners based on the size of their lot. The current estimate of \$70,500 with a budgeted amount of \$76,000 in CIP #35017.

State law requires that certain Council actions regarding the assessment procedure must precede the bid letting date. This is one of those resolutions that must be passed in the series. This one is step 16 and amends the proposed resolution of necessity.

ATTACHMENTS:

| Type | Description |
|--|-----------------|
|  Cover Memo | Resolution pg 2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION adopting the resolution of necessity covering the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont.

WHEREAS, this Council heretofore provisionally adopted a resolution of necessity covering the FY 2017 Alley Resurfacing Program Part 2; and

WHEREAS, this Council held a public hearing, as required by law, and heard all objections to the FY 2017 Alley Resurfacing Program Part 2; and

WHEREAS, this Council previously amended the proposed resolution of necessity, as deemed necessary; and

WHEREAS, this Council has overruled all objections regarding the FY 2017 Alley Resurfacing Program Part 2; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that the resolution of necessity for the FY 2017 Alley Resurfacing Program Part 2, as provisionally adopted on December 7, 2017, and as previously amended is finally adopted.

BE IT FURTHER RESOLVED, that this Council hereby directs the Clerk to certify assessments and deficiencies to the County Treasurer and Chief Building Inspector.

Passed and approved the 14th day of March, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Nichole Kriz; (563) 326-7784
Wards: 3,5

Action / Date
2/7/2018

Subject:
Resolution amending resolution of necessity covering the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. [Wards 3 & 5]

Recommendation:
Pass the resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
The city accepted an alley resurfacing petition, signed by over 50% of owner occupied properties abutting the between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. The public hearing for these alleys was held on January 17, 2018.

Half of the alley resurfacing program cost is paid for by the city and the other half is assessed to the abutting property owners based on the size of their lot. The current estimate of \$70,500 with a budgeted amount of \$76,000 in CIP #35017.

State law requires that certain Council actions regarding the assessment procedure must precede the bid letting date. This is one of those resolutions that must be passed in the series. This is step 14 and amends the proposed resolution of necessity.

ATTACHMENTS:

| Type | Description |
|---|-------------|
|  Resolution Letter | PW_RES pg2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

Resolution amending resolution of necessity covering the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont.

WHEREAS, this Council heretofore provisionally adopted a resolution of necessity for the construction of the 2017 Alley Resurfacing Program Part 2; and

WHEREAS, this Council after full investigation deems it advisable to amend the proposed resolution of necessity for the said project.

NOW, THEREFORE BE IT RESOLVED by the Council of Davenport, Iowa, as follows:

- A. That the resolution of necessity provisionally adopted on the December 7, 2017 by this Council for the improvement project referred to in the preamble hereof, be amended as follows:
 - None -
- B. That the plat and schedule of assessments are hereby amended to conform to Part A. hereof and the engineers are instructed to make necessary changes therein.
- C. That, except as hereinabove determined, all objections are found to be without merit and are denied.

Passed and approved this 14th day of March, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Nichole Kriz; (563) 326-7784
Wards: 3&5

Action / Date
3/7/2018

Subject:
Resolution overruling objections for the FY17 Alley Resurfacing Program, for the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. [Wards 3 & 5]

Recommendation:
Pass the resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
The city accepted an alley resurfacing petition, signed by over 50% of owner occupied properties abutting the between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. The public hearing for these alleys was held on January 17, 2018.

Half of the alley resurfacing program cost is paid for by the city and the other half is assessed to the abutting property owners based on the size of their lot. The current estimate of \$70,500 with a budgeted amount of \$76,000 in CIP #35017.

State law requires that certain Council actions regarding the assessment procedure must precede the bid letting date. This is step 15 and amends the proposed resolution of necessity.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------|
| ▢ Resolution Letter | Res Pg 2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

Resolution overruling objections to the adoption of the Resolution of Necessity covering the 2017 Alley Resurfacing Program Part 2.

WHEREAS, this Council heretofore provisionally adopted a resolution of necessity for the construction of the 2017 Alley Resurfacing Program Part 2; and

WHEREAS, this Council after full investigation has determined that it is in the best interest of the municipality to construct such improvement, all as described in the said resolution as amended.

NOW, THEREFORE BE IT RESOLVED by the Council of Davenport, Iowa, as follows:

- A. That any objections against the making of the aforementioned improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of a resolution of necessity are found by this Council to be without merit, and that the said objections be and the same are hereby denied and overruled.
- B. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Passed and approved this 7th day of February, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Nichole Kriz; (563) 326-7784
Wards: 5

Action / Date
2/7/2018

Subject:

Resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract and publication of the notice to bidders and notice of hearing covering the FY17 Alley Resurfacing Program Part 2, for the the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. The current estimate of \$70,500 with a budgeted amount of \$76,000 in CIP #35017. [Ward 5]

Recommendation:

Pass the resolution.

Relationship to Goals:

Enhance quality of life.

Background:

This program involves the resurfacing of one alley with Hot Mix Asphalt (HMA). This is an assessment program where ½ of the total cost to reconstruct or resurface the alley is paid for by the City and the other ½ is paid for by the abutting property owners based on the size of their lot. The resident or business that requests to have their alley reconstructed or resurfaced would have to obtain the necessary signatures on a petition prepared by the City over 50% of the owner-occupied property abutting the alley.

The City received and has accepted a petition for this work, which involves the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont.. It is to be able to be done with the amount of funding currently available. The program cost for this alley is currently estimated at \$,500, and these costs have been budgeted in CIP #35017. Due to the assessments, the owner half of the project expense would eventually be recouped by the City. The public hearing for these alleys was held on January 17, 2018.

