

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, June 27, 2018; 5:30 PM

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

*** REVISED June 25, 2018 ***

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 for June 13, 2018

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report of the Committee of the Whole for June 20, 2018

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Historic Preservation Commission:
Bob McGivern (Re-Appointment)

2. Library Board of Trustees:

Sylvia Roba (Re-Appointment)
Steve Imming (Re-Appointment)
Judith Lance (Re-Appointment)

3. Parks & Recreation Advisory Board:

Jerry Coiner (Re-Appointment 1st Ward)
Wendy Peterson (Re-Appointment 6th Ward)
Richard Thomas (Re-Appointment Mayoral)
Maureen Lemek (Re-Appointment 7th Ward)
Alex Schlue (New Appointment 2nd Ward)

B. Proclamations

1. Red, White and Boom Military & Arsenal Appreciation Day

IX. Presentations

- A. Local Business Recognition of Bell Animal Hospital

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. Third Consideration: Ordinance for Case No. ORD18-01: Amending Title 17.41 of the Davenport Municipal Code, entitled, "Zoning, HCOD Highway Corridor Overlay District and ECOD Elmore Corners Overlay District", by creating an Elmore Corners Overlay District and Design Standards [Ward 6]
2. Second Consideration: Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53rd Street from A-1, Agricultural District to R-2, Low Density Residential District. [Ward 6]
3. Second Consideration: Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District. [Ward 6]
4. Second Consideration: Ordinance amending Schedule VIII of Chapter 10.96 entitled "30-Minute Parking" by adding Main Street along the east side from 2nd Street north to the alley. [Ward 3]

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

1. Motion for suspension of the rules.
2. Motion for passage of 3rd consideration.
5. First Consideration: Ordinance for Case ORD18-02 amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [Ward 1 and 3]
6. Resolution approving a contract for construction management services for the Transload Rail Spur Expansion Project to Veenstra and Kim in the amount of \$91,509.40, CIP #60009 [Ward 8]

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. First Consideration: Ordinance amending various sections of the Davenport Municipal Code to bring uniformity to the process of licensing and permitting for right-of-way encroachments. [Wards All]
2. Resolution authorizing the Mayor to execute documents necessary to convey the following properties: [Ward 3]

Parcel F0051-45, 643 East 6th Street, to (Olivia Aguilera, Petitioner)
Parcel F0051-42, 634 East 6th Street to (Roger LaDue, Petitioner)
Parcel F0051-28, 646 East 6th Street, to (Mary Rothan, Petitioner)
3. Resolution authorizing the conveyance of vacated public rights of way, those being, parts of College, Lombard, Denison and a public alley abutting the Genesis East campus. Genesis Health System, Petitioner.
4. Resolution authorizing the Mayor to execute documents necessary to convey the property at 422 Perry Street to Y&J Properties, LLC (Joe Erenberger, petitioner). [Ward 3]
5. Resolution authorizing the Mayor to sign the Certified Local Government National Register Nomination Evaluation Report Form for 1606 Brady Street.
6. Resolution for Case No. F18-04 Request of Pine Partners LLC for final plat Wedgewood 10th Addition on 0.92 acres, more or less located west of North Division Street at the 5600 and 5700 blocks which is proposed to contain four (4) lots. [Ward 6] **ALDERMAN CONDON ABSTAINS**
7. Motion to set a public hearing for the purpose of amending the Urban Revitalization Area plans for the Central City and North Urban Revitalization Areas. [Ward All]
8. Motion approving the Annual Action Plan, for Year 44 (July 1, 2018 - June 30, 2019) for the CDBG and HOME Programs, the revised Citizen Participation Plan, and the updated CAC recommendations for CDBG allocations. [Ward All]
9. Motion authorizing staff to notify the Department of Housing & Urban Development of its intent to allocate \$2.6 million to its Community Development Block Grant line of credit that can be utilized for various eligible projects including those consistent with urban revitalization. [All Wards]

Public Safety

1. Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Division Street at 76th Street. [Ward 8]
2. Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

7G Distributing LLC, 3200 Research Parkway, July 7, 2018, 12:00 PM to 5:00 PM:
Closure Location: Research Parkway from Research Drive to Hillandale (one lane for overflow parking) [Ward 8]

Barrel House, 211 East 2nd Street, Bix Celebration, July 26-29, 3:00 p.m. to 1:00 a.m., Closure Location: East 2nd Street between Perry and Pershing Streets [Ward 3]

Me & Billy's, 200 West 3rd Street, Bix Celebration, July 28-29, 7:00 a.m. to 8:00 a.m., Closure Location: West 3rd Street between Main and Harrison Streets in front of 200 West 3rd Street [Ward 3]

The Office, 116 West 3rd Street, Bix Celebration, July 28-29, 8:00 a.m. to 2:00 a.m., Closure Location: West 3rd Street between Brady and Main Streets in front of 116 West 3rd Street [Ward 3]

3. Motion approving the Special Occurrence Permit for Mac's Tavern to allow a food truck operate outside their premise on the public right-of-way Monday through Thursday 10 pm to 2 am and Friday and Saturday from 10 pm to 2 am.
4. Motion approving noise variance request(s) for various events on the listed dates and times.

Circle Tap, 1345 W. Locust Street, Wheeler Wedding, July 6, 2018, 8:00 p.m. to 12:00 a.m., Over 50 dBa, [Ward 4]

Dam View Inn, 410 East 2nd Street, Bix Party, July 27-28, 7:00 a.m. to 12:00 a.m., Over 50 dBa, [Ward 3]

Barrel House, 211 East 2nd Street, Bix Bash, July 28-29, 8:00 a.m. to 1:00 a.m., Over 50 dBa, [Ward 3]

Me & Billy, 200 West 3rd Street, Bix Party, July 28-29, 9:00 a.m. to 2:00 a.m., Over 50 dBa, [Ward 3]

The Office, 116 West 3rd Street, Bix Party, July 28-29, 8:00 a.m. to 2:00 a.m., Over 50 dBa, [Ward 3]

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

Ward 3

Mississippi Valley Blues Fest (Mississippi Valley Blues Society) - 400 W Beiderbecke Dr. (LeClaire Park) OR Harrison St. south of 2nd Street - Outdoor Area July 6 - 7, 2018 "Blues Fest" - License Type: B Beer

Public Works

1. Resolution of acceptance for the FY2016 Contract Sewer Repair Program for Hagerty Earthworks, LLC, of Muscatine, IA. [All Wards]
2. Resolution of acceptance for the FY2018 Sewer Lining Program Phase II from Municipal Pipe Tool Co, LLC of Hudson, IA. Final project cost was \$527,153.71 budgeted in CIP #30036. [All Wards]
3. Resolution approving the contracts for the FY2019 Sewer Lateral Repair and Nuisance Repair program from six contractors in the total amount of \$870,000 and authorizing the Mayor to sign and manage any related agreements. CIP #30042 [All

Wards]

4. Resolution approving the contract for the Davenport Municipal Airport Runway 15/33 Reconstruction project from Langman Construction, Inc. of Rock Island, IL in the amount of \$6,709,394.52 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #20010 [Ward 8]
5. Resolution accepting a grant from the Iowa Department of Transportation and the Federal Transit Administration in the amount of \$1,370,388 to provide transportation alternatives during the I-74 Bridge Reconstruction. [All Wards]
6. Resolution assessing the cost of boarding up building at various lots and tracts of real estate. [All Wards]
7. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards]
8. Resolution assessing the cost of condemned property demolition at various lots and tracts of real estate. [All Wards]
9. Resolution assessing the cost of snow removal from sidewalks at various lots and tracts of real estate. [All Wards]

Finance

1. Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance, and related professional risk management services for Fiscal Year 2019 with multiple insurance companies in the amount of \$986,720. [All Wards]
2. Resolution authorizing the execution of the Quad Cities Economic Development Services Agreement with Quad Cities First for FY2019-FY2021.[All Wards]
3. Resolution awarding contracts for vehicle body repair work to a group of body repair companies. [All Wards]
4. Motion approving a grant payment to Gabe's Dream Team in the amount of \$85,000 for construction of an all-inclusive playground in Vander Veer Park. [Ward 5]

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

1. Civil Service Certification List

XVI. Adjourn

City of Davenport

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

Action / Date
6/27/2018

Subject:
Approval of the City Council Meeting for June 13, 2018

ATTACHMENTS:

| Type | Description |
|--------------|---------------|
| ▣ Cover Memo | CC MIN 061318 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/25/2018 - 9:55 AM |

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, June 13, 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 except Ald. Ambrose.

The minutes of the May 23, 2018 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, June 6, 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 Pro tem Matson presiding and all alderman present. The following Public Hearings were held: Community Development: on the proposed conveyance of vacated former public rights of way, those being, parts of College, Lombard, Denison and a public alley abutting Genesis campus. Genesis Health System, Petitioner, CLOSED; for an Ordinance for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53rd Street from A-1, Agricultural District to R-2, Low Density Residential District, CLOSED; for an Ordinance for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District, CLOSED; Public Works: on the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak Area Sidewalk Program #BG250. The following Appointment was approved: Civil Service Commission: Patricia Zamora. 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. Grippo, second by Ald. Ambrose the following resolution was tabled until the third reading of the corresponding ordinances: for Case No. F18-03: Final plat Pheasant Ridge First Addition on 43.27 acres, more or less, located west of Elmore Avenue and north of East 53rd Street containing three (3) lots to facilitate the sale of property for development. Property is zoned "R-3" Low Density Dwelling District and "PDD" Planned Development District. On motion by Ald. Clewell, second by Ald. Ambrose item # 1, 2, 3 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. Ambrose all items moved to the Consent Agenda.

June 13, 2016

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. Ambrose all items moved to the Consent Agenda. Other Motions: On motion by Ald. Ambrose, second by Ald. Rawson to suspend the rules to add and vote on the following item (All aldermen preent voting aye) the following motion passed: approving annual renewal of beer and liquor license for: Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St. - Outdoor Area - License Type: B Beer, 247. Council adjourned at 7:10 p.m.

The following Proclamations were issued: Bonus Fund Giving Week, June 17-23, 2018, 248; LGBT Pride Month, June 2018, 249.

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 third consideration: for Case No. ORD18-01: Amending Title 17.41 of the Davenport Municipal Code, entitled, "Zoning, HCOD Highway Corridor Overlay District and ECOD Elmore Corners Overlay District", by creating an Elmore Corners Overlay District and Design Standards.

The following ordinances moved to second consideration: for Case No. REZ18-04 Request of Pheasant Creek Properties, LLC, to rezone 33.11 acres, more or less, of property located east of Jersey Meadows Subdivision and north of East 53rd Street from A-1, Agricultural District to R-2, Low Density Residential District; for Case No. REZ18-05 Request of Pheasant Creek Properties, LLC, to rezone 7.41 acres, more or less, of property located west of Elmore Avenue and south of Pheasant Creek from A-1, Agricultural District to PDD, Planned Development District.

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. ANX18-03, the annexation of 8.69 acres, more or less, of territory located east of Hillandale Road south of Slopertown Road. (Kraft Heinz Food Company), 250; approving Case

No. F17-08 being the final plat of Bryr's Addition, being a replat of Lots 4,5,6 and 7 of Block 1 of Parkers Addition, located west of Division Street and along the north side of 2nd Street (1730 & 1738 W 2nd Street), containing 0.83 acre, more or less and two (2) industrial lots, 251; setting a public hearing on the proposed conveyance of Parcel F0051-45, 643 East 6th Street, to Olivia Aguilera, Petitioner; Parcel F0051-42, 634 East 6th Street to Roger LaDue, Petitioner and Parcel F0051-28, 646 East 6th Street, to Mary Rothan, Petitioner, 252; setting a public hearing on the proposed conveyance of 422 Perry to Y&J Properties, LLC (Joe Erenberger, petitioner), 253; in support of Hilltop Campus Village continuing the Main Street program administered by the Iowa Economic Development Authority, 254.

Public Safety: The following ordinance moved to third consideration: amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Division Street at 76th Street.

The following ordinance moved to second consideration: amending Schedule VIII of Chapter 10.96 entitled "30-Minute Parking" by adding Main Street along the east side from 2nd Street north to the alley.

The following resolution was adopted: closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s), 255.

The following motions were passed: approving all submitted noise variance request(s) for various events on the listed dates and times, 257; approving all submitted beer and liquor license applications, 258.

Public Works: The following ordinances were adopted: amending Chapter 13.34 entitled "Stormwater Management" by updating stormwater detention and water quality treatment requirements, increasing stream buffer distances in new developments, clarifying drainage easement language, adopting the Unified Sizing Criteria, removing the use of orifice restrictor plates on outlet pipes and restructuring subsections for clarity, 259; amending Chapter 13.38 entitled "Construction Site Erosion and Sediment Control" by updating definitions of redevelopment and topsoil and correlating application procedure information with Chapter 13.34 Stormwater Management, 260.

The following resolutions were adopted: awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Hagerty Earthworks,

June 13, 2016

LLC, of Muscatine, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001, 261; awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Hometown Plumbing and Heating Company of Davenport, IA in the amount of \$250,000 budgeted in CIP #30044 and #33001, 262; awarding and conditionally approving the contract and bond for the FY2019 Contract Sewer Repair Program to Legacy Corporation of East Moline, IL in the amount of \$250,000 budgeted in CIP #30044 and #33001, 263; approving the contract for Lindsay & Slattery Parks restrooms, water and sanitary sewer connection to Hometown Plumbing & Heating Co., Inc. of Davenport, IA in the amount of \$105,238.71. CIP #30010, 264; awarding the contract for the Main Street Landing Parking Phase I Project to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$652,807.00 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #68004, 265; approving a license agreement by and between the City of Davenport and The Hilltop Campus Village allowing The Hilltop Campus Village to install an 11' by 12' sign on the existing brick wall at the north side of Parcel No. C0055-16 a/k/a 506 Brady St, 266; approving the plans, specifications, form of contract, and estimated cost for the W 6th St & Oak St Area Sidewalk Program #BG250, 267; approving the purchase of a used street sweeper from Mid-Iowa Solid Waste Equipment of Johnston, IA for the amount of \$229,000, 268.

Finance: The following ordinance was adopted: amending various sections in Chapter 2.86 entitled "Administrative Hearing Procedures", 269.

The following resolutions were adopted: agreement and support for River Action's application for a state and/or federal grant related to the construction of First Bridge, a pedestrian bridge, over River Drive to River Heritage Park, 270; approving changes to the building permit fee schedule by amending the accessibility review fees, 271; awarding the purchase of seven HP DL380 GEN10 Servers for the IT Department to Genisys Corporation of Redmond WA, in the amount of \$107,541. CIP 67002, 272.

The following is a summary of revenue for the month of May, 2018:

| | |
|---------------------|-----------|
| Property taxes | 4,744,470 |
| Other City taxes | 459,932 |
| Special assessments | - 0 - |

June 13, 2016

| | |
|--------------------------|-----------|
| Licenses & permits | 157,429 |
| Intergovernmental | 2,960,995 |
| Charges for services | 3,137,376 |
| Use of monies & property | 323,745 |
| Fines & forfeits | 75,211 |
| Bonds/Loan Proceeds | 113,631 |
| Miscellaneous | 1,424,437 |

On motion Council adjourned at 6:30 P.M.

A handwritten signature in black ink that reads "Jackie E. Holecek". The signature is written in a cursive, flowing style.

Jackie E. Holecek, MMC
Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Tiffany Thorndike x2066
Wards: All

Action / Date

Subject:
Approval of the Report of the Committee of the Whole for June 20, 2018

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|--------------------|----------|---------------------|
| City Clerk | Thorndike, Tiffany | Approved | 6/21/2018 - 3:17 PM |

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, June 20, 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 except Matson and Tompkins. The following Public Hearings were held: on the proposed conveyance of the following properties: Parcel F0051-45, 643 East 6th Street, to (Olivia Aguilera, Petitioner), Parcel F0051-42, 634 East 6th Street to (Roger LaDue, Petitioner), Parcel F0051-28, 646 East 6th Street, to (Mary Rothan, Petitioner)[Ward 3]; on the proposed conveyance of 422 Perry to Y&J Properties, LLC (Joe Erenberger, petitioner). [Ward 3]; for the ordinance amending various sections of the Davenport Municipal Code to bring uniformity to the process of licensing and permitting for right-of-way encroachments. [Wards All]. The following Public Hearing was postponed until July 3, 2018: for the Ordinance for Case ORD18-02 Ordinance amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [Ward 1 and 3]. 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 items 1, 2, 3 and 5 moved to the Discussion Agenda and all other items moved to the Consent Agenda with Alderman Condon abstaining from action on item 10. Public Safety: Ald. Rawson reviewed all items listed. On motion by Ald. Condon, second by Ald. Dickmann item #2 moved to the Discussion Agenda (Ald. Gripp voted nay.) A motion was made from Ald. Ambrose, second by Ald. Meginnis to recommend suspension of the rules at City Council and vote on item # 2 on second and third consideration. All other items moved to the Consent Agenda. Public Works: Ald. Ambrose reviewed all items listed. On motion by Ald. Dunn, second by Ald. Dickmann, item #6 moved to the Discussion Agenda and all other items moved to the Consent Agenda. Finance: Ald. Meginnis reviewed all items listed. On motion by Ald. Meginnis, second by Ald. Ambrose all items moved to to the Consent Agenda. Council adjourned at 6:41p.m.

City of Davenport

Agenda Group:
Department: Office of the Mayor
Contact Info:
Wards:

Action / Date

Subject:
Historic Preservation Commission:
Bob McGivern (Re-Appointment)

| REVIEWERS: | | | |
|---------------------|----------------|----------|---------------------|
| Department | Reviewer | Action | Date |
| Office of the Mayor | Admin, Default | Approved | 4/26/2018 - 2:36 PM |
| City Clerk | Admin, Default | Approved | 4/26/2018 - 2:36 PM |

City of Davenport

Agenda Group: Council
Department: Office of the Mayor
Contact Info: Nevada Lemke
Wards: All

Action / Date
6/27/2018

Subject:
Library Board of Trustees:

Sylvia Roba (Re-Appointment)
Steve Imming (Re-Appointment)
Judith Lance (Re-Appointment)

REVIEWERS:

| Department | Reviewer | Action | Date |
|---------------------|----------------|----------|---------------------|
| Office of the Mayor | Admin, Default | Approved | 4/26/2018 - 2:37 PM |

City of Davenport

Agenda Group: Council
Department: Office of the Mayor
Contact Info: Nevada Lemke
Wards: All

Action / Date
6/27/2018

Subject:
Parks & Recreation Advisory Board:

Jerry Coiner (Re-Appointment 1st Ward)
Wendy Peterson (Re-Appointment 6th Ward)
Richard Thomas (Re-Appointment Mayoral)
Maureen Lemek (Re-Appointment 7th Ward)
Alex Schlue (New Appointment 2nd Ward)

REVIEWERS:

| Department | Reviewer | Action | Date |
|---------------------|----------------|----------|---------------------|
| Office of the Mayor | Admin, Default | Approved | 4/26/2018 - 2:37 PM |

City of Davenport

Agenda Group: Council
Department: Office of the Mayor
Contact Info: Nevada Lemke
Wards: All

Action / Date
6/27/2018

Subject:
Red, White and Boom Military & Arsenal Appreciation Day

ATTACHMENTS:

| Type | Description |
|--------------|---|
| ▣ Cover Memo | Red, White and Boom Military & Arsenal Appreciation Day |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---------------------|----------------|----------|----------------------|
| Office of the Mayor | Admin, Default | Approved | 6/14/2018 - 10:56 AM |

Proclamation

- Whereas** the cities of Rock Island and Davenport have been cooperative neighbors since the founding of each community in 1835 and 1836, respectively; and
- Whereas** there exists a long history of collaboration dating back to the 1850's when the two communities were connected by the first rail road bridge across the Mississippi River; and
- Whereas** Red White and Boom is celebrating its 14th anniversary of cooperation between these two communities; and
- Whereas** River Vision is a cooperative plan for the redevelopment of the riverfront between the two cities; and
- Whereas** the execution of said plan has brought continuous improvements and enhanced the quality of life along both riverfronts; and
- Whereas** we honor the birth of our nation, those who gave all for our great country, and those who serve today to protect our shores; and
- Whereas** Arsenal Island, and the military commands located there, have been a significant part of the history of both communities; and
- Whereas** our communities commemorate the Rock Island Arsenal and the Arsenal's importance to our region and nation.
- Now therefore** We, Frank Klipsch, Mayor, and the City of Davenport, Iowa, along with the City of Rock Island, congratulate the cities of Davenport, and Rock Island for their improvements to the Riverfront, but also to the Rock Island Arsenal on all of its past achievements and innovations and look forward to celebrating future success and do hereby proclaim July 3, 2018 Red, White and Boom Military & Arsenal Appreciation Day!

Dated this 27th day of June, 2018.

Frank J. Klipsch
Mayor of Davenport

Jackie E. Holecek, MMC
Deputy City Clerk

City of Davenport

Agenda Group: Council
Department: Office of the Mayor
Contact Info: Nevada Lemke
Wards: All

Action / Date
6/27/2018

Subject:
Local Business Recognition of Bell Animal Hospital

REVIEWERS:

| Department | Reviewer | Action | Date |
|---------------------|----------------|----------|----------------------|
| Office of the Mayor | Admin, Default | Approved | 6/19/2018 - 11:09 AM |

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn, 888-2286

Wards: 6

Action / Date

5/16/2018

Subject:

Third Consideration: Ordinance for Case No. ORD18-01: Amending Title 17.41 of the Davenport Municipal Code, entitled, "Zoning, HCOD Highway Corridor Overlay District and ECOD Elmore Corners Overlay District", by creating an Elmore Corners Overlay District and Design Standards [Ward 6]

Recommendation:

The Plan and Zoning Commission recommends approval of the ordinance which would establish the ECOD Overlay Zone and Design Standards without the THF First Addition property. This position differs from staff's recommendation to include the property.

Relationship to Goals:

Fiscal Vitality

Background:

The proposed ordinance represents the implementation tool in achieving the vision of the Elmore Corners Plan. The ordinance creates the new zoning overlay district and establishes specific design standards unique to the overlay district.

Individual developments will be required to obtain administrative approval ensuring high quality design, compatibility and cohesiveness with surrounding development. Inability to reach administrative approval will result in additional review by the Design Review Board, and ultimately, City Council.

The Plan and Zoning Commission's original recommendation eliminated property owned and developed by THF Development (Walmart/Dicks Sporting Goods, etc.). At the April 18, 2018 Committee of the Whole, the proposed ordinance was returned to the Plan and Zoning Commission for clarification. At the May 1, 2018 Plan and Zoning Commission meeting, the Commission voted again to not add the THF property within the area subject to the ECOD requirements.

For clarity, a simple majority is required to approve this item as recommended by the P&Z Commission. Similarly, a simple majority vote is required should Council want to amend the boundaries. However, a super majority vote would be required to adopt the ordinance as amended.

ATTACHMENTS:

| Type | Description |
|-------------------|-----------------------------------|
| ▢ Ordinance | Proposed Ordinance |
| ▢ Backup Material | P&Z Staff Report Plus Attachments |
| ▢ Backup Material | P&Z Supplemental Report |
| ▢ Backup Material | P&Z Letter - Updated |

REVIEWERS:

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

ORDINANCE NO. 2018 -

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning", by creating Chapter 17.41.060, entitled, "Elmore Corners Overlay District", and establishing said District and Design Standards. (City of Davenport, petitioner; Case No. ORD18-01, 6th Ward)

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

Section 1: Chapter 17.41 of the Davenport Municipal Code is hereby amended to read as follows:

Chapter 17.41 HCOD HIGHWAY CORRIDOR AND ELMORE CORNERS OVERLAY DISTRICT

Sections:

- 17.41.010 Intent.
- 17.41.020 Applicability.
- 17.41.030 Use regulations.
- 17.41.040 Height, yard, lot width and area regulations.
- 17.41.045 Design review.
- 17.41.050 Performance standards.
- 17.41.060 ECOD Elmore Corners Overlay District

17.41.010 Intent.

This district is intended to establish a physically attractive pattern of development on certain major entrance corridors into the city of Davenport, to protect these areas from the negative effects of incompatible development and to protect the traffic carrying of important highways within the city. (Ord. 2011-471 § 6 (part)).

17.41.020 Applicability.

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the regulations in the "HCOD" highway corridor overlay district. (Ord. 2011-471 § 6 (part)).

17.41.030 Use regulations.

Permitted uses shall be all uses allowed in the underlying zoning districts. All future rezonings in the "HCOD" highway corridor overlay district other than single-family residential shall be limited to "PUD" planned development district, "PCP" planned commerce park district, and "M-3" planned industrial district, as these districts allow the degree of review and control necessary to achieve the goals of the "HCOD" highway corridor overlay district and allow a complete range of allowable uses for low density residential to retail to industrial.

This chapter shall not apply to single-family detached homes or single-family subdivisions. (Ord. 2011-471 § 6 (part)).

17.41.040 Height, yard, lot width and area regulations.

All requirements of the underlying zoning districts concerning building height, lot area, and yard depths shall remain applicable with the following exceptions:

A. A twenty-five foot landscape buffer shall be required on all major arterial or minor arterial streets. Parking lot circulation may cross the landscape buffer area but parking may not be developed within the required setback. On all other streets a similar ten foot landscape buffer shall be required. In cases where other provisions of the zoning ordinance requires more restrictive standards, the more restrictive standards shall apply.

B. All immediate structures for non-residential uses shall be set back from any immediately contiguous property used for residential development a minimum of twenty-five feet for a one and one-half story building (maximum height fifteen feet) and forty feet for a two story building (maximum height twenty-five feet). Structures shall be set back an additional one foot for each foot of building height over twenty-five feet to a maximum setback of seventy feet from any immediately contiguous residential property line or residential zone. Property separated by public rights-of-way shall not be considered immediately contiguous property.

The zoning board of adjustment may grant variances in cases where the above setback regulations (subsections A and B) unduly impact the developability of any lot subdivided for development prior to the passage of this chapter. The Board may consider the feasibility of complying with the additional setback requirements based upon all of the following:

1. Existing lot size.
2. Compatibility with adjacent development.
3. Locational and topographical factors. (Ord. 2011-471 § 6 (part)).

17.41.045 Design review.

Prior to the issuance of a building permit for the construction of a building, structure, or sign, as defined in Chapter 17.04, the plans shall be administratively reviewed and approved by the planning and economic director or his/her designee, to ensure that the building, structure, or sign complies with the performance standards and guidelines established in, and pursuant to, Section 17.41.050, Performance Standards (HCOD) and Section 17.41.055, Performance Standards (ECOD).

A. Exceptions.

1. Single-family dwellings and accessory structures thereto are not subject to review.
2. The review of public utility structures (except for public utility buildings which are subject to architectural review) shall be limited to requirements for berming and landscaping. Requirements may be extensive and shall include a mix of plant materials having year round effectiveness.
3. Exempted signs, as enumerated in Section 17.45.025 of the zoning ordinance.
4. Temporary signs, which are in compliance with the regulations enumerated Section 17.45.050 of the zoning ordinance.

Notwithstanding the above, the development official, may require the replacement of any of the above signs listed in subsection A, 4 above after one year, if in his or her opinion the sign has become unattractive or deteriorated. Appeals of such administrative decisions shall be made to the zoning board of adjustment within ten days of receipt of the notification of any defect.

B. Authority.

1. As part of the review by the commission of a final development plan, as required by the provisions of Chapter 17.32, "PDD" planned development district, Chapter 17.40, "M-3" planned industrial district, or Chapter 17.50, "PUD" planned unit development, the commission shall review the materials referenced in subsection C, 1 of this section and make recommendations to the commission and the city council relative to the commission and the city council relative to the compliance of the application with the criteria set forth in Section 17.41.050.

2. For other construction subject to the provisions of this chapter but not subject to final development plan approval, the community planning and economic director or his/her designee shall review the materials referenced in subsection C, 1 of this section and approve, conditionally approve, continue or deny any application, basing its decisions on the criteria set forth in Section 17.14.050. Approvals shall be valid for a period of one year from the date of approval. If no building permit has been issued pursuant to the development of the approved project within one year of approval, the approval shall expire.

C. Procedure. In the interests of neighborhood harmony and courtesy, a meeting with adjacent property owners and neighbors is strongly encouraged.

1. Prior to the preparation of final architectural drawings and prior to the issuance of any building permit for any proposal, the applicant shall submit the following information and materials:

- a. The completed application form;
- b. A dimensioned site plan, including the locations of any proposed or existing buildings on the subject parcel and on surrounding parcels, if the buildings are within one hundred feet of the subject parcel;
- c. A verifiable legal description, or a land survey, where deemed necessary by the development official;
- d. A map showing the existing topography of the subject parcel and the topography of other properties at two foot contour intervals, extending one hundred feet from the subject parcel;
- e. A preliminary grading plan showing before and after grades at two foot contour intervals;
- f. A landscape plan (although the authority of staff to approve site plans under Section 17.56 of the Zoning Ordinance remains in effect).
- g. Elevation drawings, in color and drawn to scale, of the front, sides, rear, and roof lines of all proposed buildings or structures, illustrating the appearance and treatment of required screening elements for roof-mounted equipment. Outdoor storage areas that are part of any submittal shall be reflected in the elevation drawings submitted and shall show their relationship to the building elevations as well as the material and treatment proposed that would accurately reflect the screening of the storage areas. A second set of elevations (not colored) shall be submitted on eight and one-half by eleven inch paper.
- h. Samples of each type of exterior building materials, including the color.
- i. Samples of the materials, including the color, along with scaled, accurately colored elevations, of any proposed sign and/or sign package.

2. Prior to issuance of a building permit, the development official shall determine that the submitted plans for the building permit are in substantial conformance with those approved as part of the final development plan, as stated in subsection B, 1 of this section, or by the community planning and economic development director or his/her designee, as stated in subsection B, 2 of this section, and that the time period for approvals has not expired. The stamping of the plans and the signature of the development official, and the date of the signature shall indicate that the plans are in conformance.

3. Prior to any external change, including, but not limited to, a remodeling or elevation alteration which includes changes in materials or colors, the property owner or his or her designated representative shall present the change for review to the development official. The development official may approve a sign, a change to the color scheme or an existing building, a building addition or structure, or a revised landscape plan based upon the following criteria:

a. Building addition or structure:

The addition of accessory structure shall not substantially alter the appearance of the site as viewed from off the site; or be visually incompatible with the existing building or structure.

(1) An addition to an existing building or accessory structure of one thousand square feet or less or;

(2) Which shall not increase the area of coverage by more than fifteen percent increase the number of stories or propose substantial changes to building materials. In no case shall increases greater than fifteen percent of the area of the building coverage, increases in the number of stories in a building, or substantial changes in exterior building materials be considered minor.

b. Landscaping:

(1) The quantity, density, and quality of the plant material is increased and upgraded; and

(2) The changes reflect a substantial improvement of the plan.

Exterior changes not meeting the criteria of subsection C, 3a. and b. shall be reviewed pursuant to the provisions of subsection B of this section.

4. Any conditions prescribed through the approval of the final development plan or by the community planning and economic development director or his/her designee shall be considered an integral part of the construction plans. The conditions shall be noted on all plans as may be required to applicable city departments.

5. Any building, structure, or sign which has been approved, constructed, or installed in accordance with the approval of a final development plan or of the community planning and economic development director or his/her designee may be removed. However, it shall not be modified, altered, or changed in any manner without additional review by the development official, who shall decide whether the proposed change shall be reviewed pursuant to the provisions of subsection C of this section.

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

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

8. Lack of maintenance of any portion of an approved project approved through the approval of a final development plan or by the community planning and economic development director or his/her designee of this code.

D. Appeal.

1. The applicant for design review, may appeal any decision of the community planning and economic development director or his/her designee to the design review board by filing written notice of appeal to the community planning and economic development department within ten working days of the date of the decision. Notice of such appeal and the date for its consideration.

2. The design review board shall base its decision to affirm, modify, or reverse the decision of the community planning and economic development director or his/her designee based on the information and materials previously submitted to the community planning and economic development director or his/her designee.

E. Violations and penalties. It shall be unlawful to construct, erect, install, alter, change, maintain, or permit the construction, erection, installation, alteration, change, maintenance of any building, structure, sign, wall, or landscaping, or use or permit the use of any lot or other land contrary to, or in violation of, any of the provisions of this chapter, and is punishable as set forth in Chapter 17.62 of this code. (Ord. 2011-471 § 6 (part)).

17.41.050 Performance standards.

All uses and buildings permitted within the "HCOD" highway corridor overlay district shall comply in total with the following performance standards:

A. Open space and landscaping requirements. The total ground area devoted to open space for natural landscape and landscape beautification shall not be less than twenty percent on any development site within the "HCOD" highway corridor overlay district. Such open spaces will be free of all drives, parking areas, structures, buildings, except for those walkways, monuments, and ornamental features considered to be necessary and essential to the central landscape theme. In the case of underlying zones which require more restrictive standards, the more restrictive standard shall apply.

The minimum site landscaping requirement shall be as required in Chapter 17.56 entitled "Site Plans." Additional plantings, and larger caliper sizes and heights may be required by the

development official to achieve the goals of this chapter. This landscaping shall be designed to minimize the adverse effects of long expanses of wall, exposed parking, and service areas.

Tree planting shall include a combination of evergreen and deciduous trees and shrubs. In the required front yard, canopy trees shall have a minimum caliper of two and one-half inches, multi-stem clumps shall have a minimum height of ten feet, understory trees shall have a minimum height of five feet, deciduous shrubs shall have a minimum height of twenty-four inches, and evergreen shrubs shall have a minimum height of eighteen inches.

"Caliper" shall be defined according to the standards of the American Association of Nurserymen.

Where fences are necessary for commercial projects, masonry, wrought iron/aluminum, moisture resistant wood (other than stockade) and hedges are encouraged. If visible from a public street, galvanized chain link fences are not to be allowed unless complemented by continuous tall shrubbery completely obscuring the fence.

B. Architectural standards. Buildings within the "HCOD" highway corridor overlay district shall be constructed of quality materials that have strength and permanence. Permanence means that buildings will age without deteriorating, given a minimum level of maintenance. The development shall recognize the strength and permanency of stone, brick, concrete, and steel as opposed to the frailty of light gauge sheet metal and constant maintenance of wood veneer. While no specific materials are disallowed, certain materials will be approved for exterior use only if they are an integral part of a design of unusual merit. Among those materials are architectural metal wall panels, plywood and composition siding such as hardboard. Other materials may be appropriate in one use or situation but be totally inappropriate in another.

The city council shall establish design guidelines to help guide the decisions by the design review board, city staff and to aid petitioners with design considerations.

C. Restricted uses. There are some uses that require additional restrictions within the "HCOD" highway corridor overlay district to lessen their negative impact and make them more compatible with the goals of this chapter. The following uses are restricted:

1. Automobile salesroom or showroom, or new or used car sales or vehicle storage lots. Design principles shall be incorporated into the design of auto dealerships which minimize the unattractive aspects of large areas of parked cars. One-car-deep display areas along arterial and collector streets and freeways shall be permitted. Display rows shall be screened from public rights-of-way with an eighteen inch earth berm. Additional rows of cars shall be separated from the initial row by a shrubbery hedge that completely conceals the view of these additional rows of cars from the public right-of-way. Five percent of the balance of the parking lot shall be landscaped and permeable in the form of islands and peninsulas. Signs applied to, located in, or painted onto vehicle bodies or windshields on cars in the display area are prohibited with the exception of factory invoices. The use of pennants and tinsel are prohibited. Elevated or tilted vehicle display platforms are prohibited. An earth berm or other form of

landscape buffer shall be located around the sides and rear of the property to shield the view of stored cars from adjoining residences and streets, if any. Berming and landscaping may be required to shield the view from commercial areas depending on sight lines. Lighting design shall be integrated with the design of the dealership. Non-glare, cut off luminaries shall be required so that lighting does not spill over onto adjacent properties. The leasing or renting of trucks intended for short term lease of less than seven days shall be prohibited either as a primary or an accessory use.

2. Public garages, service stations, car washes, repair shops, auto parts installation shops, auto service malls, and other similar uses. Building forms and materials shall emphasize masonry and be compatible with nearby retail buildings. Canopies over pumps and their supports shall have no lettering, logos, or striping, and shall be integrated with the building design. The use of pennants and tinsel are prohibited. Car wash structures shall be a minimum of fifty feet from any residential property line or residential zone. Outdoor storage shall be confined to areas enclosed by masonry walls. Stacks of tires, oil cans, and promotional items are not permitted. Garage bays shall be concealed from view from adjacent streets and parking lots whenever possible. The leasing or renting of trucks intended for short term lease of less than seven days shall be prohibited either as a primary or an accessory use.

3. Outdoor retailing. Outdoor retailing areas, such as garden centers, shall be orderly and attractive, with low screening walls concealing merchandise, except plant materials, from view. Additional landscaping similar to at least a "G" buffer as shown in Chapter 17.56 entitled "Site Plans" and berming may be required with such uses.

4. Contractor's yards and other similar uses involving the outside storage of materials and/or vehicles and equipment. Contractor's yards and other similar uses shall be orderly with screening walls, berms, and landscape buffers similar to at least a "G" buffer as shown in Chapter 17.56 entitled "Site Plans" to completely screen them from adjacent properties and public roads.

5. Outdoor vending machines. For the purposes of this chapter, outdoor vending machines shall also be considered outdoor retailing. Such vending machines shall be screened from public rights-of-way.

D. Environmental performance standards. Complete abatement, elimination, or reduction of all generally offensive characteristics such as odors, gases, noise, vibration, pollution of air or water or soil, excessive lighting intensity, hazardous activity, etc. which may be detrimental to the general welfare of the community shall be accomplished. The standards for compliance with this paragraph shall be as follows:

1. Air pollution. The use shall not emit any smoke, dust, odorous gases, or other matter in such quantities as to be readily detectable at any point beyond the perimeter of the site area.

2. Noise. Davenport Municipal Code, Chapter 8.16, "Noise Abatement," shall be used to regulate noise within the "HCOD" highway corridor overlay district.

3. Vibration. The use shall not include vibration which is discernible without instruments on any adjoining lot or property.

4. Site lighting and glare. All lights, other than street lights, shall be so situated and installed as to reflect away from adjacent streets and residential areas. Light and pole designs shall be compatible with the overall design of the building(s) and site. In large parking lots, poles are to be located within the landscape islands. The scale of the parking area shall be considered in the selection of pole height and spacing. Pole height shall decrease, where possible, near property lines and in low intensity use areas to further reduce glare. Uplighting trees and fountains, accent lighting on shrubs and entrances, and silhouette lighting may be used to create special effects.

5. Traffic hazard. The use shall not involve any activity substantially increasing the movement of traffic on public streets to a point that capacity and safety limitations are exceeded unless procedures are instituted to limit traffic hazards and congestion.

6. Storm water detention. Davenport Municipal Code, Chapter 13.34, "Storm Water Management" shall be used to regulate storm water run-off and provide detention where required.

7. Erosion control. Davenport Municipal Code 13.34.310–360, "Erosion Control" shall be used to regulate erosion on development sites. All development with a disturbed site in excess of five acres shall submit a copy of State of Iowa Department of Natural Resources Permit Number 2 with accompanying plans. Similarly, sites less than five acres shall submit a copy of the permit and plans if they are part of a larger development, the whole of which exceeds five acres. On sites less than five acres, an erosion control plan shall be required if, in the opinion of the city engineer, it is necessary to protect off-site properties. An approved grading plan shall be required prior to the commencement of any grading.

8. Overtax public utilities and facilities. The use shall not involve any activity substantially increasing the burden on any public facilities or utilities, unless provisions are made for necessary adjustments.

9. All utilities provided as new installation shall be underground and comply in full with the regulations set forth in Section 16.24.110 of the city of Davenport's Municipal Code entitled "Subdivision."

E. Off-street parking and loading. The required number of spaces shall remain the same as that of the underlying zoning districts. In all cases, parking lots created in the "HCOD" highway corridor overlay district shall be constructed with concrete or asphalt curbing. In all cases parking areas shall be screened from any public right-of-way or adjacent residential area by proper siting, the use of earth berms and vegetation. Earth berms shall be a minimum of three

feet in height (with the exception of those on automobile sales display rows) and shall be supplemented with substantially mature trees and shrubs which have year-round effectiveness. Service areas, loading docks, and garbage facilities shall be located properly and screened as well. Landscaped parking islands and peninsulas shall be included in lot layout to reduce the visual impact and produce shade. In parking lots of twenty or more spaces, an area equal to five percent of the total parking lot area must be landscaped and permeable. This shall not include perimeter plantings. This requirement may be waived in the case of industrial properties where interior landscaping may interfere with the necessary movement of trucks and other equipment.

F. Signage requirements. Signage shall be consistent with the central aesthetic theme of the "HCOD" highway corridor overlay district; sign materials shall be permanent or long lasting in quality. The lighting of signs shall be non-intrusive with back lighting or other methods of indirect lighting required.

Refer to Chapter 17.45 of the city of Davenport's zoning ordinance entitled, "Sign Regulations" Section 17.45.090 K. for a complete description of sign regulations in the "HCOD" highway corridor overlay district.

17.41.060 Elmore Corners Overlay District (ECOD)

A. Administration

1. Purpose. The purpose of the Elmore Corners Overlay District is to establish high quality design standards and coordination for new development to ensure implementation of the Elmore Corners Area Plan, an element of the Davenport Comprehensive Plan.

2. Subject Area. Attached Exhibit "A" depicts the area subject to the ECOD standards.

3. Process. The review process shall follow the process outlined in Title 17.41.045.

4. Design Standards. Prior to issuance of a building or development permit involving site alterations, new construction, or exterior change to a building or sign, the Highway Corridor Overlay (HCOD) standards and the following standards must be met. Unless otherwise noted, the standards contained herein are mandatory.

a. Use. Permitted uses are dictated based on the underlying zoning district. The following uses are prohibited anywhere within the ECOD: Single Family Detached Residential, Warehouse and Distribution Facilities, Self Storage Facilities, Outdoor Storage, and Billboards.

b. Building Composition

(1) Guideline: Buildings shall be of a quality design that contribute to the Elmore Corners destination appearance.

(2) Base, Middle, Top

Building facades shall be composed to define base, middle and top elements. The base of the building anchors it to the ground and is the interface between the building and people. This element shall be the most articulated. The transition between the middle of the building and the base and top shall be varied by use of materials, composition, repetition or ornamental features. The top terminates the building against the sky and provides an opportunity to create an interesting silhouette.

(3) Rhythm

Rhythm refers to the regular or harmonious recurrence of building elements. Rhythmic elements need not be boring, but can provide the visual “glue” that links together various buildings on a street. These patterns commonly reflect the building’s repetitive structural bays, often with the end bays given special identity. This articulation of the facade helps provide scale by comprising the facade into smaller visual parts. The variation of rhythm from building to building reaffirms the individuality of each building, while the recurrence of an overall rhythm helps unify the facade. The building’s structural column lines shall in some way be evident or expressed on its facade.

(4) Scale

In general, distinctive compositional elements of buildings (entries, structural bays, roof elements, windows) shall be distinguishable from both near and far distances. The size and shape of these elements shall give the building scale to relate to pedestrians as well as surrounding buildings. Special attention shall be paid to overall building height and massing in order to maintain a scale and character compatible with the area.

(5) Massing

Large buildings shall be comprised of a hierarchy of masses and forms to give the building a more human scale and visual richness. Techniques include using designed recesses or projections, creating distinct building components, and varying occasional roof forms according to individual building components. However, excessive use of changes in form can create a decidedly confused street façade and disharmony.

(6) Proportion

Building massing and components shall demonstrate consistent proportional harmonies. Typically, pedestrian friendly streets have building elements that rely more on vertically proportioned elements than horizontally proportioned elements. While no architectural rule is always valid, the use of vertically proportioned facade components seems to offer a traditionally street-friendly composition (regardless of specific architectural styles). The use of proportion is intended to provide a sense of visual harmony among elements of a building.

(7) Architectural Form

- Buildings shall be designed to create a pedestrian friendly and scale neighborhood
- Buildings shall be primarily rectangular in form and sited parallel to public streets
- Buildings are encouraged to have a mix of tenants and uses
- Entrances shall be provided at public streets and on parking sides
- Connect building entrances to public sidewalks and pedestrian pathways
- Articulate building shapes with window bays, cornices, parapets, and towers
- Buildings shall have primarily flat roofs with varied or broken lines
- Roof mechanicals shall be screened
- Locate service areas away from public streets and provide architectural screening
- Drive through facilities shall be located on rear building façades as to not dominate the streetscape
- Modify franchise architecture to fit the desired Elmore Corners character

(8) Inappropriate Design

- Flat, massive, monolithic geometric shapes
- Plain, undersigned buildings with large blank spaces
- Small buildings with single occupants
- Gabled, hipped, or steeply pitched roofs
- Large, monotonous roof forms
- Visible building mechanicals
- Faux-historic buildings

b. Building Facade

- (1) Guideline: Buildings shall have varied facades composed of high quality lasting materials as described under (3) below.

- Façades shall be articulated on all sides to provide visual interest.
- Break up façades and create visual interest and pedestrian scale by:
 - Varying materials and colors
 - Varying façade vertical and horizontal setbacks
 - Incorporate architectural reveals or floor step backs
 - Vary window styles and moldings
 - Design enhanced architectural details on the ground level
- Façades on multiple-tenant buildings shall be broken into design elements that reflect individual tenant spaces through vertical façade plain staggering, window/door groupings, and awnings
- Differentiate ground and above floors through horizontal banding, signage bands, and windows
- First floor façades shall be transparent to allow retail uses to interact with the street and parking-side entrances
- Commercial and retail façades shall have at least 40% transparency on the street façade
- Secondary façades that do not face the public street or parking areas are encouraged to have transparent windows. If

this is not possible, then façades shall contain architectural features that provide interest

- Building at corners shall contain interesting architectural features that address the corner such as towers, entrances, and metal or cloth awnings
- Identify building entrances through permanent awnings, overhangs, or signage

(2) Inappropriate Façade Treatment

- Large unarticulated wall planes
- Large expanses of walls without windows
- Projecting wall-mounted mechanical units
- Vinyl awnings

- Buildings with no pedestrian scale or defined entryways

(3) Materials

- High quality materials shall be installed on buildings to promote Elmore Corners
- Long lasting materials such as brick and stone shall be used to withstand weather and provide a feeling of permanence
- Primary building materials shall be natural stone, masonry, brick, and glass and be of natural earth tone colors
- Secondary materials such as decorative metal, wood, stucco, and cement board may be incorporated
- Using a mix of materials is recommended to create visual diversity on the building façade
- Enrichment of the pedestrian realm requires building materials at the street level to be of high quality:
 - These could include items such as brick, stone, decorative concrete masonry units, metal panel systems, or other creatively used high quality and durable building materials
 - Decorative finished block systems can be used along the base of the buildings, and as an accent, but are not recommended as the dominant building material on the entire building
 - Utility grade materials shall only be used on facades of the building not visible from publicly accessible areas
- Freestanding commercial structures shall be designed as four-sided architecture with finish grade materials used consistently on all façades:
 - Recommended primary materials include brick, stone and glass
 - Other materials such as precast concrete, decorative concrete block or decorative facade panels may be appropriate if properly detailed and integrated with the architecture
 - Metal and finished wood may be used as accents, but generally shall not be the primary material for any façade

(4) Inappropriate Materials

- Unfinished concrete, unless integral to the design of the building

- Corrugated metal typically found in 'pole buildings', vinyl, or aluminum siding
- Plywood siding panels
- Exposed treated lumber
- EIFS as a primary material or located on the first floor
- Windows
- Moderate to highly reflective glazing
- Strongly colored or darkly-tinted glazing
- Colors
- Predominant use of bright, high intensity colors
- Predominant use of metallic and neon colors

c. Setbacks

(1) Guideline: To provide a continuous street edge along the Elmore Corners District, buildings shall be sited within setback areas unless not possible due to affecting business operations.

- Along Elmore Avenue and Veterans Memorial Parkway, the primary building façade shall be located within 20-40 feet from the property line
- Along secondary streets, the primary building façade shall be located 0-10 feet from the property line
- To maintain an urban edge that is pedestrian friendly, areas adjacent to parking lots shall be screened with enhanced landscaping

(2) Inappropriate design

- Buildings set back over 40 feet from public streets
- Parking lots between public streets and the primary façade of a building

d. Density

(1) Guideline: Develop land as densely as possible to increase tax base while providing adequate landscaping, stormwater management, and connections to public ways.

- Development shall be designed to an urban density with minimal spaces between buildings
- Install advanced stormwater management practices to increase density
- Density may increase through vertical mixed-use and shared parking arrangements

e. Signage

(1) Guideline: Signage shall function as a marketing device, complement building architecture and materials, and not dominate the site. All signs must meet City Sign Codes.

- Appropriate and attractively designed site signage is an important component of the overall aesthetic appeal of any commercial or mixed-use area. Good signage based on design and graphic quality is encouraged throughout Elmore Corners.
- Business signage shall be wall mounted (projecting or flat), monument (if located away from the building), and window, canopy or awning style
- Similar materials, colors and styles shall be used to ensure the signage is consistent with the building design
- Signs shall reflect and enhance the nature and appeal of the retail and commercial experience and not be just a list of tenants
- Materials shall be of high quality to prevent premature weathering of the sign
- Signs shall fit within and not overwhelm the architectural features of the buildings
- Signs shall harmonize with their surroundings in terms of size, shape, color, texture, and lighting so that they complement the character of the neighborhood
- Signs shall be professionally constructed using high quality materials such as metal, stone, tile, composites, brass/metal plated, hardwood, and glass
- The creative use of materials, lettering, and interesting use of graphics is allowed and encouraged if the signs work well and complement the overall building and street design
- Signs shall be designed with the purpose of promoting retail and street activity while enhancing the pedestrian experience
- Addresses shall be clearly visible from the public right-of-way
- The use of tastefully designed pedestrian scale directories is encouraged for multi-tenant buildings

- Monument signs shall contain a base and not be pole-mounted
- Monument signs shall contain landscaping at the base that will not grow to cover the sign message
- Lighting shall be designed carefully to avoid excessive glare or over illumination:
- Letters can be illuminated internally or externally
- External lighting must be discreet and unobtrusive, and not shine outward into the pedestrian or driver vision path
- Fixtures shall be simple but attractive
- Lighting signs and letters shall be done in an attractive and subtle technique
- Individual letters that are backlit, halo-lit, reverse illumination channel letters, and neon are encouraged

(2) Inappropriate Signage

- Pole signs, billboard style wall-mounted and roof mounted signs are not allowed
- without special permission from the City Plan Commission
- Monument signs advertising individual businesses
- Tall mast signs
- Large temporary signs that impede pedestrian traffic
- Inflatable signs
- Overly illuminated signs
- Unshielded sign light sources, allowing upward transmission of light
- LED, animated, flashing, blinking, and video signs
- Plastic box signs
- Generic, un-stylized signs
- Large temporary signage located in windows that reduces transparency
- Large-scale street-level signage that overwhelms the pedestrian environment

- Signage that obscures architectural details
- Glaring and directed spotlights that affects neighboring properties

(3) Entertainment District Signage

Since the area around the Rhythm City Casino is planned for entertainment purposes, sign design and guidelines may be relaxed to create an exciting sense of place. Signs in this area may be taller along the interstate corridors, contain additional illumination, and may have moving components to advertise this district and its activities.

f. Site Design Guidelines

(1) Parking Lots – Design and Location Guideline: Parking lots shall be located behind buildings or interior of sites whenever possible and contain landscaping to buffer views from public ways.

- Parking lots shall be designed to allow for ease of vehicular circulation and meet all parking lot requirements set in this Title
- Locating parking lots at corners shall be avoided, when possible
- Safe pedestrian ways shall be provided between parking spaces and building entrances
- Canopy trees shall be planted at a minimum of every 12 parking stalls to reduce heat islands
- Edge landscaping shall be installed to screen parking lots from public streets
- Planting areas shall be incorporated into landscape islands and planting areas between parking bays
- Bio-swales and stormwater best management practices shall be used to collect and infiltrate stormwater run off
- Parking lot lights shall be 18-25 feet in height along pedestrian ways and edges
- Tall pole lights may be installed in parking lot internal bays with a maximum height of 30 feet
- Site lighting along pedestrian walkways is encouraged in bollards to provide safe lighting, but not over-illumination
- Lighting shall cast downward and be full cut-off
- Illumination levels shall not exceed 0.5 foot candles at the property line

- Businesses shall provide bicycle parking
- Short-term bicycle parking areas shall be provided within 20 feet of each commercial primary building entrance when possible
- Long-term bicycle parking areas shall be provided within 100 feet of each commercial primary building entrance when possible
- One bicycle parking space per 2,000 gross square feet shall be provided for retail uses. A minimum of two spaces is required
- One bicycle parking space per 10,000 gross square feet shall be provided for office. A minimum of two spaces is required
- A minimum of one bicycle parking spaces per residential unit shall be provided. In-building or covered bicycle parking is encouraged

(2) Inappropriate Parking Lot Design

- Parking lots located between buildings and public streets
- Parking areas located on corners
- Individual parking lots for each development/business
- Numerous access drives into disconnected parking areas
- No parking lot landscaping
- No bicycle parking

(3) Parking Management Guideline: Connect parking lots between developments and share parking between uses to minimize large parking lots and automobile traffic on public streets.

- Parking management shall promote effective economic activity, maximize the sharing of parking areas for commercial activity, and avoid inefficiencies in parking in which parking occupancy patterns discourage higher density and compact development
- Shared parking strategies are encouraged to eliminate redundant and unnecessarily large parking areas and to provide more land for taxable development. Parking lots are encouraged to be shared between building uses that require parking at separate times such as office parking during the day and residential parking at night
- New uses shall be required to produce a parking design and management study which documents the level of use at regular and peak times, the degree of sharing for parking with

nearby users, the way in which the owner/user intends to maximize efficient use, and sharing of the parking

- Cross access and/or joint parking easements may need to be developed in the event of the parcel being subdivided.
- Shared driveways shall be used to serve groups of buildings with shared parking courts between buildings
- Sharing arrangements shall be codified in covenants, deed restrictions, and developer agreements
- Connecting parking lots between development lots is encouraged to reduce traffic congestion on public streets

(4) Inappropriate Parking Management

- Individual parking lots by building, use, or development project
- Parking lots that are overbuilt and unused

(5) Site Circulation Guideline: A pedestrian friendly environment is encouraged to provide safe circulation within the site and between sites. Private development shall connect into existing public infrastructure.

- Concrete or similar material pedestrian walkways shall connect parking areas to building entrances
- Pedestrian walkways shall connect development sites to existing public sidewalks and paths such as the Urban Greenway
- Walkways shall be located outside of vehicle parking areas
- Walkways shall be safely illuminated

(6) Inappropriate Site Circulation

- Unpaved pedestrian walkways
- Parking lots with no pedestrian walkways
- Dark, unlit walkways

(7) Drive-Through and Service Guideline: Drive-throughs shall be located at the rear or side of buildings and shall not be placed between a public street/easement and the main building structure.

- Every effort shall be made to coordinate and integrate drive-through facilities into the overall architectural treatment of the main building
- Creative design solutions such as remote kiosks are encouraged to minimize the impact of the drive-through facility on the overall site design
- Clearly defined pedestrian crossings shall be provided where walkways intersect drive-through access lanes. In all cases drive-through facilities shall be designed to operate without endangering the public safety

(8) Inappropriate Drive-Through

- Drive-through window and service line visible from public streets

(9) Service, Storage, and Utility Areas Guideline: Service, loading, and utility areas, while necessary for business operation, shall be located away from the public view.

- Refuse and recycling areas shall be integrated into the building architecture with high quality design and/or screened with similar building materials to the main architecture. The areas shall be kept clean and avoid accumulation of excess disposal materials and the enclosure shall be locked
- When possible, service and utility areas shall be inside the building or integrated into the architecture of the building
- Loading areas shall be located behind buildings, away from parking areas and public streets
- Loading doors shall not be visible from public streets
- To reduce the amount of area dedicated to these needs, shared service areas between adjacent users and buildings shall be allowed and encouraged
- If indoor reuse is not possible, outdoor refuse areas shall be enclosed with attractive design and materials that match building architecture. Recommended enclosures would be of masonry or stone with gated access and surrounding landscaping. The gate and enclosure opening shall not be visible from public ways
- Rooftop mechanicals shall be screened with materials that match the building architecture

(10) Inappropriate Service Area

- Service areas and utility equipment along public streets
- Prefabricated storage sheds

- Visible garbage dumpsters
- Unscreened service, storage, or utility areas

(11) Landscaping Guideline: Create pedestrian-friendly landscapes that are functional, visually appealing, and relate to building activities and architecture. Use landscaping to screen undesirable views.

- Incorporate landscape elements that complement the character of the building and provide a pleasing relationship with adjoining properties, the public sidewalk, and the street
- Use appropriate landscape elements to establish continuity between buildings and to define the block face where there are no buildings
- Plant shade trees in surface parking lots to reduce heat islands
- Incorporate mid-level plantings and ground covers into parking planting areas
- Native plants shall be installed whenever possible
- Consider prairie plantings instead of turf to minimize maintenance and establish animal and insect habitat
- Use plant materials that provide year-round interest, add desirable color, texture, and smells to a site's experience
- Install plants to screen parking areas from public streets.
- Install plants to screen building mechanicals
- Incorporate rain gardens and bioretention basins to collect runoff and filter pollutants
- Install bioretention areas in surface parking lots for stormwater infiltration
- Use plant materials that are compatible with urban environments and will maintain their health with the expected amount of care
- Use salt tolerant plants due to the urban pedestrian environment

(12) Inappropriate Site Landscaping

- Single species planting schemes
- Residential or suburban landscape treatment such as boulders, bark chips, plastic edging, railroad ties, etc.

- Chain link, metal mesh, wire or barbed wire fencing
- Site furnishings not located adjacent to common spaces

(13) Urban Greenway Guideline: An urban greenway shall be established on the west edge of the planning area to both buffer new development from existing neighborhoods and provide an open space corridor for recreation and natural habitat.

- The urban greenway corridor shall be a 100 foot wide minimum public corridor
- Naturalized landscaping shall be installed to establish the natural space and buffer
- Low-maintenance native species including trees, shrubs and grasses shall be planted
- A 10 foot wide asphalt path may be constructed to provide an alternative transportation route and recreation trail
- The path shall connect to private development, public streets, and sidewalks

(14) Site Features and Urban Spaces Guideline: Private development is encouraged to establish urban spaces and install site features to enhance the Elmore Corners District and contribute to a pedestrian friendly streetscape.

- Commercial uses are encouraged to have public plaza spaces to provide space for activities such as outdoor dining or seating areas
- Commercial urban spaces shall be accessible from public ways
- Any security fencing shall consist of decorative materials (such as wrought iron, brick or stone)
- Select and locate site furnishings (benches, trash receptacles, bicycle racks, etc.) to unify the Elmore Corners District and provide a pleasing relationship with adjoining properties, the public sidewalk, and street
- Site furnishings shall be of high-quality materials that last in all-weather environments

(15) Inappropriate Site Features & Urban Spaces

- Urban gathering spaces that are closed off from public ways
- Site features of low quality that do not complement building architecture

(16) Public Streets and Streetscaping Guideline: Public streets shall be designed as complete streets serving all modes of transportation users including vehicles, bicycles, and pedestrians.

Streets shall contain streetscape elements to enhance the visual aesthetics of these public spaces.

- Primary public streets shall contain streetscape elements of a vehicular scale including:
 - Street lights – tall poles to safely illuminate the street
 - Sidewalk on one side and bicycle path on the other side
 - Turf terraces
 - District gateway features
 - Wayfinding sign directing visitors to district destinations
 - Light pole banners advertising special events
- Secondary streets shall contain streetscape elements of a pedestrian scale including:
 - Street lights – pedestrian scale with decorative fixtures
 - Concrete sidewalks on both sides of the street
 - Decorative brick, paver, or stamped concrete terraces
 - Wayfinding signs or kiosks directing visitors to district locations
 - Light pole banners advertising locations, uses, or events
 - Landscape planters with flowers and grasses
 - All street lights shall contain LED energy efficient fixtures
 - Street lights shall contain decorative poles and bases
 - Street lights shall be down casting to reduce light pollution
 - Stormwater management could be incorporated into the street terrace through stormwater planters, inlets, and swales
- Secondary streets may designate bicycle access through painted sharrows on street lanes

(17) Stormwater Management Guideline: All future developments must meet City Stormwater Ordinance requirements. In general, stormwater best management practices are encouraged and shall be incorporated into site designs, limiting large, monolithic retention ponds.

- Incorporate stormwater systems into development site plans and landscape plans
- Encourage regional ponds or ponds that serve multiple developments to density development and allow development to occur in urban form
- Utilize stormwater management techniques that maximize infiltration and filter runoff
- Incorporate bio-swales into parking lots to collect surface water and infiltrate on-site
- Install urban stormwater management systems where appropriate such as stormwater planters, rain gardens, underground cisterns and cells, porous pavement, and green street terraces
- Green roofs are encouraged to aid in reducing the amount of impervious surfaces
- Collect roof water into "purple pipe" grey water systems to reuse for irrigation, toilets or other non-potable uses
- If water does run off buildings, direct it into planting areas and rain barrels
- Include stormwater pond aeration systems and fountains to improve water quality and appearance
- Inappropriate Stormwater Management
- Direct stormwater runoff into the Pheasant Creek
- Large, unnaturally shaped stormwater detention ponds with no landscaping or aeration

B. Appeals. Appeals of any administrative decision made under this section shall be made in writing by the owner(s) of record of the property to the City Design Review Board no less than thirty (30) days prior to any rescheduled meeting of the Board. Appeals of any decision of the Design Review Board shall be made in writing by the owner(s) of record of the property to the City Council no less than thirty (30) days prior to the scheduled Council meeting.

Section 2. That the ECOD, Elmore Corners Overlay District is hereby created and encompasses the property described as follows:

Part of Sections 5, 6, 7 and 8 of Township 78 North, Range 4 East of the 5th P.M. being more particularly described as follows: River 80 First Addition; Jersey Farms Commercial Park First Addition; Jersey Farms Commercial Park Second Addition; and Parcel No. Y0801-02A being a 15.43 acre, more or less, tract of land owned by Schaefer Living Trust as general partner of the V & T Schaefer Family Partnership LP and described as Tract A in the following documents filed for record in Scott County as Trustee's Quit Claim Deed document No. 2006-4757, Plat of Survey document No. 2001-37358. Boundary of the property contains 342 acres, more or less (area includes rights-of-way).

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch, Mayor

Attest: _____

Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____



PLAN AND ZONING COMMISSION

Meeting Date: April 3, 2018
Request: Proposed Zoning Ordinance Text Amendment adopting Design Standards for Elmore Corners.
Ward: 6th
Case No.: ORD18-01
Applicant: City of Davenport

Contact: Matthew G. Flynn, AICP
Senior Planning Manager
matt.flynn@ci.davenport.ia.us
563-888-2286

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ORD18-01 to the City Council for approval.

Introduction:

Case No. ORD18-01: Zoning Ordinance Text Amendment adopting Design Standards for Elmore Corners and creating the Elmore Corners Overlay District (ECOD).

Background:

Commercial Corridor Revitalization is a major goal of the City Council.

The Elmore Corners Plan and Design Standards project was authorized by City Council. Following a national search, Vandewalle Associates of Madison Wisconsin was selected to lead the City through the process.

The study area of the Plan closely matches the area proposed to be the overlay district.

The preliminary draft of the design standards is attached. Changes suggested the Plan and Zoning Commission at the Public Hearing are in blue type.

The design standards are intended to ensure a high quality level of coordinated development within the area designed to attract quality national and local retailers while protecting investment.

Following adoption, the new regulations will be incorporated into the new zoning ordinance as well.

Public Input:

Public input has been sought throughout the process.

There was a kick off meeting on July 18, 2017, where key stakeholders were interviewed and provided an overview of the project.

On October 25, 2017, the draft plan was presented to the steering committee. Comments were incorporated into the final draft.

On January 22, 2018, a public meeting was held to review the draft plan. Approximately 80 people attended.

On January 29, 2018, the draft plan was discussed at a 6th Ward meeting.

On February 22, 2018, a follow up public meeting was held.

A public hearing was held by the Plan and Zoning Commission at its March 20, 2018 meeting. No one from the public spoke.

Notices of this public hearing were sent to properties within and adjacent to the Proposed Overlay Area. Signs were posted and an ad run in the Quad City Times. As of this writing, no comments have been received.

Discussion:

These proposed regulations are an important implementation tool of the Comprehensive Plan and more specifically, the Elmore Corners Area Plan. The vision of the Area Plan cannot be reasonably expected to be achieved without the zoning changes.

Like any major zoning change (which would include the future complete zoning ordinance revamp) amendments may be necessary to repair errors and omissions from the current draft under consideration.

Recommendation:

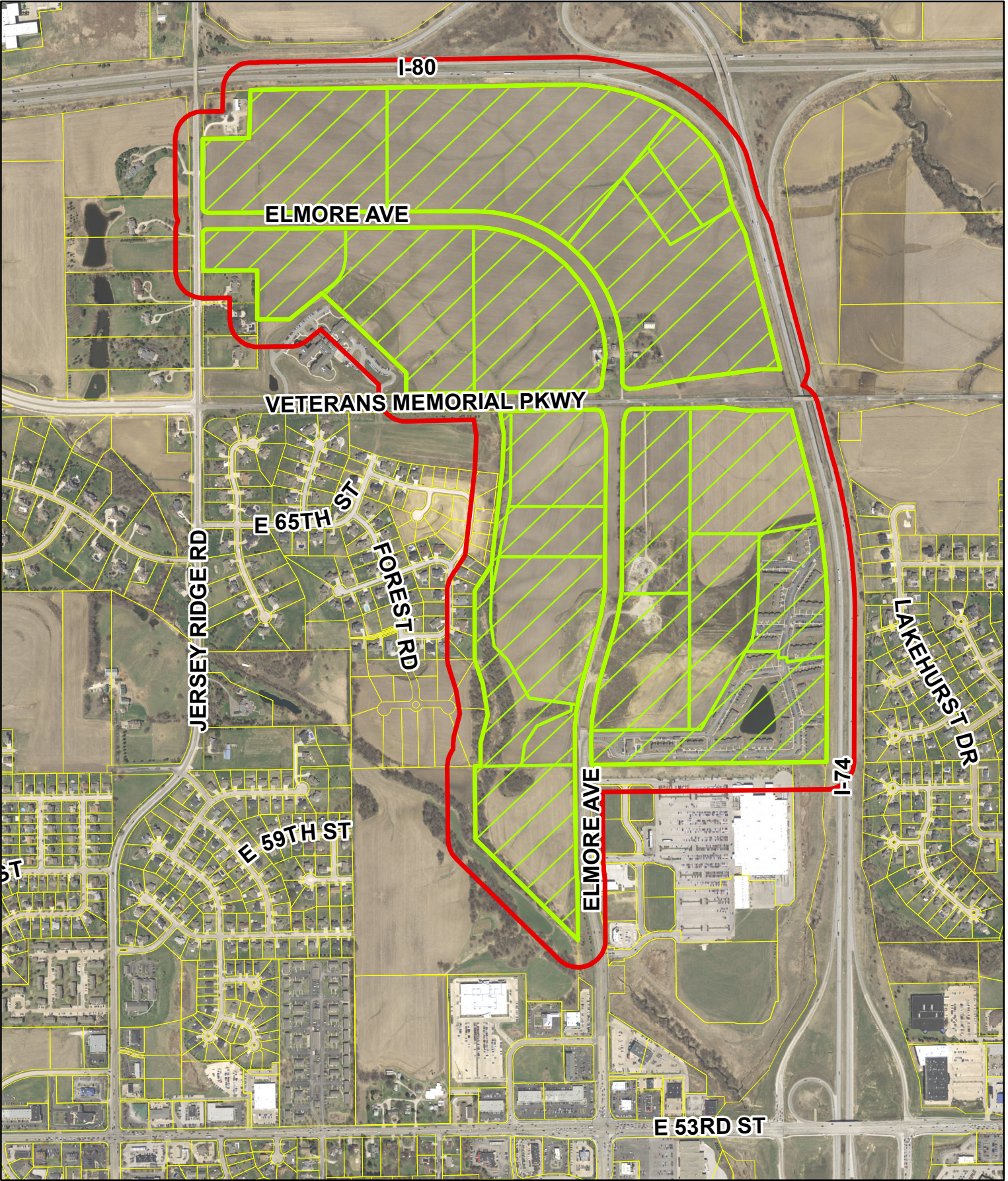
Findings:



Proposed ordinance will serve as an effective tool in the implementation of the Elmore Corners Master Plan

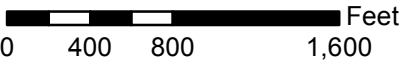
Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ORD18-01 to the City Council for approval.

Plan & Zoning Commission: Adjacent Property Owner Notice Area



-  Adjacent Owner Notice Boundary
-  Elmore Corners Overlay Area



Elmore Corners Notice List - Mailing List

| Parcel | Property Address | Owner Name | Owner Street | Owner CityStateZip |
|----------------|---------------------------|--|---|-----------------------|
| Petitioner: | City of Davenport | | | |
| P&Z Chair: | Bob Inghram | | binghram@activethermal.net | |
| Council Clerk: | Tiffany Hickman | | tiffanyh@ci.davenport.ia.us | |
| Neighborhood: | Jersey Farms NA | Tom Jacobson (563) 343-4352 | tljacobson@mediacommbb.net ; tomjacobson52@gmail.com | |
| Ward/Ald: | 6th Ward | Alderman Clewell | rclewell@ci.davenport.ia.us | 39 Notices Sent |
| Ward/Ald: | 8th Ward | Alderman Tompkins | ktompkins@ci.davenport.ia.us | |
| Ward/Ald: | At-Large | Alderman Condon | | |
| Ward/Ald: | At-Large | Alderman Gripp | kgripp@ci.davenport.ia.us | |
| Y0655-08A | 2913 E 63RD ST | A.J. MURPHY | 2913 E 63RD ST | DAVENPORT IA 52807 |
| Y0533B01 | 6600 ELMORE AV | ARROWHEAD LLC | 6600 ELMORE AV | DAVENPORT IA 52807 |
| Y0533B02 | 6500 ELMORE AV | ARROWHEAD LLC | | |
| Y0501A03A | | BAXTER CONSTRUCTION CO LLC | 3225 AVE N | FORT MADISON IA 52627 |
| Y0801-11 | 5701 ELMORE AV | BEATON HOLDING COMPANY LC | 5805 COUNCIL ST NE STE D | CEDAR RAPIDS IA 52402 |
| Y0655-05A | 6315 FAIRHAVEN RD | BRETT L FELS LIVING TRUST | 6315 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0639-01A | 6403 FAIRHAVEN RD | BRIAN S SMITH | 6403 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0549-01A | | CITY OF DAVENPORT | 226 W 4TH ST | DAVENPORT IA 52801 |
| Y0533BOLA | | CITY OF DAVENPORT | | |
| Y0501A03B | | CITY OF DAVENPORT | | |
| Y0639-19F | | CITY OF DAVENPORT IOWA | | |
| Y0655A11 | 10 WOODVIEW WAY | DOUGLAS N WATTERS | 10 WOODVIEW WAY | DAVENPORT IA 52807 |
| Y0655-07A | 6301 FAIRHAVEN RD | DUEKER LIVING TRUST | C/O A DUEKER | DAVENPORT IA 52807 |
| Y0551A04 | 6403 ELMORE AV | ELMORE STORAGE LLC | 3245 E. 35TH ST CT | DAVENPORT IA 52807 |
| Y0621-25 | 6901 JERSEY RIDGE RD | ERIC G VANSEVEREN | 6901 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0801-09 | 5705 ELMORE AV | HALLE PROPERTIES LLC | 20225 N SCOTTSDALE RD | SCOTTSDALE AZ 85255 |
| Y0639-03A | 6329 FAIRHAVEN RD | JAMES M SULLIVAN | 6329 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0549A03 | | JCO PROPERTIES INC | 3885 ELMORE AV STE 100 | DAVENPORT IA 52807 |
| Y0655-06A | 6307 FAIRHAVEN RD | JEFF M HYLAND | 6307 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0535A06 | 6551 ELMORE AV | JJO LLC | 6215 UTICA RIDGE RD | DAVENPORT IA 52807 |
| Y0621A01 | | KAHL HOME FOR AGED AND INFIRM | 6701 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0623A06 | | KAHL HOME FOR AGED AND INFIRM | | |
| Y0605-25B | 7403 JERSEY RIDGE RD | KARLL FARM L C | 3211 E 35TH CT | DAVENPORT IA 52807 |
| Y0639-05F | 6455 FAIRHAVEN RD | LAURIE A DOBESH | 6455 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0639-QLF | | LAURIE A DOBESH | | |
| Y0621-01 | | LEON S ERNESTO | 2921 E 46TH ST | DAVENPORT IA 52807 |
| Y0605-01 | 7400 JERSEY RIDGE RD | LINDA R DUFFY REV TRUST | 7400 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0655A09 | | MCCARTNEY IMPROVEMENT CO | 5715 NW BD | DAVENPORT IA 52806 |
| Y0639-QLC | | MEADOW BUILDERS INC | 4929 UTICA RIDGE RD | DAVENPORT IA 52807 |
| Y0655-04A | 6321 FAIRHAVEN RD | MICHAEL A INGLEBY | 6321 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0655A12 | | MINH B LAI | 921 W 66TH ST | DAVENPORT IA 52806 |
| Y0605-02 | 7200 JERSEY RIDGE RD | NARIDER KUMAR | 7200 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0621-02 | 7000 JERSEY RIDGE RD | NIDAL H HARB TRUST | 7000 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0639-08F | 6435 FAIRHAVEN RD | NORTHWEST BANK & TRUST COMPANY | 100 E KIMBERLY RD | DAVENPORT IA 52806 |
| Y0535A05 | 3250 VETERANS MEM PARKWAY | O'BROS L.L.C. | 3885 ELMORE AVE | DAVENPORT IA 52807 |
| Y0500-01B | | PEDCOR INVESTMENTS | PO BOX 574 | CARMEL IN 46082 |
| Y0535-01N | | PEDCOR INVESTMENTS | | |
| Y0605A01 | | QC EQUITY INVESTMENTS LLC | 201 HARRISON ST STE 402 | DAVENPORT IA 52801 |
| Y0621A07 | | QC EQUITY INVESTMENTS LLC | | |
| Y0501A04 | | QC EQUITY INVESTMENTS LLC | | |
| Y0517A05 | | QC EQUITY INVESTMENTS LLC | | |
| Y0533B03 | 6300 ELMORE AV | QC SOUTH LANDS EQUITY INVESTMENTS LLC | | |
| Y0549A02 | | QC SOUTH LANDS EQUITY INVESTMENTS LLC | | |
| Y0639-02A | 6335 FAIRHAVEN RD | RANDALL E BOLDT | 6335 FAIRHAVEN RD | DAVENPORT IA 52807 |
| Y0621-26 | 6801 JERSEY RIDGE RD | RICK W HOLLINGSWORTH | 6801 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0607A02 | 7077 ELMORE AV | RYTHYM CITY CASINO LLC | 7077 ELMORE AVE | DAVENPORT IA 52807 |
| Y0707-01C | | WEBBER LIVING TRUST | 19134 246TH AVE | BETTENDORF IA 52722 |
| Y0801-06 | | THF DAVENPORT NORTH DEVELOPMEN | 211 N STADIUM BD STE 201 | COLUMBIA MO 65203 |
| Y0801-07 | | THF DAVENPORT NORTH DEVELOPMEN | | |
| Y0801-08 | | THF DAVENPORT NORTH DEVELOPMEN | | |
| Y0801-10 | | THF DAVENPORT NORTH DEVELOPMEN | | |
| Y0801-OLC | | THF DAVENPORT NORTH DEVELOPMEN | | |
| Y0803-01 | 5811 ELMORE AV | THF DAVENPORT NORTH DEVELOPMEN | | |
| Y0819AOLA1 | | THF DAVENPORT NORTH DEVELOPMENT | | |
| Y0639-09F | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | 2660 E 53RD ST STE 7 | DAVENPORT IA 52807 |
| Y0639-OLE | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-OLD | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-OLB | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-OLA | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-10F | 6411 FAIRHAVEN RD | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-07F | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-06F | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0639-04F | | TOWNE & COUNTRY MANOR DEVELOPMENT CORP | | |
| Y0801-02A | | VTS FARM PARCEL A LLC | 19134 246TH AV | BETTENDORF IA 52722 |
| Y0621-24 | 7001 JERSEY RIDGE RD | WALTER J BRADLEY | 7001 JERSEY RIDGE RD | DAVENPORT IA 52807 |
| Y0655A10 | 9 WOODVIEW WAY | WOOD TRUST CMA | 2805 E 43RD ST | DAVENPORT IA 52807 |

| | | APPROVED | APPROVED | APPROVED | FAILED | APPROVED | APPROVED | | |
|----------|-----------|-----------------------------------|--|---|--|-------------------------------------|--|--|--|
| Name: | Roll Call | CP18-01 Elmore Corners Plan | Amend ORD18-01 Amend 17.41 Elmore Corners Overlay District | ORD18-01 Amend 17.41 Elmore Corners Overlay District | Table ORD18-03 Amend 17.36 M-1 Uses | ORD18-03 Amend 17.36 M-1 Uses | F18-02 Bett's Corporation 2nd Add'n | | |
| Connell | EX | | | | | | | | |
| Hepner | P | Y | Y | Y | N | Y | Y | | |
| Inghram | P | | | | | | | | |
| Kelling | P | Y | Y | Y | Y | N | Y | | |
| Lammers | P | Y | Y | Y | Y | N | Y | | |
| Maness | EX | | | | | | | | |
| Martinez | A | | | | | | | | |
| Medd | P | Y | Y | Y | N | Y | Y | | |
| Quinn | A | | | | | | | | |
| Reinartz | P | Y | N | N | N | Y | Y | | |
| Tallman | P | Y | Y | Y | N | Y | Y | | |
| | 7 | 6-YES 0-NO 0-ABSTAIN | 5-YES 1-NO 0-ABSTAIN | 5-YES 1-NO 0-ABSTAIN | 2-YES 4-NO 0-ABSTAIN | 4-YES 2-NO 0-ABSTAIN | 6-YES 0-NO 0-ABSTAIN | | |

PASTRNAK LAW FIRM, P.C.

**Attorneys at Law
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Davenport IA 52801
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Fax: (563) 323-7739
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Candy K. Pastrnak*

Troy D. Venner*

ILLINOIS OFFICE:
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Milan, IL 61264

Thomas R. Schulz – Of Counsel *
Gregory S. Jager – Of Counsel**
Dee Runnells – Of Counsel*

* Admitted in Iowa and Illinois

** Admitted in Iowa Only

Planning and Zoning Commission
C/o Matt Flynn
City of Davenport
226 W. 4th St
Davenport, Iowa 52801

March 30, 2018

Re: Elmore Corridor Overlay District and
Design Standards

Dear members of the Commission:

We represent THF Davenport North Development, L.L.C., the owner of the Walmart, Dick's, Golf Galaxy and other vacant parcels referred to as Lots 1,4,5,6,7,8, and 10 in the THF First Addition to the City of Davenport, and on behalf of the owner, we object to any rezoning of these parcels or zoning overlay districts being added thereto.

We have thoroughly reviewed the proposed design standards and building restrictions proposed for the Elmore Corners Overlay District and believe they will make it more difficult to market and find tenants or purchasers of the remaining vacant parcels.

The Walmart store was constructed at a time when no one was considering developing Elmore Ave. Recently there has been more than 160,000 sq. ft. of commercial use added to the site with the location/expansion of Dick's Sporting Goods, Golf Galaxy, Field and Stream, and Hobby Lobby. The owner's investment in this area has totaled \$43,158,467. We have worked with Davenport councils and staff for over 17 years to make development on this site possible.

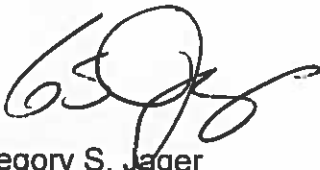
PASTRNAK LAW FIRM, P.C.

Gregory S. Jager
March 30, 2018
Page 2

When Walmart first located in Davenport, the City Council established numerous conditions upon the ultimate development of the site. (ordinances #94-644, 2001-229. 2001-230) with which we have complied. Those conditions were in response to concerns of the Council and neighbors regarding the development, and time has shown that we have not had the adverse impact that some had feared. We consider our development to be a main destination for many shoppers in Davenport and throughout the Quad City area. To impose additional regulations on property which is in the process of development and already subject to council review via the planned development district process is unnecessarily expensive and burdensome.

If the council must impose zoning restrictions beyond those already established by law on properties within the area, we ask that our ground be removed from the overlay district. Otherwise, we are opposed to the ECOD Elmore Corners Overlay District, and ask our objection be placed of record.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Jager', with a large circular flourish at the end.

Gregory S. Jager
Attorney at Law
For: Pastrnak Law Firm
On Behalf of: THF Davenport North Development, L.L.C.



PLAN AND ZONING COMMISSION

Meeting Date: May 1, 2018
Request: Proposed Zoning Ordinance Text Amendment establishing an Elmore Corners Overlay District and adopting Design Standards for Elmore Corners.
Ward: 6th
Case No.: ORD18-01
Applicant: City of Davenport

Contact: Matthew G. Flynn, AICP
Senior Planning Manager
matt.flynn@ci.davenport.ia.us
563-888-2286

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ORD18-01 to the City Council for approval, including the entire THF First Addition being part of the area subject to the proposed ECOD Overlay District.

Update:

This case was remanded back to the Plan and Zoning Commission by the Committee of the Whole on April 18, 2018 for clarification of its recommendation.

Recall that at its April 3, 2018 meeting, the Commission heard from representatives of THF Development requesting that the area known as THF First Addition (Davenport Commons; Walmart/Dick's Shopping Center) be removed from the area subject to proposed ECOD Design Standards.

Staff did not oppose removal of the area at the April 3, 2018 meeting. This, however, did not reflect the position of overall City staff and was presented in error. The Commission voted in favor of removing the property from the proposed overlay district.

Staff advertised for the Public Hearing before the Committee of the Whole with the THF First development removed. There is uncertainty of what exactly is the intent of the Plan and Zoning Commission's recommendation. Further, what effect, if any, does this recommendation have on a possible requirement of a supermajority vote by the Council in order to approve.

Discussion:

- 1) Staff reiterates its position to keep the THF First Addition within the area subject to the proposed ECOD Design standards for the following reasons:
 - The area has always been part of the Elmore Corners Plan project area with no opposition being expressed until the day before the Plan and Zoning Commission vote.
 - Pheasant Creek provides a clear physical boundary for Elmore Corners.
 - The ECOD Design standards will ensure quality development strived for on the existing vacant parcels and possible expansion or development on the currently developed portions of the THF property.
- 2) Procedurally, the City Council is seeking to clarify whether the Plan and Zoning Commission recommendation is to approve the Elmore Corners Overlay District and Design Standards *only* if the aforementioned THF properties are removed OR if the Commission recommends approval of the District and Standards regardless of whether the THF properties are removed.

Obviously, the Commission could choose to take other action on this particular case as well. But the primary need is to clarify when a Council supermajority would be necessary.

The previous staff report (attached) contains additional information.

May 2, 2018

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of May 1, 2018, per your request to clarify its recommendation made on April 3, 2018, the City Plan and Zoning Commission considered Case No. ORD18-01: Request of the City of Davenport to create an ECOD, Elmore Corners Overlay District and to establish design standards for said district.

A motion to add the THF First Addition into the area subject to the proposed overlay failed by a vote of 3-yes and 5-no.

The Commission maintains its original recommendation and recommends approval of the ordinance deleting the property owned and developed by THF development from the overlay and corresponding design standards.

Finding:

- 1) Proposed ordinance will serve as an effective tool in the implementation of the Elmore Corners Master Plan

Conditions:

None.

The Plan and Zoning Commission accepts the finding and forwards Case No. ORD18-01 to the City Council for approval. The vote to approve was 5 – yes and 1 – no (Reinartz).

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn, 888-2286

Wards: 6

Action / Date

6/6/2018

Subject:

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

Recommendation:

Adopt the Ordinance

Relationship to Goals:

Welcoming Neighborhoods

Background:

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

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

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

Findings:

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

Conditions:

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

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

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

The protest rate is currently 18.5% with 18 property owners objecting.

See attachments for additional information.

ATTACHMENTS:

| Type | Description |
|-------------------|--|
| ▣ Ordinance | Ordinance |
| ▣ Backup Material | Location Map |
| ▣ Backup Material | Background Material |
| ▣ Backup Material | Public Engagement Summary |
| ▣ Backup Material | Additional Public Comment as of 6-7-18 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:05 AM |

ORDINANCE NO.

Ordinance offered by Alderman Gripp.

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

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:
Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned from A-1 Agricultural District to R-2, Low Density Residential District.

The Legal Description is as follows:

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

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

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

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

thence N01°-18'-15" West 50.00 feet;

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

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

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

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

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

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

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

Findings:

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

Conditions:

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

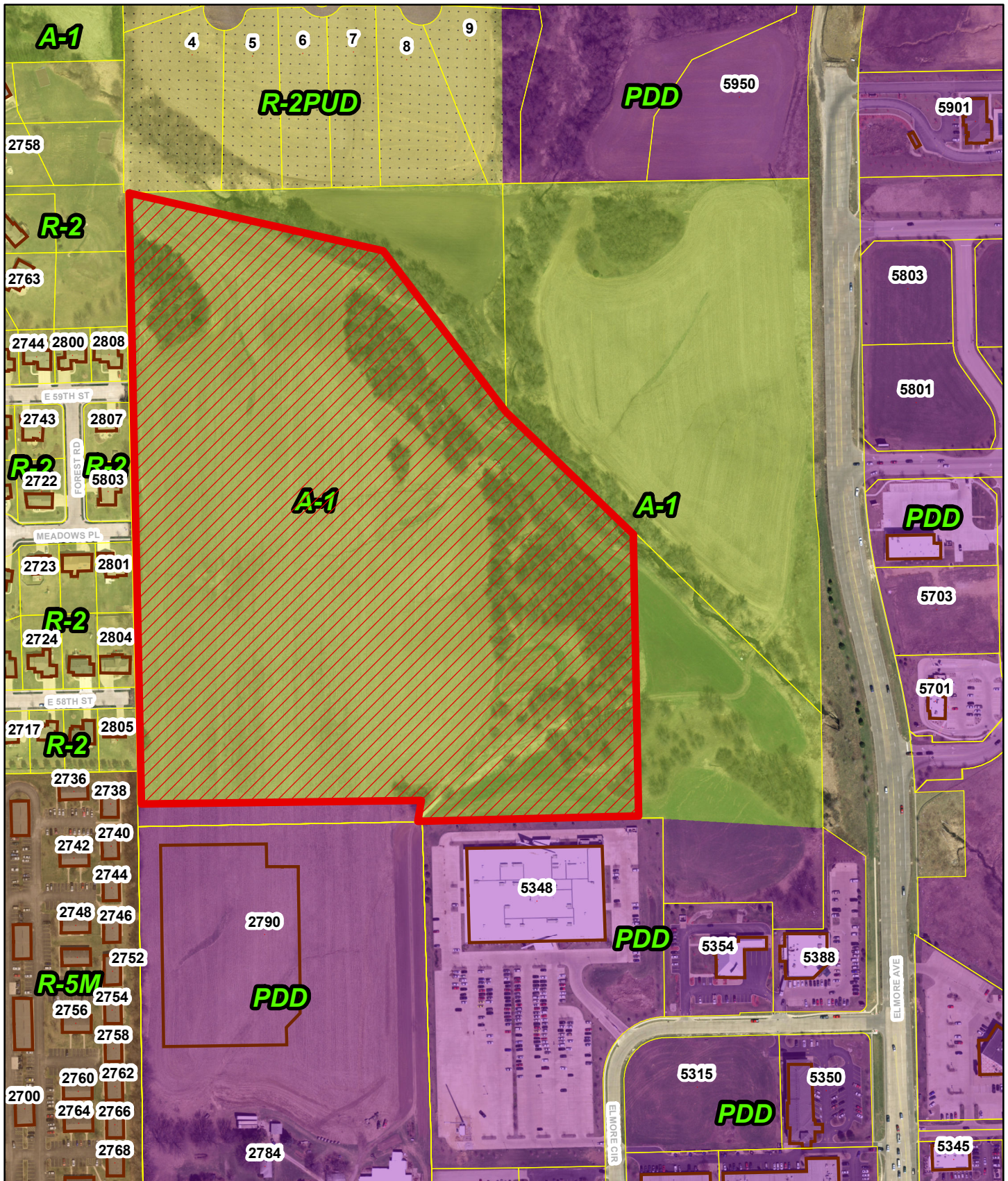
Frank J. Klipsch
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

LOCATION MAP

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



0 70 140 280 420 560 Feet



BACKGROUND MATERIAL

CASE NO's REZ18-04 and REZ18-05

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



PLAN AND ZONING COMMISSION

Meeting Date: May 15, 2018
Request: Request to rezone 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 5.55 acres from A-1 Agricultural to PDD Planned Development District.
Case No.: REZ18-04; REZ18-05 (NOTE THIS IS A COMBINED STAFF REPORT)
Applicant: Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes)
Ward: 6th

Contact: Matthew G. Flynn, AICP
Senior Planning Manager
matt.flynn@ci.davenport.ia.us
563-888-2286

Recommendation:

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

Background:

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

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

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

Site Characteristics:

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

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

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

The description of those classifications are as follows:

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

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

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

Technical Review:

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

Engineering general comments:

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

Traffic Engineering comments:

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

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

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

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

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

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

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

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

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

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

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

Discussion:

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

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

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

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

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

Public Input Summary:

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

Public Meeting Notice: 43 notices mailed April 18.

Signs Posted: 3 signs were posted on April 16

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

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

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

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

Recommendation:

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

Case No. REZ18-04:

Findings:

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

Conditions:

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

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

Case No. REZ18-05:

Findings:

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

Conditions:

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

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

Zoning Map Amendment Application

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Property Address* See Attachment A

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

Applicant (Primary Contact)**

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

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

Engineer (if applicable)

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

Design Review Board

Certificate of Design Approval ☐
Demolition Request in the Downtown ☐

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Attorney (if applicable)

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

Administrative

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

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

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

- The following items should be submitted to Planning@ci.davenport.ia.us for review:
- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
 - Zoning Map Amendment is less than 1 acre - \$400.
 - Zoning Map Amendment is one acre but less than 10 acres - \$750 plus \$25/acre.
 - Zoning Map Amendment is 10 acres or more - \$1,000 plus \$25/acre.
 - \$5.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:**(1) Application:**

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

(2) Public Notice for the Plan and Zoning Commission public hearing:

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

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

- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant:

Date:

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

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR REZONING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

February 27, 2018
VMCE # 17361-B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

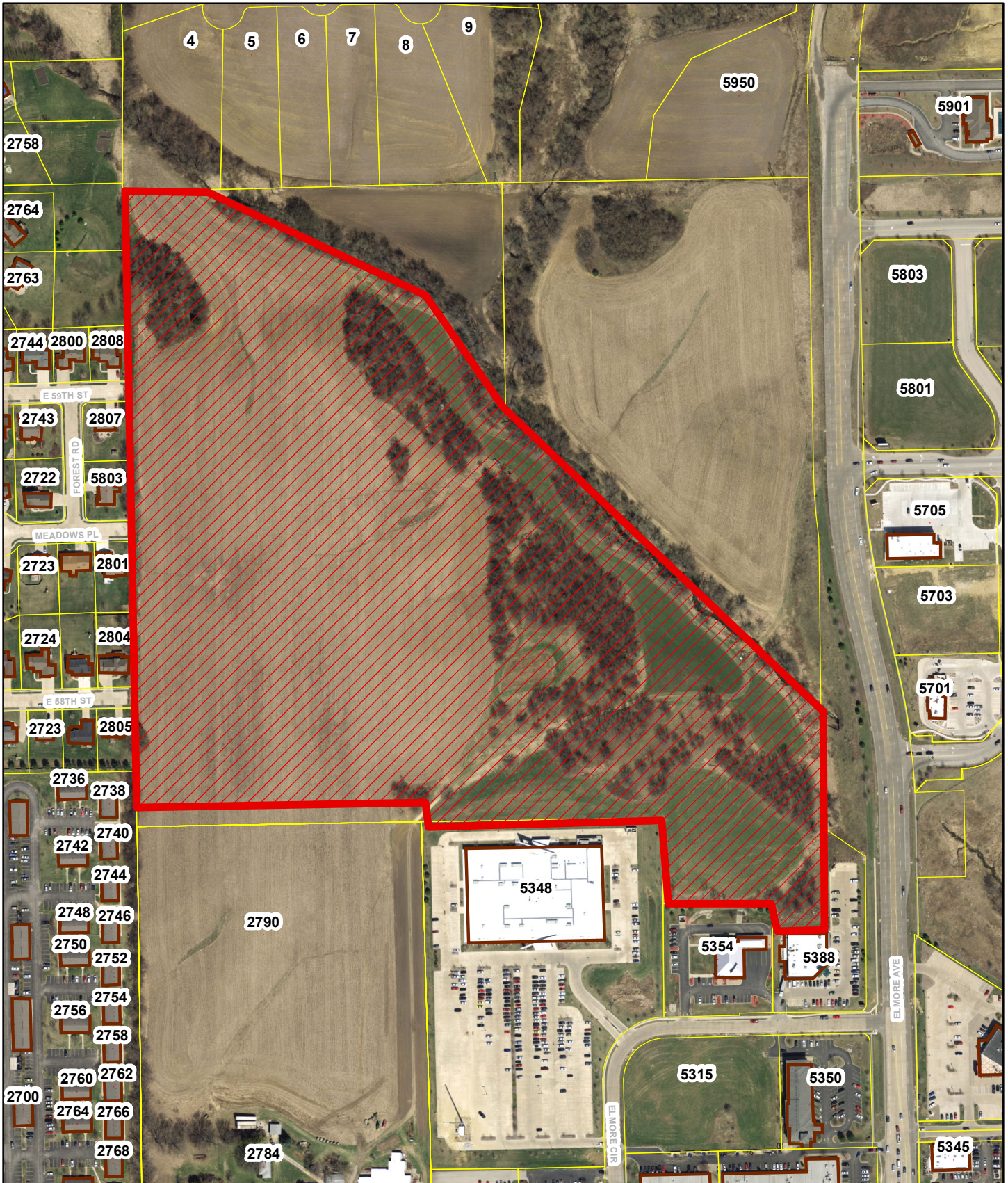
thence North $00^{\circ}-18'-15''$ West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

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

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

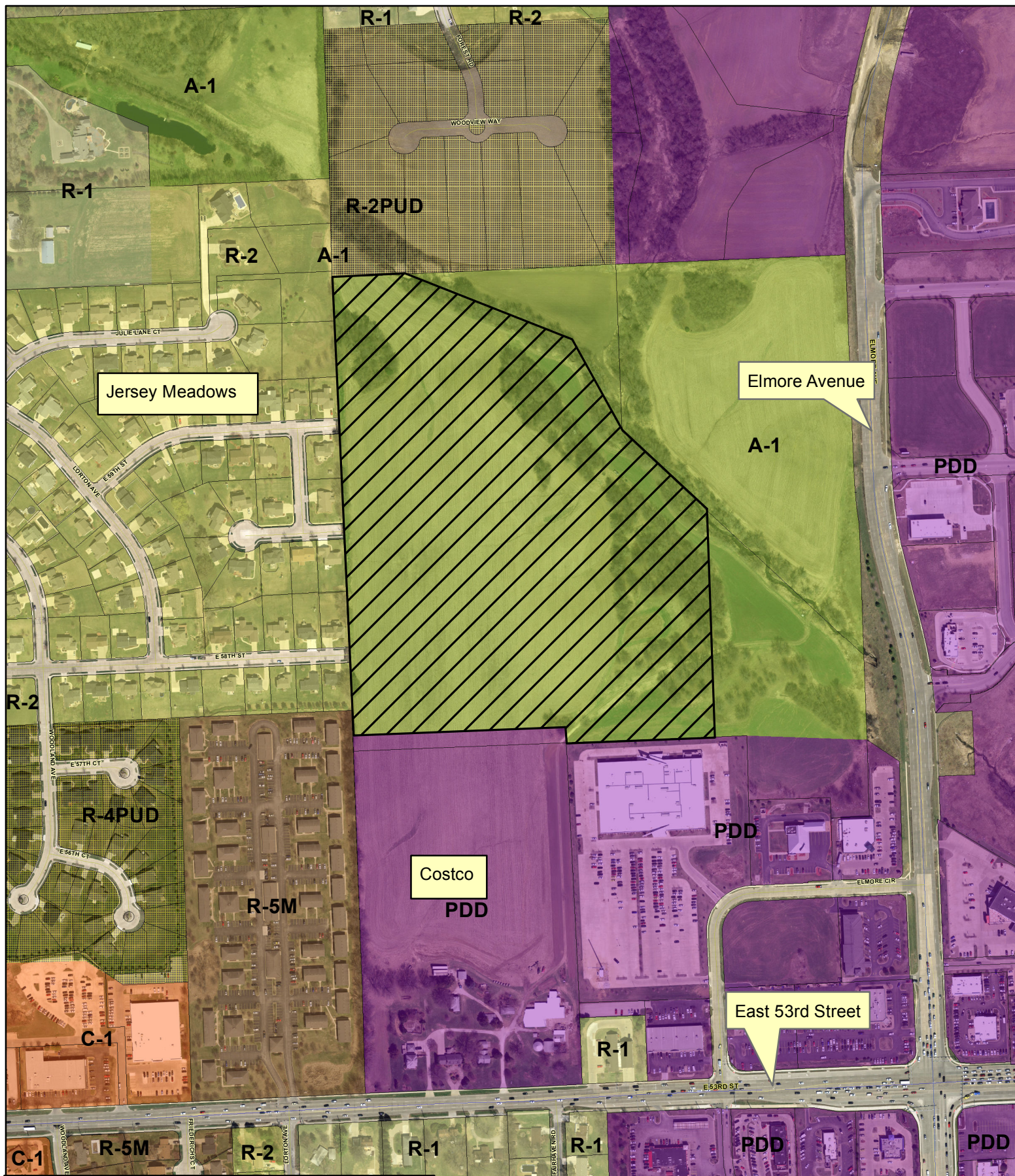
Containing 7.41 acres, more or less, subject to easements of record.

REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet

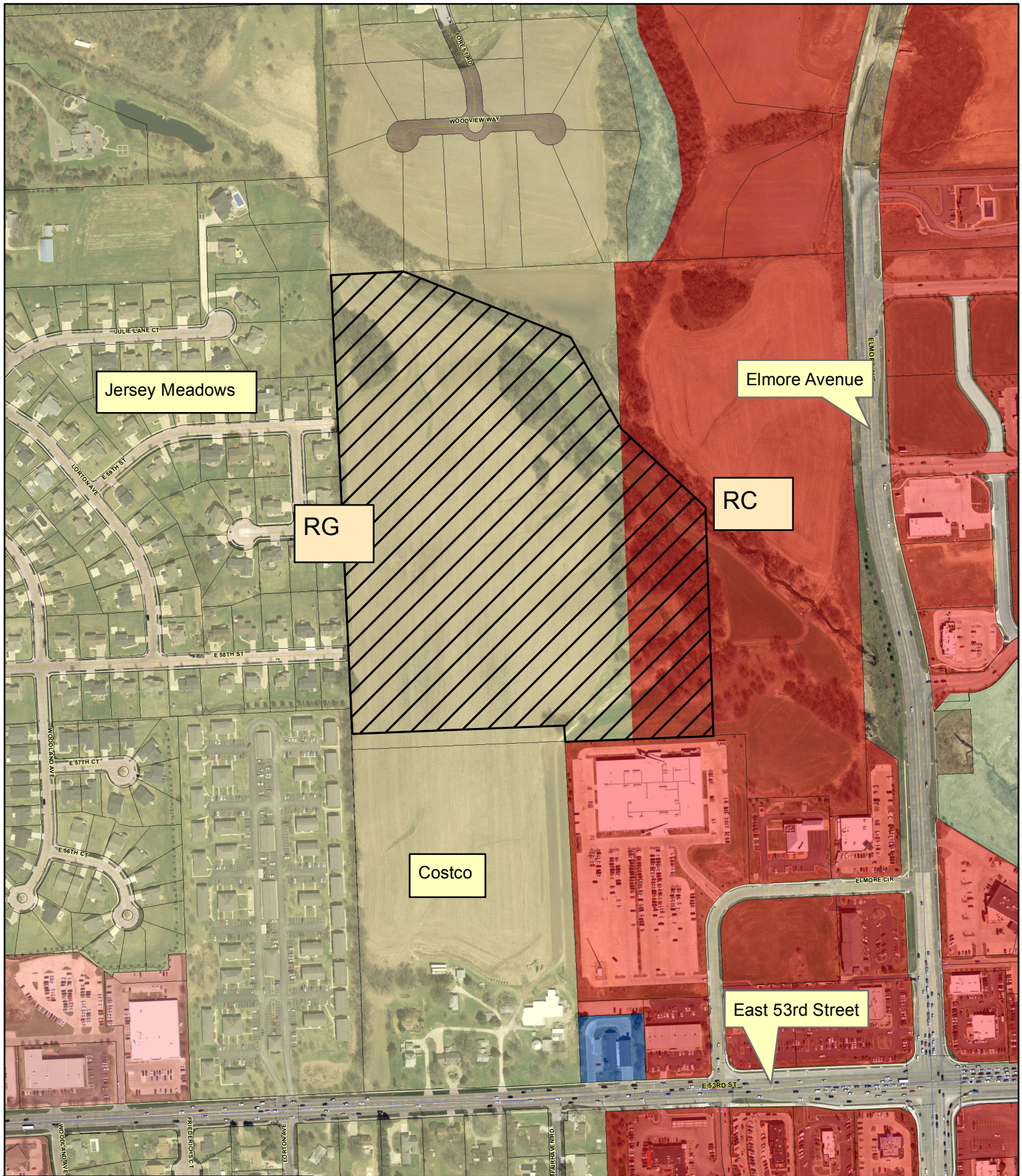




A-1 Agricultural
R-2 Low Density Dwelling
R-5M Medium Density Dwelling
PDD Planned Development

0 200 400 800 Feet





RG Residential General
RC Regional Commercial





City of Davenport

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

NOTICE

PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

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

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

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

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

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

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

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



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

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

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

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

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

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E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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

Zoning Map Amendment: Adjacent Property Owner Notice Area



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

0 200 400 800 Feet



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

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

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

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

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

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

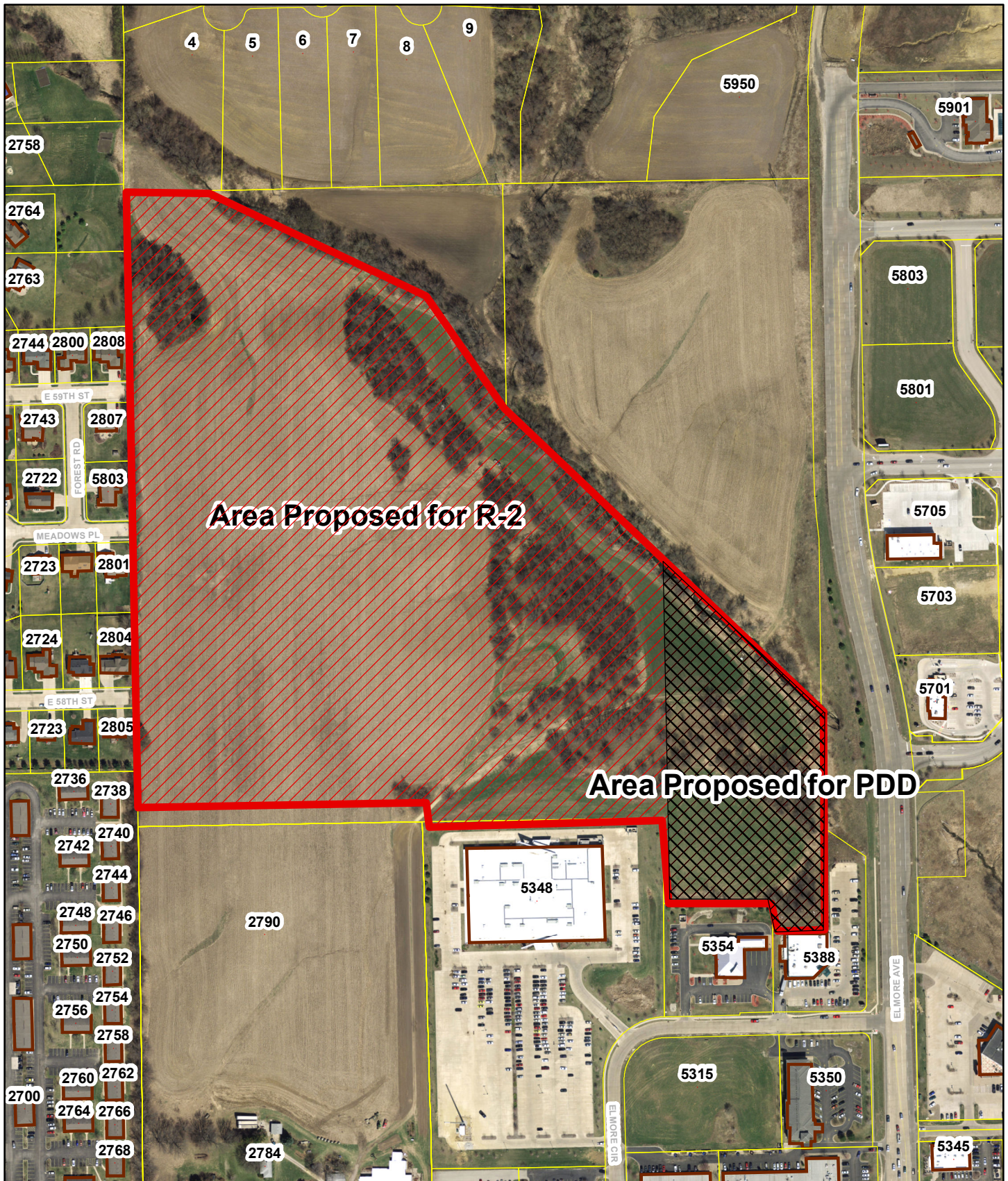
The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

Case No. REZ18-04; REZ18-05

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet



Neighborhood Meeting Attendance List

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

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

Mack,

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

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

Thank you,
Brian Carber

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

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

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

CONCERNED ABOUT TRAFFIC ?

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

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

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

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

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

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

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

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

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

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

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

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

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

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

I can be reached at 563- 528-5434.

Gaynell Foster
563.528.5434

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

Hello,

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

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

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

Thank you for your consideration!

Cale VanGenderen

--



Cale VanGenderen

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

NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies.



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

May 16, 2018

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

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

Findings:

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

Conditions:

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

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

Respectfully submitted,

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

Robert Inghram, Chairperson
City Plan and Zoning Commission

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

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

MINUTES

PUBLIC HEARING AGENDA

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

OLD BUSINESS –

NEW BUSINESS –

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

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

Next Public Hearing:

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

REGULAR MEETING AGENDA

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

I. Roll Call of the Membership

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

Excused: Johnson, Kelling and Lammers

Absent: None

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

II. Report of the City Council Activity – as presented

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

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business -

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

Findings:

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

Condition:

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

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

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

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

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

Findings:

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

Condition:

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

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

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

VI. Subdivision Activity

A. Old Business –

B. New Business –

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

Findings:

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

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

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

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

VII. Other Business – Election of Officers

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

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

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

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

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

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

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

Next Public Hearing/Regular Plan & Zoning Meeting:

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

APPROVED

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

PUBLIC ENGAGEMENT SUMMARY

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

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

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

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

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

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

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

COW Neighbor Mailing: Sent on approximately May 18.

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

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

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

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

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

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

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

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

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

Case No. REZ18-04; REZ18-05

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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Case No. REZ18-04; REZ18-05

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765



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

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

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

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

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

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

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

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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



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

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

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Signed: _____

Date : _____

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City of Davenport

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

NOTICE

PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

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

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

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

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

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

Neighborhood Meeting Attendance List

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

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

Mack,

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

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

Thank you,
Brian Carber

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

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

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

CONCERNED ABOUT TRAFFIC ?

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

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

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

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

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

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

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

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

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

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

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

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

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

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

I can be reached at 563- 528-5434.

Gaynell Foster
563.528.5434

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

Dear Planning and Zoning,

RE: Case No REZ18-04

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

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

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

Mike Orfitelli
2723 Meadows Place
Davenport, IA 52807

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

Hello,

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

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

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

Thank you for your consideration!

Cale VanGenderen

--



Cale VanGenderen

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

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

To whom it may concern:

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

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

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

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

Best regards,
Kelsey

Kelsey Maluck
Internal Control Accountant
Deere & Company
3400 80th St.
Moline, IL 61265
Work: (309) 748-8477
Email: MaluckKelseyA@JohnDeere.com

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MAY 15 2018

330 1/2 N 1st St
Davenport, IA 52801

PETITION TO CITY OF DAVENPORT PLANNING & ZONING COMMISSION

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

| NAME | ADDRESS | PHONE | EMAIL |
|-------------------------|---------------------|----------------|---------------------------------|
| Kevin & Renee Skilllett | 2764 Julie Lane Ct. | (563) 343-6429 | kskilllett@bettendorf.k12.ia.us |
| Joel & Tracie Mohr | 2723 Julie Lane Ct. | 563-508-5204 | joe/water@i.com |
| Jim & Lynn Olsen | 2729 Julie Lane Ct. | 563-391-9376 | 50531@aol.com |
| Tim & Lynn Olsen | 2736 Julie Lane Ct. | 563-376-7697 | Lyonsphone@icloud.com |
| Kath & Angie Berthel | 2755 Julie Lane Ct. | 563-940-5745 | Berthel@isp.com |
| John & Stephanie Stork | 2763 Julie Lane Ct. | 563-370-5147 | Stork.f@medison-bb.com |
| Mark & Nicole Mandke | 2758 Julie Lane Ct. | 563-209-2883 | markmandke@icloud.com |
| Brian Henderson | 2728 Julie Lane Ct. | 309-235-6682 | bhenders@icloud.com |
| Chris Silverstein | 2728 Julie Lane Ct. | 563-271-3790 | chrisilverstein@gmail.com |
| Clay & Steve Wiseman | 2722 Julie Lane Ct. | 563-940-2036 | Wiseman@icloud.com |
| Mary & Steve Telisak | 2735 Julie Lane Ct. | (830) 352-6230 | mtelisk@gmail.com |
| Paul & Anita Ferdinand | 2752 Julie Lane Ct. | 563-320-5073 | aferdinand@icloud.com |
| Gary Hawn | 2744 Julie Lane Ct. | (563) 309-7370 | gahawn378@gmail.com |
| Reed & Karen Carls | 2710 Julie Lane Ct. | 563-514-7795 | reard469191@gmail.com |
| Monica Adams | 5905 Loreton Ave | 563-349-3215 | adams3883@gmail.com |
| Pete & Linda McGee | 2708 E 59th St | 563-940-3043 | pmcgee511@gmail.com |
| Michael Demmer | 2721 E 59th Street | 309-781-0287 | Michael@cmthighway.com |
| Donald Mauer | 2744 E 59th St | 563-354-6412 | d.wisbrenerenchci.com |
| David Eisbrener | 2807 E 59th St | 563-271-8663 | gibster@me.com |
| Gary Foster | 2743 E 59th St | 563-528-5434 | billhurst65@gmail.com |
| Bill Hurst | 2731 E 59th St | 563-271-2830 | timandjankay@regan.com |
| Tom Kay | 5803 Forest Rd | 563-508-9538 | kristian@icloud.com |
| Kristen Pultenell | 2729 Meadows Pl | 563-344-0445 | mikeorffelli@yahoo.com |
| Mike Orffelli | 2723 Meadows Pl | 563-386-5542 | formentor@icloud.com |
| Terese Menka | 2711 Meadows Pl | 563-450-9252 | |

Jim

77

777

777

MAY 15 2018

PETITION TO CITY OF DAVENPORT PLANNING & ZONING COMMISSION

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

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

| NAME | ADDRESS | PHONE | EMAIL |
|------------------|-------------------|----------------|----------------------------|
| Crystal Miguel | 6011 Lorton Ave | (563) 528-5072 | cmiguel@gmail.com |
| David Miguel | 6011 Lorton Ave | (563) 658-3126 | cmiguel199@gmail.com |
| Derrick Frost | 6056 Lorton Ave | (563) 528-1208 | Dfrost46@gmail.com |
| Holly Frost | 6056 Lorton Ave | (563) 271-9822 | Hollyd.frost@yahoo.com |
| WONELD AUGUSTO | 2622 Julie Lane | 563-359-4878 | augustowoneld@gmail.com |
| Collin Frost | 5817 Woodland Ave | 563-676-1322 | cfrostdave@gmail.com |
| Kenneth West | 2705 Julie Lane | 563-585-4216 | westkenneth@gmail.com |
| | | | |
| | | | |
| Mike Wilkins | 5826 Woodland Ave | 563-320-3206 | mt.wilkins@hotmail.com |
| Thomas Wilkins | 5826 Woodland Ave | 563-320-3206 | mt.wilkins@hotmail.com |
| Andrew Smith | 2603 | 563-579-8668 | |
| William Smith | 5826 Woodland | 563-650-6420 | Moham710@yahoo.com |
| Donnell Forrest | 5821 Woodland | 309-269-3012 | dforrest@hotmail.com |
| Tim Forrest | 5821 Woodland | 309-286-4650 | dforrest@hotmail.com |
| HUNG PHAM | 2610 E. 58th St. | 563-355-2676 | hpham@hotmail.com |
| Mark Van Laune | 2611 E. 58th St | 563-359-3623 | vanlaune@hotmail.com |
| Connie Van Laune | 2611 E. 58th St | 563-359-3623 | connievanlaune@hotmail.com |
| Chris Halligan | 2618 E. 58th St | 563-326-4237 | chrsullivan@aol.com |
| John Halligan | 2618 E. 58th St | 563-326-4237 | handfordsales@aol.com |
| | | | |
| | | | |
| | | | |

MAY 15 2018

PETITION TO CITY OF DAVENPORT PLANNING & ZONING COMMISSION

We, the undersigned residents of the Jersey Meadows Additions, are OPPOSED to the re-zoning Petition REZ18-01. We believe an additional traffic outlet to this 33-acre parcel should be provided to Elmore Avenue or Elmore Circle. notification of the Re-zoning was only given to a handful of homeowners in the Jersey Meadows Additions.

[illegible]



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

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

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

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

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

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

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

Please contact the Community Planning Division for additional information.

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

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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



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

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

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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

Zoning Map Amendment: Adjacent Property Owner Notice Area



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

0 200 400 800 Feet



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

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

Sincerely,

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

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

Hello,

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

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

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

Jennifer and Cale VanGenderen
2736 East 59th Street

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

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

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

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

Thank you!

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

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

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

Hello Matt,

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

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

Thank you!

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

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

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

Matt Flynn, AICP

Senior Planning Manager

City of Davenport, Iowa

Direct Phone: 563.888.2286

Visit our new website!

www.cityofdavenportiowa.com

<image001.png>

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

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

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

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

Hello,

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

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

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

Thank you for your consideration!

Cale VanGenderen

--

[<~WRD161.jpg>](#)

Cale VanGenderen

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

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Cale VanGenderen

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

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Cale VanGenderen

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

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



City of Davenport

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

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

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

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

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

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

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

Please contact the Community Planning Division for additional information.

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

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

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

2743 E. 59th St.

Hereby protest the proposed creation of the Elmore Corners Overlay District

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

Date: May 22, 2018

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

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

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

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

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

Name 1 (signed): PC Rink Merriam

Name 2 (printed): _____

Name 2 (signed): _____

Address: 9 Woodview Way

Date: 5/23/15

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

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

Name 1 (printed): Tom Kay

Name 1 (signed): Thomas W. Kay

Name 2 (printed): _____

Name 2 (signed): _____

Address: 5803 FOREST RD. DAVENPORT, IA 52807

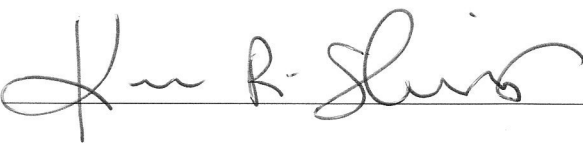
Date: 5/21/2018

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

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

Name 1 (printed): KEVIN SKILLETT

Name 1 (signed): 

Name 2 (printed): _____

Name 2 (signed): _____

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

Date: May 24th, 2018

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

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

Name 1 (printed): JED + ANITA FERDINAND

Name 1 (signed): Jed + Anita Ferdinand

Name 2 (printed): JED FERDINAND

Name 2 (signed): Jed Ferdinand

Address: 2752 Julie Ln CT


Date: 5-21-18

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

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

Name 1 (printed): Nicole Mancha

Name 1 (signed): 

Name 2 (printed): _____

Name 2 (signed): _____

Address: 2758 Julie Lane Ct Davenport IA 52807


Date: 5/21/18

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

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

Name 1 (printed): AUGUSTO ANZOLA

Name 1 (signed): 

Name 2 (printed): LUZVELLY ANZOLA

Name 2 (signed): 

Address: 2722 MEADOWS PLACE, DAVENPORT-IA 52807

Date: MAY 19, 2018

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

Mack,

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

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

Thank you,
Brian Carber

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

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

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

CONCERNED ABOUT TRAFFIC ?

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

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

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

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

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

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

Dear Planning and Zoning,

RE: Case No REZ18-04

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

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

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

Mike Orfitelli
2723 Meadows Place
Davenport, IA 52807

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

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

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

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

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

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

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

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

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

I can be reached at 563- 528-5434.

Gaynell Foster
563.528.5434

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

Hello,

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

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

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

Thank you for your consideration!

Cale VanGenderen

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Cale VanGenderen

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

NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies.

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

| | |
|----------|--|
| Ad Proof | <p style="text-align: center;"> NOTICE PUBLIC HEARING WEDNESDAY, JUNE 6, 2018 5:30 PM CITY OF DAVENPORT COMMITTEE OF THE WHOLE COUNCIL CHAMBERS DAVENPORT CITY HALL 226 WEST 4th STREET DAVENPORT, IOWA </p> <p>There are on file in the City of Davenport Community Planning and Economic Development Department the following petitions:</p> <p>Case No. ORD18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District.[6th Ward]</p> <p>The legal description of the proposed rezoning is as follows:</p> <p>Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:</p> <p>Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described: thence South 44°-59'-10" East 358.73 feet;</p> <p>thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ;</p> <p>thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition;</p> <p>thence N011h 00°-18'-15" West 50.00 feet;</p> <p>thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7;</p> <p>thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa,</p> <p>to a point on the north line of the Northeast Quarter of said Section 7;</p> <p>thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7;</p> <p>thence South 65°-30'-40" East 586.00 feet;</p> <p>thence South 25°-39'-00" East 320.00</p> |
|----------|--|

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

REZ18-04 Rezoning Protest Area Calculation (Autosaved)

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

PARCELS 1,055,387.2
ROW 44,161.5

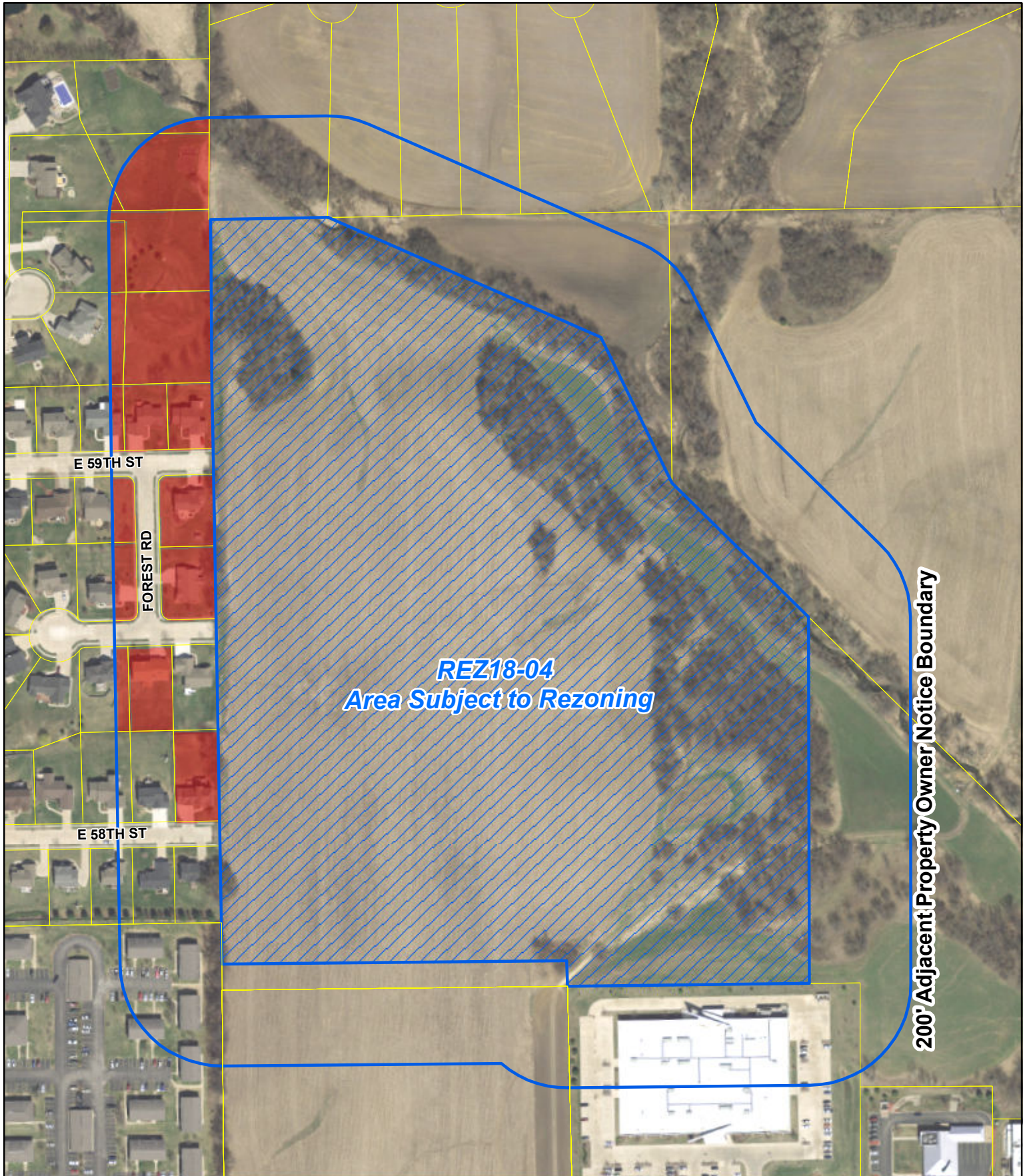
Alderman: Clewell

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

Protests: 17

Properties: 33

REZ18-04 Protest Map



Legend

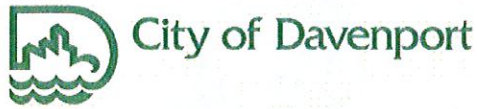
REZ18-04 PROTEST AREA

 Property Protesting the Rezoning

0 100 200 400
Feet

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





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

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

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

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

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

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

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

Please contact the Community Planning Division for additional information.

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

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

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

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Kevin R. Skillett Renee C. Skillett

Date: May 30, 2018

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

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

Dear Members of the Davenport Committee of the Whole,

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

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

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

We sincerely appreciate your time and consideration.

Best regards,

Renee Skillett

REZ18-04 Rezoning Protest Area Calculation (Autosaved)

| PARCEL NUMBER | NOTICE AREA | NOTICE % | PROTEST (YES/NO) | PROTEST % | PROPERTY ADDRESS | PROPERTY OWNER(S) | OWNER ADDRESS | OWNER CITY/STATE/ZIP |
|---------------|-------------|----------|------------------|-----------|--------------------|---------------------------------------|--------------------|----------------------|
| Y0707-18C | 11510.25137 | 1.0% | Yes | 1.0% | 2808 E 59TH ST | AITCHISON FAMILY REVOCABLE TRUST | 2808 E 59TH ST | DAVENPORT IA 52807 |
| Y0707-28C | 6896.403881 | 0.6% | Yes | 0.6% | 2722 MEADOWS PL | AUGUSTO ANZOLA | 2722 MEADOWS PLACE | DAVENPORT IA 52807 |
| Y0707-44C | 15539.96307 | 1.4% | Yes | 1.4% | 2804 E 58TH ST | BENJAMIN KIMBELL | 2804 E 58TH ST | DAVENPORT IA 52807 |
| Y0707-43C | 15252.89917 | 1.4% | | 0.0% | 2730 E 58TH ST | BRIAN G CARBER | 2730 E 58TH ST | DAVENPORT IA 52807 |
| Y0723-02E | 106450.6519 | 9.7% | | 0.0% | 2790 E 53RD ST | COSTCO WHOLESALE CORPORATION | 999 LAKE DR | ISSAQUAH WA 98027 |
| Y0707-04 | 12307.34989 | 1.1% | | 0.0% | 2729 E 58TH ST | CYNTHIA L KOTHENBEUTEL | 2729 E 58TH ST | DAVENPORT IA 52807 |
| Y0707-19C | 15171.03955 | 1.4% | Yes | 1.4% | 2807 E 59TH ST | EISRENERLIVING TRUST | 2807 E 59TH ST | DAVENPORT IA 52807 |
| Y0707-29C | 5681.011385 | 0.5% | Yes | 0.5% | 2743 E 59TH ST | GAYNELL BARR FOSTER 2011 ESTATE TRUST | 2743 E 59TH ST | DAVENPORT IA 52807 |
| Y0655AOLA | 2024.18404 | 0.2% | Yes | 0.2% | | JED FERNINAND | 2752 JULIE LANE CT | DAVENPORT IA 52807 |
| Y0723-01 | 47562.90217 | 4.3% | | 0.0% | 2700 E 53RD ST | JERSEY MEADOWS APARTMENTS | 2700 E 53RD ST | DAVENPORT IA 52807 |
| Y0655A05 | 46994.92505 | 4.3% | | 0.0% | 4 WOODVIEW WAY | JOE B SLAVENS | 4 WOODVIEW WAY | DAVENPORT IA 52807 |
| Y0707-17C | 11177.06063 | 1.0% | Yes | 1.0% | 2800 E 59TH ST | JOSEPH L PALMER | 280 E 59TH ST | DAVENPORT IA 52807 |
| Y0707-14D | 4517.737734 | 0.4% | Yes | 0.4% | 2764 JULIE LANE CT | KEVIN R SKILLETT | 2764 JULIE LANE CT | DAVENPORT IA 52807 |
| Y0707-01C | 27450.17103 | 2.5% | Yes | 2.5% | | KEVIN R SKILLETT | 2764 JULIE LANE CT | DAVENPORT IA 52807 |
| Y0707-42C | 5008.55346 | 0.5% | Yes | 0.5% | 2724 E 58TH ST | MARIAN INGRAHAM TRUST | 2724 E 58TH ST | DAVENPORT IA 52807 |
| Y0655-13C | 641.6206695 | 0.1% | Yes | 0.1% | 2758 JULIE LANE CT | MARK A MANCHA | 2758 JULIE LANE CT | DAVENPORT IA 52807 |
| Y0655A09 | 2265.115818 | 0.2% | | 0.0% | | MCCARTNEY IMPROVEMENT CO | 5715 NW BD | DAVENPORT IA 52806 |
| Y0655A08 | 8501.770718 | 0.8% | | 0.0% | | MCCARTNEY IMPROVEMENT CO | 5715 NW BD | DAVENPORT IA 52806 |
| Y0655A07 | 14809.6326 | 1.3% | | 0.0% | | MCCARTNEY IMPROVEMENT CO | 5715 NW BD | DAVENPORT IA 52806 |
| Y0655A06 | 25798.29762 | 2.3% | | 0.0% | | MCCARTNEY IMPROVEMENT CO | 5715 NW BD | DAVENPORT IA 52806 |
| Y0707-23C | 4442.580086 | 0.4% | YES | 0.4% | 2723 MEADOWS PL | MICHAEL C ORFITELLI | 2723 MEADOWS PL | DAVENPORT IA 52807 |
| Y0707-03 | 4102.811295 | 0.4% | | 0.0% | 2723 E 58TH ST | MICHAEL R KOTULA | 2723 E 58TH ST | DAVENPORT IA 52807 |
| Y0707-22C | 14347.19281 | 1.3% | Yes | 1.3% | 2729 MEADOWS PL | MITCHELL D BRON | 2729 MEADOWS PL | DAVENPORT IA 52807 |
| Y0707-01C | 280528.0503 | 25.5% | | 0.0% | | PHEASANT CREEK ESTATES LLC | 4215 E 60TH ST | DAVENPORT IA 52807 |
| Y0707-16C | 3304.844242 | 0.3% | Yes | 0.3% | 2744 E 59TH ST | RONALD C MATHIAS | 2744 E 59TH ST | DAVENPORT IA 52807 |
| Y0707-21C | 14693.2236 | 1.3% | | 0.0% | 2801 MEADOWS PL | SCOTT D KELLING | 2801 MEADOWS PL | DAVENPORT IA 52807 |
| Y0817-02E | 113682.2052 | 10.3% | | 0.0% | 5348 ELMORE CR | TELECOMMUNICATIONS SPRINGING LLC | 1 ATT WAY | BEDMINSER NJ 07921 |
| Y0707-20C | 15248.57036 | 1.4% | Yes | 1.4% | 5803 FOREST RD | THOMAS W KAY | 5803 FOREST RD | DAVENPORT IA 52807 |
| Y0707-05 | 13579.51314 | 1.2% | | 0.0% | 2805 E 58TH ST | TIMOTHY S HILTON | 2805 E 58TH ST | DAVENPORT IA 52807 |
| Y0707-15D | 5238.636761 | 0.5% | Yes | 0.5% | 2763 JULIE LANE CT | TODD R STONE | 2763 JULIE LANE CT | DAVENPORT IA 52807 |
| Y0707-01D | 30931.30352 | 2.8% | Yes | 2.8% | | TODD R STONE | 2763 JULIE LN CT | DAVENPORT IA 52807 |
| Y0655AOLB | 24459.19148 | 2.2% | Yes | 2.2% | | TODD RINEHART | 2758 JULIE LANE CT | DAVENPORT IA 52806 |
| Y0801-02A | 145267.5814 | 13.2% | | 0.0% | | VTS FARM LLC PARCEL A | 19134 246TH AV | BETTENDORF IA 52722 |

Alderman: Clewell

TOTAL NOTICE AREA 1,099,548.8 100% 18.5% PROTEST RATE 18 Properties 33

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

I/we Marian Ingraham who own property located at (be specific as possible)
2724 E 58th St DAY IA

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Marian Ingraham

Date: May 23, 2018

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

Not within 200'.



City of Davenport

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

PUBLIC HEARING NOTICE

WEDNESDAY, JUNE 6, 2018 at 5:30 pm

DAVENPORT COMMITTEE OF THE WHOLE

COUNCIL CHAMBERS - DAVENPORT CITY HALL - 226 WEST 4th STREET - DAVENPORT, IOWA

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

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

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

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

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

Please contact the Community Planning Division for additional information.

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

I/we Daniel & Tiffany Jaros who own property located at (be specific as possible)
2625 Julie Lane Davenport, IA 52807

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Tiffany Jaros [Signature]

Date: 5/23/2018

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

Flynn, Matt

From: Flynn, Matt
Sent: Friday, June 01, 2018 10:24 AM
To: 'Joe Slavens'
Cc: Pete Mullarkey; Berger, Bruce
Subject: RE: Rezoning of Land Immediately North of Costco

Thanks Joe for your comments. We will pass them on to the Council.

You, as well as anyone potentially impacted by rezonings in the City, are encouraged to share concerns.

The Committee of the Whole will hold a public hearing on the Pheasant Creek rezoning on June 6, 2018, 5:30 pm in the Council Chambers. You are welcome to attend.

Please let me know if you would like to discuss further!

Matt Flynn, AICP
Senior Planning Manager
City of Davenport, Iowa
Direct Phone: 563.888.2286

Visit our new website!
www.cityofdavenportiowa.com



From: Joe Slavens [<mailto:JBslavens@northwestbank.com>]
Sent: Thursday, May 31, 2018 5:51 PM
To: Flynn, Matt
Cc: Pete Mullarkey
Subject: Rezoning of Land Immediately North of Costco

Hi Matt,

My name is Joe Slavens and I live at 4 Woodview Way, Davenport, Iowa, within the 200 hundred foot boundary of the residential development proposed immediately north of the new Costco.

First and foremost, I support the rezoning as proposed. Everyone living in a single-family residential neighbor prefers to live next to another single-family residence. There is no question single family residential is the highest and best use of the property.

I was approached to sign a petition opposing the development unless a third access point is created which would connect the development to Elmore. I did not sign the petition as I saw it as inaccurate and unwise. First, the property proposed to be rezoned does not even have frontage to Elmore. Second, the land to its east of the property to be rezoned will likely be commercial and I would suggest that the best buffer between a new residential neighborhood and future commercial development is the absence of a connecting road. Third, long-term road planning should not be (and

has not been in the past) based upon short-term heavy equipment traffic to a newly developing area. Fourth, traffic pressure on Elmore is going to grow as its frontages develop. Why would you want to increase that pressure? Fifth, even if an Elmore outlet were added, I would suggest people traveling west certainly won't use an Elmore outlet and many people traveling east will not use it and proceed to Vets or 53rd to avoid ever increasing Elmore traffic. If you add it, locals won't use it. **However, sixth and most important, if I were to live in one of the newly developed homes or an existing homes, I would not want an outlet onto Elmore because there is more risk of generating even more traffic (and lower quality traffic – higher speed) from people cutting through the neighborhood to avoid the 53rd and Elmore intersection than you will reduce the use from people who do live there.**

One final comment, the petition I saw refers to a 43% increase in traffic. This may be statistically correct, but it misses the point. Adding one house to a previously one-house road increases traffic by 100%. The correct question is whether the two streets as currently in place and as designed for extension as a part of the new development property support the level of projected residential traffic. While I believe they are, this question is far better answered by you than by me or the current residents.

Thank you for the opportunity to provide my thoughts. Please feel free to share them with the public bodies with responsibility for taking action on the proposed rezoning. And finally, I would be happy to talk further if you would like.

Thanks again,

Joe Slavens
4 Woodview Way
Davenport, IA 52807
563-343-1654

City of Davenport

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

Action / Date
6/6/2018

Subject:

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

Recommendation:

Adopt the ordinance

Relationship to Goals:

Fiscal Vitality

Background:

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

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

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

Findings:

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

Conditions:

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

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

No protests have been filed.

See attachments for additional background information.

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:05 AM |

ORDINANCE NO.

Ordinance offered by Alderman Gripp.

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

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:
Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned from A-1 Agricultural District to PDD, Planned Development District.

The Legal Description is as follows:

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

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

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

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

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

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

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

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

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

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

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

Findings:

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

Condition:

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank J. Klipsch
Mayor

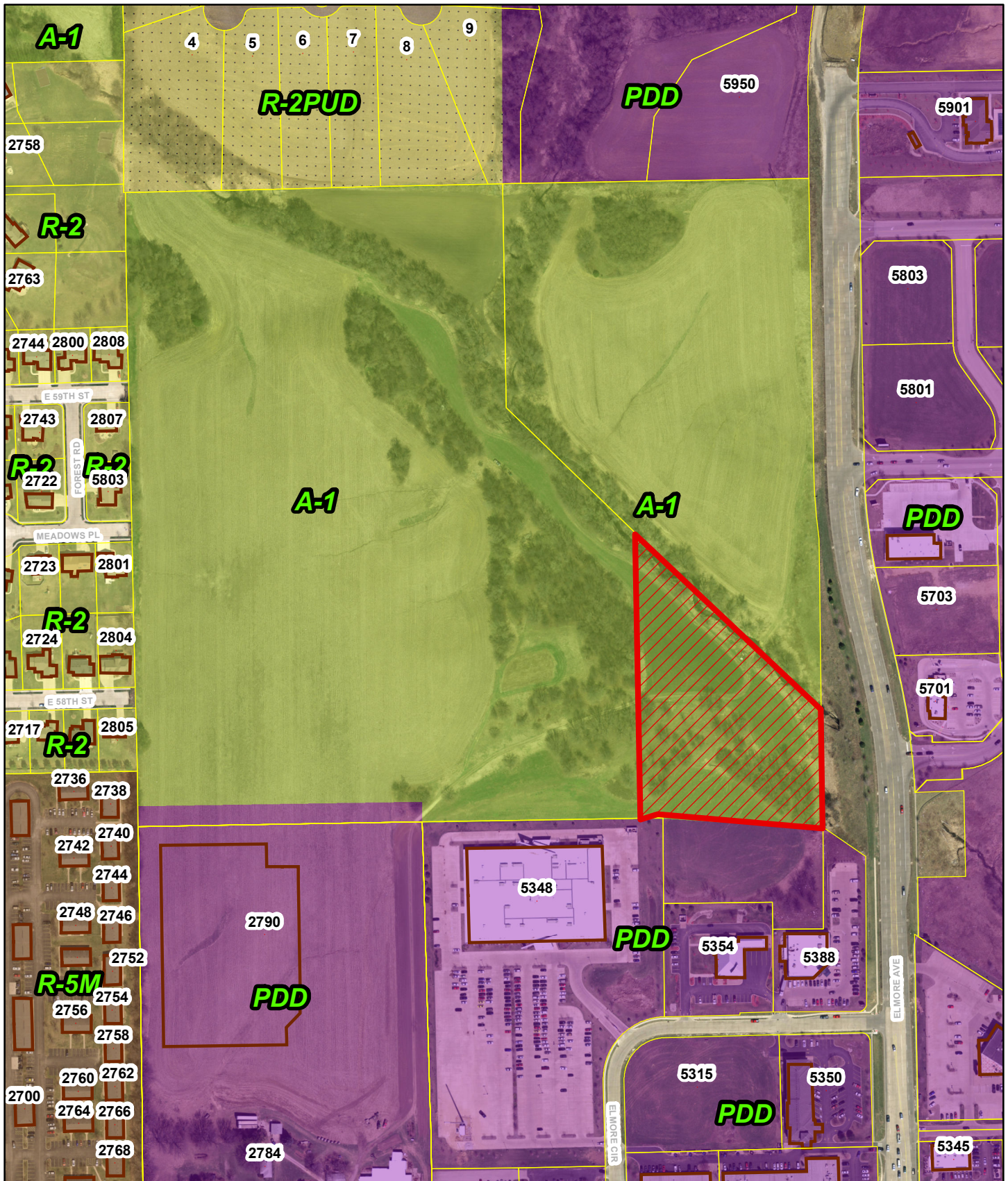
Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

LOCATION MAP

REZ18-05: Pheasant Creek A-1 to PDD



0 70 140 280 420 560 Feet



BACKGROUND MATERIAL

CASE NO's REZ18-04 and REZ18-05

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



PLAN AND ZONING COMMISSION

Meeting Date: May 15, 2018
Request: Request to rezone 33.11 acres from A-1 Agricultural to R-2 Low Density Residential and 5.55 acres from A-1 Agricultural to PDD Planned Development District.
Case No.: REZ18-04; REZ18-05 (NOTE THIS IS A COMBINED STAFF REPORT)
Applicant: Adam Seitz, Pheasant Creek Properties, LLC (Advance Homes)
Ward: 6th

Contact: Matthew G. Flynn, AICP
Senior Planning Manager
matt.flynn@ci.davenport.ia.us
563-888-2286

Recommendation:

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

Background:

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

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

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

Site Characteristics:

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

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

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

The description of those classifications are as follows:

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

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

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

Technical Review:

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

Engineering general comments:

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

Traffic Engineering comments:

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

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

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

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

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

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

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

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

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

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

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

Discussion:

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

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

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

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

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

Public Input Summary:

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

Public Meeting Notice: 43 notices mailed April 18.

Signs Posted: 3 signs were posted on April 16

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

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

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

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

Recommendation:

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

Case No. REZ18-04:

Findings:

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

Conditions:

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

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

Case No. REZ18-05:

Findings:

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

Conditions:

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

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

Zoning Map Amendment Application

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Property Address* See Attachment A

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

Applicant (Primary Contact)**

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

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

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

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

Attorney (if applicable)

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

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

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

- The following items should be submitted to Planning@ci.davenport.ia.us for review:
- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
 - Zoning Map Amendment is less than 1 acre - \$400.
 - Zoning Map Amendment is one acre but less than 10 acres - \$750 plus \$25/acre.
 - Zoning Map Amendment is 10 acres or more - \$1,000 plus \$25/acre.
 - \$5.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:**(1) Application:**

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

(2) Public Notice for the Plan and Zoning Commission public hearing:

- After submitting the application the applicant shall post notification sign(s) supplied by the City on property at least two weeks prior to the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request. Failure to post signs as required may result in a delay of the request.
- The applicant shall hold a neighborhood meeting as per the attached meeting guidelines.
- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

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

- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant:

Date:

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

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR REZONING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

February 27, 2018
VMCE # 17361-B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

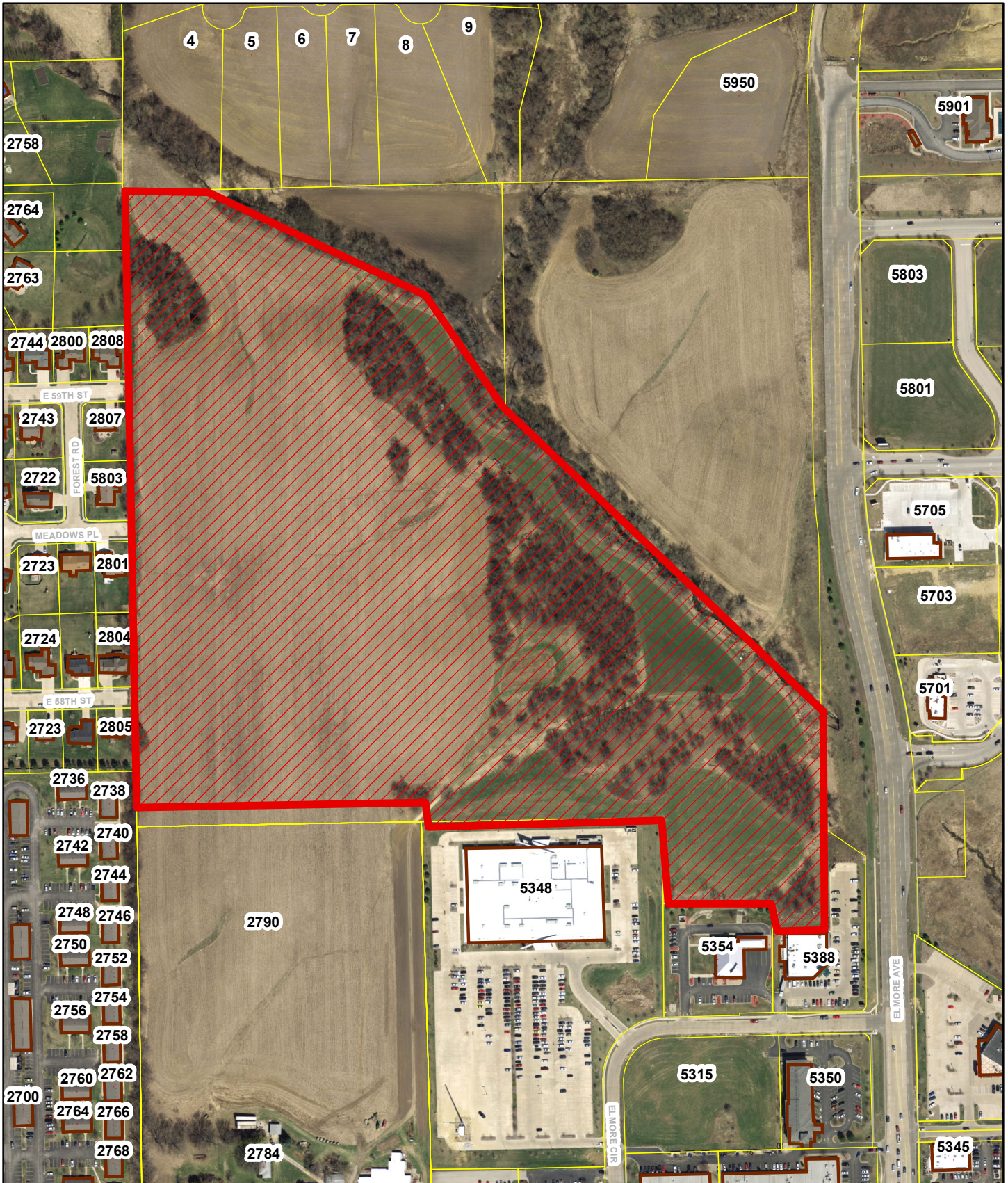
thence North $00^{\circ}-18'-15''$ West 205.00 feet along the east line of Lot 2 of said Lakehurst Commercial Park Fifth Addition;

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

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

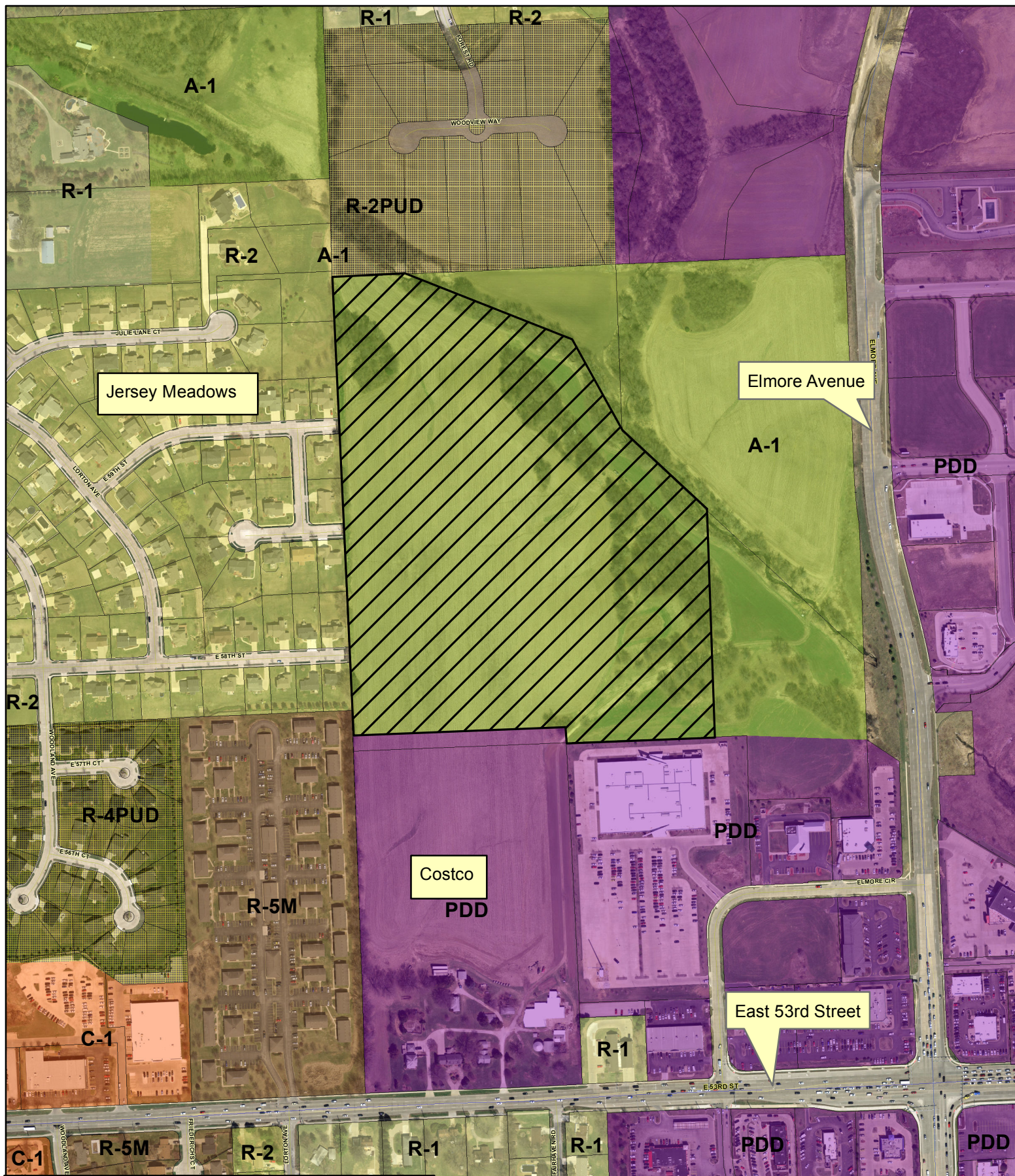
Containing 7.41 acres, more or less, subject to easements of record.

REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet

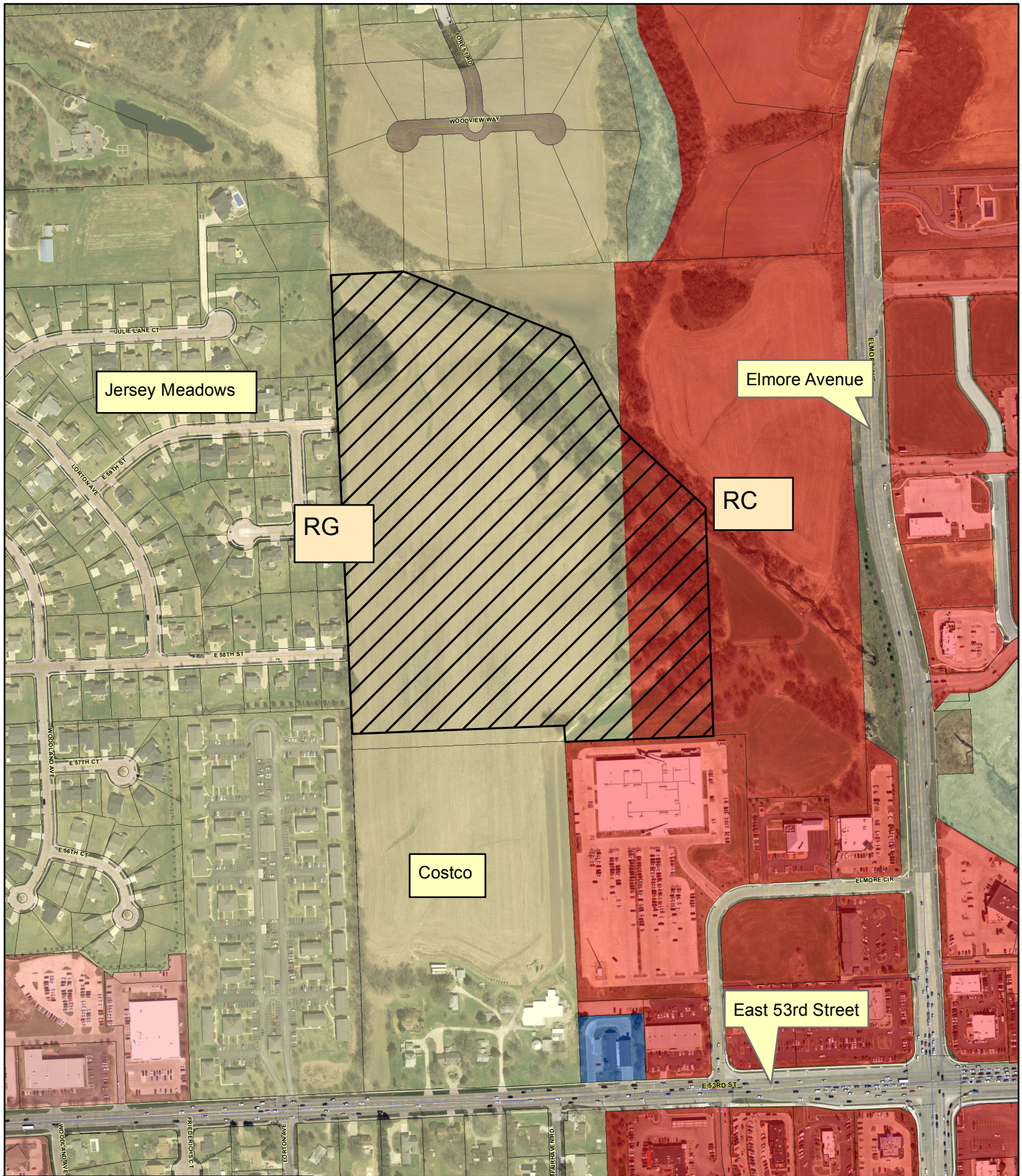




A-1 Agricultural
R-2 Low Density Dwelling
R-5M Medium Density Dwelling
PDD Planned Development

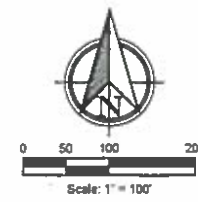
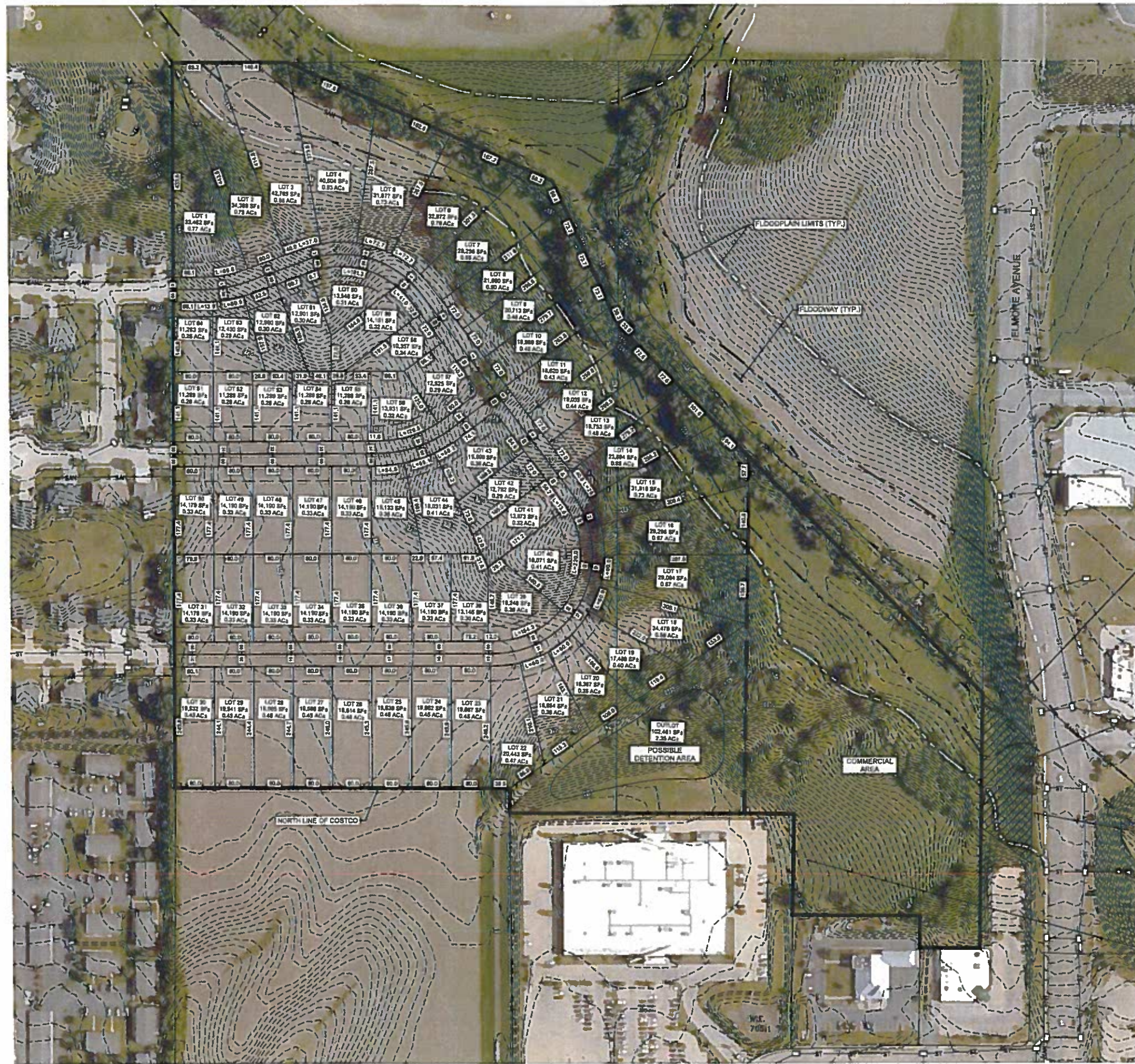
0 200 400 800 Feet





RG Residential General
RC Regional Commercial





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

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



2550 middle road, ste. 300
bettendorf, ia 52722

www.jmcivildesign.com

| revision | |
|----------|--|
| date | |
| no. | |



APPROXIMATE LOCATION OF EXISTING BOX CULVERT



LOOKING SOUTH FROM THIS APPROXIMATE LOCATION

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



LOOKING EAST FROM THIS APPROXIMATE LOCATION

Subdivision Concept Plan
Northeast Davenport Near Elmore Avenue

ADVANCE HOMES

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

Concept
Plan



City of Davenport

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

NOTICE

PUBLIC HEARING

TUESDAY, MAY 1st 2018, 5:00pm

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

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

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

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

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

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

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: Joseph Palmer Katherine Palmer

Date: 4/24/18

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



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

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

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

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

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

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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

Zoning Map Amendment: Adjacent Property Owner Notice Area



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

0 200 400 800 Feet



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

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

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

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

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

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

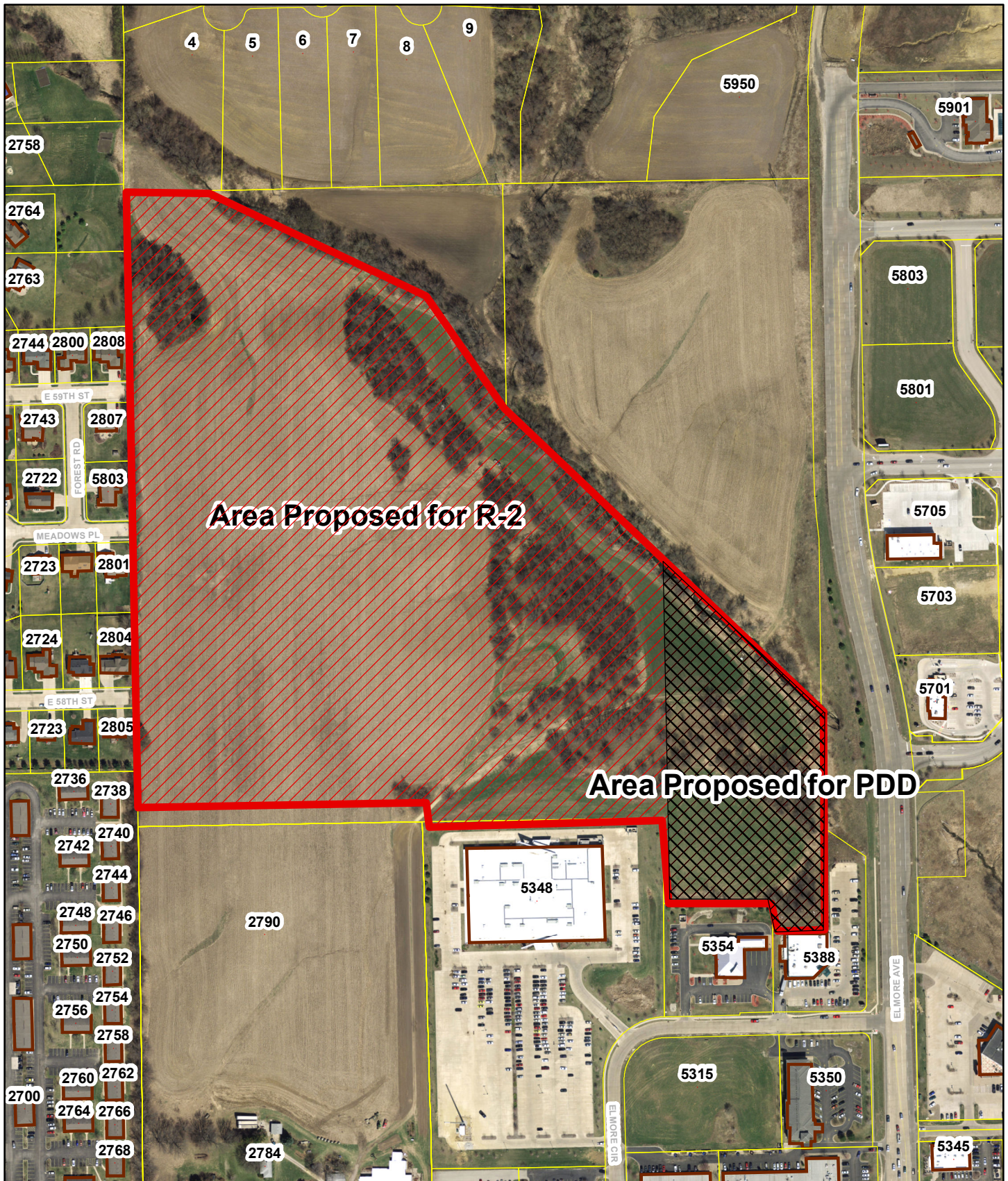
The City welcomes public participation in the rezoning process and your comments are important. If you cannot attend the public meeting and have questions or concerns, please contact the Community Planning Division.

Case No. REZ18-04; REZ18-05

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

REZ18-04: Pheasant Creek



0 70 140 280 420 560 Feet



Neighborhood Meeting Attendance List

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

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

Mack,

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

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

Thank you,
Brian Carber

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

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

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

CONCERNED ABOUT TRAFFIC ?

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

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

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

PLEASE ATTEND TO LEARN MORE AND/OR EXPRESS YOUR CONCERNS

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

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

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

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

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

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

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

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

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

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

I can be reached at 563- 528-5434.

Gaynell Foster
563.528.5434

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

Hello,

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

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

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

Thank you for your consideration!

Cale VanGenderen

--



Cale VanGenderen

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

NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies.

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

Findings:

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

Condition:

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

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

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

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

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

Findings:

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

Condition:

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

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

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

VI. Subdivision Activity

A. Old Business –

B. New Business –

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

Findings:

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

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

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

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

VII. Other Business – Election of Officers

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

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

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

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

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

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

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

Next Public Hearing/Regular Plan & Zoning Meeting:

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

APPROVED

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



*Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com*

May 16, 2018

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

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

Findings:

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

Conditions:

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

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

Respectfully submitted,

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

Robert Inghram, Chairperson
City Plan and Zoning Commission

PUBLIC ENGAGEMENT SUMMARY

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

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

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

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

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

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

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

COW Neighbor Mailing: Sent on approximately May 18.

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

Protest Rate: To date, 17 protests have been filed (18.1%) been filed.

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

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

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

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

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

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

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

Case No. REZ18-04; REZ18-05

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765



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

NOTICE

PUBLIC HEARING

TUESDAY, MAY 1, 2018, 5:00 P.M.

DAVENPORT CITY PLAN AND ZONING COMMISSION

COUNCIL CHAMBERS - DAVENPORT CITY HALL

226 WEST 4th STREET – DAVENPORT, IOWA

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

Case No. REZ18-05: Request of Pheasant Creek, LLC to rezone approximately 5.55 acres located immediately west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD Planned Development District. [6th Ward] (See map of the affected property on reverse side of this notice)

PDD allows a variety of commercial development; no development is anticipated at this time.

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

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

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

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

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

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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

Zoning Map Amendment: Adjacent Property Owner Notice Area



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

0 200 400 800 Feet





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

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

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

Case No. REZ18-05: Request of Pheasant Creek, LLC to rezone approximately 5.55 acres located immediately west of Elmore Avenue and south of Pheasant Creek from A-1 Agricultural District to PDD, Planned Development District. [6th Ward] (See map of the affected property on reverse side of this notice)

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

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

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

Please contact the Community Planning Division for additional information.

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

Please fill out and return this form if you elect the protest the proposed Rezoning Case No. REZ18-05

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

Hereby protest the proposed creation of the Elmore Corners Overlay District

Signed: _____

Date : _____

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

Zoning Map Amendment: Adjacent Property Owner Notice Area



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

0 200 400 800 Feet



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

| Ad Proof | <p style="text-align: center;">NOTICE PUBLIC HEARING WEDNESDAY, JUNE 6, 2018, 2018 5:30 PM CITY OF DAVENPORT COMMITTEE OF THE WHOLE COUNCIL CHAMBERS DAVENPORT CITY HALL 226 WEST 4th STREET DAVENPORT, IOWA</p> <p>There are on file in the City of Davenport Community Planning and Economic Development Department the following petitions: Case No. ORD18-04: Request of Pheasant Creek, LLC to rezone approximately 33.11 acres located immediately east of Jersey Meadows Subdivision from A-1 Agricultural District to R-2, Low Density Residential District.[6th Ward] The legal description of the proposed rezoning is as follows: Part of the Northeast Quarter of Section 7 and part of the Northwest Quarter of Section 8, all in Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows: Commencing, as a point of reference, at the northwest corner of the Northwest Quarter of said Section 8; thence South 00°-06'-45" West 534.52 feet along the west line of the Northwest Quarter of said Section 8 to the POINT OF BEGINNING of the tract of land hereinafter described: thence South 44°-59'-10" East 358.73 feet; thence South 00°-18'-15" East 732.61 feet to a point on the north line of lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa ; thence South 89°-41'-45" West 480.00 feet along the north line to the northwest corner of Lot 2 of said Lakehurst Commercial Park Fifth Addition; thence N011h 00°-18'-15" West 50.00 feet; thence South 89°-41'-45" West 682.74 feet to a point on the west line of the East 55 Acres of the Northeast Quarter of said Section 7; thence North 00°-06'-45" East 1472.80 feet along the west line of the East 55 Acres of the Northeast Quarter of said Section 7, also being along the east line of Jersey Meadows Second Addition, Jersey Meadows Tenth Addition, Jersey Meadows Seventh Addition and Jersey Meadows Ninth Addition to the City of Davenport, Iowa, to a point on the north line of the Northeast Quarter of said Section 7; thence North 89°-43'-55" East 230.81 feet along the north line of the Northeast Quarter of said Section 7; thence South 65°-30'-40" East 586.00 feet; thence South 25°-39'-00" East 320.00</p> |
|----------|---|
|----------|---|

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

REZ18-05 Protest Calculation

Note: No Protests have been filed.

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Gary Statz (563) 326-7754
Wards: 3

Action / Date
6/6/2018

Subject:

Second Consideration: Ordinance amending Schedule VIII of Chapter 10.96 entitled "30-Minute Parking" by adding Main Street along the east side from 2nd Street north to the alley. [Ward 3]

**COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND
PASSAGE ON SECOND CONSIDERATION**

1. Motion for suspension of the rules.
2. Motion for passage of 3rd consideration.

Recommendation:
Adopt the ordinance.

Relationship to Goals:
Vibrant Region

Background:

The Current Hotel at 215 N Main Street needs on-street parking to allow guests to check in and unload their vehicles. This ordinance will provide a loading zone with a 30-minute time limit along the Main Street side of the hotel's property. The signs will indicate that this zone is for hotel loading with a 30-minute time limit, but the ordinance needs to be under Schedule VIII (30-Minute Parking) because there is no schedule related to loading zones.

ATTACHMENTS:

| Type | Description |
|-----------|------------------------------------|
| Ordinance | PS_ORD_Main St 30 min parking_pg 2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 9:58 AM |

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VIII 30-MINUTE PARKING THERETO BY ADDING MAIN STREET ALONG THE EAST SIDE FROM 2ND STREET NORTH TO THE ALLEY.

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

Section 1. That Schedule VIII 30-Minute Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Main Street along the east side from 2nd Street north to the alley.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Jackie Holecek, MMC
Deputy City Clerk

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn, 888-2286

Wards: 1, 3

Action / Date

6/20/2018

Subject:

First Consideration: Ordinance for Case ORD18-02 amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [Ward 1 and 3]

Recommendation:

Adopt the Ordinance.

Relationship to Goals:

Welcoming Neighborhoods

Sustainable Infrastructure

Fiscal Vitality

Background:

The Rockingham Corridor Area project is an outgrowth of the Rockingham Road moratorium on business licenses. Staff has been directed to draft a zoning ordinance change to address some the needs of this corridor. The goal of the rezoning is to foster better development designed to attract and maintain quality business and local retailers while protecting the investment of current owners along the corridor.

In 2017, the City of Davenport hired a consultant to rewrite the City's zoning code ordinance. This will include the rezoning of areas throughout the City as well as defining new zoning classifications. While the new zoning code ordinance will not be formally adopted until Fall 2018, the City Council has directed staff to begin a City initiated rezoning of the Rockingham Road corridor to accelerate the implementation this new zoning ordinance along Rockingham Road. In the future, these changes will encourage less intensive land uses along the corridor and help to foster an improved sense of commercial identity for the Rockingham Road corridor.

This ordinance amendment is essentially a corridor based rezoning which includes a zoning map change to the are from John Fell Drive to Marquette Street along Rockingham Road, as per the attached map.

ATTACHMENTS:

| Type | Description |
|-----------|-----------------------|
| ▣ Exhibit | CD ORD Ord18-01 |
| ▣ Exhibit | Zoning Map |
| ▣ Exhibit | Zoning Code |
| ▣ Exhibit | Vote Result |
| ▣ Exhibit | P&Z Letter to Council |

- ▣ Exhibit
- ▣ Exhibit

Overview Map
Public Hearing Notice

REVIEWERS:

| Department | Reviewer | Action | Date |
|--|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:06 AM |

City of Davenport

Committee: Community Development
Department: Community Planning and Economic
Development
Contact Info: Matt Flynn 888-2286
Ward: All

Action / Date
CD 06/20/18

Subject:

ORDINANCE for Case ORD18-02 amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [Ward 1 and 3]

Recommendation:
Adopt the Ordinance.

Relationship to Goals:
Welcoming Neighborhoods
Sustainable Infrastructure
Fiscal Vitality

Background:

The Rockingham Corridor Area project is an outgrowth of the Rockingham Road moratorium on business licenses. Staff has been directed to draft a zoning ordinance change to address some the needs of this corridor. The goal of the rezoning is to foster better development designed to attract and maintain quality business and local retailers while protecting the investment of current owners along the corridor.

In 2017, the City of Davenport hired a consultant to rewrite the City's zoning code ordinance. This will include the rezoning of areas throughout the City as well as defining new zoning classifications. While the new zoning code ordinance will not be formally adopted until Fall 2018, the City Council has directed staff to begin a City initiated rezoning of the Rockingham Road corridor to accelerate the implementation this new zoning ordinance along Rockingham Road. In the future, these changes will encourage less intensive land uses along the corridor and help to foster an improved sense of commercial identity for the Rockingham Road corridor.

This ordinance amendment is essentially a corridor based rezoning which includes a zoning map change to the are from John Fell Drive to Marquette Street along Rockingham Road, as per the attached map.

Public Input:

A neighborhood meeting was held on March 19th. Additionally, a stakeholder committee (selected by the 1st and 3rd Ward Alderman) has met twice with staff and will continue to meet regarding other issues along the corridor.

| <u>List of Public Meetings</u> | <u>Dates</u> |
|---|----------------|
| Neighborhood Meeting (1 st) | March 15, 2018 |
| P&Z Public Hearing (1 st) | March 20, 2018 |
| Stakeholder Meeting (1 st) | May 3, 2018 |
| Stakeholder Meeting (2 nd) | May 3, 2018 |
| Neighborhood Meeting (2 nd) | May 19, 2018 |
| P&Z Public Hearing (2 nd) | May 29, 2018 |

The Plan and Zoning Commission considered Case No. ORD18-04 at its June 5, 2018 meeting and voted to forward Case No. ORD18-04 to the City Council with a recommendation for approval (without any special conditions).

The Commission vote was 10-yes and 0-no with 0-abstention.

Findings:

- Proposed ordinance has undergone a thorough public process including stakeholder input and neighborhood meetings
- Proposed ordinance is largely supported by the majority of the project participants
- Proposed ordinance will serve as an effective tool in the implementation of corridor enhancement by lessening the intensity of use, thus enhancing the environment for neighborhood commercial redevelopment

For further background information please refer to the background materials.

ORDINANCE NO.

Ordinance offered by Alderman Gripp.

Ordinance for Case No. ORD18-02 Ordinance amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [1st & 3rd Wards]

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

Section 1. Rezone the following property as per the attached zoning map and ordinance.

Section 2. The Legal Description is as follows:

Part of the Northwest Quarter of Section 35 and the Northeast, Northwest and Southwest of Section 34, Southeast and Southwest Quarters Section 33 and Southeast Quarter of Section 32, in Township 78 North, Range 3 East of the 5th P.M. and part of the Northwest Quarter of Section 4 and Northeast and Northwest Quarters of Section 5 in Township 77 North, Range 3 East of the 5th P.M., all being in Davenport, Scott County, Iowa, being more particularly described as follows: Commencing as a point of beginning at the northeast corner of Lot 8, Green's First Addition, along the West line of the N Marquette Street right-of-way; Thence, South 01° 40' 36" East a distance of 147.47 feet along the West line of N Marquette Street right-of-way to the North line of the W 2nd Street right-of-way; Thence South 16° 14' 58" West a distance of 68.73 feet to a point on the South line of the W 2nd Street right-of-way; Thence South 01° 32' 53" East a distance of 420.54 feet along the West line of the Marquette Street right-of-way to a point on the North line of the River Drive right-of-way; Thence, South 80° 41' 27" West a distance of 225.01 feet along the North line of the River Drive right-of-way; Thence, South 80° 27' 01" West a distance of 871.64 feet along the North line of the River Drive right-of-way; Thence, South 81° 23' 34" West a distance of 311.08 feet along the North line of the River Drive right-of-way; Thence, North 50° 22' 34" West a distance of 50.78 feet along the North line of the River Drive right-of-way; Thence, South 75° 57' 56" West a distance of 57.40 feet along the North line of the River Drive right-of-way; Thence, South 73° 15' 45" West a distance of 64.06 feet along the North line of the River Drive right-of-way; Thence, South 71° 08' 56" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, South 69° 16' 25" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, South 67° 23' 54" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, South 65° 31' 23" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, North 29° 02' 16" West a distance of 129.80 feet along the East line of the S Sturdevant right-of-way; Thence, North 46° 28' 20" West a distance of 170.38 feet along the East line of the S Sturdevant right-of-way; Thence, South 59° 39' 59" West a distance of 881.76 feet; Thence, South 60° 26' 40" West a distance of 1196.23 feet; Thence, South 57° 07' 56" West a distance of 1074.22 feet to a point on the East line of

Schmidt Road right-of-way; Thence, North 07° 37' 22" West a distance of 99.07 feet along the East line of the Schmidt Road right-of-way; Thence, South 56° 42' 18" West a distance of 285.69 feet; Thence, South 33° 19' 42" East a distance of 51.50 feet; Thence, South 56° 42' 18" West a distance of 388.81 feet to a point on the North line of Canadian Pacific DME right-of-way; Thence, South 22° 15' 35" West a distance of 34.93 feet a point on the South line of Canadian Pacific DME right-of-way; Thence, South 56° 42' 19" West a distance of 238.02 feet; Thence, South 56° 42' 19" West a distance of 130.73 feet; Thence, South 57° 03' 35" West a distance of 108.81 feet; Thence, South 57° 05' 04" West a distance of 287.97 feet; Thence, South 58° 27' 03" West a distance of 719.81 feet to a point on South line of the Alley right-of-way South of Rockingham Road and West of S Farragut Street; Thence, North 35° 57' 12" West a distance of 20.03 feet along the East line of the Alley right-of-way; Thence, South 57° 00' 24" West a distance of 1008.32 feet along the North line of the Alley right-of-way to a point on the West line of the S Rolff Street right-of-way; Thence, South 35° 41' 36" East a distance of 266.67 feet along the West line of the S Rolff Street right-of-way; Thence, South 52° 02' 59" West a distance of 605.06 feet a point on the West line of the S Dittmer Street right-of-way; Thence, South 52° 42' 46" West a distance of 179.83 feet; Thence, South 51° 22' 43" West a distance of 177.76 feet to a point on the East line of the Floral Lane right-of-way; Thence, South 78° 54' 57" West a distance of 108.39 feet to a point on the West line of the S Concord Street right-of-way; Thence, South 87° 56' 01" West a distance of 432.45 feet; Thence, South 01° 38' 10" East a distance of 140.00 feet to the North line of the Johnson Avenue right-of-way; Thence, South 87° 56' 01" West a distance of 120.00 feet to a point on the East line of the S Elsie Avenue right-of-way; Thence, South 75° 21' 38" West a distance of 51.32 feet to a point on the West Line of the S Elsie Avenue right-of-way; Thence, South 88° 59' 53" West a distance of 62.00 feet; Thence, South 01° 38' 19" East a distance of 20.00 feet; Thence, South 87° 56' 00" West a distance of 1361.24 feet along the North line of the alley right-of-way South of Rockingham Road and North of Pearl Avenue to a point on the East line of the S Nevada Street right-of-way; Thence, North 70° 11' 18" West a distance of 53.73 feet to a point on the West line of the S Nevada Street right-of-way; Thence, South 87° 56' 01" West a distance of 475.20 feet along the North line of the alley right-of-way South of Rockingham Road and North of Johnson Avenue to a point on the East line of the Fairmount Street right-of-way; Thence, South 53° 29' 41" West a distance of 53.22 feet to a point on the West line of the Fairmount Street right-of-way; Thence, South 87° 42' 33" West a distance of 1032.02 feet along the North line of the alley right-of-way South of Rockingham Road and North of Johnson Avenue to a point on the North line of the alley right-of-way; Thence, North 76° 53' 58" West a distance of 18.84 feet to a point on the East line of the S Stark Street right-of-way; Thence, South 87° 42' 33" West a distance of 398.17 feet; Thence, South 01° 58' 47" East a distance of 66.02 feet; Thence, South 65° 29' 03" West a distance of 503.36 feet to a point on the East line of the S Pioneer Street right-of-way; Thence, North 77° 44' 14" West a distance of 60.19 feet to a point on the West line of the S Pioneer Street right-of-way; Thence, South 71° 15' 45" West a distance of 145.89 feet; Thence, South 16° 22' 43" East a distance of 110.66 feet; Thence, South 77° 25' 34" West a distance of 180.80 feet; Thence, South 22° 21' 13" West a distance of 70.36 feet to a point on the North line of the John Fell Drive right-of-way; Thence, North 55° 24' 13" West a distance of 170.66 feet along the North line of the John Fell Drive right-of-way; Thence, North 12° 26' 29" West a distance of 67.21 feet along the East line of the John Fell

Drive right-of-way; Thence, North 54° 00' 51" East a distance of 42.59 feet along the South line of the Rockingham Road right-of-way; Thence, North 56° 39' 42" East a distance of 42.59 feet along the South line of the Rockingham Road right-of-way; Thence, North 59° 18' 33" East a distance of 0.72 feet along the South line of the Rockingham Road right-of-way; Thence, North 20° 56' 45" West a distance of 144.50 feet to a point on the North line of the Rickel Hill Road right-of-way; Thence, North 87° 26' 08" West a distance of 310.03 feet along the North line of the Rickel Hill Road right-of-way; Thence, North 00° 31' 30" West a distance of 284.14 feet; Thence, North 88° 02' 06" East a distance of 95.04 feet; Thence, South 87° 42' 33" East a distance of 689.73 feet; Thence, North 86° 30' 25" East a distance of 85.54 feet; Thence, North 86° 21' 44" East a distance of 85.96 feet; Thence, North 64° 51' 25" East a distance of 412.16 feet; Thence, North 87° 42' 33" East a distance of 1196.86 feet to a point on the East line of the S Gayman Avenue right-of-way; Thence, North 87° 38' 17" East a distance of 374.64 feet along the South line of the alley right-of-way between Rockingham Road and Boies Ave to a point on the West line of the S Fairmount Street right-of-way; Thence, North 87° 56' 00" East a distance of 40.00 feet to a point on the East line of the S Fairmount Street right-of-way; Thence, North 87° 56' 01" East a distance of 290.73 feet along the South line of the alley right-of-way between Rockingham Road and Boies Ave to a point on the West line of the Nevada Street right-of-way; Thence, North 88° 23' 05" East a distance of 49.91 feet to a point on the East line of the Nevada Street right-of-way; Thence, North 87° 53' 05" East a distance of 368.64 feet along the South line of the alley right-of-way between Rockingham Road and Boies Ave to a point on the East line of the Indian Road right-of-way; Thence, North 06° 32' 55" West a distance of 48.43 feet along the East line of the Indian Road right-of-way; Thence, North 63° 16' 30" East a distance of 62.70 feet; Thence, South 31° 54' 08" East a distance of 78.75 feet; Thence, North 87° 56' 01" East a distance of 786.61 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Elsie Avenue right-of-way; Thence, North 68° 20' 32" East a distance of 60.06 feet to a point on the East line of the S Elsie Avenue right-of-way; Thence, North 63° 42' 17" East a distance of 213.46 feet along the South line of the alley right-of-way between Rockingham Road and Marion Street; Thence, South 21° 27' 22" East a distance of 3.75 feet; Thence, North 52° 08' 50" East a distance of 489.79 feet to a point on the West line of the S Concord Street right-of-way; Thence, North 57° 24' 16" East a distance of 59.93 feet to a point on the East line of the S Concord Street right-of-way; Thence, North 52° 12' 56" East a distance of 306.21 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Dittmer Street right-of-way; Thence, North 52° 10' 14" East a distance of 61.20 feet to a point on the East line of the S Dittmer Street right-of-way; Thence, North 52° 10' 56" East a distance of 306.30 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Clark Street right-of-way; Thence, North 39° 14' 13" East a distance of 66.08 feet to a point on the East line of the S Clark Street right-of-way; Thence, North 46° 53' 06" East a distance of 214.99 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Rolff Street right-of-way; Thence, North 85° 49' 33" East a distance of 47.79 feet to a point on the East line of the S Rolff Street right-of-way; Thence, North 56° 47' 39" East a distance of 374.42 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Farragut Street right-

of-way; Thence, North 39° 08' 43" East a distance of 62.05 feet to a point on the East line of the S Farragut Street right-of-way; Thence, North 56° 55' 11" East a distance of 300.42 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Birchwood Avenue right-of-way; Thence, North 56° 35' 03" East a distance of 40.04 feet to a point on the East line of the S Birchwood Avenue right-of-way; Thence, North 57° 06' 13" East a distance of 333.26 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 57° 02' 11" East a distance of 189.50 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Elmwood Avenue right-of-way; Thence, North 61° 03' 28" East a distance of 261.27 feet; Thence, North 56° 45' 43" East a distance of 251.15 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 63° 42' 11" East a distance of 54.65 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 53° 51' 51" East a distance of 93.18 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 54° 49' 35" East a distance of 70.52 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of Canadian Pacific DME right-of-way; Thence, North 54° 49' 35" East a distance of 43.89 feet to a point on the East line of the Canadian Pacific DME right-of-way; Thence, North 55° 55' 24" East a distance of 339.85 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of S Lincoln Avenue; Thence, North 53° 22' 44" East a distance of 60.07 feet to a point on the East line of S Lincoln Avenue; Thence, North 56° 42' 26" East a distance of 159.80 feet to a point on the East line of the alley right-of-way between S Lincoln Avenue and S Hancock Avenue; Thence, North 35° 32' 09" West a distance of 29.90 feet along the East line of the alley right-of-way; Thence, North 52° 57' 52" East a distance of 147.89 feet to a point on the West line of the S Hancock Avenue right-of-way; Thence, North 53° 03' 37" East a distance of 56.00 feet to a point on the East line of the S Hancock Avenue right-of-way; Thence, North 53° 03' 59" East a distance of 132.26 feet to a point on the East line of the alley right-of-way between S Hancock Avenue and S Pine Street; Thence, South 39° 25' 08" East a distance of 42.85 feet along the East line of the alley right-of-way; Thence, North 57° 22' 33" East a distance of 367.70 feet along the South line of the alley right-of-way between Rockingham Road and Dixwell Street to a point on the West line of the S Pine Street right-of-way; Thence, North 39° 00' 16" East a distance of 63.51 feet to a point on the East line of the S Pine Street right-of-way; Thence, North 57° 51' 00" East a distance of 826.83 feet to a point on the West line of the S Howell Street right-of-way; Thence, North 88° 00' 36" East a distance of 197.29 feet to a point on the South line of the alley right-of-way between Rockingham Road and Dixwell Street; Thence, North 01° 53' 12" West a distance of 170.86 feet to a point on the South line of the Dixwell Street right-of-way; Thence, North 88° 00' 36" East a distance of 192.40 feet along the South line of the Dixwell Street right-of-way to a point on the East line of the alley right-of-way between S Howell Street and S Division Street; Thence, North 01° 59' 23" West a distance of 380.49 feet along the East line of the alley right-of-way to a point on the South line of the W 1st Street right-of-way; Thence, North 87° 57' 02" East a distance of 655.00 feet along the South line of W 1st Street right-of-way to a point on the East line of the S Division Street right-of-way; Thence, North 54° 12' 02" East a distance of 71.14 feet to a point on the East line of the S Division Street right-of-way;

Thence, North 88° 09' 35" East a distance of 110.00 feet to a point on the West line of the alley right-of-way between S Division Street and N Sturdevant Street; Thence, North 01° 50' 25" West a distance of 84.74 feet along the West line of the alley right-of-way; Thence, North 69° 17' 00" East a distance of 517.58 feet along the North line of the alley right-of-way between Rockingham Road and W 2nd Street to a point on the East line of the N Sturdevant Street right-of-way; Thence, North 01° 56' 20" West a distance of 92.45 feet along the East line of the N Sturdevant Street right-of-way; Thence, North 87° 57' 02" East a distance of 85.16 feet; Thence, North 02° 33' 11" West a distance of 31.17 to a point on the South line of the W 2nd Street right-of-way; Thence, North 87° 49' 16" East a distance of 327.94 feet along the South line of the W 2nd Street right-of-way to a point on the West line of the alley right-of-way between N Sturdevant Street and Washington Street; Thence, South 61° 50' 17" East a distance of 22.80 feet to a point on the East line of the alley right-of-way; Thence, North 75° 10' 39" East a distance of 184.82 feet to a point on the East line of the Washington Street right-of-way; Thence, North 02° 15' 35" West a distance of 170.90 feet along the East line of the Washington Street right-of-way to a point on the South line of the alley right-of-way between Rockingham Road and W 3rd Street; Thence, North 87° 44' 25" East a distance of 600.00 feet along the South line of the alley right-of-way to a point on the West line of the Filmore Street right-of-way; Thence, North 87° 52' 26" East a distance of 704.90 feet along the South line of the alley right-of-way to a point on the East line of the Taylor Street right-of-way; Thence, North 87° 46' 06" East a distance of 251.57 feet along the South line of the alley right-of-way to the point of beginning. All bearings are based on the NAD83 Iowa State Planes South coordinate system. For purposes of this description the West line of N Marquette Street right-of-way is assumed to bear South 01° 40' 36" East. The land described in this description contains 149.073 acres, more or less.

Section 3. Findings:

- Proposed ordinance has undergone a thorough public process including stakeholder input and neighborhood meetings
- Proposed ordinance is largely supported by the majority of the project participants
- Proposed ordinance will serve as an effective tool in the implementation of corridor enhancement by lessening the intensity of use, thus enhancing the environment for neighborhood commercial redevelopment

Section 4. Conditions: None

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.

ATTACHMENTS. Both the attached zoning map and the attached Ordinance Code Chapters 4, 5, 6, 7, and 8 are hereby incorporated with this ordinance.

PROPOSED COMPREHENSIVE ZONING REWRITE. When the proposed comprehensive zoning rewrite anticipated to become effective within the next year is indeed passed and becomes effective it will apply to this rezoned geography.

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

First Consideration _____

Second Consideration _____

Approved _____

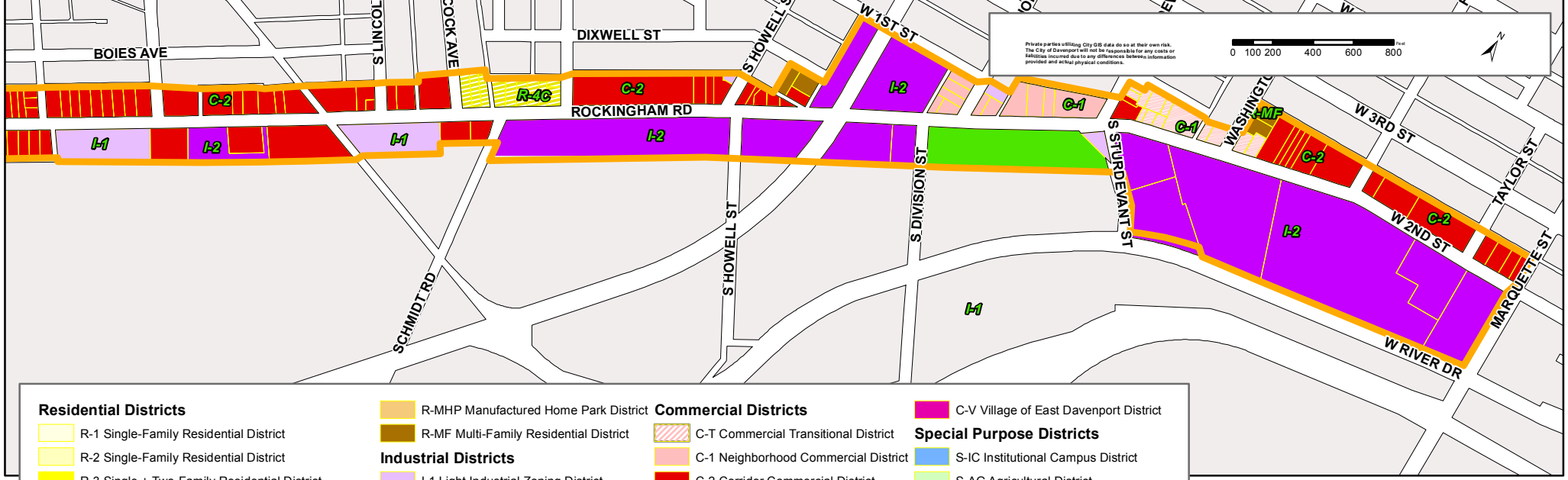
Frank J. Klipsch
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

Zoning Map - Case No. ORD18-02



Residential Districts

- R-1 Single-Family Residential District
- R-2 Single-Family Residential District
- R-3 Single + Two-Family Residential District
- R-3C Single + Two-Family Central Residential District
- R-4 Single + Two-Family Residential District
- R-4C Single + Two-Family Central Residential District

- R-MHP Manufactured Home Park District
- R-MF Multi-Family Residential District

Industrial Districts

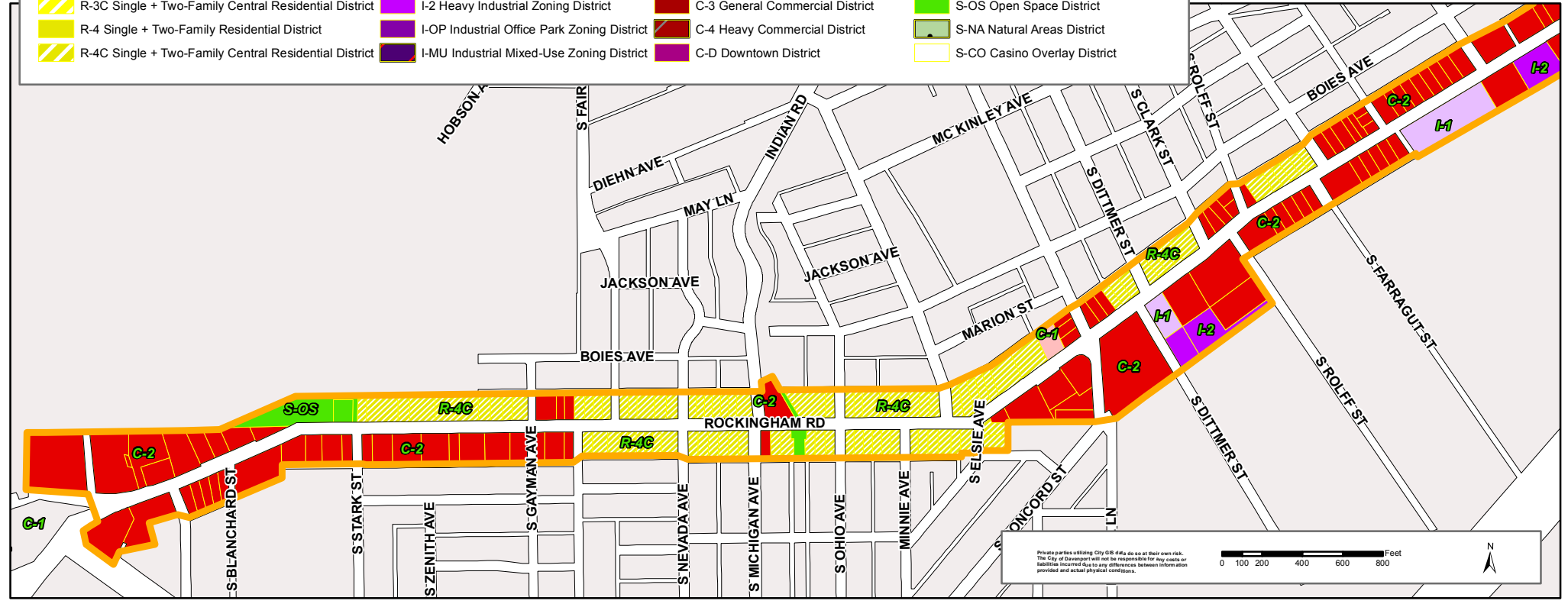
- I-1 Light Industrial Zoning District
- I-2 Heavy Industrial Zoning District
- I-OP Industrial Office Park Zoning District
- I-MU Industrial Mixed-Use Zoning District

Commercial Districts

- C-T Commercial Transitional District
- C-1 Neighborhood Commercial District
- C-2 Corridor Commercial District
- C-3 General Commercial District
- C-4 Heavy Commercial District
- C-D Downtown District

Special Purpose Districts

- C-V Village of East Davenport District
- S-IC Institutional Campus District
- S-AG Agricultural District
- S-OS Open Space District
- S-NA Natural Areas District
- S-CO Casino Overlay District



CHAPTER 4. RESIDENTIAL DISTRICTS

- 4.1 PURPOSE STATEMENTS**
- 4.2 USES**
- 4.3 DIMENSIONAL STANDARDS**
- 4.4 R-MHP DISTRICT STANDARDS**
- 4.5 DESIGN STANDARDS**
- 4.6 GENERAL STANDARDS OF APPLICABILITY**

4.1 PURPOSE STATEMENTS

F. R-4C Single-Family and Two-Family Central Residential Zoning District

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

G. R-MF Multi-Family Residential Zoning District

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

4.2 USES

Article 8 lists permitted and special principal uses and temporary uses for the residential districts.

4.3 DIMENSIONAL STANDARDS

Table 4-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. R-MHP District standards are found in Section 4.4. See Section 2.4 for measurement methodologies.

| | R-4C | R-MF |
|--|---|---|
| Bulk | | |
| Minimum Lot Area | SF: 4,000sf 2F: 5,500sf Non-Residential: 10,000sf | SF, 2F: 6,000sf TH: 2,000sf/du MF: 1,500sf/du Non-Residential: 10,000sf |
| Minimum Lot Width | 40' Non-Residential: 75' | SF, 2F: 50' TH: 20'/du MF: 80' Non-Residential: 75' |
| Maximum Building Height | 35' | SF, 2F, TH: 35' MF: 70' |
| Maximum Building Coverage | 40% Non-Residential: 35% | SF: 40% 2F: 50% TH, MF: 65% |
| Maximum Impervious Surface | 60% Non-Residential: 70% | SF: 60% 2F: 70% TH, MF: 75% Non-Residential: 75% |
| Setbacks | | |
| Minimum Front Setback | 15' or average of front setback of abutting structures. | 25' |
| Minimum Interior Side Setback | 10% of lot width, or 5', whichever is less. In no case shall an interior side setback be less than 4' For dwellings with a detached garage: if not served by an alley or rear service drive, one side setback must be a minimum of 9' in width | 10' When abutting a residential district, structures over 45' in height require 1' additional setback for each 3' in height over 45' |
| Minimum Corner Side Setback | 10' | 20' |
| Minimum Reverse Corner Side Setback | 15' | 25' |
| Minimum Rear Setback | 30' or 20% of lot depth, whichever is less | 30' or 20% of lot depth, whichever is less |

4.5 DESIGN STANDARDS

In addition to the use standards for dwelling types located in Chapter 8, the following design standards apply to the R-4C District. The standards below are applicable to any new dwelling, or an addition to an existing dwelling that exceeds 25% of the gross floor area or building footprint of the structure as it was on the effective date of this Ordinance.

A. Building Massing and Orientation

1. The scale of new construction must maintain compatibility with adjacent homes and the overall character of the surrounding area.
2. Architectural elements within the design must be in proportion to the overall structure.
3. The scale of additions to existing homes must maintain compatibility with the size of the existing structure and its architectural elements, as well as with the size of adjacent homes and the overall character of the surrounding area.

4. Foundation height must maintain compatibility with adjacent homes, provided adequate drainage can be achieved.
5. Dwellings must be oriented toward the residential street, and must connect to the sidewalk via walkways perpendicular to the street.
6. Where served by an alley or rear service drive, dwellings must orient garages or parking pads for access from the alley or rear service drive.

B. Façade Design

1. All façades that face a street must have articulation in the form of windows, doors, or other significant architectural features that are projected or recessed to create shadow and visual interest.
2. The number and size of façade articulations must be scaled to the size of the façade to balance a home's compatibility within the neighborhood with its own unique character.
3. Additions to existing homes must continue the architectural vocabulary established by the original home, and must be informed by the overall character of the surrounding area.
4. Front porches are encouraged, to add interest and scale to the front of a home. Where provided, porches must maintain compatibility with adjacent homes.
5. The front entry to a home must be a prominent feature, and must be located on the front façade.

C. Fenestration

1. The design of a home's fenestration must reflect a consistent rhythm, repeating elements or groups of elements in a consistent manner across a home's story and between stories. Individual elements may vary in size, but must relate to each other proportionally.
2. Elements of fenestration must relate to each other visually by sharing design features such as vertical or horizontal alignment, depth, or ornamentation such as muntins, mullions, sills, trim, lintels, etc.
3. Façades facing onto immediately adjacent properties must design their fenestration to respect the privacy of neighbors. This may be addressed through the height, size, or proportion of windows, the exclusion of balconies, and the use of opaque or translucent materials.

D. Roof Form

1. Roof forms must be varied through a combination of structural articulations such as gables, hips, valleys, ridges, and saddles that complement the roof form of adjacent homes.
2. Roof pitch should be consistent for all sloped roof faces, and should maintain compatibility with adjacent homes and the overall character of the surrounding area.
3. Definition is encouraged, through integration of architectural features such as dormers, eyebrows, chimneys, and deep eaves, which create shadows across the façade of a structure and create visual interest.

E. Building Materials

Building materials for new homes, or additions to existing homes must maintain compatibility with adjacent homes and the overall character of the surrounding area.

1. Primary Building Materials

Primary building materials are the dominant component of a home's exterior walls, composing 75 to 90 percent of each building face.

- a. No more than two primary building materials are permitted for new homes, not including foundation.

b. For additions to existing homes, no more than two primary building materials are permitted, provided that the total number of primary building materials for the overall structure, including addition, is not more than two.

c. Color, texture, or finish changes within any category of materials count as separate primary building materials.

d. Permitted primary building materials include:

i. Brick and stone

ii. Wood

iii. Vinyl siding

iv. Aluminum Siding

v. Stucco

e. Building materials not listed above may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

2. Accent Materials

Accent materials are secondary components of a home's exterior walls, typically used to provide architectural detail or visual interest to a façade. Accent materials may not compose more than 25% of each building face.

a. For new construction and additions to existing homes, if one primary building material is used (not including a foundation), a minimum of two but no more than three accent materials are permitted for the overall structure, including any addition.

b. For new construction and additions to existing homes, if two primary building materials are used (not including a foundation), a minimum of one but no more than two accent materials are permitted for the overall structure, including any addition.

c. Color, texture, or finish changes within any category of materials count as separate accent materials.

d. Permitted accent materials include:

i. Brick and stone

ii. Wood

iii. Architectural metal cladding

iv. Concrete masonry units

v. Stucco

e. Accent materials not listed above may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

3. Roofing Materials

a. Roofing materials should complement the architectural style of a home.

b. A consistent application of one roofing material is required for all roof areas visible from the right of way or any neighboring property.

c. Color, texture, or finish changes within any category of materials listed below count as separate roofing materials.

d. Permitted roofing materials include the following:

- i.** Dimensional asphalt shingles
- ii.** Wood shingles and shakes
- iii.** Slate
- iv.** Ceramic tile
- v.** Metal tiles or standing seam

e. Roofing materials not listed above will be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

4. Application of Building Materials

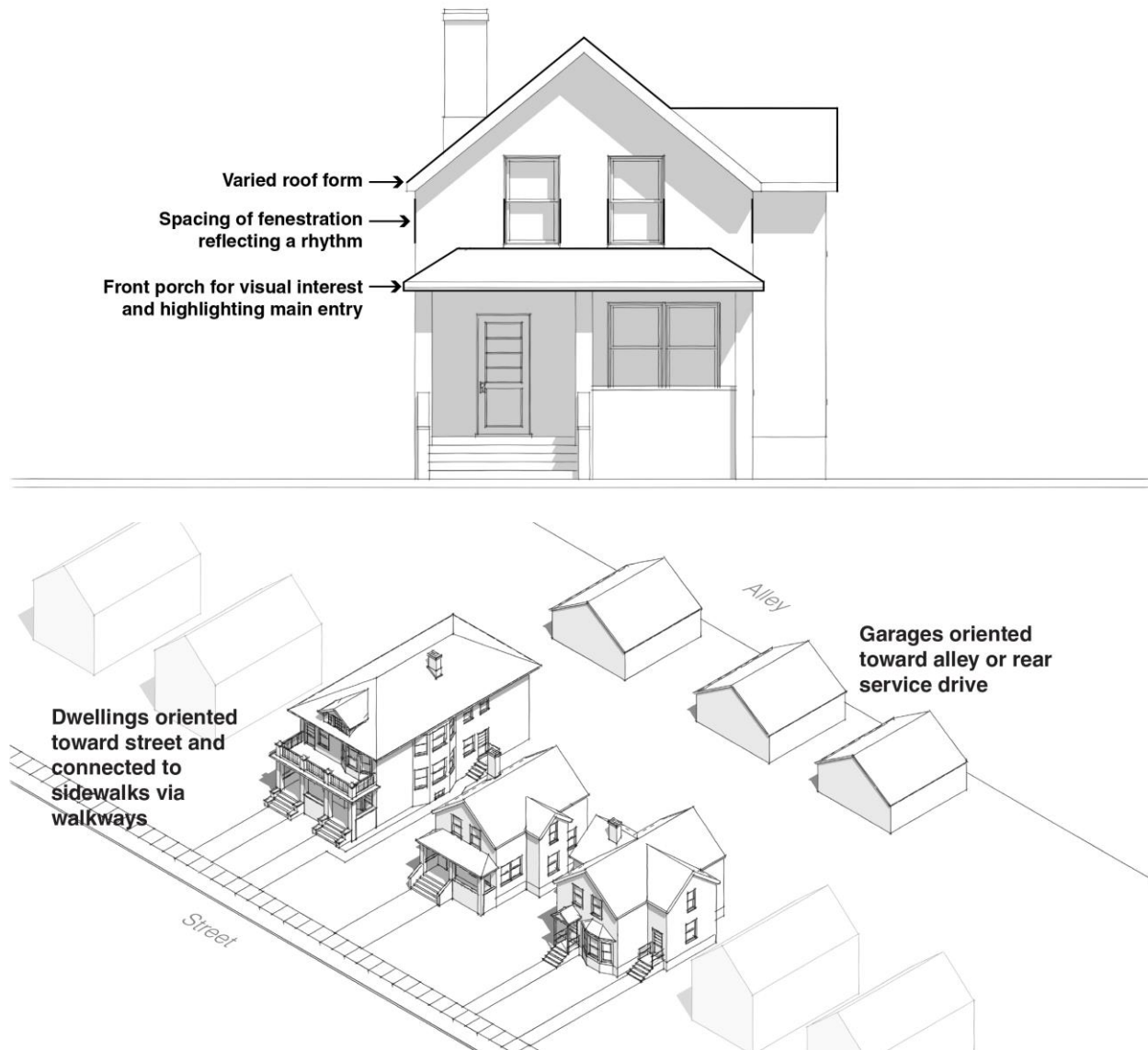
a. Building materials should be consistently applied on all exterior faces of new homes. Elevations of different materials or colors are not permitted, such as brick or stone front facades, with vinyl siding on side and rear elevations.

b. Visual balance should be maintained on each face of a structure. For both new construction and additions to existing homes, if multiple primary building materials are used on the overall structure, those that appear heavier, or that carry more visual weight should be placed toward the bottom of a structure, with materials that appear lighter placed above.

c. Frequent or irrational changes in building materials should be avoided. Change of materials should occur with prominent architectural features or changes in wall plane.

d. Where materials change with a change in wall plane, the material change should occur on the inside corner, not the outside edge.

R-4C DISTRICT DESIGN STANDARDS



CHAPTER 5. COMMERCIAL DISTRICTS

- 5.1 PURPOSE STATEMENTS
- 5.2 USES
- 5.3 DIMENSIONAL STANDARDS
- 5.4 DESIGN STANDARDS
- 5.5 C-D DISTRICT STANDARDS
- 5.7 GENERAL STANDARDS OF APPLICABILITY

5.1 PURPOSE STATEMENTS

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed, with dwellings allowed above the ground floor

B. C-1 Neighborhood Commercial Zoning District

The C-1 Neighborhood Commercial Zoning District is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged, with dwellings allowed above the ground floor.

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along the minor arterials and collectors in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

5.2 USES

- A. Chapter 8 lists permitted and special principal uses and temporary uses for the commercial districts.

5.3 DIMENSIONAL STANDARDS

- A. Table 5-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D District. The dimensional standards for development in the C-D District are found in Sections 5.5 and 5.6 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

- B. In the C-T and C-1 Districts, non-residential development is limited to the maximum gross floor area indicated in Table 5-1. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.
2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

| | C-T | C-1 | C-2 |
|---|----------------------------|----------------------------|------|
| Bulk | | | |
| Minimum Lot Area | 10,000sf | None | None |
| Minimum Lot Width | 60' | None | None |
| Maximum Gross Floor Area of Nonresidential | 5,000sf unless meeting the | 5,000sf unless meeting the | None |

| | C-T | C-1 | C-2 |
|--|---|--|---|
| | standards of Section 5.3.B | standards of Section 5.3.B | |
| Maximum Building Height | 35' | 35' | 45' |
| Setbacks | | | |
| Minimum Front Setback | Build-to zone of 0' to 20' | Build-to zone of 0' to 15' | None |
| Front Setback Build-To Percentage | 70% | 70% | None |
| Minimum Interior Side Setback | None, unless abutting a residential district then 20' | None, unless abutting a residential district then 10' | None, unless abutting a residential district then 10' |
| Minimum Corner Side Setback | Build-to zone of 0' to 15' | Build-to zone of 0' to 10' | 10' |
| Corner Side Setback Build-To Percentage | 60% | 60% | None |
| Minimum Rear Setback | 15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less | None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less | None, unless abutting a residential district then 15' |

5.4 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, and additions to an existing structure in the commercial districts, with the exception of the C-D District. Design standards for development in the C-D District are found in Sections 5.5 and 5.6 respectively, below. Only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling.

A. Commercial Districts Design Standards

Table 5-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

| | C-T | C-1 | C-2 |
|--|-----|-----|-----|
| Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street. | • | • | • |
| Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet. | • | • | • |
| All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located. | • | • | • |
| Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that abut a public right-of-way (excluding alleys) and/or the lot line of a residential district. | • | • | • |
| The ground floor of a façade abutting a public right-of-way (excluding alleys) must maintain a transparency of 50%, measured between two and ten feet in height from grade. | | • | • |
| The ground floor of a façade abutting a public right-of-way (excluding alleys) must maintain a transparency of 35%, measured between two and ten feet in height. | | | |
| Upper floors of a façade abutting a public right-of-way (excluding alleys) must maintain a transparency of 15% of the wall area of the story. | • | • | • |
| Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet. | • | • | • |
| Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest. | • | • | • |
| Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing. | • | • | • |
| Green roof, blue roof, and white roof designs are encouraged. | • | • | • |
| Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building. | • | • | • |
| Sites must be designed to ensure safe pedestrian access to the center from the public right-of-way, and safe pedestrian circulation within the development. | | • | • |
| A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development. | | • | • |
| Any outlot buildings must meet the minimum transparency requirements of the district on all facades except where such transparency on part or all of a facade would reveal preparation and/or storage areas. Prominent entrances must be oriented toward both the street and the interior parking lot. | | | |
| Outlot buildings that are part of a multi-tenant retail center must provide definition along the street frontage of the center by placement of the front building line within 0' to 30' of the front lot line. Outlot buildings may be placed within a required setback to comply with this standard. | | | |
| Commercial centers must provide definition along the street frontage by located part of the center or outlot buildings within 0' to 25' of the front lot line for a minimum of 30% of the frontage. The center or any outlot buildings may be placed within a required setback to comply with this standard. | | | |

B. Building Material Restrictions

In commercial districts, the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS



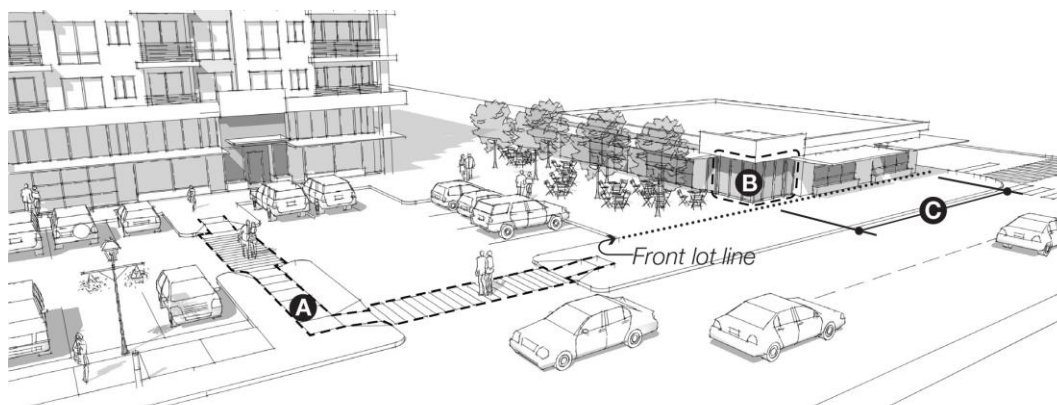
- | | |
|--|---|
| A. Blank wall area 40 linear feet or less, measured parallel to the street | E. Upper floor transparency of 15% of the wall area of the story |
| B. Repeating pattern of two elements at an interval of no more than 40 linear feet | F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet |
| C. A visually distinct public entrance from the sidewalk along the primary building frontage | G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details |
| D. First floor transparency of 50% measured between two and ten feet in height from grade | |

C-2 DISTRICT DESIGN STANDARDS



- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 50% measured between two and ten feet in height from grade
- E. Upper floor transparency of 15% of the wall area of the story
- F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

GENERAL COMMERCIAL SITE DESIGN STANDARDS



- A. Sites must be designed to ensure safe pedestrian access to the center from the public right-of-way, and safe pedestrian circulation within the development.
 - B. Any outlot buildings must meet the minimum transparency requirements of the district, and must include prominent entrances oriented toward both the street and the interior parking lot.
 - C. Outlot buildings that are part of a multi-tenant retail center must provide definition along the street frontage of the center by placement of the front building line within 0' to 30' of the front lot line. Outlot buildings may be placed within a required setback to comply with this standard.
- Retail centers must provide definition along the street frontage by located part of the center or outlot buildings within 0' to 25' of the front lot line for a minimum of 30% of the frontage. The center or any outlot buildings may be placed within a required setback to comply with this standard.

CHAPTER 6. INDUSTRIAL DISTRICTS

- 6.1 PURPOSE STATEMENTS
- 6.2 USES
- 6.3 DIMENSIONAL STANDARDS
- 6.4 DESIGN STANDARDS
- 6.5 GENERAL STANDARDS OF APPLICABILITY

6.1 PURPOSE STATEMENTS

A. I-1 Light Industrial Zoning District

The I-1 Light Industrial Zoning District is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal if any outside impacts.

B. I-2 Heavy Industrial Zoning District

The I-2 Heavy Industrial Zoning District is intended to provide for a variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-2 District may result in some external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

6.2 USES

Chapter 8 lists permitted and special principal uses and temporary uses for the industrial districts.

6.3 DIMENSIONAL STANDARDS

Table 6-1: Industrial Districts Dimensional Standards establishes the dimensional standards for the industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 2.4 for measurement methodologies.

| | I-1 | I-2 |
|--------------------------------------|---|--|
| Bulk | | |
| Minimum Lot Area | None | 10,000sf |
| Minimum Lot Width | None | 70' |
| Maximum Building Height | 90' | 90' |
| Setbacks | | |
| Minimum Front Setback | 25' | 25' |
| Minimum Interior Side Setback | 5', unless abutting a residential district then 25' | 15', unless abutting a residential district then 25' |
| Minimum Corner Side Setback | 20' | 20' |
| Minimum Rear Setback | 15' | 25' |

6.4 DESIGN STANDARDS

A. The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, and additions to an existing structure. However, only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling. Table 6-2: Industrial Building Design Standards indicates the applicability of building design standards to the industrial districts. A “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard is not applicable.

| | I-1 | I-2 |
|---|-----|-----|
| Façade Design | | |
| Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited. | • | • |
| Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet. | | |
| Roof Design | | |
| Green roof, blue roof, and white roof designs are encouraged. | • | • |
| Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building. | • | • |
| Entrance Design | | |
| Public entrances and primary building elevations must be oriented toward public streets. Main entrances to the buildings must be well defined. | | |
| Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas. | • | |
| Site Design | | |
| In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project. | | |
| The parking lot must not be the dominant visual element of the site when viewed from the primary roadway. Multiple smaller lots separated by landscaping and buildings, or placement behind buildings, are required. | | |
| Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development. | • | |

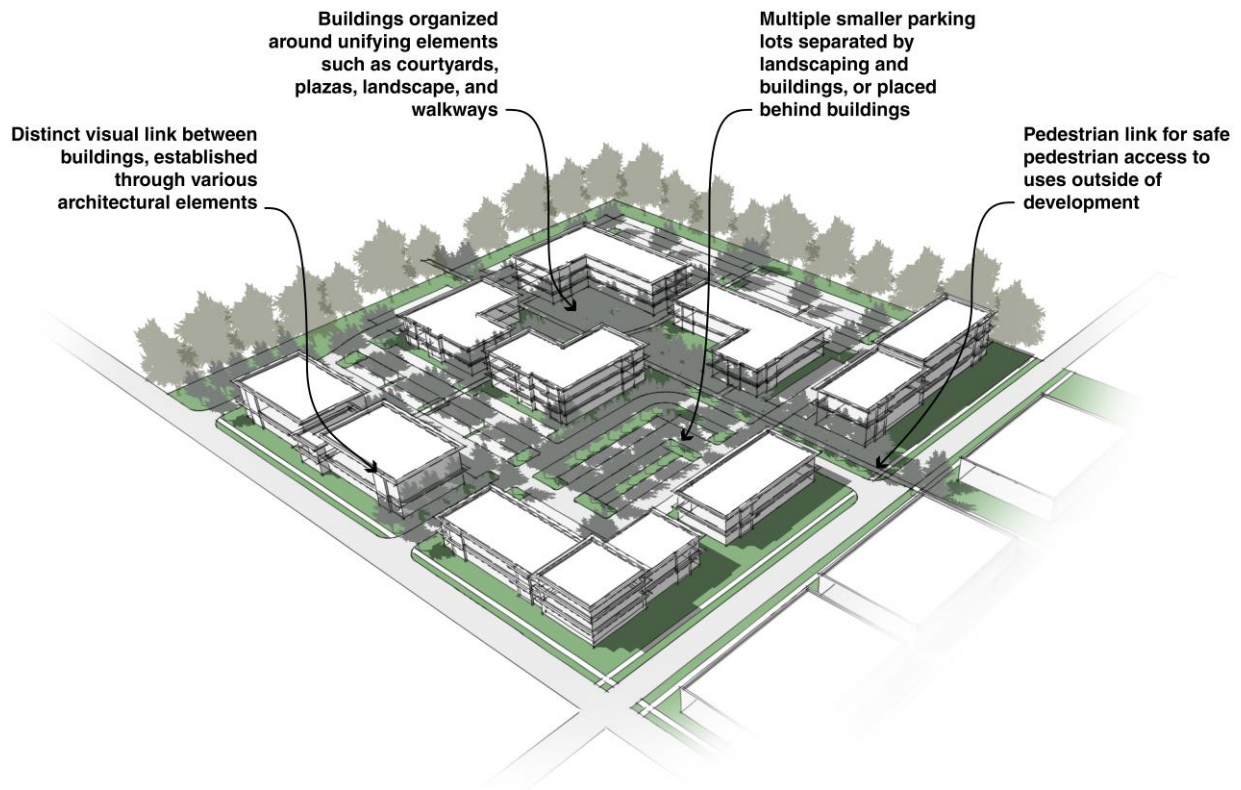
B. In the I-1 District, the following building materials are limited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a lot in residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block (only prohibited in the I-OP District)
2. Corrugated metal
3. Aluminum, steel or other metal sidings (only prohibited in the I-OP District)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

I-1 AND I-2 DISTRICT DESIGN STANDARDS



GENERAL INDUSTRIAL SITE DESIGN STANDARDS



CHAPTER 7. SPECIAL PURPOSE DISTRICTS

7.2 S-OS OPEN SPACE DISTRICT

7.2 S-OS OPEN SPACE DISTRICT

A. Purpose

The S-OS Open Space District is intended to provide and protect larger open space and public recreational facilities, both outdoor and indoor. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses, such as cultural facilities, performance venues, and eating establishments

B. Uses

Chapter 8 lists permitted and special principal uses and temporary uses for the S-OS District.

C. Dimensional Standards

Table 7-2: S-S-OS District Dimensional Standards establishes the dimensional standards for the S-OS District. See Section 2.4 for measurement methodologies.

| 7-2: S-OS District Dimensional Standards | |
|---|------|
| Bulk | |
| Minimum Lot Area | None |
| Maximum Building Height | 40' |
| Setbacks (Apply to Principal Structures Only) | |
| Minimum Front Setback | 15' |
| Minimum Interior Side Setback | 25' |
| Minimum Corner Side Setback | 15' |
| Minimum Rear Setback | 25' |

CHAPTER 8. USES

- 8.1 GENERAL USE REGULATIONS**
- 8.2 USE MATRIX**
- 8.3 PRINCIPAL USE STANDARDS**
- 8.4 TEMPORARY USE STANDARDS**
- 8.5 USE DEFINITIONS**

8.1 GENERAL USE REGULATIONS

- A.** No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B.** All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances.
- C.** Any use that is not included in the use matrix and cannot be interpreted as part of a use within the matrix is prohibited in all districts.
- D.** A site may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support and/or are functionally integrated into the principal use.
- E.** All uses must comply with the use standards of Section 8.3, as applicable, as well as all other regulations of this Ordinance and the City.

8.2 USE MATRIX

- A.** Table 8-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district.
- B.** Uses allowed in the R-4C District are those listed in Table 8-1 for the R-4 District.
- C.** P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use permit approval. If a cell is blank, the use is not allowed in the district.
- D.** In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 8.4.

| TABLE 8-1: USE MATRIX | | | | | | | | | |
|--|-----|------|-----|-----|-----|-----|-----|------|--------------|
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Adult Use | | | | | | S | S | | Sec. 8.3.A |
| Agriculture | | | | | | | | | |
| Amusement Facility - Indoor | | | | | P | | | | |
| Amusement Facility - Outdoor | | | | | | | | | |
| Animal Care Facility – Large Animal | | | | | | | | | |
| Animal Care Facility – Small Animal | | | S | S | P | | | | Sec. 8.3.B |
| Animal Breeder | | | | | | | | | Sec. 8.3.B |
| Art Gallery | | | P | P | P | | | | |
| Arts and Fitness Studio | | | P | P | P | | | | |
| Bar | | | | | P | | | | |
| Bed and Breakfast | | | | | | | | | Sec. 8.3.C |
| Body Modification Establishment | | | | S | S | | | | |
| Broadcasting Facility TV/Radio - With Antennae | | | | | | P | P | | |
| Broadcasting Facility TV/Radio - No Antennae | | | P | P | P | P | P | | |
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Campground | | | | | | | | P | Sec. 8.3.D |
| Car Wash | | | | | S | | | | Sec. 8.3.E |
| Cemetery | | | | | | | | P | |
| Children's Home | | P | | | P | | | | Sec. 8.3.F |
| Community Center | P | P | P | P | P | | | P | |
| Community Garden | P | P | P | P | P | | | P | Sec. 8.3.G |
| Conservation Area | | | | | | | | P | |
| Country Club | | | | | | | | P | |
| Cultural Facility | | | P | P | P | | | P | |
| Day Care Center | | P | P | P | P | | | | Sec. 8.3.H |
| Day Care Home | P | P | | | | | | | Sec. 8.3.H |
| Drive-Through Facility | | | | S | P | | | | Sec. 8.3.I |
| Drug/Alcohol Treatment Facility, Residential | | | | | S | | | | Sec. 8.3.J |
| Drug Treatment Clinic | | | | | S | | | | Sec. 8.3.J |
| Domestic Violence Shelter | | | | P | P | | | | Sec. 8.3.F |
| Dwelling – Above the Ground Floor | | | P | P | P | | | | |

| TABLE 8-1: USE MATRIX | | | | | | | | | |
|--|-----|------|-----|-----|-----|-----|-----|------|--------------|
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Dwelling – Accessory Dwelling Unit | P | | | | | | | | Sec. 8.3.K |
| Dwelling – Manufactured Home | | | | | | | | | Sec. 8.3.L |
| Dwelling - Multi-Family | | P | P | P | P | | | | Sec. 8.3.M |
| Dwelling - Townhouse | | P | P | P | P | | | | Sec. 8.3.M |
| Dwelling - Single-Family | P | | P | P | P | | | | Sec. 8.3.N |
| Dwelling - Two-Family | P | | P | P | P | | | | Sec. 8.3.N |
| Educational Facility - Primary or Secondary | P | P | | | | | | | |
| Educational Facility - University or College | | | | | | | | | |
| Educational Facility - Vocational | | | S | S | S | P | P | | |
| Financial Institution | | | P | P | P | | | | |
| Financial Institution, Alternative | | | | | S | | | | Sec. 8.3.O |
| Food Bank | | | | | | P | | | |
| Food Pantry | | | | | S | | | | |
| Funeral Home | | | | | S | | | | |
| Gas Station | | | | | S | P | P | | Sec. 8.3.P |
| Golf Course/Driving Range | | | | | | | | P | |
| Government Office/Facility | | | P | P | P | P | P | | |
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Greenhouse/Nursery - Retail | | | | | | | | | |
| Group Home | P | P | | | | | | | Sec. 8.3.Q |
| Halfway House | | | | | S | | | | Sec. 8.3.J |
| Healthcare Institution | | | | | | | | | |
| Heavy Retail, Rental, and Service | | | | | | S | | | |
| Homeless Shelter | | | | | S | | | | Sec. 8.3.J |
| Hotel | | | | | P | | | | |
| Industrial - General | | | | | | | P | | |
| Industrial - Light | | | | | | P | P | | |
| Industrial Design | | | | P | P | P | P | | |
| Live Entertainment - Secondary Use | | | | | S | | | | |
| Live Performance Venue | | | | | | | | | |
| Lodge/Meeting Hall | S | S | P | P | P | P | P | | Sec. 8.3.R |
| Manufactured Home Park | | | | | | | | | |
| Medical/Dental Office | | | P | P | P | | | | |

| TABLE 8-1: USE MATRIX | | | | | | | | | |
|---|-----|------|-----|-----|-----|-----|-----|------|--------------|
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Micro-Brewery/Distillery/Winery | | | | | P | P | | | |
| Needle Exchange Service | | | | | S | | | | Sec. 8.3.J |
| Neighborhood Commercial Establishment | S | S | | | | | | | Sec. 8.3.S |
| Office | | | P | P | P | P | P | | |
| Outdoor Dining | | | P | P | P | | | | Sec. 8.3.T |
| Parking Lot (Principal Use) | | | | S | S | | | | Chapter 10 |
| Parking Structure (Principal Use) | | | | S | S | | | | Chapter 10 |
| Personal Service Establishment | | | P | P | P | P | | | |
| Place of Worship | P | P | P | S | P | | | | |
| Public Park | P | P | P | P | P | P | | P | |
| Public Safety Facility | | P | P | P | P | P | P | | |
| Public Works Facility | | | | | | P | P | | |
| Reception Facility | | | | S | S | | | | Sec. 8.3.U |
| Recreational Vehicle (RV) Park | | | | | | | | S | Sec. 8.3.D |
| Research and Development | | | | | | P | P | | |
| Residential Care Facility | | P | | | P | | | | Sec. 8.3.V |
| Restaurant | | | P | P | P | P | P | | |
| Retail Goods Establishment | | | P | P | P | P | P | | |
| Retail Alcohol Sales | | | | S | S | P | | | |
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Self-Storage Facility: Enclosed | | | | | S | P | P | | Sec. 8.3.W |
| Self-Storage Facility: Outdoor | | | | | | P | P | | Sec. 8.3.W |
| Social Service Center | | | | | P | | | | |
| Solar Farm | | | | | | P | P | | Sec. 8.3.X |
| Specialty Food Service | | | S | P | P | P | | | |
| Storage Yard - Outdoor | | | | | | P | P | | Sec. 8.3.Y |
| Truck Stop | | | | | | P | P | | |
| Vehicle Dealership – Enclosed | | | | | | S | | | |
| Vehicle Dealership – With Outdoor Storage/Display | | | | | | S | | | |
| Vehicle Operation Facility | | | | | | P | P | | |
| Vehicle Rental – Enclosed | | | | | | S | | | |
| Vehicle Rental – With Outdoor Storage/Display | | | | | | S | | | |

[illegible]

8.3 PRINCIPAL USE STANDARDS

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

A. Adult Use

1. There must be a minimum of 500 feet between adult uses. Only one adult use is allowed per lot.
 - a. An adult use must be a minimum of 1,000 feet from any of the following:
 - b. A residential district
 - c. A primary and/or secondary educational facility
 - d. A day care center
 - e. A place of worship
 - f. A public park
 - g. A conservation area
 - h. A cemetery
2. All distances are measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other of the same use is located. The adult use owner must provide the Zoning Administrator with a survey acceptable and satisfactory to the City that demonstrates the establishment meets the requirements of this section.
3. Any adult use as of the effective date of this Ordinance that does not meet these spacing requirements are deemed conforming. Such deemed conforming status is terminated when the adult use ceases to operate or when any required licenses are revoked or are not renewed. An adult use is not considered to cease operations when it is closed for renovations in conjunction with a lawfully issued building permit.
4. Signs for adult uses must meet the following:
 - a. All signs for adult uses must be flat wall signs.
 - b. The maximum sign area is one square foot of sign area per foot of lot frontage on the street, but cannot exceed 32 square feet.
 - c. The maximum number of signs is one per lot frontage.
 - d. Temporary signs are prohibited.
5. No adult use may be maintained or operated in any manner that causes, creates, or allows public viewing of any adult material, or any entertainment depicting, describing or relating to specified sexual activities or specified anatomical areas, from any public rights-of-way or private property other than the lot on which the licensed adult use is located.
6. Words, lettering, photographs, silhouettes, drawings, or pictorial representations of any manner are prohibited that depict, describe, or relate to specified sexual activities or specified anatomical areas. This applies to any advertisement, display, promotional material, decoration, sign, performance, show, and to any window, door or other opening to the adult use.
7. No portion of the exterior of an adult establishment may utilize or contain any flashing lights, search lights, spotlights, or other similar lighting systems.

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of seven feet in height is required for all exterior exercise areas.
2. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.
3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

D. Campground and Recreational Vehicle (RV) Park

1. The minimum area for a campground or RV park is three acres.
2. Campgrounds and RV parks must comply with all applicable State and City regulations, including those governing the installation, construction, and/or operation of swimming pools, water supply, sewage disposal, food storage and services, plumbing, structures, electrical wiring, and fire prevention.
3. Management headquarters, recreational facilities, coin operated laundry facilities, cabins for counselors, overnight accommodations, living space, and other uses and structures customarily associated with the operation of a campground or RV park are permitted.
4. Storage of equipment must be within enclosed structures.
5. Year-round residency is prohibited at any campground or RV park. Use of camping units or a recreational vehicles as a principal residence is prohibited. This excludes any structures erected for a caretaker or campground ranger, which may be a year-round residency.
6. A 25 foot perimeter setback from the lot line of the campground or RV park is required. No structures, campsites, or RV pads are allowed within this setback. The perimeter setback must be landscaped with shrubs planted at an interval of one shrub for every three feet of linear yard width, on center, and one shade or evergreen tree planted at an average of one tree for every 25 linear feet. Preservation of existing vegetation is encouraged and may be substituted for the required plantings.

E. Car Wash

When a car wash abuts the lot line of a residential district, it must be screened along the abutting lot line with a solid fence or wall, a minimum of six feet and a maximum of seven feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center along such fence or wall; plantings must be placed inside the face of the fence toward the interior of the lot.

F. Children's Home and Domestic Violence Shelter

1. A children's home or domestic violence shelter require a health services and congregate living permit in accordance with Section 15.11.
2. The maximum ratio of staff to residents must be 1:20 or less.

G. Community Garden

1. Community gardens are limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity. It may also include community-gathering spaces for active or passive recreation but playground equipment is prohibited.
2. Greenhouses, including high tunnels/hoop-houses, cold-frames, and similar structures, are permitted to extend the growing season. Accessory structures, including but not limited to, sheds, gazebos, and pergolas, are also permitted. All accessory structures must be located a minimum of four feet from any lot line.
3. No livestock is permitted, including the keeping of chickens, fish, and bees.

4. On-site composting is permitted.
5. Farmstands are permitted and are limited to sales of items grown at the site. Farmstands must be removed from the premises during that time of the year when the use is not open to the public. Only one farmstand is permitted per lot.

H. Day Care Center and Day Care Home

1. Each day care must comply with all applicable state and federal regulations, including any licensing and registration.
2. The exterior of a day care home must maintain its original appearance as a single-family dwelling. No visitor/client parking may be located in the front yard.
3. One sign, either freestanding, window, or wall, is permitted for a day care home. Such sign may not exceed six square feet in sign area. Freestanding signs are limited to six feet in height and must be a minimum of five feet from any lot line. (Day care centers are subject to the standards of Article 12.)
4. A day care center must provide a pickup/drop off area. When a day care center is part of a multi-tenant retail center, the pickup/drop off area must not interfere with vehicle circulation in the parking lot, including blocking of the drive aisle.

I. Drive-Through Facility

1. All drive-through facilities must provide a minimum of four stacking spaces per lane or bay, unless additional stacking spaces are specifically required by this Ordinance. Stacking spaces provided for drive-through uses must be:
 - a. A minimum of nine feet in width, as measured from the outermost point of any service window or bay entrance, to the edge of the driveway, and 18 feet in length. In the case of a recessed service window, the measurement is taken from the building wall.
 - b. Stacking spaces must begin behind the vehicle parked at a final point of service exiting the drive through aisle, such as a service window or car wash bay (this does not include a menu board). Spaces must be placed in a single line behind each lane or bay.
2. All drive-through lanes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Drive-through lanes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

3. Drive-through facilities must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center along such fence or wall; plantings must be placed inside the face of the fence toward the interior of the lot. This standard does not apply to drive-through facilities within multi-tenant retail centers.

4. A drive through lane must have bail out capability for all vehicles that enter the drive through lane. The bail out lane must be a minimum width of ten feet in width and run parallel to the drive through lane. If a bail out lane is also an interior access drive providing access to parking spaces, the bail out lane is limited to a one-way traffic pattern following the direction of the drive through lane.

J. Drug Treatment Clinic, Drug/Alcohol Treatment Facility - Residential, Halfway House, Homeless Shelter, Needle Exchange Service

1. A drug treatment clinic, drug/alcohol treatment facility, residential, halfway house, homeless shelter, and/or needle exchange service require a health services and congregate living permit in accordance with Section 15.11.

2. For residential facilities, the maximum ratio of staff to residents must be 1:20 or less.

3. For residential facilities, outdoor facilities are limited to the hours between 8:00 a.m. to 8:00 p.m.

4. An enclosed or screened waiting area for intake and/or appointments is required. No queuing may occur on any public right-of-way or any parking lot.

5. Security lighting is required for drug treatment clinics, needle exchange facilities, and halfway houses. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the surrounding area.

6. There must be a 1,000 foot separation between the same uses (for example, between two homeless shelters).

7. Unless allowed in a residential district, such uses must be 300 feet from any residential district.

K. Dwelling – Accessory Dwelling Unit

1. One of the dwelling units must be occupied by the owner of the property.

2. No more than one accessory dwelling unit is allowed per lot. When permitted, the accessory dwelling unit does not count toward the maximum number of dwelling units on a lot, including when the accessory dwelling unit is located in a detached structure.

3. Detached accessory dwelling units may only be located in the rear yard. Detached accessory dwelling units must be located ten feet from any lot line and from any principal building.

4. Both the principal dwelling unit and the accessory dwelling unit must maintain separate meter connections.

5. A detached accessory dwelling unit is subject to the height permitted for a detached garage.

6. No accessory dwelling unit may not exceed 800 square feet in gross floor area.

7. When a detached garage is converted to an accessory dwelling unit, the ground floor must be maintained as parking.

8. No additional parking is required for an accessory dwelling unit. Required parking for the principal structure must be maintained.

L. Dwelling – Manufactured Home

Manufactured homes must meet the following design standards when not located within a manufactured home park:

1. The front entry must be a dominant feature on the front elevation of a manufactured home, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings.
2. Windows, entrances, bay windows, or other architectural features are required on any street-facing walls.
3. Each manufactured home must utilize roofing materials such as asphalt shingles or similar material, similar in material and appearance to single-family dwellings.
4. All manufactured homes must be designed with skirting that is constructed of fire-resistant material that meets the requirements of the Building Code
5. The manufactured home must be set on a concrete slab or runway, and such slab or runway must be of a size large enough to accommodate a manufactured home in such a fashion that the concrete will extend at least two inches around the walls of the manufactured home on all sides.

M. Dwelling - Multi-Family or Townhouse

In the case of conflict with any design standards contained within Chapter 4, the standards of Chapter 4 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. The following minimum transparency requirements apply to any façade facing a street and are calculated on the basis of the entire area of the façade:
 - a. Townhouse: 15%
 - b. Multi-Family Dwelling: 25%
4. There must be a minimum separation of 15 feet between sidewalls of townhouse buildings. Where the front or rear wall of a townhouse faces the front or rear wall of another townhouse, the minimum required separation between such buildings must be 30 feet. Driveways and parking areas may be located within this minimum separation area.
5. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
 - a. The following building materials are prohibited on any part of any façade:
 - i. Plain concrete block
 - ii. Plastic
 - iii. Exterior insulating finish systems (EIFS)
 - b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
 - i. Corrugated metal
 - ii. Aluminum, steel or other metal sidings
 - iii. Exposed aggregate (rough finish) concrete wall panels

- iv. T-111 composite plywood siding
- v. Vinyl

N. Dwelling - Single-Family or Two-Family

In the case of conflict with any design standards contained within Chapter 4, the standards of Chapter 4 control.

1. A dwelling must have a primary entrance from the façade facing the street. The front entry must be a dominant feature on the front elevation of a home and an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front façade.
2. Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.
3. A 15% minimum transparency requirement applies to any façade and is calculated on the basis of the entire area of the façade.
4. Front-loaded attached garages are limited to 40% of the width of the front building line or 24 feet, whichever is greater. Garage width is measure between garage doors; in the case of garages designed with multiple garage doors the distance is measure between the edge of the outmost doors.

O. Financial Services, Alternative (AFS)

1. Alternative financial services (AFS) must be located no closer than 1,000 feet from any other AFS, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other existing similar use is located.
2. Any existing alternative financial service establishment as of the effective date of this Code that do not meet the spacing requirement is deemed conforming; this applies only to AFS that are allowed as a permitted or special use within the district. If an alternative financial service is no longer allowed within a district as of the effective date of this Code, it is nonconforming use.

P. Gas Station

1. All structures and all pump islands, compressed air connections, and similar equipment must be set back a minimum of 15 feet from interior side and rear lot lines. Structures are exempt from any build-to lines required by the district.
2. The minimum distance a freestanding canopy for gas pumps must be from any street lot line is ten feet and 15 feet from any interior lot line.
3. The ancillary uses of a retail goods establishment and one car wash bay are permitted in connection with the principal gas station use.

Q. Group Home

1. Such uses are subject to all federal, state, and city regulations, and must be licensed.
2. When a group home is located within an existing residential structure, the location, design, and operation of such facility must not alter the residential character of the structure.

R. Lodge/Meeting Hall

1. No more than 30% of the gross floor area may be used as office space for the lodge/meeting hall.
2. Lodges/meeting halls are permitted to serve meals and alcohol on the premises for members and their guests only.
3. Sleeping facilities are prohibited.
4. Lodges/meeting halls leased or used as reception facilities must comply with the requirements for reception facilities.

S. Neighborhood Commercial Establishment

1. Neighborhood commercial establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Ordinance.
2. The following non-residential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery
 - b. Arts studio
 - c. Office
 - d. Personal service establishment
 - e. Restaurant (live entertainment - secondary use prohibited and sale of alcohol prohibited)
 - f. Retail goods establishment (retail sales of alcohol prohibited)
3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
4. Drive-through facilities are prohibited.
5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
6. Signs are limited to those allowed in the C-T District.

T. Outdoor Dining

1. Outdoor dining is considered a separate principal use. Outdoor dining may only be established when allowed as a use within a zoning district and in conjunction with another principal use such as a bar or restaurant.
2. Outdoor dining must not interfere with any pedestrian access or parking spaces and aisles.
3. Outdoor dining areas must be located on private property. Outdoor dining on public property is not controlled by this Ordinance.
4. When a structure is required to be constructed at a build-to line, the structure may have up to 50% or 60 linear feet of the applicable façade, whichever is less, designated as outdoor dining maybe setback up to 30 feet from the required build-to line.

U. Reception Facility

A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, or educational facilities.

V. Residential Care Facility

1. Residential care facilities are subject to all federal, state, and city regulations, and must be licensed.
2. When located in a nonresidential district, the structure must be designed with a lobby entrance along the primary frontage.

W. Self-Storage Facility: Indoor and Outdoor

1. Storage units cannot be used for residential occupancy or business.
2. No plumbing connections are permitted in self-storage units.
4. Storing hazardous or toxic materials is prohibited.

5. For self-storage facilities that include both indoor and outdoor facilities, both types of uses must be allowed in the district.
6. The following additional standards apply to indoor self-storage facilities:
 - a. All self-storage activities must be contained within a single building and conducted exclusively indoors. Individual storage units may be accessed from inside the building only.
 - b. All facilities must meet the design standards of the district.
 - c. No storage units located on the first floor may be located within the first 50 feet of the front facade. No storage units located on the first floor may be visible from any public right-of-way.
 - d. Access to loading areas must be located to the interior or rear of the building.
7. The following additional permissions apply to outdoor self-storage facilities:
 - a. Outdoor self-storage facilities should be oriented so that storage unit access doors do not face the public right-of-way.
 - b. Outdoor self-storage facilities are allowed to include an area for storage of recreational vehicles. Storage areas for recreational vehicles must be located in the rear yard.
 - c. No storage of recreational vehicles is allowed within 25 feet of any rear lot line. No storage of recreational vehicles is allowed within 30 feet of any interior side lot line. No storage of recreational vehicles is allowed within 50 feet of any front or corner side lot line.
 - d. If storage areas for recreational vehicles are provided, they must be screened along interior side and rear lot lines with a solid fence or wall, a minimum of six feet and a maximum of seven feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center along such fence or wall; plantings must be placed inside the face of the fence toward the interior of the lot.

X. Solar Farm

1. Systems, equipment, and structures are limited to the maximum height of the district.
2. All solar farm structures must meet the district setbacks.
3. No grid tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system.
4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.

Y. Storage Yard – Outdoor

1. The storage area must be completely enclosed along all lot lines by a solid fence or wall a minimum of six feet and a maximum of eight feet in height, including ingress and egress.
 - a. Fences or walls along the front or corner side lot line must be set back a minimum of ten feet from the lot line. Within that setback, one shrub a minimum of three feet in height must be planted linearly every three feet on-center along such fence or wall, and one evergreen tree every 30 feet planted linearly; plantings must be placed outside the face of the fence facing the right-of-way.
 - b. Fences or walls along the rear or interior side lot line require the planting of shrubs a minimum of three feet in height at time of planting, planted linearly every three feet on-center along such fence or wall;

plantings must be placed inside the face of the fence toward the interior of the lot.

2. Storage of any kind is prohibited outside the fence or wall.
3. No items stored within 25 feet of the fence may exceed the height of the fence or wall for an outdoor storage yard.
4. A salvage yard is not an outdoor storage yard. Salvage yards, an establishment where vehicles or other machinery is broken up and the parts saved and processed for resale, are prohibited.

Z. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

AA. Wind Energy System

1. The design of the wind energy system must conform to applicable industry standards as such standards exist as of the date construction is commenced. The facility owner or operator must submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or similar certifying organizations.
2. All wind turbines must be newly manufactured as of the date of installation. Experimental/prototype wind turbines may be approved as a special use.
3. All wind energy system must be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes must be operated in a fail-safe mode. Stall regulation is not considered a sufficient braking system for over speed protection.
4. All electrical components of the wind energy system must conform to applicable local, state, and national codes, and applicable international standards.
5. An engineer's certificate must be completed by a structural engineer, licensed in the State of Iowa, certifying that the tower and foundation of the wind turbines are compatible with, and are appropriate for, the particular model of wind turbine used, and that the specific soils at the site can support the wind turbine.
6. Wind turbines must comply with the following design standards:
 - a. Wind turbines must be a non-obtrusive and non-reflective color. The facility owner or operator must maintain the paint on wind turbines at all times in good repair.
 - b. Wind turbines must not display advertising, except for reasonable identification of the turbine manufacturer, or the facility owner and operator.
 - c. Within the wind energy system, wind turbines must be of a generally consistent size, design, and color,

of similar height and rotor diameter, and rotate in the same direction.

d. Wind turbines must not be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable regulatory authorities.

e. On-site transmission and power lines between wind turbines must, to the maximum extent practicable, be placed underground, reach the property line, and be located and constructed in such a way as to minimize disruption to the property's primary purpose as well as to facilitate the interconnection of other commercial wind power generating facilities.

f. Non-essential appurtenances are prohibited to be affixed to any wind turbine, including, but not limited to, cellular or radio antennae.

g. A clearly visible warning sign advising persons of the presence of high voltage levels must be placed at the base of all pad-mounted transformers and substations.

7. The applicant must commission and submit at the time of permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert, indicating possible risks to local wildlife, habitat, and migratory birds. Additionally, the applicant's wildlife expert must also develop a mitigation plan, if applicable, that addresses/mitigates any risk to wildlife, migratory birds, and affiliated habitat. All wind turbines at time of application must be located out of bird and bat migration pathways/corridors where wind turbine construction would pose a substantial risk.

8. Wind turbines must not be climbable up to a height of at least 15 feet above ground surface. All access doors to wind turbines and electrical equipment must be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

9. Wind turbines must be setback from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, no less than the turbine height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.

10. All wind turbines must be set back from the nearest property line a distance of not less than the normal setback requirements for that zoning district or 110% of the turbine height, whichever is greater. The setback distance is measured from the property line to the nearest point on the outside edge of a tower. Operation and maintenance building(s) and substations must be located in accordance with zoning district yard requirements. All wind farm structures, except for wind turbines, must comply with the regulations of the zoning district.

11. All wind turbines must be set back from the nearest public right-of-way a distance of 110% of the turbine height, as measured from the right-of-way line to the nearest point on the outside edge of a tower.

12. The facility owner or operator must comply with all applicable codes regulating sound generation. A predictive sound study of turbine noise must accompany the application to verify that all code requirements can be met for dBA sound levels. In the event that any sound levels from a wind turbine are found to be in excess of permissible levels per the Municipal Code, the facility owner or operator must take necessary measures to bring sound levels down to a level acceptable.

13. A shadow flicker study is required, and must be submitted with the application. A wind turbine's shadow flicker must not fall on any existing structure, measured at the nearest external wall or walls, or within the buildable area of an adjacent vacant lot, as defined by current setback requirements.

14. The facility owner and operator must, at their sole expense, complete decommissioning of the wind energy system, or individual wind turbines, within one year after the end of the useful life of the wind energy system or individual wind turbines. The wind energy system or turbine must be deemed to be at the end of its useful life if it is abandoned for a period of time in excess of 180 days. Decommissioning includes removal of wind turbines, structures, roads and foundations to a depth of 48 inches, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the wind energy system.

BB. Wireless Telecommunications

1. Application Requirements

All applications to erect, construct, or modify any part of a wireless telecommunications system require site plan review must include the following items:

- a.** A site plan showing:
 - i.** The location, size, screening, and design of all structures, including fences.
 - ii.** The location and size of all outdoor equipment.
 - iii.** Elevations showing antenna height.
 - iv.** If the site plan is for a new wireless telecommunications facility, a landscape plan showing all screening.
 - v.** If the site plan is for a new wireless telecommunications tower, indication of the fall zone as a shaded circle.
- b.** A maintenance plan and any applicable maintenance agreement designed to ensure long-term, continuous maintenance, such as maintenance of landscape, keeping the area free from debris and litter, and immediate removal of any graffiti.
- c.** A disclosure of what is proposed, demonstrating the need for the wireless telecommunications system in the proposed location. This is not required for co-location or stealth design antennas.
- d.** The reason or purpose for the placement, construction, or modification in the proposed location with specific reference to the provider's coverage, capacity, and/or quality needs, goals, and objectives. This is not required if the proposal is does not involve the erection of a new tower.
- e.** The service area of the proposed wireless telecommunications system.
- f.** If the proposal is for a new telecommunications tower, then a map showing collocation opportunities within the City and within areas surrounding the borders of the City must be provided and justification for why co-location is not feasible in order to demonstrate the need for a new tower.
- g.** If the proposal is for a new telecommunications tower, certification by a licensed and registered professional engineer regarding the manner in which the proposed structure will fail. The certification may be utilized, along with other criteria such as applicable regulations for the district in question, in determining if additional setback should be required for the structure and other facilities.

2. Setbacks

- a.** All wireless telecommunications towers must be set back from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, as defined by current setback requirements no less than the tower height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.
- b.** All wireless telecommunications facilities must be set back from all property lines in accordance with the minimum setback requirements in the zoning district.

3. Height

The maximum height of a wireless telecommunications tower is the minimum needed to function satisfactorily. The application for approval of a wireless telecommunications tower must demonstrate the minimum height needed for the tower to function, which will be reviewed and approved as part of site plan review. The City has the ability to hire an independent consultant to assist in review of the proposed height, whose fee will be charged to the applicant.

4. Lighting and Marking

Wireless telecommunications systems must not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

5. Specific Standards for Wireless Telecommunications Antennas

Wireless telecommunications antennas are a special use in all districts, unless they are stealth design in which case they are a permitted use. Stealth design for wireless antennas is encouraged and is considered a permitted use in all districts, subject to site plan review and approval. All applications for wireless telecommunications antennas must include all information required by this section. In addition to the standards of this section for wireless telecommunications antennas, stealth design must comply with the following regulations:

- a.** To qualify as a stealth design, wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.
- b.** Wireless telecommunication antennas must be mounted at least 30 feet above grade, as measured from grade to the base of the antenna, to qualify as stealth design, in addition to meeting the other requirements of this section. Wireless telecommunication antennas mounted lower than 30 feet are considered a special use.
- c.** Antennas must be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls (must be behind the parapet wall), and steeples, and must be designed to blend in with the structure.
- d.** Antennas that co-locate on existing wireless telecommunications towers are also considered stealth design. However, such antennas cannot increase the overall height of the existing wireless telecommunications tower.
- e.** No antenna may increase the overall height of any structure on which it is mounted by more than 12 feet.

6. Specific Standards for Wireless Telecommunications Facilities

- a.** Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunication tower. Any equipment not used in direct support of such operation must not be stored on the site.
- b.** Commercial advertising is prohibited. Only signage that is part of the equipment as manufactured or warning signage is permitted.

7. Specific Standards for Wireless Telecommunications Towers

- a.** The use of guyed towers is prohibited. Towers must be monopoles, meaning self-supporting with no wires, cables, or beams.
- b.** Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate accompanying wireless telecommunications facilities for other telecommunications providers.
- c.** Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a galvanized silver or gray finish.

8. Specific Standards for Distributed Antenna Systems (DAS)

If a distributed antenna systems (DAS) is installed and entirely enclosed within a principal building, the requirements of this Ordinance do not apply.

- a.** All equipment related to a distributed antenna system must be mounted/co-located on existing poles or other existing structures unless it can be shown that an alternate location will be less obtrusive and/or more beneficial to the public. The design of any new pole requested requires special use approval.

b. An applicant seeking installation of a distributed antenna system must demonstrate that it has made efforts to blend or camouflage the system with existing facilities and surroundings or has otherwise screened or concealed the system from view. Approved blending methods include, but are not limited to, location of equipment other than antennas within a tree canopy or other inconspicuous location, use of green, brown or other colored equipment (if commercially available to the applicant) designed to mimic the colors and/or materials of the tree canopy, co-location structure or other nearby structures, as well as use of textures and shapes as appropriate, all with the intent of minimizing the visual impact of the system. Unnatural colors and exposed cables are prohibited.

c. All pole-mounted distributed antenna systems must be installed at a minimum height of nine feet above the ground. Equipment may be housed in a cabinet at ground level only with the approval of the City as to location and with appropriate screening.

d. Distributed antenna systems may not extend more than seven feet above the height of the existing pole or other structure on which it is installed.

6. Where distributed antenna systems are placed in residential districts, every effort must be made to avoid placement at right of way locations directly in front of a residence. If placement directly in front of a residence is absolutely necessary for technological reasons, the City has the right to require screening or impose other design mitigation requirements.

7. The City may request that a particular node or nodes be placed in an alternative location to that proposed by the applicant. Where a request for an alternative location is unable to be accommodated by an applicant, the applicant must supply an explanation in writing as to why the suggested alternative location will materially compromise the functioning of the system or is otherwise impractical.

9. Abandonment

Any wireless telecommunications system that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the tower or facility, and all aboveground equipment and related debris. The City may ensure and enforce removal by means of its existing regulatory authority.

10. Nonconformities

a. Ordinary maintenance, including replacement/upgrading, of antenna equipment may be performed on nonconforming antennas or towers. However, if the proposed alteration intensifies a nonconforming characteristic of the antenna or tower, a variance is required.

b. Co-location of an antenna on an existing nonconforming tower is permitted as a special use, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.

8.4 TEMPORARY USE STANDARDS

Temporary uses are required to comply with the standards of this section, in addition to all other regulations of this Ordinance and any licensing requirements of the Municipal Code. These regulations are for temporary uses located on private property. A temporary use may require a temporary use permit if the requirement is specifically cited in the standards; otherwise the temporary use is exempt from a temporary use permit. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval.

A. Farmers' Market

A retail license is required per Chapter 5.17 (Retail Sales and Transient Merchants) of the Municipal Code.

B. Real Estate Project Sales Office/Model Unit

1. A real estate sales office/model unit(s) is allowed for a residential development. Multiple model units are allowed in a multi-family building or a residential subdivision of 20 or more units.

2. No real estate sales office/model unit(s) may be located in a manufactured home or off-site.

3. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development.

4. All activities conducted within real estate sales office/model unit(s) must be directly related to the construction and sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.

C. Temporary Contractor's Office and Contractor's Yard

1. A temporary contractor's office is allowed incidental to a construction project.

2. The temporary contractor's office must be removed within 30 days of completion of the construction project.

3. A contractor's yard is permitted on or adjacent to any construction demolition and can only be used during the life of the construction project.

D. Temporary Outdoor Entertainment

A special event permit from the City is required for temporary outdoor entertainment.

Editor's Note: The special event permit will need to be modified to include such events on private property.

E. Temporary Outdoor Sales

A special event permit from the City is required for temporary outdoor sales.

Editor's Note: The special event permit will need to be modified to include such events on private property.

F. Temporary Outdoor Storage Container

1. Temporary storage containers are permitted in any zoning district when used for loading or unloading. Containers are permitted on site for a period not to exceed 30 days.

2. Temporary storage containers may not be used for permanent storage. They may not serve as a substitute for permanent storage needs on the site on which they are located. Containers may not be permanently attached to the ground, serviced with permanent utilities, or stacked on the site.

3. Temporary storage containers cannot be placed in the public right-of-way or placed on a lot to block ingress/egress or impede right-of-way traffic.

4. Temporary storage containers for residential uses may be placed in a driveway only but cannot block the right-of-way, including sidewalks. No temporary storage containers may be placed within any yard.

8.5 USE DEFINITIONS

All uses within Table 8-1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive use category.

Adult Use. An adult store, adult cabaret, adult theater, nude model studio, sexual encounter center, adult motel, or escort agency. The following additional definitions apply to adult use:

1. **Adult Booth.** Any area of an adult use that is set off from the remainder of the establishment by one or more walls, partitions, or other dividers and is used to show, exhibit, play, display, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of any specified anatomical areas or the performance or simulation of any specified sexual activities.

2. **Adult Cabaret.** Any establishment that as a substantial or significant portion of its business provides any of the following:

a. Persons who appear nude.

b. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of a specified anatomical area or the performance or simulation of a specified sexual activity.

c. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations, recordings, imagery, illustration, or depiction of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of any specified anatomical area or the performance or simulation of any specified sexual activity.

3. Adult Material. Any of the following, whether new or used:

a. Books, magazines, periodicals, or other printed matter or digitally stored materials, films, motion pictures, video cassettes, audio cassettes, slides, computer displays or other visual or audio representations or recordings of any kind, DVD, CDROM, or similar item that is distinguished or characterized by an emphasis on the exposure, depiction, description, imagery or visual representation of any specified anatomical area or the performance or simulation of any specified sexual activity.

b. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities or that depict, describe or portray specified anatomical areas; except this does not include those items used for birth control or for the prevention of sexually transmitted diseases.

4. Adult Motel. Any motel, hotel or similar business that either: 1) offers accommodations to the public for any form of consideration, and provides patrons with closed-circuit television transmission, telephones, motion pictures, video cassettes, slides, or other material that is characterized by the depiction or description of any specified anatomical area or any specified sexual activity, and has a sign that is visible from the public right-of-way that advertises the availability of adult materials; 2) offers a room or suite for consideration for a period of time that is less than ten hours; or 3) allows a tenant, occupant or patron of a room or suite to sublet the room or suite for a period of time that is less than ten hours.

5. Adult Store. Any establishment that either: 1) contains one or more adult booths; and/or 2) as a substantial or significant portion of its business offers for sale, rental, exchange, or viewing any adult materials. Adult stores do not include establishments that offer for sale, rental, exchange, or viewing any adult materials as a sideline or adjunct to sales, rentals, exchanges or viewings of materials other than adult materials.

6. Adult Theater. Any establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes, slides, or other visual representations, recordings, imagery, illustration, or depiction of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of any specified anatomical area or the performance or simulation of any specified sexual activity.

7. Escort. A person who, for pecuniary consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease dance or otherwise perform or appear before another person while nude in or about any place of public or private resort or any private quarter or business premises.

8. Escort Agency. Any person or business entity furnishing or offering to furnish, or advertising to furnish escorts as one of its business purposes, for a fee, tip or any other form of consideration.

9. Nude Model Studio. Any place where a person who appears nude is provided for the purpose of being sketched, drawn, painted, sculptured, photographed, or similarly depicted by any other person who has paid money or any other form of consideration, barter, or exchange, or for whose benefit someone else has paid money or any other form of consideration, barter or exchange, for the purpose of being allowed to observe the person appearing nude being sketched, drawn, painted, sculptured, photographed, or similarly depicted. Nude model studio does not include public or private colleges or universities licensed by the State of Iowa that offer art, modeling, or anatomical drawing classes.

10. Nude or State of Nudity. A state of dress or undress that exposes to view less than completely and opaquely covered human genitals, pubic region, anus, or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed, or human male genitals in a discernibly turgid state even if completely and opaquely covered, or any device that when worn, simulates human male genitals in a discernibly turgid state.

11. Sexual Encounter Center. Any establishment that, for consideration, offers either: 1) physical contact in the form of wrestling or tumbling between persons of the opposite sex; 2) activities between two or more persons regardless of gender when one or more of the persons is in a nude condition; 3) where two or more persons may congregate, associate or consort in connection with specified sexual activities or specified anatomical areas; or 4) where two persons may congregate, associate, or consort, in a private room, suite, or similar enclosure, with one of the two persons modeling lingerie, dancing in a sexually suggestive manner, or some similar activity for the pleasure or entertainment of the other. Sexual encounter center does not include a gymnastic, acrobatic, athletic, or similar demonstration or show that has been issued and holds a valid public amusement license under Chapter 5.40 of the Code.

12. Specified Anatomical Area. Any of the following:

- a. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breast below a point immediately above the top of the areola but not including any portion of the cleavage exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed.
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered or any device or covering that when worn, simulates human male genitals in a discernibly turgid state.

13. Specified Sexual Activity. Any of the following:

- a. The fondling or touching of one person's human genitals, pubic region, buttocks, anus, or female breasts by another person.
- b. Sex acts, normal or perverted, actual or simulated, including without limitation, cunnilingus, fellatio, anilingus, bestiality, intercourse, oral copulation or sodomy.
- c. Masturbation, actual or simulated.
- d. Excretory or urinary functions as part of or in connection with any of the activities set forth in this definition.

14. Substantial or Significant Portion of its Business. 10% or more of the establishment's income is derived from the sale, rental, exchange, or viewing of any adult material, or 10% or more of the establishment's stock in trade or floor space is utilized for the display of any adult material, or that one or more persons appearing, performing, or working in a state of nudity constitutes a fundamental or essential part of or attraction of the business. Regardless of the foregoing, any business establishment that advertises or holds itself out as "XXX", "adult", or "sex" in conjunction with adult material and/or nude appearances or performances is deemed to meet the substantial or significant portion of its business standard.

15. Adult Amusement Arcade. An establishment having as one of its principal uses one or more of the following: customer-operated motion picture devices, peep shows, viewing areas, or similar devices either coin, token, or slug operated, or which in consideration of an entrance fee, displays materials distinguished or characterized by an emphasis on depictions of specified sexual acts or specified anatomical areas.

Alternative Correctional Facility. A facility for adults or minors that is required by the courts as an alternative to incarceration, also referred to as community correctional centers.

Amusement Facility - Indoor. A facility for spectator and participatory uses conducted within an enclosed building, such as movie theaters, sports arenas, bowling alleys, tumbling centers, skating centers, roller rinks, escape room/physical adventure game facilities, and pool halls. Indoor amusement facilities do not include live performance venues. An indoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as ancillary uses.

Amusement Facility - Outdoor. A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as outdoor stadiums, fairgrounds, batting cages, and miniature golf courses. An outdoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as ancillary uses.

Animal Care Facility – Large Animal. An establishment that provides care for large animals, such as horses and cattle, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence. Animal care facilities do not include animal breeders.

Animal Care Facility – Small Animal. An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays. Animal care facilities do not include animal breeders.

Animal Breeder. An establishment where dogs over six months of age are bred, raised, and trained for commercial gain. Animal breeder does not include animal care facilities or shelter and training facilities for canine or equine units of public safety agencies.

Art Gallery. An establishment that sells, loans and/or displays paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Arts and Fitness Studio. An establishment where an art or activity is taught, studied, or practiced such as dance, martial arts, photography, music, painting, gymnastics, pilates, or yoga. An arts studio also includes private exercise studios for private sessions with trainers and/or private classes; health clubs are not an arts and fitness studio, but rather a personal service establishment.

Bar. An establishment where the primary purpose is the sale of alcoholic beverages for consumption on the premises. Snack foods or other prepared food may be available for consumption on the premises as an ancillary use.

Bed and Breakfast. A single-family dwelling where a resident/owner provides lodging for a daily fee in guest rooms with no in-room cooking facilities, and prepares meals for guests. A bed and breakfast may include dining facilities.

Body Modification Establishment. An establishment that offers tattooing services, body piercing, and/or non-medical body modification. Body modification establishment does not include an establishment that offers only ear piercing as an ancillary service.

Broadcasting Facility - TV/Radio. A facility engaged in broadcasting and information relay services for radio and television signals, including studio facilities. A broadcasting facility may or may not include antennas to broadcast the signal.

Campground. Land used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters.

Car Wash. An establishment for the washing and cleaning of vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or similar configurations.

Cemetery. Land and structures reserved for the interring of human remains or the interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased, mortuaries, including the sales of items related to the internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment. Cemeteries may also include crematoriums and embalming facilities.

Children's Home. An institutional residential facility that provides housing for and care to minors who are wards of the state, whose parents or guardians are deceased or otherwise unable or unwilling to care for them. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Community Center. A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of educational and community service activities. A community center may serve as a local “food hub” where regionally grown food, including value added food, can be grown and/or brought for distribution and sale.

Community Garden. The cultivation of fruits, flowers, vegetables, or ornamental plants by one or more persons, households, or organizations. Community gardens not include the raising of any livestock or the use of heavy machinery.

Conservation Area. Designated open space that preserves and protects natural features, wildlife, and critical environmental features, as well as undeveloped sites of historical or cultural significance. A conservation area may include opportunities for passive recreation, such as hiking trails and lookout structures, and environmental education.

Country Club. An establishment open to members, their families, and invited guests organized and operated for social and recreation purposes and which has indoor and/or outdoor recreation facilities, restaurants and bars, meeting rooms, and/or similar uses.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include uses such as, but not limited to, retail sales of related items and restaurants as ancillary uses.

Day Care Center. A facility where, for a portion of a 24 hour day, care and supervision is provided for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator. Day care centers within a residential dwelling are prohibited.

Day Care Home. A residential dwelling where care and supervision is provided by a permanent occupant of the dwelling for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator of the facility for a portion of a 24 hour day. A child day care home does not include a dwelling that receives children from a single household.

Domestic Violence Shelter. A facility that provides temporary shelter, protection, and support for those escaping domestic violence and intimate partner violence, including victims of human trafficking. A domestic violence shelter also accommodates the minor children of such individuals. The facility may also offer a variety services to help individuals and their children including counseling and legal guidance. Domestic violence shelters may distinguish populations served by age and/or gender.

Drive-Through Facility. That portion of a business where business is transacted directly with customers via a service window that allows customers to remain in their vehicle. A drive through facility must be approved separately as a principal use when in conjunction with another principal uses such as restaurants and financial institutions. A standalone ATM is considered a drive-through facility for the purposes of this definition.

Drug/Alcohol Treatment Facility, Residential. A licensed care facility that provides 24-hour medical and/or non-medical/therapeutic care of persons seeking rehabilitation from a drug and/or alcohol addiction. Such facilities include medical detoxification. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Drug Treatment Clinic. A facility authorized by the state to administer drugs, such as methadone, in the treatment, maintenance, or detoxification of persons.

Dwelling - Above the Ground Floor. Dwelling units located within a single multi-story building located above nonresidential uses on the ground floor or to the rear non-residential uses on the ground floor. In the case of dwelling units located behind non-residential uses on the ground floor, nonresidential uses must front on the primary street frontage.

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

Dwelling - Manufactured Home. A manufactured home dwelling is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include those transportable factory built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular homes are not considered manufactured homes, and refer to a method of construction.

Dwelling - Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a three-family or townhouse dwelling.

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

Dwelling - Single-Family. A structure containing only one dwelling unit on a single lot.

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

Educational Facility - Primary or Secondary. A public, private, or parochial facility that offers instruction at the elementary, junior high, and/or high school levels.

Educational Facility - University or College. A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational facilities – university or college include ancillary uses such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

Educational Facility - Vocational. A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. Educational facility-vocational also applies to privately operated schools that do not offer a complete educational curriculum.

Farmers Market. Temporary use of structures and/or land for the sale of a variety of fresh fruits, flowers, vegetables, or ornamental plants, and other locally produced farm and food products, including value-added products, directly to consumers from farmers or vendors that have taken such items on consignment for retail sale.

Financial Institution. A bank, savings and loan, credit union, or mortgage office.

Financial Institution, Alternative (AFS). An alternative financial service (AFS) is a financial service provided outside a traditional banking institution. AFS includes payday loans, tax refund anticipation loans, car title loans, check cashing establishments, and currency exchanges.

Food Bank. A non-profit organization that collects and distributes food to hunger relief organizations. Food is not distributed to those in need from a food bank.

Food Pantry. A non-profit organization that provides food directly to those in need. Food pantries receive, buy, store, and distribute food. Food pantries may also prepare meals to be served at no cost to those who receive them. A food pantry may be an ancillary use of a place of worship, social service center, and/or homeless shelter.

Funeral Home. An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.

Gas Station. An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include ancillary retail uses, an ancillary car wash bay, and solar and/or electric charging stations.

Golf Course/Driving Range. A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, snack-bar, and pro-shop as ancillary uses. A driving range may be designed as a standalone facility or included as part of a golf course, which is defined as a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls. A country club may include a golf course and/or driving range, in which case the uses together are considered a country club.

Government Office/Facility. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices do not include public safety or public works facilities.

Greenhouse/Nursery - Retail. An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, paving stones and bricks, and other related items for sale.

Group Home. A group care facility in a residential dwelling for: 1) care of persons in need of personal services or assistance essential for activities of daily living; or 2) care of persons in transition or in need of supervision. Group homes include facilities for drug and alcohol rehabilitation, excluding medical detoxification services. Group home does not include facilities for adults or minors that function as a court ordered alternative to incarceration. Group home does not include group living facilities for persons who have been institutionalized for criminal conduct (see halfway house).

Halfway House. A residential facility for persons who have been institutionalized for criminal conduct and who require a group setting to facilitate the transition to society, which may or may not be court-ordered.

Healthcare Institution. Facilities for primary health services and medical or surgical care to people, primarily in-patient, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, dormitories, or educational facilities, and ancillary uses such as, but not limited to, cafeterias, restaurants, retail sales, and similar uses.

Heavy Retail, Rental, and Service. Retail, rental, and/or service establishments of a heavier and larger-scale commercial character typically requiring permanent outdoor service or storage areas and/or partially enclosed structures. Examples of heavy retail, rental, and service establishments include large-scale home improvement centers (with outdoor storage, display, and rental components), lumberyards, amusement equipment rental, recreational vehicle dealerships, truck rental establishments, and sales, rental, and repair of heavy equipment. Wholesale establishments that sell to the general public, including those establishments where membership is required, are considered heavy retail, rental, and service establishments.

Homeless Shelter. A facility that provides temporary shelter to the homeless in general. Homeless shelters may distinguish populations served by age and/or gender.

Hotel. A commercial facility that provides sleeping accommodations for a fee and customary lodging services. Related ancillary uses include, but are not be limited to, meeting facilities, restaurants, bars, and recreational facilities for the use of guests.

Industrial - General. Manufacturing from processed or unprocessed raw materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users. These industrial uses typically have ancillary outdoor storage areas.

Industrial - Light. Research and development activities, and the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, where such activities are conducted wholly within an enclosed building. A light industrial use may also include a showroom, ancillary sales of products related to the items manufactured or stored on-site, and/or ancillary outdoor storage.

Industrial Design. An establishment where the design, marketing, and/or brand development of various products are researched and developed typically integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and products, but may not mass manufacture products from the premises.

Live Entertainment - Secondary Use. A live performance, performed live by one or more persons including, but not limited to, musical acts, including disc jockeys (DJs), theatrical plays, performance art, stand-up comedy, and magic, included as part of the operation of a bar, restaurant, amusement facility, or similar use. As a secondary use, the other principal use operating on the site must be open to public during hours when no performance is scheduled. Live entertainment - secondary use is approved separately as a principal use. Live entertainment - secondary use does not include:

1. Adult uses.
2. Live performance venue.
3. Periodic performances or entertainment at educational facilities, places of worship, cultural facilities, reception facilities, and performances at weddings and similar events.
4. Incidental entertainment, which is defined as background music provided at a bar or restaurant.

Live Performance Venue. A facility for the presentation of live entertainment, including musical acts, including disc jockeys (DJs), theatrical plays, stand-up comedy, and similar performances. Performances are scheduled in advance and tickets are required for admission and available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance. A live performance venue is only open to the public when a live performance is scheduled. A live performance venue may include classroom space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, including sale of alcohol, but only when it is open to the public for a performance. A live performance venue does not include any adult use.

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Medical/Dental Office. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Micro-Brewery. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution, with a capacity of less than 15,000 barrels per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Brewery facilities that exceed this capacity are considered light or general industrial uses.

Micro-Distillery. A facility for the production and packaging of alcoholic spirits in quantities not to exceed twelve 12,000 gallons per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Distillery facilities that exceed this capacity are considered light or general industrial uses.

Micro-Winery. A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, in quantities not to exceed 25,000 gallons per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Wineries that exceed this capacity are considered light or general industrial uses.

Mobile Food Sales. A motor vehicle, or a food trailer towed by another vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

Needle Exchange Service. A facility providing a social service that allows injecting drug users (IDUs) to obtain hypodermic needles and associated paraphernalia at little or no cost.

Neighborhood Commercial Establishment. A commercial use within a residential neighborhood that is nonresidential in its original construction and/or use.

Office. An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair of products or retail services. An office does not include financial institution, government office/facility, or industrial design.

Outdoor Dining. A seating area that is located outdoors and contiguous to a restaurant or bar, typically in addition to an indoor seating area. Outdoor dining is approved separately as a principal use. Outdoor dining areas may be roofed or covered with an awning.

Parking Lot. An open, hard-surfaced area, excluding a street or public way, used for the storage of operable vehicles, whether for compensation or at no charge.

Parking Structure. A structure used for the parking or storage of operable vehicles, whether for compensation or at no charge.

Personal Service Establishment. An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary uses such as day care facilities, meeting rooms, auditoriums, and/or classrooms for weekly religious instruction.

Public Park. A facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include non-commercial indoor recreation facilities, and zoos and amphitheaters, as well as ancillary uses such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles. Public safety facilities include shelter and training facilities for canine and equine units of public safety agencies.

Public Works Facility. A facility operated by the municipal public works departments to provide municipal services, including dispatch, storage, and maintenance of municipal vehicles.

Real Estate Project Sales Office/Model Unit. A residential unit or other structure within a development that is temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development and/or sales or rental offices for dwellings within the development.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Recreational Vehicle (RV) Park. Land used for the accommodation of two or more recreational vehicles for transient dwelling purposes.

Research and Development. A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. A research and development establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Residential Care Facility. A licensed care facility that provides 24-hour medical and/or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Restaurant. An establishment where food and drinks are provided to the public for on-premises consumption by seated patrons and/or for carry-out service.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment do not include specialty food service.

Retail Alcohol Sales. A retail establishment that sells primarily beer, wine, and liquor.

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Self-Storage Facility: Outdoor. A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Social Service Center. A service establishment that provides assistance for those recovering from chemical or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

Solar Farm. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Specialty Food Service. A business that specializes in the sale of certain food products, such as a delicatessen, bakery, candy maker, meat market, catering business, cheesemonger, coffee roaster, or fishmonger, and may offer areas for ancillary retail sales or restaurants that serve the products processed on-site. Specialty food service also includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts.

Storage Yard - Outdoor. The storage of material outdoors as a principal use of land for more than 24 hours.

Temporary Contractor Office and Contractor Yard. A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a contractor's yard where materials and equipment are stored in conjunction with a construction project.

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, horse shows, carnivals/circuses, temporary worship services, and others.

Temporary Outdoor Sales. Temporary uses, which may include temporary structures, where goods are sold, such

as consignment auctions, arts and crafts fairs, flea markets, yard sales, temporary vehicle sales, and holiday sales, such as firework stands, Christmas tree lots, and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

Temporary Outdoor Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Vehicle Dealership. An establishment that sells or leases new or used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. A motor vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle dealerships do not include truck, trailer, boat, or heavy equipment sales, which are considered heavy retail, rental, and service.

Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, and similar vehicles. Vehicle operations facility does not include a public works or public safety facility.

Vehicle Rental. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle rental does not include truck rental establishments or rental of heavy equipment, which is considered part of heavy retail, rental, and service.

Vehicle Repair - Major. A business that provides services in engine rebuilding, major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame or fender straightening or repair, painting of motor vehicles, interior (upholstery, dashboard, etc.) reconstruction and/or repairs, and restoration services. A major vehicle repair business may also include minor vehicle repair services.

Vehicle Repair – Minor. A business the provides services in minor repairs to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Any type of vehicle repair services for recreational vehicles is a major vehicle repair business and does not qualify as minor repair under this Ordinance regardless of the level of repair service.

Warehouse. An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Wind Energy System. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, or processing of wind energy.

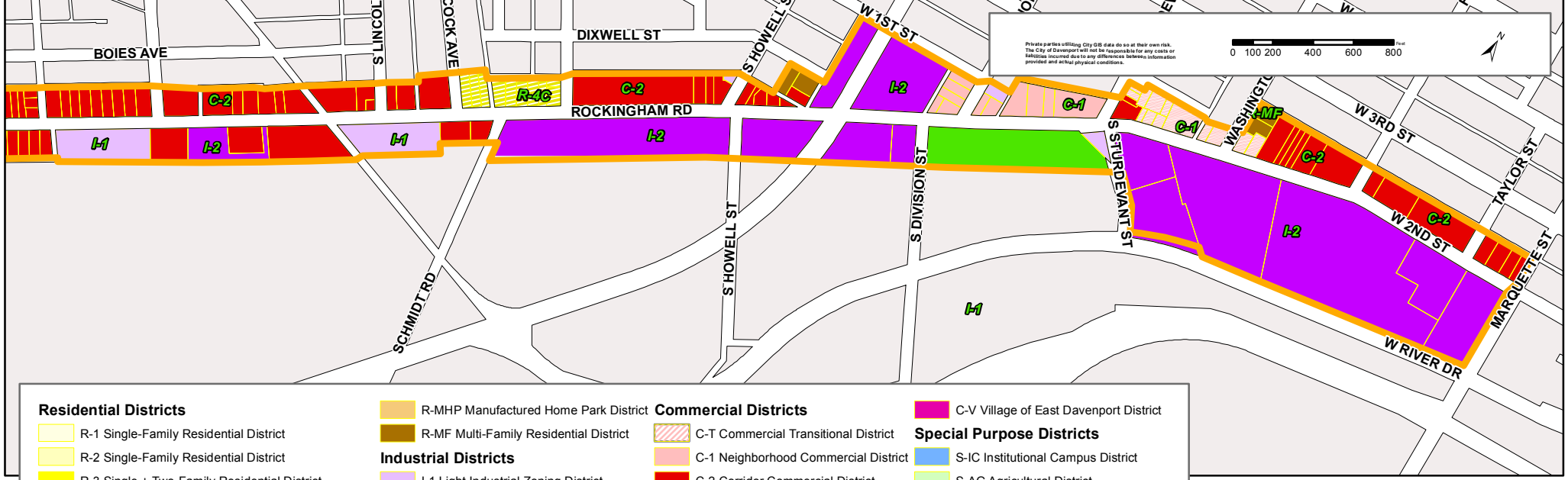
Wireless Telecommunications. Towers, antennas, and facilities used to transmit and receive signals that facilitate wireless telecommunications. The following definitions describe the wireless telecommunications infrastructure described within the general definition for wireless telecommunications:

1. **Antenna.** A specific device, the surface of which is used to transmit and/or receive signals transmitted to or from other antennas. This does not include satellite dish antennae.
2. **Facility.** A structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators. Facility also includes any necessary equipment that facilitates wireless transmission.

3. Tower. A structure designed and constructed to support one or more wireless telecommunications antennae and including all appurtenant devices attached to it.

4. Distributed Antenna System. A wireless communications network with multiple spatially separated antenna nodes and related equipment mounted on existing infrastructure, typically power, light, and/or telephone poles, all connected to a common source via fiber optic cable or other transport medium, which provides enhanced coverage within a geographic area.

Zoning Map - Case No. ORD18-02



Residential Districts

- R-1 Single-Family Residential District
- R-2 Single-Family Residential District
- R-3 Single + Two-Family Residential District
- R-3C Single + Two-Family Central Residential District
- R-4 Single + Two-Family Residential District
- R-4C Single + Two-Family Central Residential District

- R-MHP Manufactured Home Park District
- R-MF Multi-Family Residential District

Industrial Districts

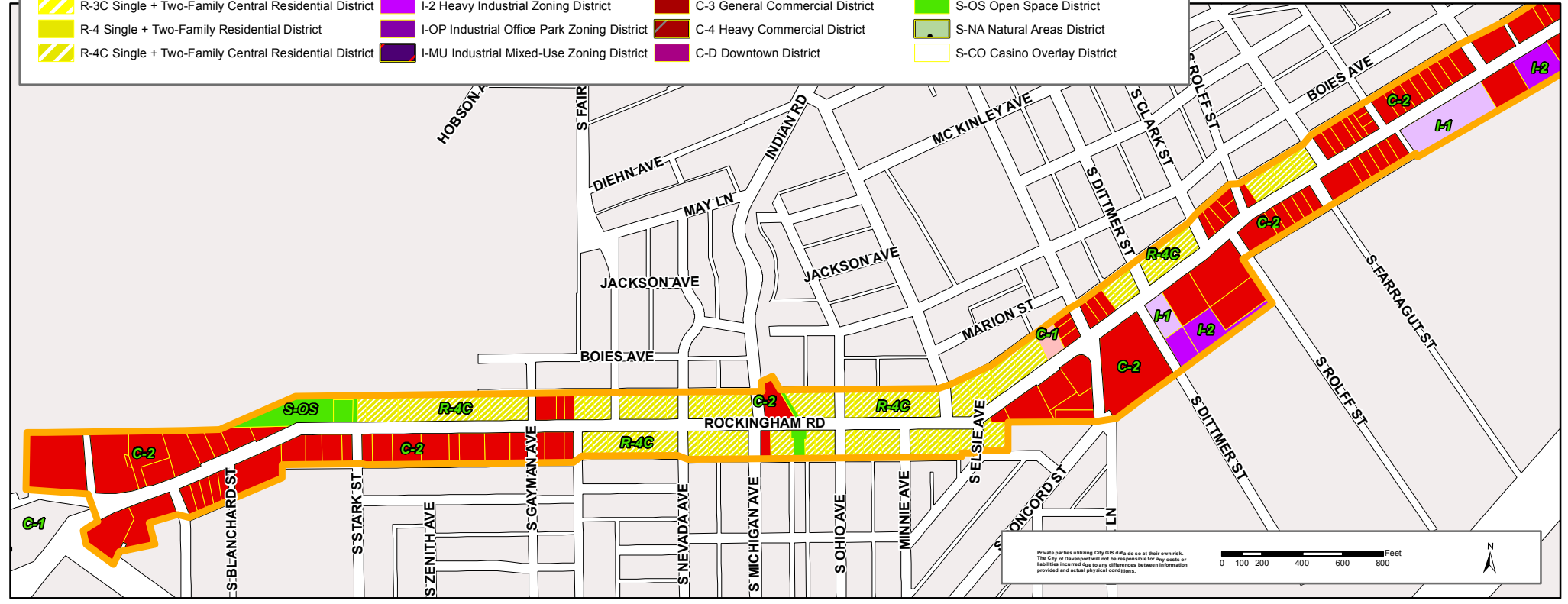
- I-1 Light Industrial Zoning District
- I-2 Heavy Industrial Zoning District
- I-OP Industrial Office Park Zoning District
- I-MU Industrial Mixed-Use Zoning District

Commercial Districts

- C-T Commercial Transitional District
- C-1 Neighborhood Commercial District
- C-2 Corridor Commercial District
- C-3 General Commercial District
- C-4 Heavy Commercial District
- C-D Downtown District

Special Purpose Districts

- C-V Village of East Davenport District
- S-IC Institutional Campus District
- S-AG Agricultural District
- S-OS Open Space District
- S-NA Natural Areas District
- S-CO Casino Overlay District



CHAPTER 4. RESIDENTIAL DISTRICTS

- 4.1 PURPOSE STATEMENTS**
- 4.2 USES**
- 4.3 DIMENSIONAL STANDARDS**
- 4.4 R-MHP DISTRICT STANDARDS**
- 4.5 DESIGN STANDARDS**
- 4.6 GENERAL STANDARDS OF APPLICABILITY**

4.1 PURPOSE STATEMENTS

F. R-4C Single-Family and Two-Family Central Residential Zoning District

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

G. R-MF Multi-Family Residential Zoning District

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

4.2 USES

Article 8 lists permitted and special principal uses and temporary uses for the residential districts.

4.3 DIMENSIONAL STANDARDS

Table 4-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. R-MHP District standards are found in Section 4.4. See Section 2.4 for measurement methodologies.

| | R-4C | R-MF |
|--|---|---|
| Bulk | | |
| Minimum Lot Area | SF: 4,000sf 2F: 5,500sf Non-Residential: 10,000sf | SF, 2F: 6,000sf TH: 2,000sf/du MF: 1,500sf/du Non-Residential: 10,000sf |
| Minimum Lot Width | 40' Non-Residential: 75' | SF, 2F: 50' TH: 20'/du MF: 80' Non-Residential: 75' |
| Maximum Building Height | 35' | SF, 2F, TH: 35' MF: 70' |
| Maximum Building Coverage | 40% Non-Residential: 35% | SF: 40% 2F: 50% TH, MF: 65% |
| Maximum Impervious Surface | 60% Non-Residential: 70% | SF: 60% 2F: 70% TH, MF: 75% Non-Residential: 75% |
| Setbacks | | |
| Minimum Front Setback | 15' or average of front setback of abutting structures. | 25' |
| Minimum Interior Side Setback | 10% of lot width, or 5', whichever is less. In no case shall an interior side setback be less than 4' For dwellings with a detached garage: if not served by an alley or rear service drive, one side setback must be a minimum of 9' in width | 10' When abutting a residential district, structures over 45' in height require 1' additional setback for each 3' in height over 45' |
| Minimum Corner Side Setback | 10' | 20' |
| Minimum Reverse Corner Side Setback | 15' | 25' |
| Minimum Rear Setback | 30' or 20% of lot depth, whichever is less | 30' or 20% of lot depth, whichever is less |

4.5 DESIGN STANDARDS

In addition to the use standards for dwelling types located in Chapter 8, the following design standards apply to the R-4C District. The standards below are applicable to any new dwelling, or an addition to an existing dwelling that exceeds 25% of the gross floor area or building footprint of the structure as it was on the effective date of this Ordinance.

A. Building Massing and Orientation

1. The scale of new construction must maintain compatibility with adjacent homes and the overall character of the surrounding area.
2. Architectural elements within the design must be in proportion to the overall structure.
3. The scale of additions to existing homes must maintain compatibility with the size of the existing structure and its architectural elements, as well as with the size of adjacent homes and the overall character of the surrounding area.

4. Foundation height must maintain compatibility with adjacent homes, provided adequate drainage can be achieved.
5. Dwellings must be oriented toward the residential street, and must connect to the sidewalk via walkways perpendicular to the street.
6. Where served by an alley or rear service drive, dwellings must orient garages or parking pads for access from the alley or rear service drive.

B. Façade Design

1. All façades that face a street must have articulation in the form of windows, doors, or other significant architectural features that are projected or recessed to create shadow and visual interest.
2. The number and size of façade articulations must be scaled to the size of the façade to balance a home's compatibility within the neighborhood with its own unique character.
3. Additions to existing homes must continue the architectural vocabulary established by the original home, and must be informed by the overall character of the surrounding area.
4. Front porches are encouraged, to add interest and scale to the front of a home. Where provided, porches must maintain compatibility with adjacent homes.
5. The front entry to a home must be a prominent feature, and must be located on the front façade.

C. Fenestration

1. The design of a home's fenestration must reflect a consistent rhythm, repeating elements or groups of elements in a consistent manner across a home's story and between stories. Individual elements may vary in size, but must relate to each other proportionally.
2. Elements of fenestration must relate to each other visually by sharing design features such as vertical or horizontal alignment, depth, or ornamentation such as muntins, mullions, sills, trim, lintels, etc.
3. Façades facing onto immediately adjacent properties must design their fenestration to respect the privacy of neighbors. This may be addressed through the height, size, or proportion of windows, the exclusion of balconies, and the use of opaque or translucent materials.

D. Roof Form

1. Roof forms must be varied through a combination of structural articulations such as gables, hips, valleys, ridges, and saddles that complement the roof form of adjacent homes.
2. Roof pitch should be consistent for all sloped roof faces, and should maintain compatibility with adjacent homes and the overall character of the surrounding area.
3. Definition is encouraged, through integration of architectural features such as dormers, eyebrows, chimneys, and deep eaves, which create shadows across the façade of a structure and create visual interest.

E. Building Materials

Building materials for new homes, or additions to existing homes must maintain compatibility with adjacent homes and the overall character of the surrounding area.

1. Primary Building Materials

Primary building materials are the dominant component of a home's exterior walls, composing 75 to 90 percent of each building face.

- a. No more than two primary building materials are permitted for new homes, not including foundation.

- b.** For additions to existing homes, no more than two primary building materials are permitted, provided that the total number of primary building materials for the overall structure, including addition, is not more than two.
- c.** Color, texture, or finish changes within any category of materials count as separate primary building materials.
- d.** Permitted primary building materials include:
 - i.** Brick and stone
 - ii.** Wood
 - iii.** Vinyl siding
 - iv.** Aluminum Siding
 - v.** Stucco
- e.** Building materials not listed above may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

2. Accent Materials

Accent materials are secondary components of a home's exterior walls, typically used to provide architectural detail or visual interest to a façade. Accent materials may not compose more than 25% of each building face.

- a.** For new construction and additions to existing homes, if one primary building material is used (not including a foundation), a minimum of two but no more than three accent materials are permitted for the overall structure, including any addition.
- b.** For new construction and additions to existing homes, if two primary building materials are used (not including a foundation), a minimum of one but no more than two accent materials are permitted for the overall structure, including any addition.
- c.** Color, texture, or finish changes within any category of materials count as separate accent materials.
- d.** Permitted accent materials include:
 - i.** Brick and stone
 - ii.** Wood
 - iii.** Architectural metal cladding
 - iv.** Concrete masonry units
 - v.** Stucco
- e.** Accent materials not listed above may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

3. Roofing Materials

- a.** Roofing materials should complement the architectural style of a home.
- b.** A consistent application of one roofing material is required for all roof areas visible from the right of way or any neighboring property.
- c.** Color, texture, or finish changes within any category of materials listed below count as separate roofing materials.

d. Permitted roofing materials include the following:

- i.** Dimensional asphalt shingles
- ii.** Wood shingles and shakes
- iii.** Slate
- iv.** Ceramic tile
- v.** Metal tiles or standing seam

e. Roofing materials not listed above will be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

4. Application of Building Materials

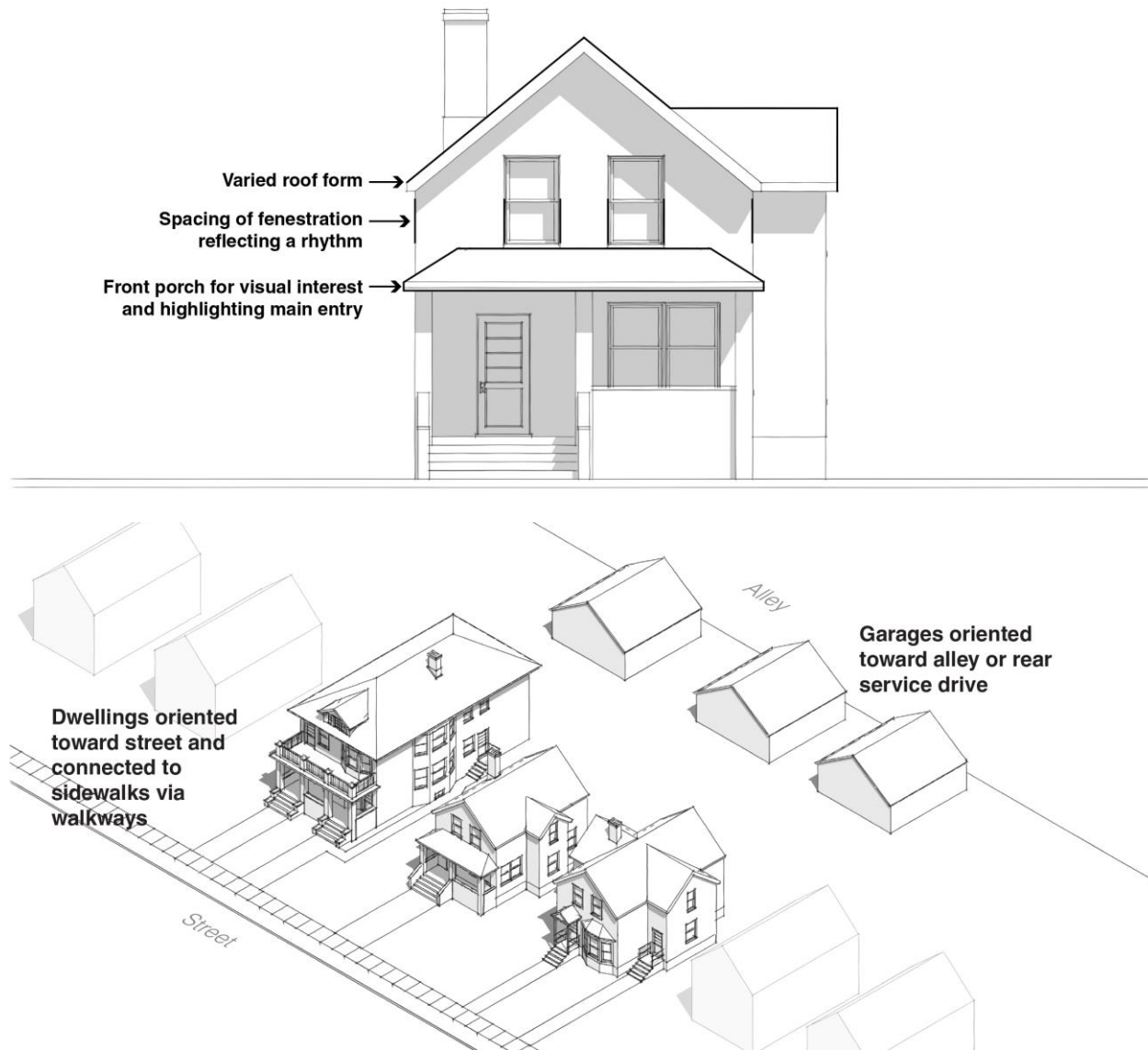
a. Building materials should be consistently applied on all exterior faces of new homes. Elevations of different materials or colors are not permitted, such as brick or stone front facades, with vinyl siding on side and rear elevations.

b. Visual balance should be maintained on each face of a structure. For both new construction and additions to existing homes, if multiple primary building materials are used on the overall structure, those that appear heavier, or that carry more visual weight should be placed toward the bottom of a structure, with materials that appear lighter placed above.

c. Frequent or irrational changes in building materials should be avoided. Change of materials should occur with prominent architectural features or changes in wall plane.

d. Where materials change with a change in wall plane, the material change should occur on the inside corner, not the outside edge.

R-4C DISTRICT DESIGN STANDARDS



CHAPTER 5. COMMERCIAL DISTRICTS

- 5.1 PURPOSE STATEMENTS
- 5.2 USES
- 5.3 DIMENSIONAL STANDARDS
- 5.4 DESIGN STANDARDS
- 5.5 C-D DISTRICT STANDARDS
- 5.7 GENERAL STANDARDS OF APPLICABILITY

5.1 PURPOSE STATEMENTS

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed, with dwellings allowed above the ground floor

B. C-1 Neighborhood Commercial Zoning District

The C-1 Neighborhood Commercial Zoning District is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged, with dwellings allowed above the ground floor.

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along the minor arterials and collectors in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

5.2 USES

- A. Chapter 8 lists permitted and special principal uses and temporary uses for the commercial districts.

5.3 DIMENSIONAL STANDARDS

- A. Table 5-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D District. The dimensional standards for development in the C-D District are found in Sections 5.5 and 5.6 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

- B. In the C-T and C-1 Districts, non-residential development is limited to the maximum gross floor area indicated in Table 5-1. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.
2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

| | C-T | C-1 | C-2 |
|---|----------------------------|----------------------------|------|
| Bulk | | | |
| Minimum Lot Area | 10,000sf | None | None |
| Minimum Lot Width | 60' | None | None |
| Maximum Gross Floor Area of Nonresidential | 5,000sf unless meeting the | 5,000sf unless meeting the | None |

| | C-T | C-1 | C-2 |
|--|---|--|---|
| | standards of Section 5.3.B | standards of Section 5.3.B | |
| Maximum Building Height | 35' | 35' | 45' |
| Setbacks | | | |
| Minimum Front Setback | Build-to zone of 0' to 20' | Build-to zone of 0' to 15' | None |
| Front Setback Build-To Percentage | 70% | 70% | None |
| Minimum Interior Side Setback | None, unless abutting a residential district then 20' | None, unless abutting a residential district then 10' | None, unless abutting a residential district then 10' |
| Minimum Corner Side Setback | Build-to zone of 0' to 15' | Build-to zone of 0' to 10' | 10' |
| Corner Side Setback Build-To Percentage | 60% | 60% | None |
| Minimum Rear Setback | 15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less | None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less | None, unless abutting a residential district then 15' |

5.4 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, and additions to an existing structure in the commercial districts, with the exception of the C-D District. Design standards for development in the C-D District are found in Sections 5.5 and 5.6 respectively, below. Only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling.

A. Commercial Districts Design Standards

Table 5-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

| | C-T | C-1 | C-2 |
|--|-----|-----|-----|
| Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street. | • | • | • |
| Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet. | • | • | • |
| All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located. | • | • | • |
| Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that abut a public right-of-way (excluding alleys) and/or the lot line of a residential district. | • | • | • |
| The ground floor of a façade abutting a public right-of-way (excluding alleys) must maintain a transparency of 50%, measured between two and ten feet in height from grade. | | • | • |
| The ground floor of a façade abutting a public right-of-way (excluding alleys) must maintain a transparency of 35%, measured between two and ten feet in height. | | | |
| Upper floors of a façade abutting a public right-of-way (excluding alleys) must maintain a transparency of 15% of the wall area of the story. | • | • | • |
| Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet. | • | • | • |
| Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest. | • | • | • |
| Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing. | • | • | • |
| Green roof, blue roof, and white roof designs are encouraged. | • | • | • |
| Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building. | • | • | • |
| Sites must be designed to ensure safe pedestrian access to the center from the public right-of-way, and safe pedestrian circulation within the development. | | • | • |
| A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development. | | • | • |
| Any outlot buildings must meet the minimum transparency requirements of the district on all facades except where such transparency on part or all of a facade would reveal preparation and/or storage areas. Prominent entrances must be oriented toward both the street and the interior parking lot. | | | |
| Outlot buildings that are part of a multi-tenant retail center must provide definition along the street frontage of the center by placement of the front building line within 0' to 30' of the front lot line. Outlot buildings may be placed within a required setback to comply with this standard. | | | |
| Commercial centers must provide definition along the street frontage by located part of the center or outlot buildings within 0' to 25' of the front lot line for a minimum of 30% of the frontage. The center or any outlot buildings may be placed within a required setback to comply with this standard. | | | |

B. Building Material Restrictions

In commercial districts, the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS



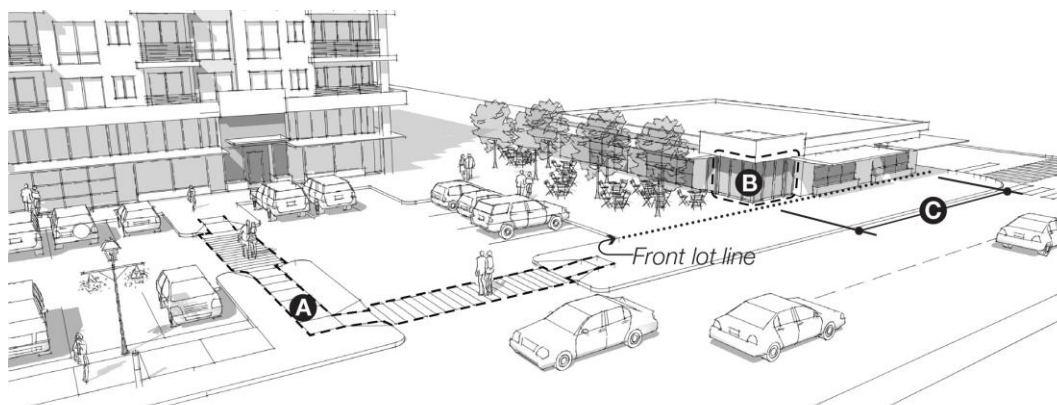
- | | |
|--|---|
| A. Blank wall area 40 linear feet or less, measured parallel to the street | E. Upper floor transparency of 15% of the wall area of the story |
| B. Repeating pattern of two elements at an interval of no more than 40 linear feet | F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet |
| C. A visually distinct public entrance from the sidewalk along the primary building frontage | G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details |
| D. First floor transparency of 50% measured between two and ten feet in height from grade | |

C-2 DISTRICT DESIGN STANDARDS



- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 50% measured between two and ten feet in height from grade
- E. Upper floor transparency of 15% of the wall area of the story
- F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

GENERAL COMMERCIAL SITE DESIGN STANDARDS



- A. Sites must be designed to ensure safe pedestrian access to the center from the public right-of-way, and safe pedestrian circulation within the development.
 - B. Any outlot buildings must meet the minimum transparency requirements of the district, and must include prominent entrances oriented toward both the street and the interior parking lot.
 - C. Outlot buildings that are part of a multi-tenant retail center must provide definition along the street frontage of the center by placement of the front building line within 0' to 30' of the front lot line. Outlot buildings may be placed within a required setback to comply with this standard.
- Retail centers must provide definition along the street frontage by located part of the center or outlot buildings within 0' to 25' of the front lot line for a minimum of 30% of the frontage. The center or any outlot buildings may be placed within a required setback to comply with this standard.

CHAPTER 6. INDUSTRIAL DISTRICTS

- 6.1 PURPOSE STATEMENTS
- 6.2 USES
- 6.3 DIMENSIONAL STANDARDS
- 6.4 DESIGN STANDARDS
- 6.5 GENERAL STANDARDS OF APPLICABILITY

6.1 PURPOSE STATEMENTS

A. I-1 Light Industrial Zoning District

The I-1 Light Industrial Zoning District is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal if any outside impacts.

B. I-2 Heavy Industrial Zoning District

The I-2 Heavy Industrial Zoning District is intended to provide for a variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-2 District may result in some external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

6.2 USES

Chapter 8 lists permitted and special principal uses and temporary uses for the industrial districts.

6.3 DIMENSIONAL STANDARDS

Table 6-1: Industrial Districts Dimensional Standards establishes the dimensional standards for the industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 2.4 for measurement methodologies.

| | I-1 | I-2 |
|--------------------------------------|---|--|
| Bulk | | |
| Minimum Lot Area | None | 10,000sf |
| Minimum Lot Width | None | 70' |
| Maximum Building Height | 90' | 90' |
| Setbacks | | |
| Minimum Front Setback | 25' | 25' |
| Minimum Interior Side Setback | 5', unless abutting a residential district then 25' | 15', unless abutting a residential district then 25' |
| Minimum Corner Side Setback | 20' | 20' |
| Minimum Rear Setback | 15' | 25' |

6.4 DESIGN STANDARDS

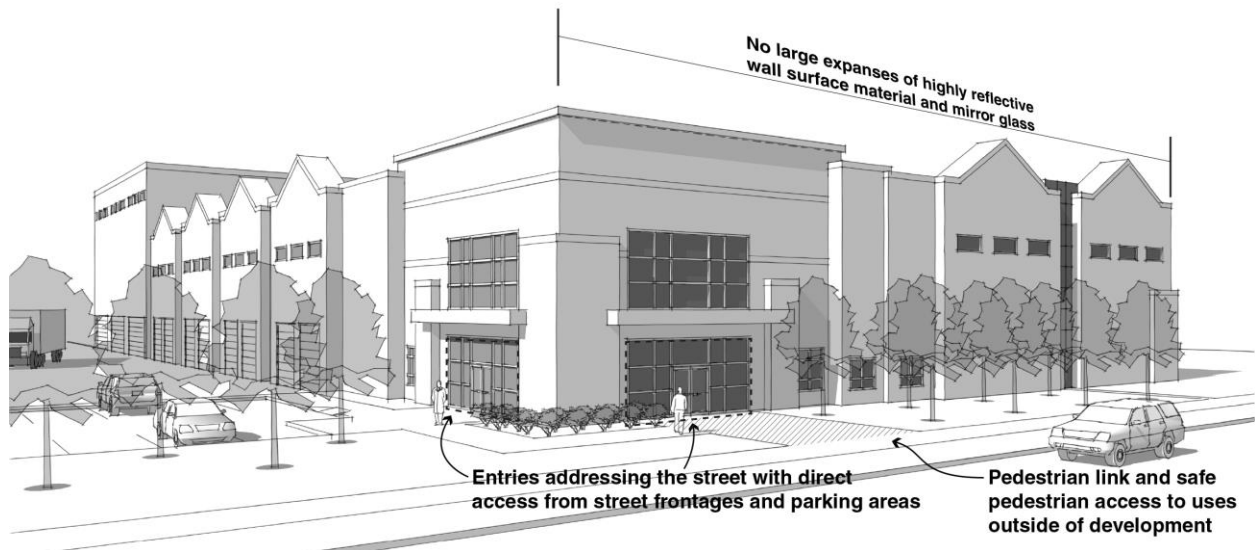
A. The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, and additions to an existing structure. However, only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling. Table 6-2: Industrial Building Design Standards indicates the applicability of building design standards to the industrial districts. A “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard is not applicable.

| | I-1 | I-2 |
|---|-----|-----|
| Façade Design | | |
| Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited. | • | • |
| Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet. | | |
| Roof Design | | |
| Green roof, blue roof, and white roof designs are encouraged. | • | • |
| Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building. | • | • |
| Entrance Design | | |
| Public entrances and primary building elevations must be oriented toward public streets. Main entrances to the buildings must be well defined. | | |
| Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas. | • | |
| Site Design | | |
| In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project. | | |
| The parking lot must not be the dominant visual element of the site when viewed from the primary roadway. Multiple smaller lots separated by landscaping and buildings, or placement behind buildings, are required. | | |
| Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development. | • | |

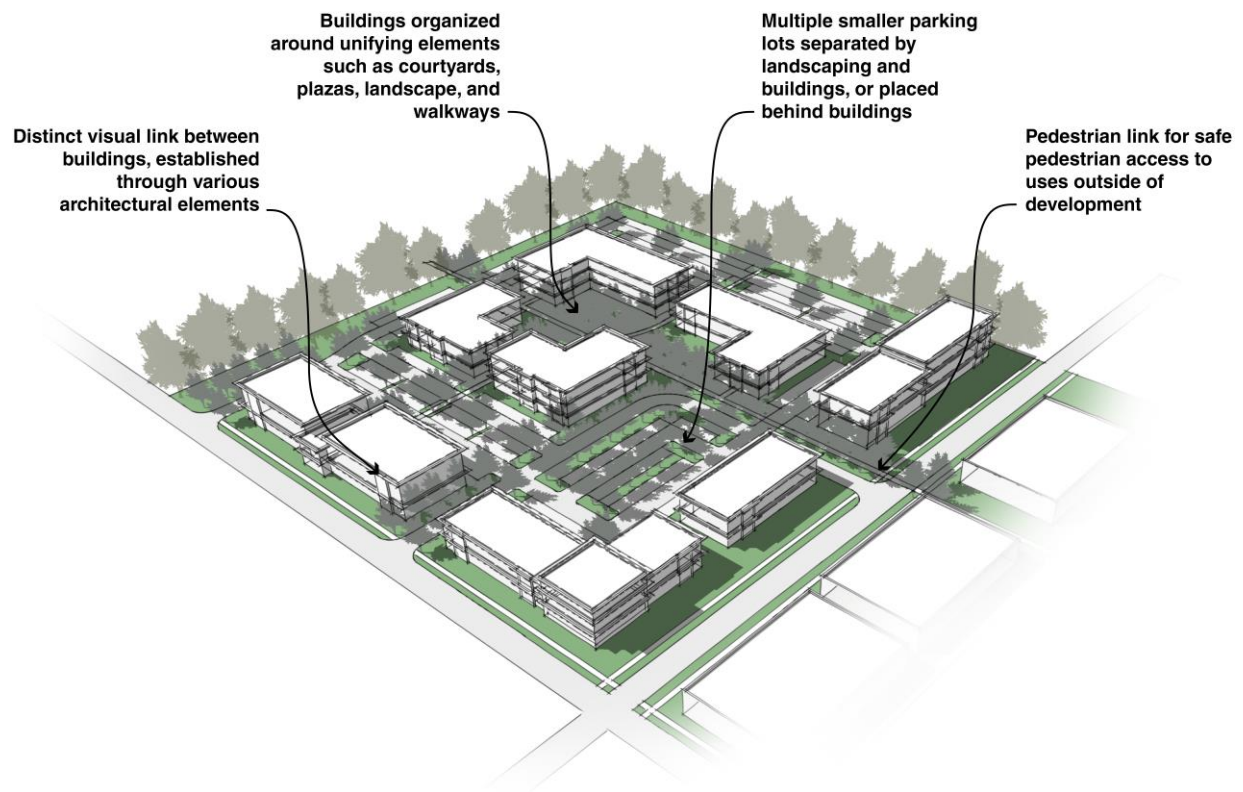
B. In the I-1 District, the following building materials are limited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a lot in residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block (only prohibited in the I-OP District)
2. Corrugated metal
3. Aluminum, steel or other metal sidings (only prohibited in the I-OP District)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

I-1 AND I-2 DISTRICT DESIGN STANDARDS



GENERAL INDUSTRIAL SITE DESIGN STANDARDS



CHAPTER 7. SPECIAL PURPOSE DISTRICTS

7.2 S-OS OPEN SPACE DISTRICT

7.2 S-OS OPEN SPACE DISTRICT

A. Purpose

The S-OS Open Space District is intended to provide and protect larger open space and public recreational facilities, both outdoor and indoor. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses, such as cultural facilities, performance venues, and eating establishments

B. Uses

Chapter 8 lists permitted and special principal uses and temporary uses for the S-OS District.

C. Dimensional Standards

Table 7-2: S-S-OS District Dimensional Standards establishes the dimensional standards for the S-OS District. See Section 2.4 for measurement methodologies.

| 7-2: S-OS District Dimensional Standards | |
|---|------|
| Bulk | |
| Minimum Lot Area | None |
| Maximum Building Height | 40' |
| Setbacks (Apply to Principal Structures Only) | |
| Minimum Front Setback | 15' |
| Minimum Interior Side Setback | 25' |
| Minimum Corner Side Setback | 15' |
| Minimum Rear Setback | 25' |

CHAPTER 8. USES

- 8.1 GENERAL USE REGULATIONS**
- 8.2 USE MATRIX**
- 8.3 PRINCIPAL USE STANDARDS**
- 8.4 TEMPORARY USE STANDARDS**
- 8.5 USE DEFINITIONS**

8.1 GENERAL USE REGULATIONS

- A.** No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B.** All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances.
- C.** Any use that is not included in the use matrix and cannot be interpreted as part of a use within the matrix is prohibited in all districts.
- D.** A site may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support and/or are functionally integrated into the principal use.
- E.** All uses must comply with the use standards of Section 8.3, as applicable, as well as all other regulations of this Ordinance and the City.

8.2 USE MATRIX

- A.** Table 8-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district.
- B.** Uses allowed in the R-4C District are those listed in Table 8-1 for the R-4 District.
- C.** P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use permit approval. If a cell is blank, the use is not allowed in the district.
- D.** In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 8.4.

| TABLE 8-1: USE MATRIX | | | | | | | | | |
|--|-----|------|-----|-----|-----|-----|-----|------|--------------|
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Adult Use | | | | | | S | S | | Sec. 8.3.A |
| Agriculture | | | | | | | | | |
| Amusement Facility - Indoor | | | | | P | | | | |
| Amusement Facility - Outdoor | | | | | | | | | |
| Animal Care Facility – Large Animal | | | | | | | | | |
| Animal Care Facility – Small Animal | | | S | S | P | | | | Sec. 8.3.B |
| Animal Breeder | | | | | | | | | Sec. 8.3.B |
| Art Gallery | | | P | P | P | | | | |
| Arts and Fitness Studio | | | P | P | P | | | | |
| Bar | | | | | P | | | | |
| Bed and Breakfast | | | | | | | | | Sec. 8.3.C |
| Body Modification Establishment | | | | S | S | | | | |
| Broadcasting Facility TV/Radio - With Antennae | | | | | | P | P | | |
| Broadcasting Facility TV/Radio - No Antennae | | | P | P | P | P | P | | |
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Campground | | | | | | | | P | Sec. 8.3.D |
| Car Wash | | | | | S | | | | Sec. 8.3.E |
| Cemetery | | | | | | | | P | |
| Children's Home | | P | | | P | | | | Sec. 8.3.F |
| Community Center | P | P | P | P | P | | | P | |
| Community Garden | P | P | P | P | P | | | P | Sec. 8.3.G |
| Conservation Area | | | | | | | | P | |
| Country Club | | | | | | | | P | |
| Cultural Facility | | | P | P | P | | | P | |
| Day Care Center | | P | P | P | P | | | | Sec. 8.3.H |
| Day Care Home | P | P | | | | | | | Sec. 8.3.H |
| Drive-Through Facility | | | | S | P | | | | Sec. 8.3.I |
| Drug/Alcohol Treatment Facility, Residential | | | | | S | | | | Sec. 8.3.J |
| Drug Treatment Clinic | | | | | S | | | | Sec. 8.3.J |
| Domestic Violence Shelter | | | | P | P | | | | Sec. 8.3.F |
| Dwelling – Above the Ground Floor | | | P | P | P | | | | |

| TABLE 8-1: USE MATRIX | | | | | | | | | |
|--|-----|------|-----|-----|-----|-----|-----|------|--------------|
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Dwelling – Accessory Dwelling Unit | P | | | | | | | | Sec. 8.3.K |
| Dwelling – Manufactured Home | | | | | | | | | Sec. 8.3.L |
| Dwelling - Multi-Family | | P | P | P | P | | | | Sec. 8.3.M |
| Dwelling - Townhouse | | P | P | P | P | | | | Sec. 8.3.M |
| Dwelling - Single-Family | P | | P | P | P | | | | Sec. 8.3.N |
| Dwelling - Two-Family | P | | P | P | P | | | | Sec. 8.3.N |
| Educational Facility - Primary or Secondary | P | P | | | | | | | |
| Educational Facility - University or College | | | | | | | | | |
| Educational Facility - Vocational | | | S | S | S | P | P | | |
| Financial Institution | | | P | P | P | | | | |
| Financial Institution, Alternative | | | | | S | | | | Sec. 8.3.O |
| Food Bank | | | | | | P | | | |
| Food Pantry | | | | | S | | | | |
| Funeral Home | | | | | S | | | | |
| Gas Station | | | | | S | P | P | | Sec. 8.3.P |
| Golf Course/Driving Range | | | | | | | | P | |
| Government Office/Facility | | | P | P | P | P | P | | |
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Greenhouse/Nursery - Retail | | | | | | | | | |
| Group Home | P | P | | | | | | | Sec. 8.3.Q |
| Halfway House | | | | | S | | | | Sec. 8.3.J |
| Healthcare Institution | | | | | | | | | |
| Heavy Retail, Rental, and Service | | | | | | S | | | |
| Homeless Shelter | | | | | S | | | | Sec. 8.3.J |
| Hotel | | | | | P | | | | |
| Industrial - General | | | | | | | P | | |
| Industrial - Light | | | | | | P | P | | |
| Industrial Design | | | | P | P | P | P | | |
| Live Entertainment - Secondary Use | | | | | S | | | | |
| Live Performance Venue | | | | | | | | | |
| Lodge/Meeting Hall | S | S | P | P | P | P | P | | Sec. 8.3.R |
| Manufactured Home Park | | | | | | | | | |
| Medical/Dental Office | | | P | P | P | | | | |

| TABLE 8-1: USE MATRIX | | | | | | | | | |
|---|-----|------|-----|-----|-----|-----|-----|------|--------------|
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Micro-Brewery/Distillery/Winery | | | | | P | P | | | |
| Needle Exchange Service | | | | | S | | | | Sec. 8.3.J |
| Neighborhood Commercial Establishment | S | S | | | | | | | Sec. 8.3.S |
| Office | | | P | P | P | P | P | | |
| Outdoor Dining | | | P | P | P | | | | Sec. 8.3.T |
| Parking Lot (Principal Use) | | | | S | S | | | | Chapter 10 |
| Parking Structure (Principal Use) | | | | S | S | | | | Chapter 10 |
| Personal Service Establishment | | | P | P | P | P | | | |
| Place of Worship | P | P | P | S | P | | | | |
| Public Park | P | P | P | P | P | P | | P | |
| Public Safety Facility | | P | P | P | P | P | P | | |
| Public Works Facility | | | | | | P | P | | |
| Reception Facility | | | | S | S | | | | Sec. 8.3.U |
| Recreational Vehicle (RV) Park | | | | | | | | S | Sec. 8.3.D |
| Research and Development | | | | | | P | P | | |
| Residential Care Facility | | P | | | P | | | | Sec. 8.3.V |
| Restaurant | | | P | P | P | P | P | | |
| Retail Goods Establishment | | | P | P | P | P | P | | |
| Retail Alcohol Sales | | | | S | S | P | | | |
| PRINCIPAL USE | R-4 | R-MF | C-T | C-1 | C-2 | I-1 | I-2 | S-OS | USE STANDARD |
| Self-Storage Facility: Enclosed | | | | | S | P | P | | Sec. 8.3.W |
| Self-Storage Facility: Outdoor | | | | | | P | P | | Sec. 8.3.W |
| Social Service Center | | | | | P | | | | |
| Solar Farm | | | | | | P | P | | Sec. 8.3.X |
| Specialty Food Service | | | S | P | P | P | | | |
| Storage Yard - Outdoor | | | | | | P | P | | Sec. 8.3.Y |
| Truck Stop | | | | | | P | P | | |
| Vehicle Dealership – Enclosed | | | | | | S | | | |
| Vehicle Dealership – With Outdoor Storage/Display | | | | | | S | | | |
| Vehicle Operation Facility | | | | | | P | P | | |
| Vehicle Rental – Enclosed | | | | | | S | | | |
| Vehicle Rental – With Outdoor Storage/Display | | | | | | S | | | |

[illegible]

8.3 PRINCIPAL USE STANDARDS

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

A. Adult Use

1. There must be a minimum of 500 feet between adult uses. Only one adult use is allowed per lot.
 - a. An adult use must be a minimum of 1,000 feet from any of the following:
 - b. A residential district
 - c. A primary and/or secondary educational facility
 - d. A day care center
 - e. A place of worship
 - f. A public park
 - g. A conservation area
 - h. A cemetery
2. All distances are measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other of the same use is located. The adult use owner must provide the Zoning Administrator with a survey acceptable and satisfactory to the City that demonstrates the establishment meets the requirements of this section.
3. Any adult use as of the effective date of this Ordinance that does not meet these spacing requirements are deemed conforming. Such deemed conforming status is terminated when the adult use ceases to operate or when any required licenses are revoked or are not renewed. An adult use is not considered to cease operations when it is closed for renovations in conjunction with a lawfully issued building permit.
4. Signs for adult uses must meet the following:
 - a. All signs for adult uses must be flat wall signs.
 - b. The maximum sign area is one square foot of sign area per foot of lot frontage on the street, but cannot exceed 32 square feet.
 - c. The maximum number of signs is one per lot frontage.
 - d. Temporary signs are prohibited.
5. No adult use may be maintained or operated in any manner that causes, creates, or allows public viewing of any adult material, or any entertainment depicting, describing or relating to specified sexual activities or specified anatomical areas, from any public rights-of-way or private property other than the lot on which the licensed adult use is located.
6. Words, lettering, photographs, silhouettes, drawings, or pictorial representations of any manner are prohibited that depict, describe, or relate to specified sexual activities or specified anatomical areas. This applies to any advertisement, display, promotional material, decoration, sign, performance, show, and to any window, door or other opening to the adult use.
7. No portion of the exterior of an adult establishment may utilize or contain any flashing lights, search lights, spotlights, or other similar lighting systems.

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of seven feet in height is required for all exterior exercise areas.
2. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.
3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

D. Campground and Recreational Vehicle (RV) Park

1. The minimum area for a campground or RV park is three acres.
2. Campgrounds and RV parks must comply with all applicable State and City regulations, including those governing the installation, construction, and/or operation of swimming pools, water supply, sewage disposal, food storage and services, plumbing, structures, electrical wiring, and fire prevention.
3. Management headquarters, recreational facilities, coin operated laundry facilities, cabins for counselors, overnight accommodations, living space, and other uses and structures customarily associated with the operation of a campground or RV park are permitted.
4. Storage of equipment must be within enclosed structures.
5. Year-round residency is prohibited at any campground or RV park. Use of camping units or a recreational vehicles as a principal residence is prohibited. This excludes any structures erected for a caretaker or campground ranger, which may be a year-round residency.
6. A 25 foot perimeter setback from the lot line of the campground or RV park is required. No structures, campsites, or RV pads are allowed within this setback. The perimeter setback must be landscaped with shrubs planted at an interval of one shrub for every three feet of linear yard width, on center, and one shade or evergreen tree planted at an average of one tree for every 25 linear feet. Preservation of existing vegetation is encouraged and may be substituted for the required plantings.

E. Car Wash

When a car wash abuts the lot line of a residential district, it must be screened along the abutting lot line with a solid fence or wall, a minimum of six feet and a maximum of seven feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center along such fence or wall; plantings must be placed inside the face of the fence toward the interior of the lot.

F. Children's Home and Domestic Violence Shelter

1. A children's home or domestic violence shelter require a health services and congregate living permit in accordance with Section 15.11.
2. The maximum ratio of staff to residents must be 1:20 or less.

G. Community Garden

1. Community gardens are limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity. It may also include community-gathering spaces for active or passive recreation but playground equipment is prohibited.
2. Greenhouses, including high tunnels/hoop-houses, cold-frames, and similar structures, are permitted to extend the growing season. Accessory structures, including but not limited to, sheds, gazebos, and pergolas, are also permitted. All accessory structures must be located a minimum of four feet from any lot line.
3. No livestock is permitted, including the keeping of chickens, fish, and bees.

4. On-site composting is permitted.
5. Farmstands are permitted and are limited to sales of items grown at the site. Farmstands must be removed from the premises during that time of the year when the use is not open to the public. Only one farmstand is permitted per lot.

H. Day Care Center and Day Care Home

1. Each day care must comply with all applicable state and federal regulations, including any licensing and registration.
2. The exterior of a day care home must maintain its original appearance as a single-family dwelling. No visitor/client parking may be located in the front yard.
3. One sign, either freestanding, window, or wall, is permitted for a day care home. Such sign may not exceed six square feet in sign area. Freestanding signs are limited to six feet in height and must be a minimum of five feet from any lot line. (Day care centers are subject to the standards of Article 12.)
4. A day care center must provide a pickup/drop off area. When a day care center is part of a multi-tenant retail center, the pickup/drop off area must not interfere with vehicle circulation in the parking lot, including blocking of the drive aisle.

I. Drive-Through Facility

1. All drive-through facilities must provide a minimum of four stacking spaces per lane or bay, unless additional stacking spaces are specifically required by this Ordinance. Stacking spaces provided for drive-through uses must be:
 - a. A minimum of nine feet in width, as measured from the outermost point of any service window or bay entrance, to the edge of the driveway, and 18 feet in length. In the case of a recessed service window, the measurement is taken from the building wall.
 - b. Stacking spaces must begin behind the vehicle parked at a final point of service exiting the drive through aisle, such as a service window or car wash bay (this does not include a menu board). Spaces must be placed in a single line behind each lane or bay.
2. All drive-through lanes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Drive-through lanes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

3. Drive-through facilities must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center along such fence or wall; plantings must be placed inside the face of the fence toward the interior of the lot. This standard does not apply to drive-through facilities within multi-tenant retail centers.

4. A drive through lane must have bail out capability for all vehicles that enter the drive through lane. The bail out lane must be a minimum width of ten feet in width and run parallel to the drive through lane. If a bail out lane is also an interior access drive providing access to parking spaces, the bail out lane is limited to a one-way traffic pattern following the direction of the drive through lane.

J. Drug Treatment Clinic, Drug/Alcohol Treatment Facility - Residential, Halfway House, Homeless Shelter, Needle Exchange Service

1. A drug treatment clinic, drug/alcohol treatment facility, residential, halfway house, homeless shelter, and/or needle exchange service require a health services and congregate living permit in accordance with Section 15.11.

2. For residential facilities, the maximum ratio of staff to residents must be 1:20 or less.

3. For residential facilities, outdoor facilities are limited to the hours between 8:00 a.m. to 8:00 p.m.

4. An enclosed or screened waiting area for intake and/or appointments is required. No queuing may occur on any public right-of-way or any parking lot.

5. Security lighting is required for drug treatment clinics, needle exchange facilities, and halfway houses. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the surrounding area.

6. There must be a 1,000 foot separation between the same uses (for example, between two homeless shelters).

7. Unless allowed in a residential district, such uses must be 300 feet from any residential district.

K. Dwelling – Accessory Dwelling Unit

1. One of the dwelling units must be occupied by the owner of the property.

2. No more than one accessory dwelling unit is allowed per lot. When permitted, the accessory dwelling unit does not count toward the maximum number of dwelling units on a lot, including when the accessory dwelling unit is located in a detached structure.

3. Detached accessory dwelling units may only be located in the rear yard. Detached accessory dwelling units must be located ten feet from any lot line and from any principal building.

4. Both the principal dwelling unit and the accessory dwelling unit must maintain separate meter connections.

5. A detached accessory dwelling unit is subject to the height permitted for a detached garage.

6. No accessory dwelling unit may not exceed 800 square feet in gross floor area.

7. When a detached garage is converted to an accessory dwelling unit, the ground floor must be maintained as parking.

8. No additional parking is required for an accessory dwelling unit. Required parking for the principal structure must be maintained.

L. Dwelling – Manufactured Home

Manufactured homes must meet the following design standards when not located within a manufactured home park:

1. The front entry must be a dominant feature on the front elevation of a manufactured home, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings.
2. Windows, entrances, bay windows, or other architectural features are required on any street-facing walls.
3. Each manufactured home must utilize roofing materials such as asphalt shingles or similar material, similar in material and appearance to single-family dwellings.
4. All manufactured homes must be designed with skirting that is constructed of fire-resistant material that meets the requirements of the Building Code
5. The manufactured home must be set on a concrete slab or runway, and such slab or runway must be of a size large enough to accommodate a manufactured home in such a fashion that the concrete will extend at least two inches around the walls of the manufactured home on all sides.

M. Dwelling - Multi-Family or Townhouse

In the case of conflict with any design standards contained within Chapter 4, the standards of Chapter 4 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. The following minimum transparency requirements apply to any façade facing a street and are calculated on the basis of the entire area of the façade:
 - a. Townhouse: 15%
 - b. Multi-Family Dwelling: 25%
4. There must be a minimum separation of 15 feet between sidewalls of townhouse buildings. Where the front or rear wall of a townhouse faces the front or rear wall of another townhouse, the minimum required separation between such buildings must be 30 feet. Driveways and parking areas may be located within this minimum separation area.
5. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
 - a. The following building materials are prohibited on any part of any façade:
 - i. Plain concrete block
 - ii. Plastic
 - iii. Exterior insulating finish systems (EIFS)
 - b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
 - i. Corrugated metal
 - ii. Aluminum, steel or other metal sidings
 - iii. Exposed aggregate (rough finish) concrete wall panels

- iv. T-111 composite plywood siding
- v. Vinyl

N. Dwelling - Single-Family or Two-Family

In the case of conflict with any design standards contained within Chapter 4, the standards of Chapter 4 control.

1. A dwelling must have a primary entrance from the façade facing the street. The front entry must be a dominant feature on the front elevation of a home and an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front façade.
2. Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.
3. A 15% minimum transparency requirement applies to any façade and is calculated on the basis of the entire area of the façade.
4. Front-loaded attached garages are limited to 40% of the width of the front building line or 24 feet, whichever is greater. Garage width is measure between garage doors; in the case of garages designed with multiple garage doors the distance is measure between the edge of the outmost doors.

O. Financial Services, Alternative (AFS)

1. Alternative financial services (AFS) must be located no closer than 1,000 feet from any other AFS, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other existing similar use is located.
2. Any existing alternative financial service establishment as of the effective date of this Code that do not meet the spacing requirement is deemed conforming; this applies only to AFS that are allowed as a permitted or special use within the district. If an alternative financial service is no longer allowed within a district as of the effective date of this Code, it is nonconforming use.

P. Gas Station

1. All structures and all pump islands, compressed air connections, and similar equipment must be set back a minimum of 15 feet from interior side and rear lot lines. Structures are exempt from any build-to lines required by the district.
2. The minimum distance a freestanding canopy for gas pumps must be from any street lot line is ten feet and 15 feet from any interior lot line.
3. The ancillary uses of a retail goods establishment and one car wash bay are permitted in connection with the principal gas station use.

Q. Group Home

1. Such uses are subject to all federal, state, and city regulations, and must be licensed.
2. When a group home is located within an existing residential structure, the location, design, and operation of such facility must not alter the residential character of the structure.

R. Lodge/Meeting Hall

1. No more than 30% of the gross floor area may be used as office space for the lodge/meeting hall.
2. Lodges/meeting halls are permitted to serve meals and alcohol on the premises for members and their guests only.
3. Sleeping facilities are prohibited.
4. Lodges/meeting halls leased or used as reception facilities must comply with the requirements for reception facilities.

S. Neighborhood Commercial Establishment

1. Neighborhood commercial establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Ordinance.
2. The following non-residential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery
 - b. Arts studio
 - c. Office
 - d. Personal service establishment
 - e. Restaurant (live entertainment - secondary use prohibited and sale of alcohol prohibited)
 - f. Retail goods establishment (retail sales of alcohol prohibited)
3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
4. Drive-through facilities are prohibited.
5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
6. Signs are limited to those allowed in the C-T District.

T. Outdoor Dining

1. Outdoor dining is considered a separate principal use. Outdoor dining may only be established when allowed as a use within a zoning district and in conjunction with another principal use such as a bar or restaurant.
2. Outdoor dining must not interfere with any pedestrian access or parking spaces and aisles.
3. Outdoor dining areas must be located on private property. Outdoor dining on public property is not controlled by this Ordinance.
4. When a structure is required to be constructed at a build-to line, the structure may have up to 50% or 60 linear feet of the applicable façade, whichever is less, designated as outdoor dining maybe setback up to 30 feet from the required build-to line.

U. Reception Facility

A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, or educational facilities.

V. Residential Care Facility

1. Residential care facilities are subject to all federal, state, and city regulations, and must be licensed.
2. When located in a nonresidential district, the structure must be designed with a lobby entrance along the primary frontage.

W. Self-Storage Facility: Indoor and Outdoor

1. Storage units cannot be used for residential occupancy or business.
2. No plumbing connections are permitted in self-storage units.
4. Storing hazardous or toxic materials is prohibited.

5. For self-storage facilities that include both indoor and outdoor facilities, both types of uses must be allowed in the district.
6. The following additional standards apply to indoor self-storage facilities:
 - a. All self-storage activities must be contained within a single building and conducted exclusively indoors. Individual storage units may be accessed from inside the building only.
 - b. All facilities must meet the design standards of the district.
 - c. No storage units located on the first floor may be located within the first 50 feet of the front facade. No storage units located on the first floor may be visible from any public right-of-way.
 - d. Access to loading areas must be located to the interior or rear of the building.
7. The following additional permissions apply to outdoor self-storage facilities:
 - a. Outdoor self-storage facilities should be oriented so that storage unit access doors do not face the public right-of-way.
 - b. Outdoor self-storage facilities are allowed to include an area for storage of recreational vehicles. Storage areas for recreational vehicles must be located in the rear yard.
 - c. No storage of recreational vehicles is allowed within 25 feet of any rear lot line. No storage of recreational vehicles is allowed within 30 feet of any interior side lot line. No storage of recreational vehicles is allowed within 50 feet of any front or corner side lot line.
 - d. If storage areas for recreational vehicles are provided, they must be screened along interior side and rear lot lines with a solid fence or wall, a minimum of six feet and a maximum of seven feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center along such fence or wall; plantings must be placed inside the face of the fence toward the interior of the lot.

X. Solar Farm

1. Systems, equipment, and structures are limited to the maximum height of the district.
2. All solar farm structures must meet the district setbacks.
3. No grid tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system.
4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.

Y. Storage Yard – Outdoor

1. The storage area must be completely enclosed along all lot lines by a solid fence or wall a minimum of six feet and a maximum of eight feet in height, including ingress and egress.
 - a. Fences or walls along the front or corner side lot line must be set back a minimum of ten feet from the lot line. Within that setback, one shrub a minimum of three feet in height must be planted linearly every three feet on-center along such fence or wall, and one evergreen tree every 30 feet planted linearly; plantings must be placed outside the face of the fence facing the right-of-way.
 - b. Fences or walls along the rear or interior side lot line require the planting of shrubs a minimum of three feet in height at time of planting, planted linearly every three feet on-center along such fence or wall;

plantings must be placed inside the face of the fence toward the interior of the lot.

2. Storage of any kind is prohibited outside the fence or wall.
3. No items stored within 25 feet of the fence may exceed the height of the fence or wall for an outdoor storage yard.
4. A salvage yard is not an outdoor storage yard. Salvage yards, an establishment where vehicles or other machinery is broken up and the parts saved and processed for resale, are prohibited.

Z. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

AA. Wind Energy System

1. The design of the wind energy system must conform to applicable industry standards as such standards exist as of the date construction is commenced. The facility owner or operator must submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or similar certifying organizations.
2. All wind turbines must be newly manufactured as of the date of installation. Experimental/prototype wind turbines may be approved as a special use.
3. All wind energy system must be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes must be operated in a fail-safe mode. Stall regulation is not considered a sufficient braking system for over speed protection.
4. All electrical components of the wind energy system must conform to applicable local, state, and national codes, and applicable international standards.
5. An engineer's certificate must be completed by a structural engineer, licensed in the State of Iowa, certifying that the tower and foundation of the wind turbines are compatible with, and are appropriate for, the particular model of wind turbine used, and that the specific soils at the site can support the wind turbine.
6. Wind turbines must comply with the following design standards:
 - a. Wind turbines must be a non-obtrusive and non-reflective color. The facility owner or operator must maintain the paint on wind turbines at all times in good repair.
 - b. Wind turbines must not display advertising, except for reasonable identification of the turbine manufacturer, or the facility owner and operator.
 - c. Within the wind energy system, wind turbines must be of a generally consistent size, design, and color,

of similar height and rotor diameter, and rotate in the same direction.

d. Wind turbines must not be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable regulatory authorities.

e. On-site transmission and power lines between wind turbines must, to the maximum extent practicable, be placed underground, reach the property line, and be located and constructed in such a way as to minimize disruption to the property's primary purpose as well as to facilitate the interconnection of other commercial wind power generating facilities.

f. Non-essential appurtenances are prohibited to be affixed to any wind turbine, including, but not limited to, cellular or radio antennae.

g. A clearly visible warning sign advising persons of the presence of high voltage levels must be placed at the base of all pad-mounted transformers and substations.

7. The applicant must commission and submit at the time of permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert, indicating possible risks to local wildlife, habitat, and migratory birds. Additionally, the applicant's wildlife expert must also develop a mitigation plan, if applicable, that addresses/mitigates any risk to wildlife, migratory birds, and affiliated habitat. All wind turbines at time of application must be located out of bird and bat migration pathways/corridors where wind turbine construction would pose a substantial risk.

8. Wind turbines must not be climbable up to a height of at least 15 feet above ground surface. All access doors to wind turbines and electrical equipment must be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

9. Wind turbines must be setback from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, no less than the turbine height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.

10. All wind turbines must be set back from the nearest property line a distance of not less than the normal setback requirements for that zoning district or 110% of the turbine height, whichever is greater. The setback distance is measured from the property line to the nearest point on the outside edge of a tower. Operation and maintenance building(s) and substations must be located in accordance with zoning district yard requirements. All wind farm structures, except for wind turbines, must comply with the regulations of the zoning district.

11. All wind turbines must be set back from the nearest public right-of-way a distance of 110% of the turbine height, as measured from the right-of-way line to the nearest point on the outside edge of a tower.

12. The facility owner or operator must comply with all applicable codes regulating sound generation. A predictive sound study of turbine noise must accompany the application to verify that all code requirements can be met for dBA sound levels. In the event that any sound levels from a wind turbine are found to be in excess of permissible levels per the Municipal Code, the facility owner or operator must take necessary measures to bring sound levels down to a level acceptable.

13. A shadow flicker study is required, and must be submitted with the application. A wind turbine's shadow flicker must not fall on any existing structure, measured at the nearest external wall or walls, or within the buildable area of an adjacent vacant lot, as defined by current setback requirements.

14. The facility owner and operator must, at their sole expense, complete decommissioning of the wind energy system, or individual wind turbines, within one year after the end of the useful life of the wind energy system or individual wind turbines. The wind energy system or turbine must be deemed to be at the end of its useful life if it is abandoned for a period of time in excess of 180 days. Decommissioning includes removal of wind turbines, structures, roads and foundations to a depth of 48 inches, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the wind energy system.

BB. Wireless Telecommunications

1. Application Requirements

All applications to erect, construct, or modify any part of a wireless telecommunications system require site plan review must include the following items:

- a. A site plan showing:
 - i. The location, size, screening, and design of all structures, including fences.
 - ii. The location and size of all outdoor equipment.
 - iii. Elevations showing antenna height.
 - iv. If the site plan is for a new wireless telecommunications facility, a landscape plan showing all screening.
 - v. If the site plan is for a new wireless telecommunications tower, indication of the fall zone as a shaded circle.
- b. A maintenance plan and any applicable maintenance agreement designed to ensure long-term, continuous maintenance, such as maintenance of landscape, keeping the area free from debris and litter, and immediate removal of any graffiti.
- c. A disclosure of what is proposed, demonstrating the need for the wireless telecommunications system in the proposed location. This is not required for co-location or stealth design antennas.
- d. The reason or purpose for the placement, construction, or modification in the proposed location with specific reference to the provider's coverage, capacity, and/or quality needs, goals, and objectives. This is not required if the proposal is does not involve the erection of a new tower.
- e. The service area of the proposed wireless telecommunications system.
- f. If the proposal is for a new telecommunications tower, then a map showing collocation opportunities within the City and within areas surrounding the borders of the City must be provided and justification for why co-location is not feasible in order to demonstrate the need for a new tower.
- g. If the proposal is for a new telecommunications tower, certification by a licensed and registered professional engineer regarding the manner in which the proposed structure will fail. The certification may be utilized, along with other criteria such as applicable regulations for the district in question, in determining if additional setback should be required for the structure and other facilities.

2. Setbacks

- a. All wireless telecommunications towers must be set back from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, as defined by current setback requirements no less than the tower height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.
- b. All wireless telecommunications facilities must be set back from all property lines in accordance with the minimum setback requirements in the zoning district.

3. Height

The maximum height of a wireless telecommunications tower is the minimum needed to function satisfactorily. The application for approval of a wireless telecommunications tower must demonstrate the minimum height needed for the tower to function, which will be reviewed and approved as part of site plan review. The City has the ability to hire an independent consultant to assist in review of the proposed height, whose fee will be charged to the applicant.

4. Lighting and Marking

Wireless telecommunications systems must not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

5. Specific Standards for Wireless Telecommunications Antennas

Wireless telecommunications antennas are a special use in all districts, unless they are stealth design in which case they are a permitted use. Stealth design for wireless antennas is encouraged and is considered a permitted use in all districts, subject to site plan review and approval. All applications for wireless telecommunications antennas must include all information required by this section. In addition to the standards of this section for wireless telecommunications antennas, stealth design must comply with the following regulations:

- a.** To qualify as a stealth design, wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.
- b.** Wireless telecommunication antennas must be mounted at least 30 feet above grade, as measured from grade to the base of the antenna, to qualify as stealth design, in addition to meeting the other requirements of this section. Wireless telecommunication antennas mounted lower than 30 feet are considered a special use.
- c.** Antennas must be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls (must be behind the parapet wall), and steeples, and must be designed to blend in with the structure.
- d.** Antennas that co-locate on existing wireless telecommunications towers are also considered stealth design. However, such antennas cannot increase the overall height of the existing wireless telecommunications tower.
- e.** No antenna may increase the overall height of any structure on which it is mounted by more than 12 feet.

6. Specific Standards for Wireless Telecommunications Facilities

- a.** Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunication tower. Any equipment not used in direct support of such operation must not be stored on the site.
- b.** Commercial advertising is prohibited. Only signage that is part of the equipment as manufactured or warning signage is permitted.

7. Specific Standards for Wireless Telecommunications Towers

- a.** The use of guyed towers is prohibited. Towers must be monopoles, meaning self-supporting with no wires, cables, or beams.
- b.** Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate accompanying wireless telecommunications facilities for other telecommunications providers.
- c.** Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a galvanized silver or gray finish.

8. Specific Standards for Distributed Antenna Systems (DAS)

If a distributed antenna systems (DAS) is installed and entirely enclosed within a principal building, the requirements of this Ordinance do not apply.

- a.** All equipment related to a distributed antenna system must be mounted/co-located on existing poles or other existing structures unless it can be shown that an alternate location will be less obtrusive and/or more beneficial to the public. The design of any new pole requested requires special use approval.

b. An applicant seeking installation of a distributed antenna system must demonstrate that it has made efforts to blend or camouflage the system with existing facilities and surroundings or has otherwise screened or concealed the system from view. Approved blending methods include, but are not limited to, location of equipment other than antennas within a tree canopy or other inconspicuous location, use of green, brown or other colored equipment (if commercially available to the applicant) designed to mimic the colors and/or materials of the tree canopy, co-location structure or other nearby structures, as well as use of textures and shapes as appropriate, all with the intent of minimizing the visual impact of the system. Unnatural colors and exposed cables are prohibited.

c. All pole-mounted distributed antenna systems must be installed at a minimum height of nine feet above the ground. Equipment may be housed in a cabinet at ground level only with the approval of the City as to location and with appropriate screening.

d. Distributed antenna systems may not extend more than seven feet above the height of the existing pole or other structure on which it is installed.

6. Where distributed antenna systems are placed in residential districts, every effort must be made to avoid placement at right of way locations directly in front of a residence. If placement directly in front of a residence is absolutely necessary for technological reasons, the City has the right to require screening or impose other design mitigation requirements.

7. The City may request that a particular node or nodes be placed in an alternative location to that proposed by the applicant. Where a request for an alternative location is unable to be accommodated by an applicant, the applicant must supply an explanation in writing as to why the suggested alternative location will materially compromise the functioning of the system or is otherwise impractical.

9. Abandonment

Any wireless telecommunications system that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the tower or facility, and all aboveground equipment and related debris. The City may ensure and enforce removal by means of its existing regulatory authority.

10. Nonconformities

a. Ordinary maintenance, including replacement/upgrading, of antenna equipment may be performed on nonconforming antennas or towers. However, if the proposed alteration intensifies a nonconforming characteristic of the antenna or tower, a variance is required.

b. Co-location of an antenna on an existing nonconforming tower is permitted as a special use, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.

8.4 TEMPORARY USE STANDARDS

Temporary uses are required to comply with the standards of this section, in addition to all other regulations of this Ordinance and any licensing requirements of the Municipal Code. These regulations are for temporary uses located on private property. A temporary use may require a temporary use permit if the requirement is specifically cited in the standards; otherwise the temporary use is exempt from a temporary use permit. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval.

A. Farmers' Market

A retail license is required per Chapter 5.17 (Retail Sales and Transient Merchants) of the Municipal Code.

B. Real Estate Project Sales Office/Model Unit

1. A real estate sales office/model unit(s) is allowed for a residential development. Multiple model units are allowed in a multi-family building or a residential subdivision of 20 or more units.

2. No real estate sales office/model unit(s) may be located in a manufactured home or off-site.

3. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development.

4. All activities conducted within real estate sales office/model unit(s) must be directly related to the construction and sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.

C. Temporary Contractor's Office and Contractor's Yard

1. A temporary contractor's office is allowed incidental to a construction project.

2. The temporary contractor's office must be removed within 30 days of completion of the construction project.

3. A contractor's yard is permitted on or adjacent to any construction demolition and can only be used during the life of the construction project.

D. Temporary Outdoor Entertainment

A special event permit from the City is required for temporary outdoor entertainment.

Editor's Note: The special event permit will need to be modified to include such events on private property.

E. Temporary Outdoor Sales

A special event permit from the City is required for temporary outdoor sales.

Editor's Note: The special event permit will need to be modified to include such events on private property.

F. Temporary Outdoor Storage Container

1. Temporary storage containers are permitted in any zoning district when used for loading or unloading. Containers are permitted on site for a period not to exceed 30 days.

2. Temporary storage containers may not be used for permanent storage. They may not serve as a substitute for permanent storage needs on the site on which they are located. Containers may not be permanently attached to the ground, serviced with permanent utilities, or stacked on the site.

3. Temporary storage containers cannot be placed in the public right-of-way or placed on a lot to block ingress/egress or impede right-of-way traffic.

4. Temporary storage containers for residential uses may be placed in a driveway only but cannot block the right-of-way, including sidewalks. No temporary storage containers may be placed within any yard.

8.5 USE DEFINITIONS

All uses within Table 8-1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive use category.

Adult Use. An adult store, adult cabaret, adult theater, nude model studio, sexual encounter center, adult motel, or escort agency. The following additional definitions apply to adult use:

1. **Adult Booth.** Any area of an adult use that is set off from the remainder of the establishment by one or more walls, partitions, or other dividers and is used to show, exhibit, play, display, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of any specified anatomical areas or the performance or simulation of any specified sexual activities.

2. **Adult Cabaret.** Any establishment that as a substantial or significant portion of its business provides any of the following:

a. Persons who appear nude.

b. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of a specified anatomical area or the performance or simulation of a specified sexual activity.

c. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations, recordings, imagery, illustration, or depiction of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of any specified anatomical area or the performance or simulation of any specified sexual activity.

3. Adult Material. Any of the following, whether new or used:

a. Books, magazines, periodicals, or other printed matter or digitally stored materials, films, motion pictures, video cassettes, audio cassettes, slides, computer displays or other visual or audio representations or recordings of any kind, DVD, CDROM, or similar item that is distinguished or characterized by an emphasis on the exposure, depiction, description, imagery or visual representation of any specified anatomical area or the performance or simulation of any specified sexual activity.

b. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities or that depict, describe or portray specified anatomical areas; except this does not include those items used for birth control or for the prevention of sexually transmitted diseases.

4. Adult Motel. Any motel, hotel or similar business that either: 1) offers accommodations to the public for any form of consideration, and provides patrons with closed-circuit television transmission, telephones, motion pictures, video cassettes, slides, or other material that is characterized by the depiction or description of any specified anatomical area or any specified sexual activity, and has a sign that is visible from the public right-of-way that advertises the availability of adult materials; 2) offers a room or suite for consideration for a period of time that is less than ten hours; or 3) allows a tenant, occupant or patron of a room or suite to sublet the room or suite for a period of time that is less than ten hours.

5. Adult Store. Any establishment that either: 1) contains one or more adult booths; and/or 2) as a substantial or significant portion of its business offers for sale, rental, exchange, or viewing any adult materials. Adult stores do not include establishments that offer for sale, rental, exchange, or viewing any adult materials as a sideline or adjunct to sales, rentals, exchanges or viewings of materials other than adult materials.

6. Adult Theater. Any establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes, slides, or other visual representations, recordings, imagery, illustration, or depiction of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of any specified anatomical area or the performance or simulation of any specified sexual activity.

7. Escort. A person who, for pecuniary consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease dance or otherwise perform or appear before another person while nude in or about any place of public or private resort or any private quarter or business premises.

8. Escort Agency. Any person or business entity furnishing or offering to furnish, or advertising to furnish escorts as one of its business purposes, for a fee, tip or any other form of consideration.

9. Nude Model Studio. Any place where a person who appears nude is provided for the purpose of being sketched, drawn, painted, sculptured, photographed, or similarly depicted by any other person who has paid money or any other form of consideration, barter, or exchange, or for whose benefit someone else has paid money or any other form of consideration, barter or exchange, for the purpose of being allowed to observe the person appearing nude being sketched, drawn, painted, sculptured, photographed, or similarly depicted. Nude model studio does not include public or private colleges or universities licensed by the State of Iowa that offer art, modeling, or anatomical drawing classes.

10. Nude or State of Nudity. A state of dress or undress that exposes to view less than completely and opaquely covered human genitals, pubic region, anus, or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed, or human male genitals in a discernibly turgid state even if completely and opaquely covered, or any device that when worn, simulates human male genitals in a discernibly turgid state.

11. Sexual Encounter Center. Any establishment that, for consideration, offers either: 1) physical contact in the form of wrestling or tumbling between persons of the opposite sex; 2) activities between two or more persons regardless of gender when one or more of the persons is in a nude condition; 3) where two or more persons may congregate, associate or consort in connection with specified sexual activities or specified anatomical areas; or 4) where two persons may congregate, associate, or consort, in a private room, suite, or similar enclosure, with one of the two persons modeling lingerie, dancing in a sexually suggestive manner, or some similar activity for the pleasure or entertainment of the other. Sexual encounter center does not include a gymnastic, acrobatic, athletic, or similar demonstration or show that has been issued and holds a valid public amusement license under Chapter 5.40 of the Code.

12. Specified Anatomical Area. Any of the following:

- a. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breast below a point immediately above the top of the areola but not including any portion of the cleavage exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed.
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered or any device or covering that when worn, simulates human male genitals in a discernibly turgid state.

13. Specified Sexual Activity. Any of the following:

- a. The fondling or touching of one person's human genitals, pubic region, buttocks, anus, or female breasts by another person.
- b. Sex acts, normal or perverted, actual or simulated, including without limitation, cunnilingus, fellatio, anilingus, bestiality, intercourse, oral copulation or sodomy.
- c. Masturbation, actual or simulated.
- d. Excretory or urinary functions as part of or in connection with any of the activities set forth in this definition.

14. Substantial or Significant Portion of its Business. 10% or more of the establishment's income is derived from the sale, rental, exchange, or viewing of any adult material, or 10% or more of the establishment's stock in trade or floor space is utilized for the display of any adult material, or that one or more persons appearing, performing, or working in a state of nudity constitutes a fundamental or essential part of or attraction of the business. Regardless of the foregoing, any business establishment that advertises or holds itself out as "XXX", "adult", or "sex" in conjunction with adult material and/or nude appearances or performances is deemed to meet the substantial or significant portion of its business standard.

15. Adult Amusement Arcade. An establishment having as one of its principal uses one or more of the following: customer-operated motion picture devices, peep shows, viewing areas, or similar devices either coin, token, or slug operated, or which in consideration of an entrance fee, displays materials distinguished or characterized by an emphasis on depictions of specified sexual acts or specified anatomical areas.

Alternative Correctional Facility. A facility for adults or minors that is required by the courts as an alternative to incarceration, also referred to as community correctional centers.

Amusement Facility - Indoor. A facility for spectator and participatory uses conducted within an enclosed building, such as movie theaters, sports arenas, bowling alleys, tumbling centers, skating centers, roller rinks, escape room/physical adventure game facilities, and pool halls. Indoor amusement facilities do not include live performance venues. An indoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as ancillary uses.

Amusement Facility - Outdoor. A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as outdoor stadiums, fairgrounds, batting cages, and miniature golf courses. An outdoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as ancillary uses.

Animal Care Facility – Large Animal. An establishment that provides care for large animals, such as horses and cattle, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence. Animal care facilities do not include animal breeders.

Animal Care Facility – Small Animal. An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays. Animal care facilities do not include animal breeders.

Animal Breeder. An establishment where dogs over six months of age are bred, raised, and trained for commercial gain. Animal breeder does not include animal care facilities or shelter and training facilities for canine or equine units of public safety agencies.

Art Gallery. An establishment that sells, loans and/or displays paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Arts and Fitness Studio. An establishment where an art or activity is taught, studied, or practiced such as dance, martial arts, photography, music, painting, gymnastics, pilates, or yoga. An arts studio also includes private exercise studios for private sessions with trainers and/or private classes; health clubs are not an arts and fitness studio, but rather a personal service establishment.

Bar. An establishment where the primary purpose is the sale of alcoholic beverages for consumption on the premises. Snack foods or other prepared food may be available for consumption on the premises as an ancillary use.

Bed and Breakfast. A single-family dwelling where a resident/owner provides lodging for a daily fee in guest rooms with no in-room cooking facilities, and prepares meals for guests. A bed and breakfast may include dining facilities.

Body Modification Establishment. An establishment that offers tattooing services, body piercing, and/or non-medical body modification. Body modification establishment does not include an establishment that offers only ear piercing as an ancillary service.

Broadcasting Facility - TV/Radio. A facility engaged in broadcasting and information relay services for radio and television signals, including studio facilities. A broadcasting facility may or may not include antennas to broadcast the signal.

Campground. Land used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters.

Car Wash. An establishment for the washing and cleaning of vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or similar configurations.

Cemetery. Land and structures reserved for the interring of human remains or the interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased, mortuaries, including the sales of items related to the internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment. Cemeteries may also include crematoriums and embalming facilities.

Children's Home. An institutional residential facility that provides housing for and care to minors who are wards of the state, whose parents or guardians are deceased or otherwise unable or unwilling to care for them. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Community Center. A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of educational and community service activities. A community center may serve as a local “food hub” where regionally grown food, including value added food, can be grown and/or brought for distribution and sale.

Community Garden. The cultivation of fruits, flowers, vegetables, or ornamental plants by one or more persons, households, or organizations. Community gardens not include the raising of any livestock or the use of heavy machinery.

Conservation Area. Designated open space that preserves and protects natural features, wildlife, and critical environmental features, as well as undeveloped sites of historical or cultural significance. A conservation area may include opportunities for passive recreation, such as hiking trails and lookout structures, and environmental education.

Country Club. An establishment open to members, their families, and invited guests organized and operated for social and recreation purposes and which has indoor and/or outdoor recreation facilities, restaurants and bars, meeting rooms, and/or similar uses.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include uses such as, but not limited to, retail sales of related items and restaurants as ancillary uses.

Day Care Center. A facility where, for a portion of a 24 hour day, care and supervision is provided for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator. Day care centers within a residential dwelling are prohibited.

Day Care Home. A residential dwelling where care and supervision is provided by a permanent occupant of the dwelling for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator of the facility for a portion of a 24 hour day. A child day care home does not include a dwelling that receives children from a single household.

Domestic Violence Shelter. A facility that provides temporary shelter, protection, and support for those escaping domestic violence and intimate partner violence, including victims of human trafficking. A domestic violence shelter also accommodates the minor children of such individuals. The facility may also offer a variety services to help individuals and their children including counseling and legal guidance. Domestic violence shelters may distinguish populations served by age and/or gender.

Drive-Through Facility. That portion of a business where business is transacted directly with customers via a service window that allows customers to remain in their vehicle. A drive through facility must be approved separately as a principal use when in conjunction with another principal uses such as restaurants and financial institutions. A standalone ATM is considered a drive-through facility for the purposes of this definition.

Drug/Alcohol Treatment Facility, Residential. A licensed care facility that provides 24-hour medical and/or non-medical/therapeutic care of persons seeking rehabilitation from a drug and/or alcohol addiction. Such facilities include medical detoxification. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Drug Treatment Clinic. A facility authorized by the state to administer drugs, such as methadone, in the treatment, maintenance, or detoxification of persons.

Dwelling - Above the Ground Floor. Dwelling units located within a single multi-story building located above nonresidential uses on the ground floor or to the rear non-residential uses on the ground floor. In the case of dwelling units located behind non-residential uses on the ground floor, nonresidential uses must front on the primary street frontage.

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

Dwelling - Manufactured Home. A manufactured home dwelling is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include those transportable factory built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular homes are not considered manufactured homes, and refer to a method of construction.

Dwelling - Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a three-family or townhouse dwelling.

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

Dwelling - Single-Family. A structure containing only one dwelling unit on a single lot.

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

Educational Facility - Primary or Secondary. A public, private, or parochial facility that offers instruction at the elementary, junior high, and/or high school levels.

Educational Facility - University or College. A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational facilities – university or college include ancillary uses such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

Educational Facility - Vocational. A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. Educational facility-vocational also applies to privately operated schools that do not offer a complete educational curriculum.

Farmers Market. Temporary use of structures and/or land for the sale of a variety of fresh fruits, flowers, vegetables, or ornamental plants, and other locally produced farm and food products, including value-added products, directly to consumers from farmers or vendors that have taken such items on consignment for retail sale.

Financial Institution. A bank, savings and loan, credit union, or mortgage office.

Financial Institution, Alternative (AFS). An alternative financial service (AFS) is a financial service provided outside a traditional banking institution. AFS includes payday loans, tax refund anticipation loans, car title loans, check cashing establishments, and currency exchanges.

Food Bank. A non-profit organization that collects and distributes food to hunger relief organizations. Food is not distributed to those in need from a food bank.

Food Pantry. A non-profit organization that provides food directly to those in need. Food pantries receive, buy, store, and distribute food. Food pantries may also prepare meals to be served at no cost to those who receive them. A food pantry may be an ancillary use of a place of worship, social service center, and/or homeless shelter.

Funeral Home. An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.

Gas Station. An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include ancillary retail uses, an ancillary car wash bay, and solar and/or electric charging stations.

Golf Course/Driving Range. A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, snack-bar, and pro-shop as ancillary uses. A driving range may be designed as a standalone facility or included as part of a golf course, which is defined as a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls. A country club may include a golf course and/or driving range, in which case the uses together are considered a country club.

Government Office/Facility. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices do not include public safety or public works facilities.

Greenhouse/Nursery - Retail. An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, paving stones and bricks, and other related items for sale.

Group Home. A group care facility in a residential dwelling for: 1) care of persons in need of personal services or assistance essential for activities of daily living; or 2) care of persons in transition or in need of supervision. Group homes include facilities for drug and alcohol rehabilitation, excluding medical detoxification services. Group home does not include facilities for adults or minors that function as a court ordered alternative to incarceration. Group home does not include group living facilities for persons who have been institutionalized for criminal conduct (see halfway house).

Halfway House. A residential facility for persons who have been institutionalized for criminal conduct and who require a group setting to facilitate the transition to society, which may or may not be court-ordered.

Healthcare Institution. Facilities for primary health services and medical or surgical care to people, primarily in-patient, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, dormitories, or educational facilities, and ancillary uses such as, but not limited to, cafeterias, restaurants, retail sales, and similar uses.

Heavy Retail, Rental, and Service. Retail, rental, and/or service establishments of a heavier and larger-scale commercial character typically requiring permanent outdoor service or storage areas and/or partially enclosed structures. Examples of heavy retail, rental, and service establishments include large-scale home improvement centers (with outdoor storage, display, and rental components), lumberyards, amusement equipment rental, recreational vehicle dealerships, truck rental establishments, and sales, rental, and repair of heavy equipment. Wholesale establishments that sell to the general public, including those establishments where membership is required, are considered heavy retail, rental, and service establishments.

Homeless Shelter. A facility that provides temporary shelter to the homeless in general. Homeless shelters may distinguish populations served by age and/or gender.

Hotel. A commercial facility that provides sleeping accommodations for a fee and customary lodging services. Related ancillary uses include, but are not be limited to, meeting facilities, restaurants, bars, and recreational facilities for the use of guests.

Industrial - General. Manufacturing from processed or unprocessed raw materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users. These industrial uses typically have ancillary outdoor storage areas.

Industrial - Light. Research and development activities, and the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, where such activities are conducted wholly within an enclosed building. A light industrial use may also include a showroom, ancillary sales of products related to the items manufactured or stored on-site, and/or ancillary outdoor storage.

Industrial Design. An establishment where the design, marketing, and/or brand development of various products are researched and developed typically integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and products, but may not mass manufacture products from the premises.

Live Entertainment - Secondary Use. A live performance, performed live by one or more persons including, but not limited to, musical acts, including disc jockeys (DJs), theatrical plays, performance art, stand-up comedy, and magic, included as part of the operation of a bar, restaurant, amusement facility, or similar use. As a secondary use, the other principal use operating on the site must be open to public during hours when no performance is scheduled. Live entertainment - secondary use is approved separately as a principal use. Live entertainment - secondary use does not include:

1. Adult uses.
2. Live performance venue.
3. Periodic performances or entertainment at educational facilities, places of worship, cultural facilities, reception facilities, and performances at weddings and similar events.
4. Incidental entertainment, which is defined as background music provided at a bar or restaurant.

Live Performance Venue. A facility for the presentation of live entertainment, including musical acts, including disc jockeys (DJs), theatrical plays, stand-up comedy, and similar performances. Performances are scheduled in advance and tickets are required for admission and available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance. A live performance venue is only open to the public when a live performance is scheduled. A live performance venue may include classroom space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, including sale of alcohol, but only when it is open to the public for a performance. A live performance venue does not include any adult use.

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Medical/Dental Office. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Micro-Brewery. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution, with a capacity of less than 15,000 barrels per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Brewery facilities that exceed this capacity are considered light or general industrial uses.

Micro-Distillery. A facility for the production and packaging of alcoholic spirits in quantities not to exceed twelve 12,000 gallons per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Distillery facilities that exceed this capacity are considered light or general industrial uses.

Micro-Winery. A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, in quantities not to exceed 25,000 gallons per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Wineries that exceed this capacity are considered light or general industrial uses.

Mobile Food Sales. A motor vehicle, or a food trailer towed by another vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

Needle Exchange Service. A facility providing a social service that allows injecting drug users (IDUs) to obtain hypodermic needles and associated paraphernalia at little or no cost.

Neighborhood Commercial Establishment. A commercial use within a residential neighborhood that is nonresidential in its original construction and/or use.

Office. An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair of products or retail services. An office does not include financial institution, government office/facility, or industrial design.

Outdoor Dining. A seating area that is located outdoors and contiguous to a restaurant or bar, typically in addition to an indoor seating area. Outdoor dining is approved separately as a principal use. Outdoor dining areas may be roofed or covered with an awning.

Parking Lot. An open, hard-surfaced area, excluding a street or public way, used for the storage of operable vehicles, whether for compensation or at no charge.

Parking Structure. A structure used for the parking or storage of operable vehicles, whether for compensation or at no charge.

Personal Service Establishment. An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary uses such as day care facilities, meeting rooms, auditoriums, and/or classrooms for weekly religious instruction.

Public Park. A facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include non-commercial indoor recreation facilities, and zoos and amphitheaters, as well as ancillary uses such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles. Public safety facilities include shelter and training facilities for canine and equine units of public safety agencies.

Public Works Facility. A facility operated by the municipal public works departments to provide municipal services, including dispatch, storage, and maintenance of municipal vehicles.

Real Estate Project Sales Office/Model Unit. A residential unit or other structure within a development that is temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development and/or sales or rental offices for dwellings within the development.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Recreational Vehicle (RV) Park. Land used for the accommodation of two or more recreational vehicles for transient dwelling purposes.

Research and Development. A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. A research and development establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Residential Care Facility. A licensed care facility that provides 24-hour medical and/or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Restaurant. An establishment where food and drinks are provided to the public for on-premises consumption by seated patrons and/or for carry-out service.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment do not include specialty food service.

Retail Alcohol Sales. A retail establishment that sells primarily beer, wine, and liquor.

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Self-Storage Facility: Outdoor. A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Social Service Center. A service establishment that provides assistance for those recovering from chemical or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

Solar Farm. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Specialty Food Service. A business that specializes in the sale of certain food products, such as a delicatessen, bakery, candy maker, meat market, catering business, cheesemonger, coffee roaster, or fishmonger, and may offer areas for ancillary retail sales or restaurants that serve the products processed on-site. Specialty food service also includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts.

Storage Yard - Outdoor. The storage of material outdoors as a principal use of land for more than 24 hours.

Temporary Contractor Office and Contractor Yard. A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a contractor's yard where materials and equipment are stored in conjunction with a construction project.

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, horse shows, carnivals/circuses, temporary worship services, and others.

Temporary Outdoor Sales. Temporary uses, which may include temporary structures, where goods are sold, such

as consignment auctions, arts and crafts fairs, flea markets, yard sales, temporary vehicle sales, and holiday sales, such as firework stands, Christmas tree lots, and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

Temporary Outdoor Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Vehicle Dealership. An establishment that sells or leases new or used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. A motor vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle dealerships do not include truck, trailer, boat, or heavy equipment sales, which are considered heavy retail, rental, and service.

Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, and similar vehicles. Vehicle operations facility does not include a public works or public safety facility.

Vehicle Rental. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle rental does not include truck rental establishments or rental of heavy equipment, which is considered part of heavy retail, rental, and service.

Vehicle Repair - Major. A business that provides services in engine rebuilding, major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame or fender straightening or repair, painting of motor vehicles, interior (upholstery, dashboard, etc.) reconstruction and/or repairs, and restoration services. A major vehicle repair business may also include minor vehicle repair services.

Vehicle Repair – Minor. A business the provides services in minor repairs to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Any type of vehicle repair services for recreational vehicles is a major vehicle repair business and does not qualify as minor repair under this Ordinance regardless of the level of repair service.

Warehouse. An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Wind Energy System. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, or processing of wind energy.

Wireless Telecommunications. Towers, antennas, and facilities used to transmit and receive signals that facilitate wireless telecommunications. The following definitions describe the wireless telecommunications infrastructure described within the general definition for wireless telecommunications:

1. **Antenna.** A specific device, the surface of which is used to transmit and/or receive signals transmitted to or from other antennas. This does not include satellite dish antennae.
2. **Facility.** A structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators. Facility also includes any necessary equipment that facilitates wireless transmission.

3. Tower. A structure designed and constructed to support one or more wireless telecommunications antennae and including all appurtenant devices attached to it.

4. Distributed Antenna System. A wireless communications network with multiple spatially separated antenna nodes and related equipment mounted on existing infrastructure, typically power, light, and/or telephone poles, all connected to a common source via fiber optic cable or other transport medium, which provides enhanced coverage within a geographic area.

City Plan & Zoning Commission Voting Record

Meeting Date: 06-05-18

Meeting Location: Council Chambers-City Hall

APPROVED

| Name: | Roll Call | ORD18-04 Sec17.29 DRB | ORD18-02 Rockingham Corridor | P18-03 Pheasant Ridge Subdivision | F18-04 Wedgewood 10th | | | |
|----------|-----------|-----------------------------|------------------------------------|---|-----------------------------|--|--|--|
| Connell | P | Y | Y | Y | Y | | | |
| Hepner | P | Y | Y | Y | Y | | | |
| Inghram | P | | | | | | | |
| Johnson | P | Y | Y | Y | Y | | | |
| Kelling | P | Y | Y | ABS | Y | | | |
| Lammers | P | Y | Y | Y | Y | | | |
| Maness | P | Y | Y | Y | Y | | | |
| Medd | P | Y | Y | Y | Y | | | |
| Quinn | P | Y | Y | ABS | Y | | | |
| Reinartz | P | Y | Y | N | Y | | | |
| Tallman | P | Y | Y | ABS | Y | | | |
| | | 10-YES 0-NO 0-ABSTAIN | 10-YES 0-NO 0-ABSTAIN | 6-YES 1-NO 3-ABSTAIN | 10-YES 0-NO 0-ABSTAIN | | | |

June 6, 2018

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of June 5, 2018, the City Plan and Zoning Commission considered Case ORD18-02 Ordinance amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [1st & 3rd Wards]

The Commission recommends approval of the ordinance.

Finding:

- Proposed ordinance has undergone a thorough public process including stakeholder input and neighborhood meetings
- Proposed ordinance is largely supported by the majority of the project participants
- Proposed ordinance will serve as an effective tool in the implementation of corridor enhancement by lessening the intensity of use, thus enhancing the environment for neighborhood commercial redevelopment

Conditions:

None.

The Plan and Zoning Commission accepts the finding and forwards Case No. ORD18-02 to the City Council for approval. The vote to approve was 10 – yes, 0 – no and 0 – abstained.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

Overview Map of Rockingham Corridor Area



Thursday, June 07, 2018

Please publish the following public notice in the June 13, 2013 edition of the QC Times.

The PO number for this notice is: 1818247.

Please provide proof of publication for our records. If you have any questions, please contact us at planning@ci.davenport.ia.us or 563-326-7765.

PUBLIC HEARING NOTICE
WEDNESDAY, JUNE 20, 2018, 2018 5:30 PM
CITY OF DAVENPORT COMMITTEE OF THE WHOLE
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

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

Ordinance amending various sections of the Davenport Municipal Code, including Section 12.36.060 entitled "Encroachments – Granting of license – Revocation", Section 12.36.020 entitled "Definitions", Section 17.29.070 entitled "Design Review Board", section 17.29.080 entitled "Powers and Duties of the Board", Section 17.29.090.E entitled "Certificate of Design Approval", Section 15.30.180 entitled "Liability Insurance Required" and Chapter 5.02 entitled "Signs and Billboards" to bring uniformity to the process of licensing and permitting for right-of-way encroachments [Wards All]

The Plan and Zoning Commission forwards the Ordinance amendment pertaining to Sections 17.29.090.E

Case No. ORD18-02 Ordinance amending Title 17 to incorporate a zoning component to promote and create a commercial identity for the Rockingham Road corridor through design and use standards. This text amendment will include a map amendment for the area along Rockingham Road from John Fell Drive in the southwest and to Marquette Street in the northeast portion of the corridor. City of Davenport is the Petitioner. Chapter 17.60 of the Davenport Municipal Code allows for text and map amendments. [1st & 3rd Wards]

The property has the following legal description:

Part of the Northwest Quarter of Section 35 and the Northeast, Northwest and Southwest of Section 34, Southeast and Southwest Quarters Section 33 and Southeast Quarter of Section 32, in Township 78 North, Range 3 East of the 5th P.M. and part of the Northwest Quarter of Section 4 and Northeast and Northwest Quarters of Section 5 in Township 77 North, Range 3 East of the 5th P.M., all being in Davenport, Scott County, Iowa, being more particularly described as follows: Commencing as a point of beginning at the northeast corner of Lot 8, Green's First Addition, along the West line of the N Marquette Street right-of-way; Thence, South 01° 40' 36" East a distance of 147.47 feet along the West line of N Marquette Street right-of-way to the North line of the W 2nd Street right-of-way; Thence South 16° 14' 58" West a distance of 68.73 feet to a point on the South line of the W 2nd Street right-of-way; Thence South 01° 32' 53" East a distance of 420.54 feet along the West line of the Marquette Street right-of-way to a point on the North line of the River Drive right-of-way; Thence, South 80° 41' 27" West a distance of 225.01 feet along the North line of the River Drive right-of-way; Thence, South 80° 27' 01" West a distance of 871.64 feet along the North line of the River Drive right-of-way; Thence, South 81° 23' 34" West a distance of 311.08 feet along the North line of the River Drive right-of-way; Thence, North 50° 22' 34" West a distance of 50.78 feet along the

North line of the River Drive right-of-way; Thence, South 75° 57' 56" West a distance of 57.40 feet along the North line of the River Drive right-of-way; Thence, South 73° 15' 45" West a distance of 64.06 feet along the North line of the River Drive right-of-way; Thence, South 71° 08' 56" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, South 69° 16' 25" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, South 67° 23' 54" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, South 65° 31' 23" West a distance of 57.32 feet along the North line of the River Drive right-of-way; Thence, North 29° 02' 16" West a distance of 129.80 feet along the East line of the S Sturdevant right-of-way; Thence, North 46° 28' 20" West a distance of 170.38 feet along the East line of the S Sturdevant right-of-way; Thence, South 59° 39' 59" West a distance of 881.76 feet; Thence, South 60° 26' 40" West a distance of 1196.23 feet; Thence, South 57° 07' 56" West a distance of 1074.22 feet to a point on the East line of Schmidt Road right-of-way; Thence, North 07° 37' 22" West a distance of 99.07 feet along the East line of the Schmidt Road right-of-way; Thence, South 56° 42' 18" West a distance of 285.69 feet; Thence, South 33° 19' 42" East a distance of 51.50 feet; Thence, South 56° 42' 18" West a distance of 388.81 feet to a point on the North line of Canadian Pacific DME right-of-way; Thence, South 22° 15' 35" West a distance of 34.93 feet a point on the South line of Canadian Pacific DME right-of-way; Thence, South 56° 42' 19" West a distance of 238.02 feet; Thence, South 56° 42' 19" West a distance of 130.73 feet; Thence, South 57° 03' 35" West a distance of 108.81 feet; Thence, South 57° 05' 04" West a distance of 287.97 feet; Thence, South 58° 27' 03" West a distance of 719.81 feet to a point on South line of the Alley right-of-way South of Rockingham Road and West of S Farragut Street; Thence, North 35° 57' 12" West a distance of 20.03 feet along the East line of the Alley right-of-way; Thence, South 57° 00' 24" West a distance of 1008.32 feet along the North line of the Alley right-of-way to a point on the West line of the S Rolff Street right-of-way; Thence, South 35° 41' 36" East a distance of 266.67 feet along the West line of the S Rolff Street right-of-way; Thence, South 52° 02' 59" West a distance of 605.06 feet a point on the West line of the S Dittmer Street right-of-way; Thence, South 52° 42' 46" West a distance of 179.83 feet; Thence, South 51° 22' 43" West a distance of 177.76 feet to a point on the East line of the Floral Lane right-of-way; Thence, South 78° 54' 57" West a distance of 108.39 feet to a point on the West line of the S Concord Street right-of-way; Thence, South 87° 56' 01" West a distance of 432.45 feet; Thence, South 01° 38' 10" East a distance of 140.00 feet to the North line of the Johnson Avenue right-of-way; Thence, South 87° 56' 01" West a distance of 120.00 feet to a point on the East line of the S Elsie Avenue right-of-way; Thence, South 75° 21' 38" West a distance of 51.32 feet to a point on the West Line of the S Elsie Avenue right-of-way; Thence, South 88° 59' 53" West a distance of 62.00 feet; Thence, South 01° 38' 19" East a distance of 20.00 feet; Thence, South 87° 56' 00" West a distance of 1361.24 feet along the North line of the alley right-of-way South of Rockingham Road and North of Pearl Avenue to a point on the East line of the S Nevada Street right-of-way; Thence, North 70° 11' 18" West a distance of 53.73 feet to a point on the West line of the S Nevada Street right-of-way; Thence, South 87° 56' 01" West a distance of 475.20 feet along the North line of the alley right-of-way South of Rockingham Road and North of Johnson Avenue to a point on the East line of the Fairmount Street right-of-way; Thence, South 53° 29' 41" West a distance of 53.22 feet to a point on the West line of the Fairmount Street right-of-way; Thence, South 87° 42' 33" West a distance of 1032.02 feet along the North line of the alley right-of-way South of Rockingham Road and North of Johnson Avenue to a point on the North line of the alley right-of-way; Thence, North 76° 53' 58" West a distance of 18.84 feet to a point on the East line of the S Stark Street right-of-way; Thence, South 87° 42' 33" West a distance of 398.17 feet; Thence, South 01° 58' 47" East a distance of 66.02 feet; Thence, South 65° 29' 03" West a distance of 503.36 feet to a point on the East line of the S Pioneer Street right-of-way; Thence, North 77° 44' 14" West a distance of 60.19 feet to a point on the West line of the S Pioneer Street right-of-way; Thence, South 71° 15' 45" West a distance of 145.89 feet; Thence, South 16° 22' 43" East a distance of 110.66 feet; Thence, South 77° 25' 34" West a distance of 180.80 feet; Thence, South 22° 21' 13" West a distance of 70.36 feet to a point on the North line of the John Fell Drive right-of-way; Thence, North 55°

24' 13" West a distance of 170.66 feet along the North line of the John Fell Drive right-of-way; Thence, North 12° 26' 29" West a distance of 67.21 feet along the East line of the John Fell Drive right-of-way; Thence, North 54° 00' 51" East a distance of 42.59 feet along the South line of the Rockingham Road right-of-way; Thence, North 56° 39' 42" East a distance of 42.59 feet along the South line of the Rockingham Road right-of-way; Thence, North 59° 18' 33" East a distance of 0.72 feet along the South line of the Rockingham Road right-of-way; Thence, North 20° 56' 45" West a distance of 144.50 feet to a point on the North line of the Rickel Hill Road right-of-way; Thence, North 87° 26' 08" West a distance of 310.03 feet along the North line of the Rickel Hill Road right-of-way; Thence, North 00° 31' 30" West a distance of 284.14 feet; Thence, North 88° 02' 06" East a distance of 95.04 feet; Thence, South 87° 42' 33" East a distance of 689.73 feet; Thence, North 86° 30' 25" East a distance of 85.54 feet; Thence, North 86° 21' 44" East a distance of 85.96 feet; Thence, North 64° 51' 25" East a distance of 412.16 feet; Thence, North 87° 42' 33" East a distance of 1196.86 feet to a point on the East line of the S Gayman Avenue right-of-way; Thence, North 87° 38' 17" East a distance of 374.64 feet along the South line of the alley right-of-way between Rockingham Road and Boies Ave to a point on the West line of the S Fairmount Street right-of-way; Thence, North 87° 56' 00" East a distance of 40.00 feet to a point on the East line of the S Fairmount Street right-of-way; Thence, North 87° 56' 01" East a distance of 290.73 feet along the South line of the alley right-of-way between Rockingham Road and Boies Ave to a point on the West line of the Nevada Street right-of-way; Thence, North 88° 23' 05" East a distance of 49.91 feet to a point on the East line of the Nevada Street right-of-way; Thence, North 87° 53' 05" East a distance of 368.64 feet along the South line of the alley right-of-way between Rockingham Road and Boies Ave to a point on the East line of the Indian Road right-of-way; Thence, North 06° 32' 55" West a distance of 48.43 feet along the East line of the Indian Road right-of-way; Thence, North 63° 16' 30" East a distance of 62.70 feet; Thence, South 31° 54' 08" East a distance of 78.75 feet; Thence, North 87° 56' 01" East a distance of 786.61 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Elsie Avenue right-of-way; Thence, North 68° 20' 32" East a distance of 60.06 feet to a point on the East line of the S Elsie Avenue right-of-way; Thence, North 63° 42' 17" East a distance of 213.46 feet along the South line of the alley right-of-way between Rockingham Road and Marion Street; Thence, South 21° 27' 22" East a distance of 3.75 feet; Thence, North 52° 08' 50" East a distance of 489.79 feet to a point on the West line of the S Concord Street right-of-way; Thence, North 57° 24' 16" East a distance of 59.93 feet to a point on the East line of the S Concord Street right-of-way; Thence, North 52° 12' 56" East a distance of 306.21 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Dittmer Street right-of-way; Thence, North 52° 10' 14" East a distance of 61.20 feet to a point on the East line of the S Dittmer Street right-of-way; Thence, North 52° 10' 56" East a distance of 306.30 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Clark Street right-of-way; Thence, North 39° 14' 13" East a distance of 66.08 feet to a point on the East line of the S Clark Street right-of-way; Thence, North 46° 53' 06" East a distance of 214.99 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Rolff Street right-of-way; Thence, North 85° 49' 33" East a distance of 47.79 feet to a point on the East line of the S Rolff Street right-of-way; Thence, North 56° 47' 39" East a distance of 374.42 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Farragut Street right-of-way; Thence, North 39° 08' 43" East a distance of 62.05 feet to a point on the East line of the S Farragut Street right-of-way; Thence, North 56° 55' 11" East a distance of 300.42 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of the S Birchwood Avenue right-of-way; Thence, North 56° 35' 03" East a distance of 40.04 feet to a point on the East line of the S Birchwood Avenue right-of-way; Thence, North 57° 06' 13" East a distance of 333.26 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 57° 02' 11" East a distance of 189.50 feet along the South line of the alley right-of-way between Rockingham

Road and Boies Avenue to a point on the West line of the S Elmwood Avenue right-of-way; Thence, North 61° 03' 28" East a distance of 261.27 feet; Thence, North 56° 45' 43" East a distance of 251.15 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 63° 42' 11" East a distance of 54.65 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 53° 51' 51" East a distance of 93.18 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue; Thence, North 54° 49' 35" East a distance of 70.52 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of Canadian Pacific DME right-of-way; Thence, North 54° 49' 35" East a distance of 43.89 feet to a point on the East line of the Canadian Pacific DME right-of-way; Thence, North 55° 55' 24" East a distance of 339.85 feet along the South line of the alley right-of-way between Rockingham Road and Boies Avenue to a point on the West line of S Lincoln Avenue; Thence, North 53° 22' 44" East a distance of 60.07 feet to a point on the East line of S Lincoln Avenue; Thence, North 56° 42' 26" East a distance of 159.80 feet to a point on the East line of the alley right-of-way between S Lincoln Avenue and S Hancock Avenue; Thence, North 35° 32' 09" West a distance of 29.90 feet along the East line of the alley right-of-way; Thence, North 52° 57' 52" East a distance of 147.89 feet to a point on the West line of the S Hancock Avenue right-of-way; Thence, North 53° 03' 37" East a distance of 56.00 feet to a point on the East line of the S Hancock Avenue right-of-way; Thence, North 53° 03' 59" East a distance of 132.26 feet to a point on the East line of the alley right-of-way between S Hancock Avenue and S Pine Street; Thence, South 39° 25' 08" East a distance of 42.85 feet along the East line of the alley right-of-way; Thence, North 57° 22' 33" East a distance of 367.70 feet along the South line of the alley right-of-way between Rockingham Road and Dixwell Street to a point on the West line of the S Pine Street right-of-way; Thence, North 39° 00' 16" East a distance of 63.51 feet to a point on the East line of the S Pine Street right-of-way; Thence, North 57° 51' 00" East a distance of 826.83 feet to a point on the West line of the S Howell Street right-of-way; Thence, North 88° 00' 36" East a distance of 197.29 feet to a point on the South line of the alley right-of-way between Rockingham Road and Dixwell Street; Thence, North 01° 53' 12" West a distance of 170.86 feet to a point on the South line of the Dixwell Street right-of-way; Thence, North 88° 00' 36" East a distance of 192.40 feet along the South line of the Dixwell Street right-of-way to a point on the East line of the alley right-of-way between S Howell Street and S Division Street; Thence, North 01° 59' 23" West a distance of 380.49 feet along the East line of the alley right-of-way to a point on the South line of the W 1st Street right-of-way; Thence, North 87° 57' 02" East a distance of 655.00 feet along the South line of W 1st Street right-of-way to a point on the East line of the S Division Street right-of-way; Thence, North 54° 12' 02" East a distance of 71.14 feet to a point on the East line of the S Division Street right-of-way; Thence, North 88° 09' 35" East a distance of 110.00 feet to a point on the West line of the alley right-of-way between S Division Street and N Sturdevant Street; Thence, North 01° 50' 25" West a distance of 84.74 feet along the West line of the alley right-of-way; Thence, North 69° 17' 00" East a distance of 517.58 feet along the North line of the alley right-of-way between Rockingham Road and W 2nd Street to a point on the East line of the N Sturdevant Street right-of-way; Thence, North 01° 56' 20" West a distance of 92.45 feet along the East line of the N Sturdevant Street right-of-way; Thence, North 87° 57' 02" East a distance of 85.16 feet; Thence, North 02° 33' 11" West a distance of 31.17 to a point on the South line of the W 2nd Street right-of-way; Thence, North 87° 49' 16" East a distance of 327.94 feet along the South line of the W 2nd Street right-of-way to a point on the West line of the alley right-of-way between N Sturdevant Street and Washington Street; Thence, South 61° 50' 17" East a distance of 22.80 feet to a point on the East line of the alley right-of-way; Thence, North 75° 10' 39" East a distance of 184.82 feet to a point on the East line of the Washington Street right-of-way; Thence, North 02° 15' 35" West a distance of 170.90 feet along the East line of the Washington Street right-of-way to a point on the South line of the alley right-of-way between Rockingham Road and W 3rd Street; Thence, North 87° 44' 25" East a distance of 600.00 feet along the South line of the alley right-of-way to a point on the West line of the Filmore Street right-of-way; Thence, North 87° 52' 26" East a distance of 704.90 feet along the

South line of the alley right-of-way to a point on the East line of the Taylor Street right-of-way; Thence, North 87° 46' 06" East a distance of 251.57 feet along the South line of the alley right-of-way to the point of beginning. All bearings are based on the NAD83 Iowa State Planes South coordinate system. For purposes of this description the West line of N Marquette Street right-of-way is assumed to bear South 01° 40' 36" East. The land described in this description contains 149.073 acres, more or less.

The City Plan and Zoning Commission forwards Case No. ORD18-02 to the City Council with a recommendation for approval. (not subject to any special conditions)

Public hearing(s) on the above matter(s) are scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, June 20, 2018 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO No 1818247.

Department of Community Planning & Economic Development
E-MAIL: planning@ci.davenport.ia.us PHONE: 563-326-7765

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Eric Longlett, 327-5153
Wards: 8

Action / Date
6/20/2018

Subject:
Resolution approving a contract for construction management services for the Transload Rail Spur Expansion Project to Veenstra and Kim in the amount of \$91,509.40, CIP #60009 [Ward 8]

Recommendation:
Adopt the resolution

Relationship to Goals:
Sustainable Infrastructure

Background:
This resolution will approve a contract for construction management services not to exceed \$150,000 for the Transload Rail Spur Expansion Project. Construction of a fourth rail spur and interchange tracks will allow the City owned transload facility to accommodate Sterilite's development and other users of the facility. Staff is currently reviewing satisfactory proposals for the project and will be finalize the selection before the City Council meeting on June 27th. Approval of this resolution will allow work to continue on time.

ATTACHMENTS:

| Type | Description |
|--------------|-------------|
| ▣ Cover Memo | Resolution |
| ▣ Cover Memo | Contract |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|------------|----------|----------------------|
| City Clerk | Ott, Sarah | Approved | 6/18/2018 - 11:49 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a contract for construction management services not to exceed \$150,000 for the Transload Rail Spur Expansion Project, CIP #60009.

WHEREAS, Davenport has entered into a development agreement with Sterilite Corporation;
and

WHEREAS, additional rail capacity will be necessary to avoid blocking Slopertown Road for extended periods of time multiple days of the week; and

WHEREAS, staff is currently reviewing satisfactory proposals for the project and will be finalizing selection of the firm by end of June;

NOW, THEREFORE, BE IT RESOLVED, by the City of Davenport, Iowa; that contract for construction management services not to exceed \$150,000 for the Transload Rail Spur Expansion Project is formally approved.

BE IT FUTHER RESOLVED: that the Mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport

Passed and approved this 27th day of June, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, City Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

CITY OF DAVENPORT, IOWA RAIL LINE CONSTRUCTION SERVICES

WHEREAS, the CITY OF DAVENPORT, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa, hereinafter referred to as the "CITY," is desirous of obtaining professional engineering services in connection with Rail Line Construction Services, hereinafter referred to as the "Project," and

WHEREAS, the CITY of Davenport has determined that it would be desirous to perform the above mentioned project, and

WHEREAS, VEENSTRA & KIMM, INC., hereinafter referred to as the "CONSULTANT," being a corporation organized and existing under the laws of the State of Iowa; and

WHEREAS, the CONSULTANT is desirous of performing professional services for the CITY in connection with the Rail Line Construction Services project.

NOW, THEREFORE, it is mutually agreed as follows:

SECTION I - GENERAL

A. PERFORMANCE

The performance of the CONSULTANT shall be limited to the scope of services outlined as hereinafter set forth.

B. CONFERENCES

Conferences shall be held from time to time as the performance of this Agreement progresses at a mutually convenient location at the request of the CITY. The CONSULTANT shall prepare and present such information as may be pertinent or necessary to enable the CITY to pass critical judgment on the features and progress of services under this Agreement. The CONSULTANT shall make such changes, amendments, or revisions in the detail of any phase of services under this Agreement as may be required by the CITY. If alternates or alternatives are to be considered, the CITY shall have the right of selection. The CONSULTANT shall, at the request of the CITY, appear personally, prepare and present such documents and/or explanations to the Davenport City Council as may be requested.

C. INDEMNIFICATION

The CONSULTANT shall and hereby agrees to hold and save the CITY harmless from any and all claims, settlements, and judgments, to include all reasonable investigative fees, attorneys' fees, suit and court costs for personal injury, property damage, and/or death arising out of the CONSULTANT's or any of its agents', servants', and employees' errors, omissions or negligent acts for services under this Agreement, and for all injury and/or death to any and all of the CONSULTANT's personnel, agents, servants, and employees occurring under the Worker's Compensation Act of the State of Iowa.

D. INSURANCE

The CONSULTANT shall furnish the CITY with a certificate or certificates of insurance by an insurance company licensed to do business in the State of Iowa, in compliance with Attachment II, "Professional Services Insurance".

E. PROGRESS REPORTS

The CONSULTANT shall furnish the CITY with monthly progress reports which shall indicate the percentage of engineering services completed on the project to the date of the report, together with a description of the status of services in progress during the CONSULTANT's performance under this Agreement. The CONSULTANT shall also, upon request of the CITY, furnish the necessary documentation to verify the reported progress in the performance of said services.

F. ACCESS TO CONSULTANT'S RECORDS

The CONSULTANT shall maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred in performing work covered by this contract. The CITY or any of its duly authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. All such books, records, and documents shall be retained for three years from the date of final payment under the contract.

G. OWNERSHIP OF DOCUMENTS

All survey notes, reports, design plans, specifications, special studies, records and other data prepared under this Agreement shall become the property of the CITY upon completion or termination of the services of the CONSULTANT.

H. FEDERAL REQUIREMENTS

Not applicable.

I. TERMINATION

If the CITY should desire to suspend or terminate the services to be rendered by the CONSULTANT under this Agreement, such suspension or termination may be effected by the CITY giving the CONSULTANT written notice. Payment shall be made by the CITY for services rendered by the CONSULTANT to date of termination.

J. CHANGES IN SCOPE OF SERVICES

1. Extra Work

Authorization for extra work shall be evidenced by the CITY in writing, in the form of a Supplemental Agreement. Extra work will usually be of limited extent and may consist of, but is not necessarily limited to, the introduction of new items of work beyond the stated or implied scope of the Agreement.

At the option of the CITY, payment for extra work may be made on a fixed price; a cost plus a fixed fee, time and materials; or other mutually agreed basis.

If the CONSULTANT is of the opinion that any work the CONSULTANT has been directed to perform is beyond the scope of this Agreement and constitutes extra work, the CONSULTANT shall promptly notify the CITY in writing of that fact. In the event the CITY determines that such work does constitute extra work, the CITY shall provide extra compensation to the CONSULTANT as provided for above. No extra work shall be performed by the CONSULTANT without receiving a written agreement from the CITY in advance.

2. Deletion of Work

Authorization for deletion of work shall be evidenced by the CITY in writing.

At the discretion of the CITY, work items listed in Section 2 - Scope of Work, or parts thereof, may be deleted from the project.

Reduction to the CONSULTANT's compensation as a result of deletion of work shall be based on the cost estimate of the work deleted. In the event that the CONSULTANT had performed authorized work on the items deleted prior to deletion, the cost of such work shall be retained in the CONSULTANT's compensation.

K. NONDISCRIMINATION

Attachment I titled "Special Provisions Section III Nondiscrimination In Employment by Contractors/Subcontractors and Suppliers" shall be signed by the CONSULTANT and shall become a part of this Agreement. In Attachment I the contractor/supplier is the CONSULTANT for terms of this Agreement.

L. CONTRACT COMPLIANCE PROGRAM

The CONSULTANT agrees to comply with the City of Davenport Special Provisions which is attached.

M. SUBLETTING OR ASSIGNMENT

The CONSULTANT shall not sublet, assign or otherwise dispose of any portion of the services to be provided by this Agreement without a written permission to sublet signed by the City Engineer except for construction materials and testing services. Requests for permission to sublet shall be in writing and shall name the organization which will perform the work, the work to be performed, and the dollar amount of the work to be performed. Subconsultants which are shown as part of this Agreement shall be deemed to be approved when this Agreement is executed.

A "City of Davenport Consultant Cost Summary for Subagreements" or equal shall be provided on each organization showing Hourly rates and Overhead and Fringe Benefit rates that will be applied to services to be sublet.

When requested by the City Engineer, the CONSULTANT shall provide a written report showing that the organization which will perform the work is particularly experienced and equipped for such work. Consent by the CITY for the CONSULTANT to sublet, assign or otherwise dispose of any portion of this Agreement shall not relieve the CONSULTANT of any responsibility for fulfillment of this Agreement, nor shall it in any way create a contractual relationship between the CITY and the SUBCONSULTANT. The CONSULTANT agrees to include in and make a part of all subagreements all portions of this Agreement which relate to the subconsultants' work including the Nondiscrimination portions of this Agreement.

N. CLOSE-OUT OF AGREEMENT

Upon completion or termination of services under this Agreement, the CONSULTANT shall provide the CITY the following documents:

1. Documents as stated in Section 1.G of the Agreement.
2. Statement of Final Billing.
3. Written report showing the actual amounts paid by the CONSULTANT for services under this Agreement to MBE/WBE Firms.

O. LAWS, REGULATIONS AND CODES

The CONSULTANT hereby agrees that all work done as part of this Agreement which is subject to current Federal, State or Local Laws, Regulations and/or Codes shall comply with such applicable Laws, Regulations and/or Codes.

P. CITY POLICY AND PROCEDURES

The CONSULTANT hereby agrees to conform to CITY policy and procedures as they relate to this Agreement. Such policy and procedure shall include but is not limited to the following:

1. Invoice and billings for service.
2. Engineering Department Design Standards.
3. Engineering Department standard format for reports, plans, and/or specifications.
4. Plan-review process including site-plan and architectural review.
5. Include CITY Work Order Number and Contract Number on all documents related to this Agreement if appropriate.

Q. NOTICE TO PROCEED

The CONSULTANT shall not begin work until a written notice to proceed is issued by the City Engineering Department.

SECTION 2 - SCOPE OF SERVICES

RAIL LINE CONSTRUCTION SERVICES

A. SERVICES PROVIDED BY CONSULTANT

The scope of the services for which construction services are to be performed under this Agreement shall include:

1. The services by the CONSULTANT under this Agreement shall include, but not necessarily be limited to, the following:
 - a) Review plans and specifications to ensure they meet EDA and Canadian Pacific Railroad standards.
 - b) Provide construction administration services including attending preconstruction and bi-weekly progress meetings, review of shop drawings and contractor pay applications, engineering consultation and site visits, initial and final walk throughs including punch list creation and completion.

- c) Provide construction observation services including 840 hours of on-site observation. Will also include completion of necessary paperwork for EDA requirements as well as punch list items.

The CITY and CONSULTANT agree the scope of the Project may be adjusted during the course of performance by adding or subtracting work from the specific work tasks. Work may be added, shifted or deleted provided the total cost of the Project does not increase. If more than 840 hours of inspection services are required, the CONSULTANT will request an Extra Work amendment.

B. OBLIGATIONS OF CITY TO CONSULTANT

1. Designate a liaison officer from the CITY who will work directly with the CONSULTANT to coordinate the collection of CITY-supplied data, arrange for meetings, and be responsible for the general coordination between the CITY and the CONSULTANT.
2. Provide the services of the City Solicitor experienced in legal matters pertaining to this type of project. The CONSULTANT shall cooperate with the City Solicitor and comply with the requirements of the City Solicitor as to form of contract documents and procedures relative to them.
3. Provide legal services as needed to support the contract recommendations.

C. DELIVERABLES

The scope of the services shall be considered to be complete upon delivery of the following items to the satisfaction of the CITY.

The documents provided to the CITY by the CONSULTANT shall include but may not be limited to the following in accordance with each project type:

- Construction contract plans and specifications review.
- Contract administration per EDA requirements.
- Attend preconstruction and bi-weekly progress meetings.

SECTION 3 - COMPENSATION AND PAYMENT

A. COMPENSATION

1. \$91,509.40 maximum based on unit prices as presented on the attached Engineering Services Cost Estimate (Attachment II).

SECTION 4 - COMPLETION OF WORK

The CONSULTANT shall complete all services outlined in this Agreement in 2018 and 2019 per the construction contract schedule. The current schedule shows construction beginning in August 2018 and ending in December 2018. Final closeout will probably occur early in 2019.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this _____ day of _____, 2018.

CITY OF DAVENPORT, IOWA

VEENSTRA & KIMM, INC.

By _____

Title _____

By 

For Jason L. McKenzie, Project Manager

ATTEST:

By _____

Title _____

By 

Title Admin Assistant

SPECIAL PROVISIONS

SECTION III -

Nondiscrimination in Employment by Contractors/Subcontractors and Suppliers

Contractor's Agreement

During the performance of this contract, the Contractor agrees as follows:

- (1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
- (2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations.
- (3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers' representative of the Contractor's commitments under the Davenport Affirmative Action Plan, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The Contractor will comply with all provisions of the Davenport Affirmative Action Plan and procedures developed by the City's Compliance Officer in pursuit of that plan.
- (5) The Contractor will furnish all information and reports required by the Davenport Affirmative Action Plan and procedures developed by the City's Compliance Officer in pursuit of that plan, and will permit access to his/her books and accounts by the contracting department and the Compliance Officer for purposes of investigation to ascertain compliance with the City's Affirmative Action Plan.
- (6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any implementing procedures or orders, this contract may be cancelled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further City contracts in accordance with procedures authorized in The Davenport Affirmative Action Plan and such other sanctions may be imposed and remedies invoked as provided in the Davenport Affirmative Action Plan, or as otherwise provided by law.

(7) The Contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order in the amount of \$5,000 or more, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor may request the City of Davenport to enter into such litigation to protect the interests of the City of Davenport.

DAVENPORT, IOWA
RAIL LINE CONSTRUCTION SERVICES
ENGINEERING SERVICES COST ESTIMATE

Attachment II

| Task/Responsible Party | # Hours | Hourly Rate | Cost |
|--|---------|-------------|---------------------|
| A. Plans and Technical Specifications Review | | | |
| Project Manager - JLM | 12 | \$ 136.00 | \$ 1,632.00 |
| Resident Engineer - MSD | 4 | \$ 66.00 | \$ 264.00 |
| Review Total | | | \$ 1,896.00 |
| B. Construction Administration | | | |
| 1. Preconstruction Meeting | | | |
| Project Manager - JLM | 8 | \$ 140.00 | \$ 1,120.00 |
| Resident Engineer - MSD | 4 | \$ 66.00 | \$ 264.00 |
| Clerical III - GFD | 2 | \$ 46.00 | \$ 92.00 |
| 2. Shop Drawings | | | |
| Project Manager - JLM | 3 | \$ 140.00 | \$ 420.00 |
| Resident Engineer - MSD | 12 | \$ 66.00 | \$ 792.00 |
| Clerical III - GFD | 3 | \$ 46.00 | \$ 138.00 |
| 3. Pay Estimates | | | |
| Project Manager - JLM | 6 | \$ 140.00 | \$ 840.00 |
| Resident Engineer - MSD | 12 | \$ 66.00 | \$ 792.00 |
| Clerical III - GFD | 12 | \$ 46.00 | \$ 552.00 |
| 4. Bi-weekly Progress Meetings | | | |
| Project Manager - JLM | 30 | \$ 140.00 | \$ 4,200.00 |
| Clerical III - GFD | 12 | \$ 46.00 | \$ 552.00 |
| 5. Engineering Consultation & Site Visits | | | |
| Project Manager - JLM | 24 | \$ 140.00 | \$ 3,360.00 |
| 6. Initial Walk Through & Punch List | | | |
| Project Manager - JLM | 6 | \$ 140.00 | \$ 840.00 |
| Clerical III - GFD | 2 | \$ 46.00 | \$ 92.00 |
| 7. Final Walk Through | | | |
| Project Manager - JLM | 3 | \$ 140.00 | \$ 420.00 |
| Clerical III - GFD | 1 | \$ 46.00 | \$ 46.00 |
| Construction Administration Subtotal | | | \$ 14,520.00 |
| C. Construction Observation | | | |
| 1. Set Up Paperwork/Plan Familiarization | | | |
| Project Manager - JLM | 2 | \$ 140.00 | \$ 280.00 |
| Resident Engineer - MSD | 30 | \$ 66.00 | \$ 1,980.00 |
| 2. Construction Observation | | | |
| Resident Engineer - MSD | 840 | \$ 66.00 | \$ 55,440.00 |
| 3. Closeout Paperwork | | | |
| Resident Engineer - MSD | 80 | \$ 66.00 | \$ 5,280.00 |
| Clerical III - GFD | 24 | \$ 46.00 | \$ 1,104.00 |
| 4. Initial Walk Through & Punch List | | | |
| Resident Engineer - MSD | 4 | \$ 66.00 | \$ 264.00 |
| 5. Final Walk Through | | | |
| Resident Engineer - MSD | 4 | \$ 66.00 | \$ 264.00 |
| Construction Observation Subtotal | | | \$ 64,612.00 |
| D. Reimbursable Expenses | | | |
| 1. Printing | | | \$ 100.00 |
| 2. Mileage | 4000 | \$ 0.54 | \$ 2,160.00 |
| 3. Testing (Team Services) | | | \$ 8,221.40 |
| Reimbursable Expenses Subtotal | | | \$ 10,481.40 |
| TOTAL COST | | | \$ 91,509.40 |

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563.888.2286
matt.flynn@ci.davenport.ia.us
Wards: All

Action / Date
6/20/2018

Subject:

First Consideration: Ordinance amending various sections of the Davenport Municipal Code to bring uniformity to the process of licensing and permitting for right-of-way encroachments. [Wards All]

Recommendation:

Adopt the ordinance.

Relationship to Goals:

High performing government.

Background:

This ordinance will bring bring uniformity to the process of licensing and permitting for right-of-way encroachments. The ordinance clarifies the types of encroachments, which require Council approval (i.e., an outdoor seating area) and which encroachments require a staff level permit (i.e., a projecting wall sign).

ATTACHMENTS:

| Type | Description |
|-------------------|--------------------|
| ▣ Backup Material | Proposed Ordinance |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:05 AM |

ORDINANCE amending various sections of the Davenport Municipal Code, including Section 12.36.060 entitled "Encroachments – Granting of license – Revocation", Section 12.36.020 entitled "Definitions", Section 17.29.070 entitled "Design Review Board", section 17.29.080 entitled "Powers and Duties of the Board", Section 17.29.090.E entitled "Certificate of Design Approval", Section 15.30.180 entitled "Liability Insurance Required" and Chapter 5.02 entitled "Signs and Billboards" to bring uniformity to the process of licensing and permitting for right-of-way encroachments [Wards All]

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

Section 1. That Section 12.36.060 of the Davenport City Code entitled "Encroachments – Granting of license – Revocation" is hereby amended to read as follows:

12.36.060 Encroachments - Granting of Authority - Revocation.

A. Encroachments granted by city council.

1. A license shall be obtained from the city council for an encroachment otherwise prohibited by Section 12.36.040 of the Davenport Municipal Code. Excluded from the license requirement include but are not limited to marquees, canopies, signs, fire escapes, etc., which are not affixed to or rest on the surface of the public ground and do not prohibit or restrict pedestrian access. Also excluded from the license requirement is decorative furniture accessory to and adjacent to a business which rests on the surface of the public ground but does not prohibit or restrict pedestrian access, such as sandwich board signs, a table and chair(s) and flower pots, etc.). Encroachments not requiring a license are subject to the permit requirement and conditions articulated in subsections B and C in this section.
2. The petitioner shall submit an application to the city along with a \$150 application fee. The application shall provide the name and contact information of the petitioner, a conceptual drawing detailing, at a minimum, dimensions, type and placement of materials and a statement of purpose for and use of the encroachment.
3. The application shall be subject to review by any city department for concerns arising from its respective missions. After the initial staff review, the application shall be reviewed by the design review board to determine if the mass, shape, materials, architectural details, and other design elements are compatible with the building and surrounding environs. If the encroachment is attached to a structure under the jurisdiction of the historic preservation commission, the historic preservation commission will perform its design review in lieu of the design review board. The design review board or historic preservation commission shall forward its recommendation to the city council, which shall make the final determination of the encroachment.

4. Licenses granted by city council shall be renewed on an annual basis beginning on the first day of January and terminating on the last day of December. Once approved as prescribed herein, annual license amounts are hereby established as follows:
 - a. \$250 if the area is less than 250 square feet.
 - b. \$350 if the area is at least 250 square feet but less than 500 square feet.
 - c. \$450 if the area is 500 square feet or more; and
 - d. For a new license, the annual license amount shall be prorated quarterly for the quarter in which the license is granted by the city council.

In no event shall the above fees be construed as giving the licensee an interest in the public property.

5. If an encroachment license is granted, the licensee and the city attorney shall execute a written license memorializing the same incorporating the terms of this ordinance and any other terms the city attorney deems reasonable and prudent.

B. Encroachments granted by public works director, or his or her designee.

1. A permit shall be obtained from the public works director, or his or her designee, for an encroachment not subject to an encroachment license from City Council. This permit may be issued in conjunction with a building permit.
2. The petitioner shall submit an application to the city along with a \$50 application fee. The application shall provide the name and contact information of the petitioner, a conceptual drawing detailing, at a minimum, dimensions, type and placement of materials and a statement of purpose for and use of the encroachment. Although a permit is required, no fee is required for decorative furniture accessory to and adjacent to a business which rests on the surface of the public ground but does not prohibit or restrict pedestrian access, such as a table and chair(s) and flower pots, etc.).
3. The application shall be subject to review by any city department for concerns arising from its respective missions. If the encroachment is under the jurisdiction of the design review board, the design review board shall determine if the mass, shape, materials, architectural details, and other design elements are compatible with the building and surrounding environs. If the encroachment is attached to a structure under the jurisdiction of the historic preservation commission, the historic preservation commission will perform its design review in lieu of the design review board. The design review board or historic preservation commission shall forward its recommendation to the public work director, or his or her designee, which shall make the final determination of the encroachment. If the encroachment is not attached to a structure under the jurisdiction of the design review board or historic preservation commission, the public works director, or his or

her designee, shall determine if the mass, shape, materials, architectural details, and other design elements are compatible with the building and surrounding environs.

C. Applicable to Encroachments Licenses and Permits.

1. If community public works director, or his or her designee, determines a hardship variance is necessary to encroach into a required setback, the petitioner must apply to the zoning board of adjustment for any necessary variance first. If a final determination granting any necessary variance is obtained, the petitioner may then apply for the encroachment license or permit.
2. If an encroachment license or permit is granted, the licensee has the obligation and duty to defend and hold harmless the City of Davenport from any claim arising out of or related to its encroachment into and occupation of the public ground; and further, releases the city, its officers, employees, and agents from any damage that may arise from municipal operations. The licensee must obtain and have in place liability insurance of the type and amount specified by the city risk division. The city shall be listed on the liability insurance policy for purposes of receiving notice of its cancellation or expiration not less than thirty days prior to the effective date of the cancellation or expiration.
3. If an encroachment license or permit is granted, the licensee assumes all risks arising from the occupation of the encroachment on the public ground. The City of Davenport may subsequently revoke the encroachment license or permit. The licensee or permittee bears all costs associated with the construction or installation of the encroachment, and any demolition, removal, or restoration associated with the encroachment upon termination of the license or at such times as the city council or public works director, or his or her designee, deems it necessary for city purposes. Licensee or permittee is responsible for all ongoing costs associated with the maintenance or operation of its encroaching object or improvement. In being granted the license or permit, the licensee or permittee acknowledges the City of Davenport may in its sole discretion demolish, in part or in its entirety, any object or improvement within the area of encroachment without any liability or cost whatsoever to the city, and licensee or permittee authorizes the same. Any demolition costs shall be assessed to the property owner.
4. All buildings, structures, parts and appurtenances thereof which, as of the effective date this ordinance, are so located that it is patent from mere observation that they are maintained in, on, over, or under some street, lane, or alley in violation of this ordinance or the agreement shall be subject to immediate removal.

5. No encroachment licenses or permit shall be granted in respect of any public ground or land, the management or control of which by statute or ordinance is placed in another body of the city until any applicable process of that body is completed as well.
6. No encroachment license or permit shall be granted in any case in which the proposed licensed or permitted use substantially interferes with any existing public use in the city council's discretion, and any such license or permit previously issued shall be revoked. Any encroachment license or permit shall be revocable at the pleasure of the city council, with or without notice, in its sole discretion.

Section 2. That section 12.36.020 of the Davenport City Code entitled "Definitions" is hereby amended to read as follows:

12.36.020 Definitions.

- A. "Encroachment" means an object or part of a structure or building secured to, affixed to or extending over, upon or under the surface of public property. An encroachment's invasion of public property is generally permanent in nature, but not necessarily because it is easily movable. "Encroachment" does not include utility structures, newspaper stands, U.S. Postal Service mail boxes that are not monuments and streetscape furniture.
- B. "Obstruction" means an object located upon or above the surface of public property and not secured thereto. An obstruction's invasion of public property is generally stationary and temporary in nature.

Section 3. That section 17.29.070 entitled "Design Review Board" is hereby amended in part to read as follows:

17.29.070 Design review board.

Prior to the issuance of a building permit for the construction of a building, structure, improvement or sign and which affects the exterior appearance, or for any substantial external appearance changes not requiring a building permit where changes are visible from the public right-of-way an applicant must submit plans to the city. The plans shall be reviewed and approved by the design review board (herein referred to as the board), to ensure that the building, structure, improvement, sign, landscape design, site plan, etc. complies with the performance standards and guidelines established in the approved design guidelines. Encroachments into and over the public right-of-way shall be reviewed and recommended by the board in the encroachment license and permit process as set forth in section 12.36.060 of the Davenport Municipal Code. (A section in the district's design standards and downtown davenport streetscape improvement plan further describes what types of encroachments may be appropriate and under what circumstances.) The board shall also review and approve the demolition of structures within the district.

Section 4. That section 17.29.080 entitled "Powers and Duties of the Board" is hereby amended to read as follows:

17.29.080 Powers and duties of the board.

The board shall have the following powers and duties:

- A. To adopt its own administrative and procedural guidelines;
- B. To make recommendations to the city council regarding design guidelines for the downtown design overlay district;
- C. To administer the design guidelines, performance standards and streetscape improvement plans for "DDOD" downtown design overlay district, "HSD" historic shopping district, "HCVOD" hilltop campus village overlay district and "RIDO" residential infill design overlay district. Said design guidelines shall be contained within the adopted district regulations or adopted as a separate document by the city council by resolution. The board, at its discretion, may create a category of "minor reviews" to be approved by staff.
- D. To hold public meetings to consider any action officially before it;
- E. To review and take action on applications for certificates of design approval-and/or certificates of economic hardship (for demolitions);
- F. To review and recommend on applications for encroachments into and over the public right-of-way;
- G. To provide information upon request to the owners of structures within the district regarding the appropriate preservation, rehabilitation and reuse options of older buildings and/or options for new construction.
- H. To review and take action on appeals to administrative decisions of city staff's application of the design criteria for the properties located within the "HCOD" highway corridor overlay district.

Section 5. That Section 17.29.090.E entitled "Certificate of Design Approval" is hereby amended to read as follows:

Section 17.29.090.E Certificate of Design Approval.

- E. Design guidelines. The design guidelines are intended to aid the members of the design review board in their review of certificates of design approval, encroachments and demolition reviews.

Buildings within the "DDOD" downtown design overlay district shall be constructed of quality materials that have strength and permanence. Permanence means that buildings will age without deteriorating, given a minimum level of maintenance. The development shall recognize the strength and permanency of stone, brick, concrete, and steel as opposed to the frailty of light gauge sheet metal and constant maintenance of wood veneer. While no specific materials are disallowed, certain materials will be approved for exterior use only if they are an integral part of a design of unusual merit. Among those materials are architectural metal wall panels, plywood and composition siding such as hardboard. Other materials may be appropriate in one use or situation but be totally inappropriate in another. Where remodeling/renovation of historical structures occurs, the structures shall be reconditioned to original stature wherever possible and financially reasonable.

The board shall also consider the proposed height, proportions, scale and relationship with surrounding structures as discussed in the design guidelines.

The design guidelines for properties zoned "HSD" historic shopping district are enumerated in Chapter 17.27 of the Davenport Municipal Code and are enumerated in Chapter 17.09 of the Davenport Municipal Code for properties located within the "RIDO" residential infill design overlay district.

Section 6. That Section 15.38.180 entitled "Liability Insurance Required" is hereby amended to read as follows:

15.30.180 Liability insurance required.

Contractors Insurance. Any person, firm or corporation desiring to engage in the moving or demolition of buildings shall file with the building official a duplicate copy of a liability insurance policy covering such operations. The licensee must obtain and have in place liability insurance of the type and amount specified by the city risk division. The City of Davenport shall be named in the policy as additionally insured. Said policy shall be issued by a legally authorized surety transacting business in the State of Iowa. Required property damage limits may be increased by the building official.

Section 7. That chapter 5.02 entitled "Signs and Billboards" is hereby amended to read as follows:

Chapter 5.02 Billboards

5.02.010 Billboards.

Every person maintaining any billboard or similar advertising device or structure shall, in addition to complying with all other ordinances regulating such device or structure, obtain a business license for each such device or structure before constructing and maintaining such device or structure.

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 _____

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Bruce Berger, Development, 563-326-7769

Wards: 3

Action / Date

6/20/2018

Subject:

Resolution authorizing the Mayor to execute documents necessary to convey the following properties: [Ward 3]

Parcel F0051-45, 643 East 6th Street, to (Olivia Aguilera, Petitioner)

Parcel F0051-42, 634 East 6th Street to (Roger LaDue, Petitioner)

Parcel F0051-28, 646 East 6th Street, to (Mary Rothan, Petitioner)

Recommendation:

Approve the resolution.

Relationship to Goals:

Revitalized neighborhoods and corridors.

Background:

As part of the Urban Homestead Program funded with a variety of Federal housing grants, the City has built three homes with the intention of selling them to income eligible working households in Davenport. This program, which has been approved by City Council as part of the City's CDBG Five Year Comprehensive and One Year Annual Plans, enables vacant lots to be returned to the tax rolls and improves the look and feel of neighborhoods while providing eligible working families with affordable homeownership opportunities.

The respective petitioners have applied for and been approved as federally eligible to acquire these properties from the City. City staff solicited appraisals for the properties and they are being sold for \$110,000. Approval of this resolution will authorize the Mayor and staff to execute closing documents and convey the properties to the respective petitioners.

ATTACHMENTS:

| Type | Description |
|---------------------|---|
| □ Resolution Letter | RES to convey Riverview on 6th properties |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:06 AM |

Resolution No. _____

Resolution offered by Alderman Gripp

RESOLUTION authorizing the Mayor to execute documents necessary to convey the following property: [Ward 3]

Parcel F0051-45, 643 East 6th Street, to (Olivia Aguilera, Petitioner)

Parcel F0051-42, 634 East 6th Street to (Roger LaDue, Petitioner)

Parcel F0051-28, 646 East 6th Street, to (Mary Rothan, Petitioner)

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City of Davenport is the legal owner of certain property legally described as:

Parcel F0051-45, 643 East 6th Street, Lot 3 of Riverview on 6th Addition to the City of Davenport, Scott County, Iowa.

Parcel F0051-42, 634 East 6th Street, Lot 1 of Riverview on 6th Addition to the City of Davenport, Scott County, Iowa.

Parcel F0051-28, 646 East 6th Street, Lot 2 of Riverview on 6th Addition to the City of Davenport, Scott County, Iowa.

WHEREAS, the City of Davenport desires to quit claim deed to petitioners, who will maintain the property; and

WHEREAS, the petitioners desire to own and live in the property; and

WHEREAS, a public hearing as required by Iowa law was held on June 20, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor and City Clerk are authorized to execute all documents necessary to convey the above real estate to the respective petitioner.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Brian Heyer x6156
Wards: 5

Action / Date
6/20/2018

Subject:
Resolution authorizing the conveyance of vacated public rights of way, those being, parts of College, Lombard, Denison and a public alley abutting the Genesis East campus. Genesis Health System, Petitioner.

Recommendation:
Consider approving the resolution.

Relationship to Goals:
Revitalized neighborhoods

Background:
A public hearing on the proposed conveyance was held June 6, 2018. The rights of way were previously vacated through 2015-194, 2017-292 and 293. Genesis would like to acquire the land to secure its campus and as part of the Genesis East addition.

ATTACHMENTS:

| Type | Description |
|--------------|-------------|
| ▯ Cover Memo | Resolution |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:06 AM |

Resolution offered by Alderman _____

RESOLVED by the City Council of the City of Davenport.

Resolution Authorizing the conveyance of vacated public right of way, that being, parts of College, Lombard, Denison and an alley abutting the Genesis campus. Genesis Health System, Petition.

WHEREAS, the City of Davenport currently owns the recently vacated public right of way, that being, parts of College, Lombard, Denison and an alley abutting the Genesis campus, legally described as:

Part of a public alley located in Block 2 of Ferndale's Addition, in the City of Davenport, Scott County, State of Iowa, more particularly described as:

Beginning at the northwest corner of Lot 4 in Block 2 of Ferndale Addition; thence North a distance of twenty (20) feet to the north right of way line of said public alley; thence East along the north right of way line of said public alley a distance of forty-three (43) feet; thence South, a distance of twenty (20) feet to the northeast corner of said Lot 4; thence West along the south right of way line of said public alley a distance of forty-three (43) feet to the point of beginning. Said tract containing 860 square feet, more or less.

And,

Part of Denison Avenue in the southeast quarter of Section 24, Township 78 North, Range 3 East of the 5th P.M., in the City of Davenport, Scott County, State of Iowa, more particularly described as:

Beginning at the northeast corner of Lot 28 in Home Addition to the City of Davenport; thence North 00°18'19" West along the west right of way line of Adams Street a distance of fifty (50) feet to the north right of way line of Denison Avenue; thence North 88°58'01" East along said north right of way line a distance of 189.35 feet to the southwesterly right of way line of the Soo Line Railroad; thence southeasterly 72.33 feet along said southwesterly right of way line and the arc of a curve to the right with a radius of 3,770.00 feet, a chord bearing of South 47°17'58" East and a chord distance of 72.33 feet to the south right of way line of Denison Avenue; thence South 88°58'01" West along said south right of way line and it's westerly projection a distance of 254.84 feet to the point of beginning. Said tract containing 11,248 square feet or 0.26 acres, more or less. For the purpose of this description, the west right of way line of Adams Street is assumed to have a bearing of North 00°18'19" West.

And,

Part of Lombard Street in the southeast quarter of Section 24, Township 78 North, Range 3 East of the 5th P.M., in the City of Davenport, Scott County, State of Iowa, more particularly described as:

Beginning at the northwest corner of Lot 84 in Home Addition to the City of Davenport; thence North 02°18'04" West along the easterly line of previously vacated College Avenue a distance of 60.00 feet to the westerly projection of the north right of way line of Lombard Street; thence North 87°41'56" East along said westerly projection of the north right of way line of Lombard Street a distance of 272.68 feet to the southeast corner of Lot 58 in said Home Addition; thence South 01°31'20" East along the southerly projection of the east line of said Lot 58 a distance of 60.01 feet to the south right of way line of Lombard Street; thence South 87°41'56" West along said south right of way line a distance of 271.86 feet to the point of beginning. Said tract containing 16,336 square feet or 0.38 acres, more or less. For the purposes of this description bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

And,

Part of the Southeast Quarter of Section 24, Township 78 North, Range 3 East of the 5th P.M., in the City of Davenport, Scott County, State of Iowa, more particularly described as follows:

Beginning at a point on the north line of Outlot C in Genesis East Campus Addition to the City of Davenport 21.16 feet west of the northeast corner of said Outlot C; thence southwesterly 88.98 feet along the westerly line of said Outlot C and the arc of a curve to the left having a radius of 60.00 feet, a chord bearing of South 46°26'07" West, a chord distance of 81.05 feet; thence southerly 36.68 feet along said westerly line and the arc of a curve to the right having a radius of 430.00 feet, a chord bearing of South 06°27'49" West, a chord distance of 36.67 feet; thence southeasterly 26.20 feet along said westerly line and the arc of a curve to the left having a radius of 15.00 feet, a chord bearing of South 41°07'42" East, a chord distance of 22.99 feet to the north right of way line of Lombard Street; thence 88°50'08" West a distance of 17.70 feet; thence South 01°09'52" East a distance of 60.00 feet to the south right of way line of Lombard Street and the northeast corner of Outlot B in Genesis East Campus Addition; thence South 88°50'08" West along the north line of said Outlot B a distance of 8.30 feet; thence southwesterly 17.76 feet along the westerly line of said Outlot B and the arc of a curve to the left having a radius of 15.00 feet, a chord bearing of South 54°54'49" West, a chord distance of 16.74; thence southwesterly 101.94 feet along said westerly line and the arc of a curve to the right having a radius of 430.00 feet, a chord bearing of South 27°47'00" West, a chord distance of 101.70 feet; thence South 34°34'30" West along said westerly line, a distance of 21.71 feet; thence southeasterly 21.94 feet along said westerly line and the arc of a curve to the left having a radius of 10.00 feet, a chord bearing South 28°17'10" East, a chord distance of 17.80 feet to the north right of way line of a public alley; thence North 88°51'11" East along said north right of way line a distance of 26.33; thence South 01°08'49" East a distance of 20.06 feet to the south right of way line of said public alley and the northeast corner of Lot 3 in Block 2 of Ferndale Addition; thence South 88°47'07" West along said south right of way line a distance of 55.20 feet; thence southwesterly 9.47 feet along the westerly line of

Outlot A in Genesis East Campus Addition and the arc of a curve to the left, having a radius of 10.00 feet, a chord bearing of South 61°41'45" West, a chord distance of 9.12 feet; thence South 34°34'30" West along said westerly line a distance of 61.88 feet; thence southwesterly 30.81 feet along said westerly line and the arc of a curve to the left, having a radius of 170.00 feet, a chord bearing of South 29°23'02" West, a chord distance of 30.77 feet; thence southwesterly 29.09 feet along said westerly line and the arc of a curve to the left, having a radius of 15.00 feet, a chord bearing of South 31°22'33" East, a chord distance of 24.74 feet to the north right of way line of Elm Street; thence South 86°56'53" East along said north right of way line a distance of 21.20 feet; thence South 03°03'07" West a distance of 60.00 feet to the south right of way line of Elm Street and the northeast corner of Lot 20 in Block 1 of Ferndale Addition; thence North 86°56'53" West along said south right of way line a distance of 45.57 feet to the easterly right of way line of College Avenue; thence South 02°33'18" East along said easterly right of way line a distance of 100.02 feet to the southwest corner of said Lot 20; thence South 87°26'42" West a distance of 60 feet to the westerly right of way line of College Avenue; thence North 02°33'18" West along said westerly right of way line a distance of 102.52 feet; thence northerly 63.63 feet along said westerly right of way line and the arc of a curve to the right, having a radius of 230.00 feet, a chord bearing of North 05°22'12" East, a chord distance of 63.43 feet; thence continuing northeasterly along said westerly right of way line and the arc of a curve to the right, having a radius of 230 feet; a chord bearing of North 23°56'09" East, a chord distance of 85.42 feet; thence North 34°34'30" East along said westerly right of way line a distance of 132.82 feet; thence northerly 178.37 feet along said westerly right of way line and the arc of a curve to the left having a radius of 370.00, a chord bearing of North 20°45'52" East, a chord distance of 176.65 feet; thence northwesterly 102.61 feet along said westerly right of way line and the arc of a curve to the left having a radius of 60.00 feet, a chord bearing of North 42°02'16" West, a chord distance of 90.55 feet to the south right of way line of Rusholme Street; thence North 86°58'13" East a distance of 181.06 feet to the point.

WHEREAS, the City of Davenport wishes to convey the same to Genesis Health System, subject to easements and restrictions of record and existing utilities;

WHEREAS, a public hearing on the matter was held on Wednesday, June 6, 2018, as required by law;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the above-described real estate be conveyed to Genesis Health System subject to easements and restrictions of record and existing utilities; and in addition, subject to a perpetual easement granting access over the vacated right of way of the cul-de-sac for efficient provision of city services such as, but not limited to, snow and waste removal, and that utility easements be retained for current or future utility uses, and

BE IT FURTHER RESOLVED that the proposed conveyance shall be executed by the Mayor and Deputy City Clerk on behalf of the City.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, Development, 563-326-7769
Wards: 3

Action / Date
6/20/2018

Subject:
Resolution authorizing the Mayor to execute documents necessary to convey the property at 422 Perry Street to Y&J Properties, LLC (Joe Erenberger, petitioner). [Ward 3]

Recommendation:
Adopt the resolution

Relationship to Goals:
Welcoming Neighborhoods

Background:
The City acquired this vacant lot in 2009 with Federal funding (Neighborhood Stabilization Program or NSP) for the purpose of removing blight. A boarded apartment building was on the site at the time. In 2010, using the same funding source, the property was demolished. NSP requires that if the City transfers the property, it must be sold for fair market value, with the proceeds repaying the NSP fund.

In the past few years, several property owners in the adjacent block have indicated potential interest in the property, primarily for parking or other uses. The property is roughly 52' x 150'.

Per Federal requirement, the property was recently appraised and determined to have a fair market value of \$65,000. Staff contacted surrounding owners and, based upon interest, solicited offers.

The petitioner submitted an offer and would convert the vacant lot to surface parking. They are currently redeveloping several structures directly across the alley to the west of the vacant lot. The redevelopment will create new housing units and retail and would benefit from additional parking.

Approval of this resolution will authorize the Mayor and staff to execute closing documents and convey the property to the petitioner.

ATTACHMENTS:

| Type | Description |
|---------------------|------------------|
| ▣ Resolution Letter | Resolution |
| ▣ Backup Material | Map of 422 Perry |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:07 AM |

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLUTION authorizing the Mayor to execute documents necessary to convey the property located at 422 Perry Street. [Ward 3] to Y & J Properties LLC (Joe Erenberger, petitioner)

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City of Davenport is the legal owner of the vacant lot located at 422 Perry Street. See attached map; and

WHEREAS, the City of Davenport wishes to convey the property for a higher and better use than a vacant lot; and

WHEREAS, Y & J Properties, LLC desires to develop the lot into parking for new commercial and residential tenants for the adjacent property they are redeveloping; and

WHEREAS, the transfer of this property is mutually beneficial to the City and Y & J Properties, LLC; and

WHEREAS, a public hearing as required by law was held on June 20, 2018;

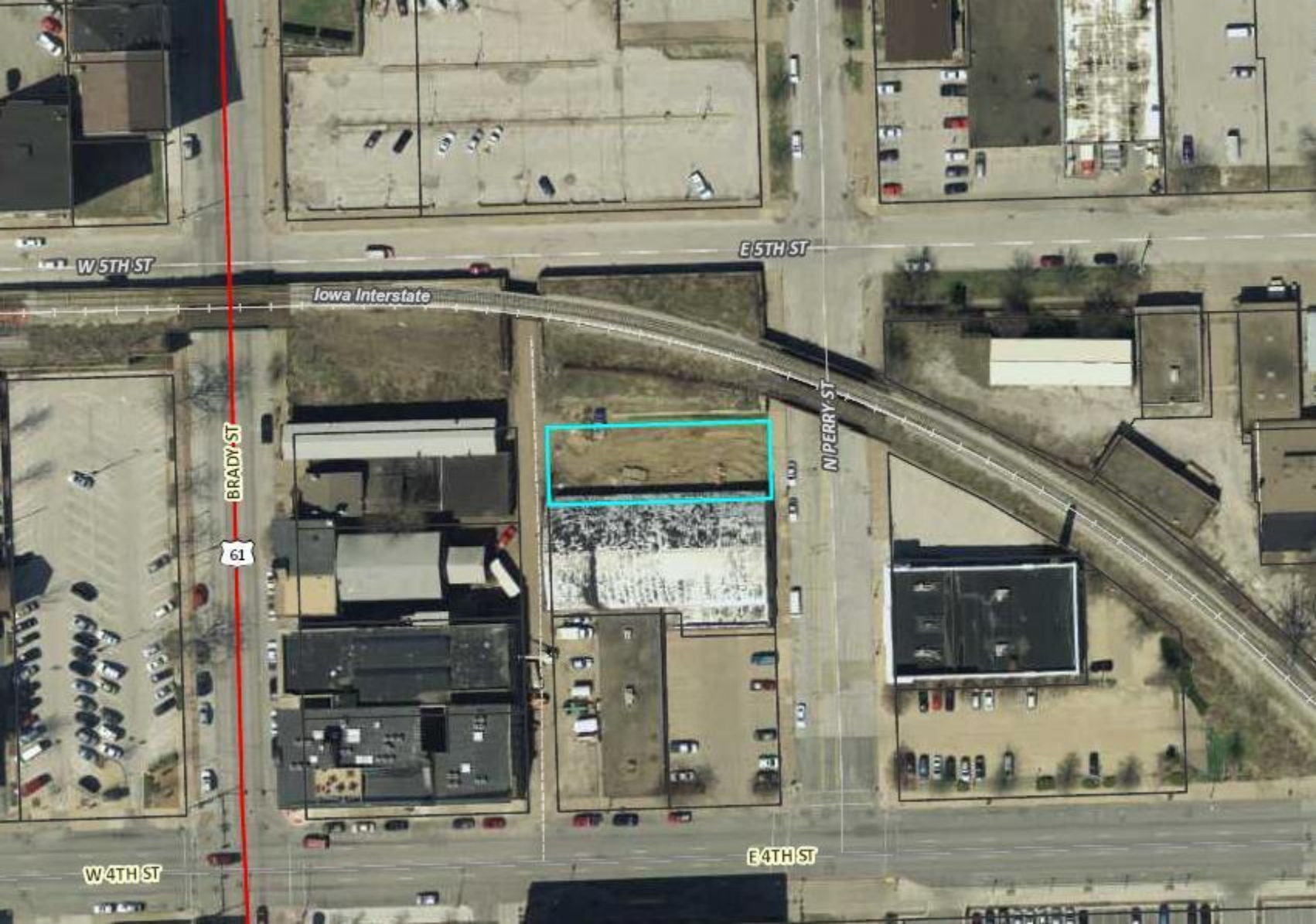
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the Mayor and City Clerk are authorized to execute all documents necessary to convey the above real estate to the respective petitioner

Attest:

Approved:

Jackie E. Holecek, CMC
Deputy City Clerk

Frank Klipsch
Mayor



City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn 563.888.2286

matt.flynn@ci.davenport.ia.us

Wards: All

Action / Date

6/20/2018

Subject:

Resolution authorizing the Mayor to sign the Certified Local Government National Register Nomination Evaluation Report Form for 1606 Brady Street.

Recommendation:

Adopt the resolution.

Relationship to Goals:

Welcome investment.

Background:

There is a request for 1606 Brady Street to be listed on the National Register of Historic Places. Having the property listed on the National Register of Historic Places would allow the use of historic tax credits for its rehabilitation.

The Historic Preservation Commission voted to recommend that the property be listed on the National Register of Historic Places at its June 12, 2018 public meeting.

ATTACHMENTS:

| Type | Description |
|-------------------|-----------------|
| ▣ Backup Material | Resolution |
| ▣ Backup Material | CLG Review Form |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:07 AM |

Resolution No. _____

RESOLUTION offered by Alderman Gripp

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the Mayor to sign the Certified Local Government National Register Nomination Evaluation Report Form for 1606 Brady Street.

WHEREAS, the listing of 1606 Brady Street on the National Register of Historic Places would allow for the utilization of historic tax credits for its rehabilitation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor is authorized to sign the Certified Local Government National Register Nomination Evaluation Report Form.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

CERTIFIED LOCAL GOVERNMENT NATIONAL REGISTER NOMINATION EVALUATION REPORT FORM

As a participant in the Certified Local Government Program (CLG), the Historic Preservation Commission is required to review and comment on proposed National Register nominations of properties within its jurisdiction. The State is required to provide the CLG with a 60-day period for the review prior to a State Nominations Review Committee (SNRC) meeting. This form must be received by the State Historic Preservation Office (SHPO) five days in advance of the State Nomination Review Committee (SNRC) meeting.

(Please print clearly)

Historic Property Name: First National Bank of Davenport

Address: 1606 Brady Street

Certified Local Government Name: City of Davenport

Date of public meeting for nomination review: June 12, 2018 Historic Preservation Commission meeting

Applicable Criteria: (Please Check the Appropriate Box)

☐ Criterion A (Historical Events)

☐ Criterion B (Important Person)

☒ Criterion C (Architecture)

☐ Criterion D (Archaeological)

Please check the following box that is appropriate to the nomination (Please print clearly).

☒ The Commission recommends that the property should be listed on the National Register of Historic Places.

☐ The Commission recommends that the property should not be listed in the National Register for the following reasons: _____

☐ The Commission chooses not to make a recommendation on this nomination for the following reasons: _____

☐ The Commission would like to make the following recommendations regarding the nomination: (use additional sheets if necessary) : _____

Official Signatures Required Below

Historic Review Board Chair or Representative

Print Name: John Frueh, Chairperson

Approved ☒ Not Approved ☐

Signature: _____

Chief Elected Official

Print Name: Frank Klipsch, Mayor

Approved ☒ Not Approved ☐

Signature: _____

Professional Evaluation

Print Name: _____

Approved ☐ Not Approved ☐

Signature: _____

City of Davenport

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

Action / Date
6/20/2018

Subject:

Resolution for Case No. F18-04 Request of Pine Partners LLC for final plat Wedgewood 10th Addition on 0.92 acres, more or less located west of North Division Street at the 5600 and 5700 blocks which is proposed to contain four (4) lots. [Ward 6] **ALDERMAN CONDON ABSTAINS**

Recommendation:

Adopt the resolution.

Relationship to Goals:

Sustainable Infrastructure

Background:

The plat is to allow for infill residential development along this portion west side of Division Street. All lots will conform to subdivision and zoning requirements. Please refer to the Commission's letter and background material for further information.

ATTACHMENTS:

| Type | Description |
|-------------------|-----------------|
| ▣ Exhibit | RES Only F18-04 |
| ▣ Backup Material | Background |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:08 AM |

RESOLUTION NO. _____

Resolution offered by Alderman Gripp

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. Request of Pine Partners LLC for final plat Wedgewood 10th Addition on 0.92 acres, more or less located west of North Division Street at the 5600 and 5700 blocks which is proposed to containing four (4) lots. [Ward 6/Tompkins]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Wedgewood 10th Addition to the City of Davenport, Iowa, be the same and is hereby approved and accepted subject to the following standard conditions as as follows:

1. The surveyor signs the plat.
 2. The utility companies sign the plat when their easement needs have been met and all easement are shown and tied to the plat by bearing/dimension.
 3. The Owner/Developer's name and address are shown.
- and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City Plan & Zoning Commission Voting Record

Meeting Date: 06-05-18

Meeting Location: Council Chambers-City Hall

APPROVED

| Name: | Roll Call | ORD18-04 Sec17.29 DRB | ORD18-02 Rockingham Corridor | P18-03 Pheasant Ridge Subdivision | F18-04 Wedgewood 10th | | | |
|----------|-----------|-----------------------------|------------------------------------|---|-----------------------------|--|--|--|
| Connell | P | Y | Y | Y | Y | | | |
| Hepner | P | Y | Y | Y | Y | | | |
| Inghram | P | | | | | | | |
| Johnson | P | Y | Y | Y | Y | | | |
| Kelling | P | Y | Y | ABS | Y | | | |
| Lammers | P | Y | Y | Y | Y | | | |
| Maness | P | Y | Y | Y | Y | | | |
| Medd | P | Y | Y | Y | Y | | | |
| Quinn | P | Y | Y | ABS | Y | | | |
| Reinartz | P | Y | Y | N | Y | | | |
| Tallman | P | Y | Y | ABS | Y | | | |
| | | 10-YES 0-NO 0-ABSTAIN | 10-YES 0-NO 0-ABSTAIN | 6-YES 1-NO 3-ABSTAIN | 10-YES 0-NO 0-ABSTAIN | | | |

June 6, 2018

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of June 5, 2018, the City Plan and Zoning Commission considered Case No. F18-04, Request of Pine Partners LLC for final plat Wedgewood 10th Addition on 0.92 acres, more or less located west of North Division Street at the 5600 and 5700 blocks which is proposed to contain four (4) lots. [Ward 6/Tompkins]

Findings:

- The proposed plat facilitates the sale and proposed development of the property
- The proposed plat generally complies with the land use portion of *Davenport+2035*
- The proposed plat promotes infill development

The City Plan and Zoning Commission accepted the findings and forwards Case No. F18-04 to the City Council for approval.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission



City of Davenport
Community Planning & Economic Development Department
FINAL REPORT

PLAN AND ZONING COMMISSION

Preview Date: June 5, 2018
Request: F18-04 Final Plat – Wedgewood 10th Addition
Address: 5600 & 5700 blocks of North Division Street
Applicant: Pine Partners LLC

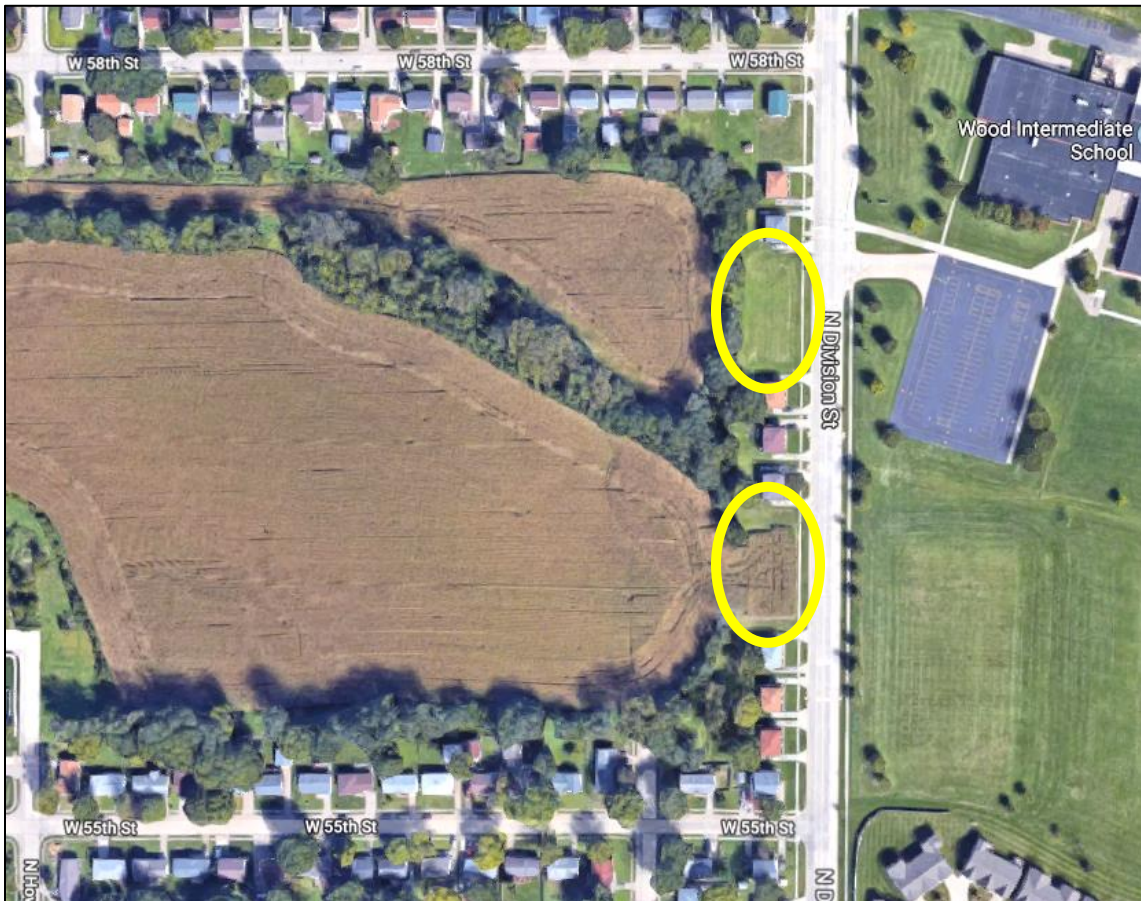
DESCRIPTION

Request of Pine Partners LLC for final plat Wedgewood 10th Addition on 0.92 acres, more or less located west of North Division Street at the 5600 and 5700 blocks which is proposed to containing four (4) lots. [Ward 6/Tompkins]

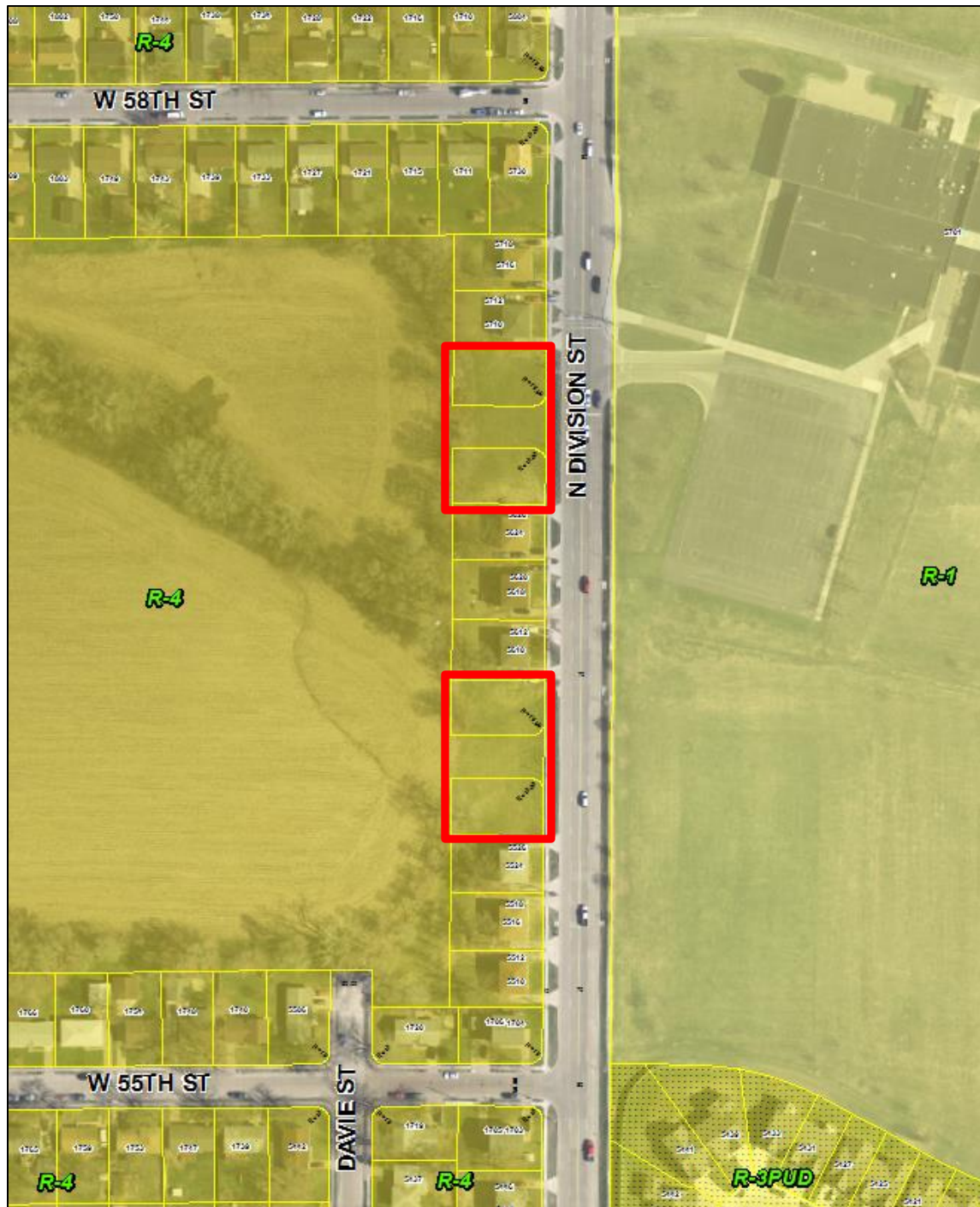
Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F18-04 to the City Council for approval.

Aerial Photo:



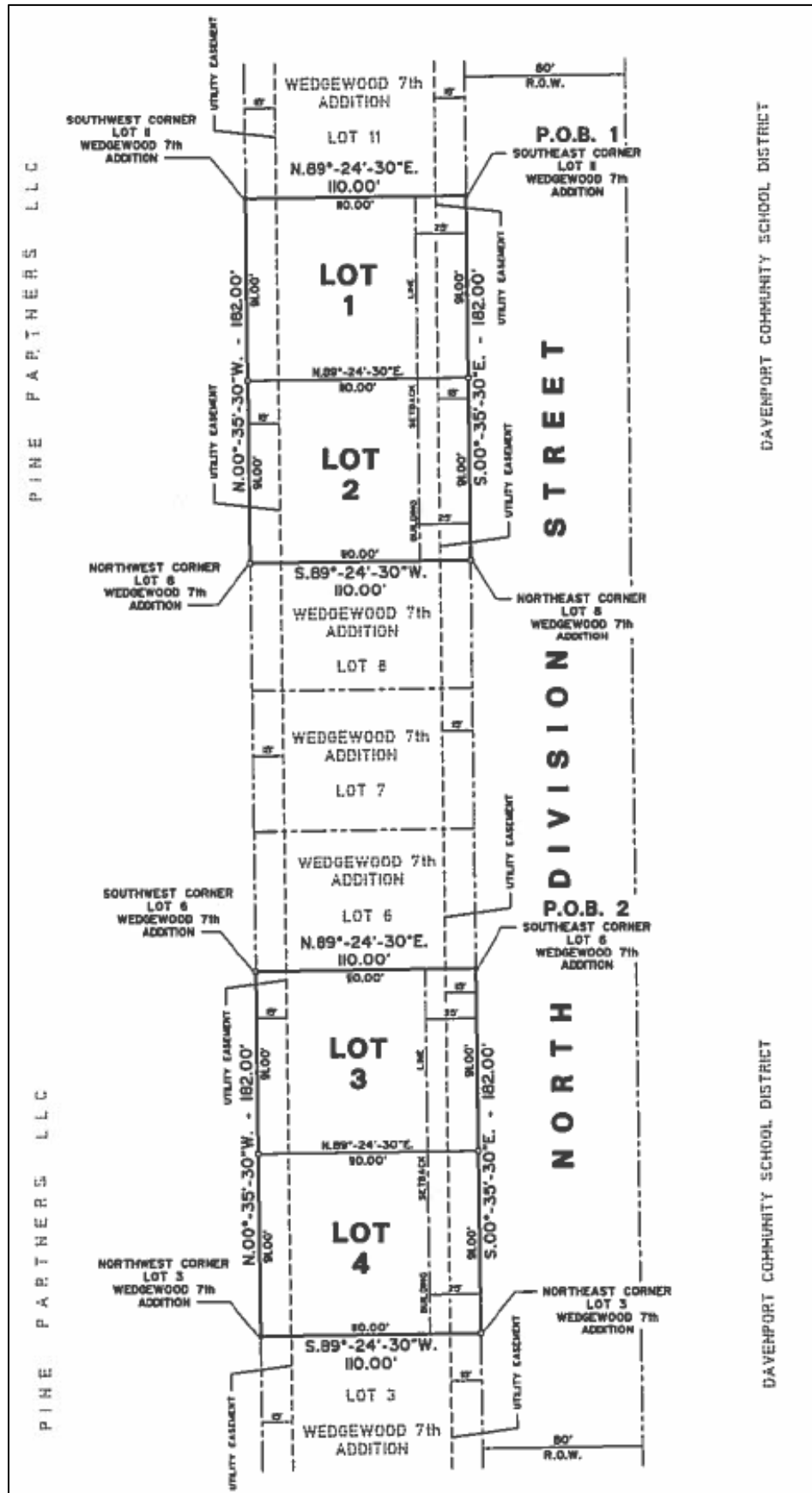
Zoning (R-4 Moderate Density Dwelling District & R-1 Low Density Dwelling District)



Land Use 2035 (Residential General & Civic & Institutional)



Plat



BACKGROUND

Comprehensive Plan:

Within Urban Service Area (USB35): Yes
Proposed Land Use Designation: RG - Residential General

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.

Relevant *Davenport+2035* Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of vacant properties through adaptive reuse and infill.*
2. *Identify and reserve land for future development*

Technical Review:

Streets. No new streets are proposed with this request.

Storm Water. The plat will need to conform to any requirements of the City of Davenport Natural Resources Division. At this time no comments have been received by planning staff.

Sanitary Sewer. Sanitary sewer service is located along Division Street. No new service will be required.

Other Utilities. This is an urban area and normal utility services are available.

Parks/Open Space. No park shall be required with this infill development.

PUBLIC INPUT This is a subdivision plat. No notification is required.

DISCUSSION

Planning Staff does has reviewed this plat and confirmed that the plat generally conforms to the requirements of the subdivision code.

STAFF RECOMMENDATION

Findings:

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

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

Prepared by:
Scott Koops, AICP – Planner II, Community Planning





226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

June 6, 2018

Developer/Owner:
Pine Partners LLC
Box 2652 Davenport, IA 52809
kcondon@melfosterco.com

Engineer:
Dave Meyer
d1m@verbeke-meyer.com

Attorney:
Jorge Gomez, Jr
gomezj@gomezmaylaw.com

Subject: City Plan and Zoning Commission action on agenda item

Dear Sirs:

Please find attached a copy of the Commission's letter of recommendation regarding your agenda item. Also enclosed with this mailing is the calendar for the processing of this item through the City Council.

A subdivision plat is a resolution requiring only one (1) consideration, ***however a subdivision plat is not submitted to City Council for their consideration until all required certificates, the signed/corrected plat, and any other required fee is submitted.***

You may verify these dates on the attached calendar by calling 563-326-7765. Once the plat is correct and/or has the signed certificates, this will go to council. We will be following the items as they are processed through City Council; therefore, you may also call on us to find out the current status as processing continues.

If you have any questions regarding the Commission's recommendation please call me at sek@ci.davenport.ia.us.

Respectfully,

A handwritten signature in black ink that reads 'Scott Koops'.

Scott Koops, AICP
Planner II
Community Planning & Economic Development

2018 PLAN & ZONING COMMISSION CALENDAR

CITY PLAN & ZONING COMMISSION SCHEDULE

CITY COUNCIL SCHEDULE

| COMMISSION PUBLIC HEARING <u>REZONING & ROW</u> <u>VACATION</u> SUBMITTAL DEADLINE (5:00 PM - Monday) | <u>DEVELOPMENT</u> <u>PLANS, SUBDIVISION</u> <u>PLATS</u> SUBMITTAL DEADLINE (5:00 PM - Monday) | CITY PLAN & ZONING COMMISSION PUBLIC HEARING (Preview for plats & plans) (5:00 PM - Tuesday) | CITY PLAN & ZONING COMMISSION MEETING (5:00 PM - Tuesday) | SUBMISSION DEADLINE FOR COUNCIL ITEMS (Noon - Monday) | COMMITTEE OF THE WHOLE MEETING (PUBLIC HEARING) (5:30 PM - Wednesday) | CITY COUNCIL MEETING (5:30 PM - Wednesday) |
|--|---|--|---|--|--|--|
| 11/13/17 | 11/27/17 | 12/05/17 | 12/19/17 | 12/22/17 | 01/03/18 | 01/10/18 |
| 11/27/17 | 12/11/17 | 12/19/17 | 01/02/18 | 01/08/18 | 01/17/18 | 01/24/18 |
| 12/11/17 | 12/21/17 | 01/02/18 | 01/16/18 | 01/29/18 | 02/07/18 | 02/14/18 |
| 12/26/17 | 01/08/18 | 01/16/18 | 02/06/18 | 02/12/18 | 02/21/18 | 02/28/18 |
| 01/16/18 | 01/19/18 | NS | 02/20/18 | 02/26/18 | 03/07/18 | 03/14/18 |
| 01/29/18 | 02/12/18 | 02/20/18 | 03/06/18 | 03/12/18 | 03/21/18 | 03/28/18 |
| 02/12/18 | 02/26/18 | 03/06/18 | 03/20/18 | 03/26/18 | 04/04/18 | 04/11/18 |
| 02/26/18 | 03/12/18 | 03/20/18 | 04/03/18 | 04/09/18 | 04/18/18 | 04/25/18 |
| 03/12/18 | 03/26/18 | 04/03/18 | 04/17/18 | 02/23/18 | 05/02/18 | 05/09/18 |
| 03/26/18 | 04/09/18 | 04/17/18 | 05/01/18 | 05/07/18 | 05/16/18 | 05/23/18 |
| 04/09/18 | 04/23/18 | 05/01/18 | 05/15/18 | 05/25/18 | 06/06/18 | 06/13/18 |
| 04/23/18 | 05/07/18 | NS | 06/05/18 | 06/11/18 | 06/20/18 | 06/27/18 |
| 05/14/18 | 05/29/18 | 06/05/18 | 06/19/18 | 06/25/18 | 07/04/18 | 07/11/18 |
| 05/29/18 | 06/11/18 | 06/19/18 | 07/03/18 | 07/09/18 | 07/18/18 | 07/25/18 |
| 06/11/18 | 06/25/18 | 07/03/18 | 07/17/18 | 07/23/18 | 08/01/18 | 08/08/18 |
| 06/25/18 | 07/09/18 | 07/17/18 | 07/31/18 | 08/06/18 | 08/15/18 | 08/22/18 |
| 07/09/18 | 07/23/18 | 07/31/18 | 08/14/18 | 08/27/18 | 09/05/18 | 09/12/18 |
| 07/23/18 | 08/06/18 | 08/14/18 | 09/04/18 | 09/10/18 | 09/19/18 | 09/26/18 |
| 08/13/18 | 08/27/18 | 09/04/18 | 09/18/18 | 09/24/18 | 10/03/18 | 10/10/18 |

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

Page 1 of 2

FINAL PLAT CERTIFICATE

I, David L. Meyer of Verbeke-Meyer Consulting Engineers, P.C., hereby certify that I am a Licensed Land Surveyor, licensed in compliance with the laws of the State of Iowa; that this plat of WEDGEWOOD TENTH ADDITION to the City of Davenport, Iowa, correctly represents a survey completed by me on April 23, 2018; that all the monuments shown thereon exist as required by the Code of Iowa and that their locations, size, type and materials are accurately shown; and that the correct legal description of said addition is as follows:

Part of the Northwest Quarter of Section 10, Township 78 North, Range 3 East of the 5th P.M., and, in part, being a replat of Lots 4, 5, 9 and 10 of Wedgewood 7th Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the southeast corner of Lot 11 of said Wedgewood 7th Addition, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 00°-35'-30" East 182.00 feet to the northeast corner of Lot 8 of said Wedgewood 7th Addition;

thence South 89°-24'-30" West 110.00 feet along the north line to the northwest corner of said Lot 8;

thence North 00°-35'-30" West 182.00 feet to the southwest corner of said Lot 11