State law requires that certain Council actions regarding the assessment procedure must precede the bid letting date. This is one of those resolutions that must be passed in the series. This is step 17 and orders preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract and publication of the notice to bidders and notice of hearing.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------|
| □ Resolution Letter | PW_RES pg2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract and publication of the notice to bidders and notice of hearing covering the FY17 Alley Resurfacing Program Part 2, for the the alleys between LeClaire and Farnam from Garfield to Columbia and between Schricker and Glaspell from Pine to Belmont. The current estimate of \$70,500 with a budgeted amount of \$76,000 in CIP #35017.

WHEREAS, this Council has adopted the final resolution of necessity in connection with the FY 2017 Alley Resurfacing Program Part 2; and

WHEREAS, detailed plans and specifications, notice of hearing, notice to bidders and form of contract should be prepared and filed with the Clerk; and

WHEREAS, said notice of hearing should now be published and the hearing held; and

WHEREAS, said notice to bidders should now be published for the letting date determined;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa, as follows:

Section 1. That the Project Engineer be and hereby instructed to prepare and file with the Clerk detailed plans and specifications covering the aforementioned Improvement Project.

Section 2. That the Project Engineer and the City's Attorney be and they are hereby instructed to prepare, file with the Clerk notice of hearing, notice to bidders and form of contract covering the aforementioned Improvement Project, publish said notice of hearing and notice to bidders and hold the hearing and the letting.

Section 3. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved the 14th day of March, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Ron Hocker 327-5169
Wards: All

Action / Date
3/7/2018

Subject:
Resolution approving the specifications, form of contract, and estimated cost for the FY2019-2020 Contract Sewer Repair Program CIP #30044 and #33001. [All Wards]

Recommendation:
Pass the Resolution

Relationship to Goals:
Sustainable Infrastructure

Background:
This program is for emergency and non-emergency point repairs to sanitary and storm sewer mains within the city. Design of the sewer repairs and program management will be completed by the Sewers Division with quality assurance inspections being completed by Engineering Division Staff.

This project is being bid as an Indefinite Quantity, Indefinite Delivery Task Order Contract. The lowest bidder(s) will be offered annual contract(s) with the City with an option for a one year contract extension, subject to approved funding. Work will be assigned to the successful bidders on a rotating basis. No work will begin prior to July 1 of the fiscal year for which funding has been allocated.

Contracts will be guaranteed in the amount of \$250,000 for each contractor. The maximum contract value is \$1,450,000. Funds for the FY2019-2020 Contract Sewer Repair Program are projected to be budgeted in CIP #30044 and #33001 at \$1,450,000.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------|
| □ Resolution Letter | PW_RES pg2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 3/6/2018 - 10:19 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport

RESOLUTION approving the specifications, form of contract, and estimated cost for the FY2019-2020 Contract Sewer Repair Program CIP #30044 and #33001.

WHEREAS, on the 2nd day of February, 2018, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the FY2019-2020 Contract Sewer Repair 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 that said specifications, form of contract and estimate of cost are hereby approved as the specifications, form of contract and estimate of cost for said FY2019-2020 Contract Sewer Repair Program.

Passed and approved this 14th day of March, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Thomas Vesalga; (563) 326-7783
Wards: 8

Action / Date
3/7/2018

Subject:

Resolution approving the contract for Runway 15/33 Reconstruction Construction Observation and Administration Services (Task Order #1) with McClure Engineering Company of Fort Dodge, Iowa, in the amount not to exceed \$584,749, to provide construction observation and technical oversight for the reconstruction of Runway 15/33 at the Davenport Municipal Airport, FY2019 CIP #20010. [Ward 8]

Recommendation:

Approve the Resolution

Relationship to Goals:

Welcome Investment

Background:

The Runway 15/33 pavement dates back to 1947 and given the age of the existing pavement and the severity of the distress, it has served beyond its intended life. The airport has historically performed panel replacements on a regular basis in order to maintain the pavement at a serviceable level. However, the pavement has deteriorated to a point where it is no longer cost effective to continue with panel replacements. A comprehensive pavement analysis shows that a full reconstruction is needed to maintain the continued functionality of the airport. This construction observation phase will provide the technical oversight needed to successfully reconstruct Runway 15/33 to the specifications designed during previous project phases.

In addition, the existing Runway 15/33 edge lighting and airport signage systems need to be replaced as they no longer meet Federal Aviation Standards and regular outages occur. This project will replace the Runway 15/33 edge lighting and airport signage systems in conjunction with the pavement reconstruction.

McClure Engineering Company is the current 5-year service agreement holder for FAA approved airport engineering and construction consultation.

Funds for this project are available in CIP project #20010. The source of funding is through the FAA Airport Improvement Program grant of \$495,183 (85%) and the CIP project 20010 of \$89,566 (15%).

The contract is available for review in the Engineering Division of Public Works.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------|
| □ Resolution Letter | PW_RES pg2 |

REVIEWERS:

Department

City Clerk

Reviewer

Admin, Default

Action

Approved

Date

3/6/2018 - 10:19 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport

Resolution approving the contract for Runway 15/33 Reconstruction Construction Observation and Administration Services (Task Order #1) with McClure Engineering Company of Fort Dodge, Iowa, in the amount not to exceed \$584,749, to provide construction observation and technical oversight for the reconstruction of Runway 15/33 at the Davenport Municipal Airport, FY2019 CIP #20010.

WHEREAS, McClure Engineering Company of Fort Dodge, Iowa, was selected to provide engineering services for this project, and;

WHEREAS, a satisfactory contract has been negotiated with McClure Engineering Company;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that the contract with McClure Engineering Company for Construction Observation and Administration Services (Task Order #1) in the amount not to exceed \$584,748 is hereby formally approved.

Passed and approved this 14th day of March, 2018

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk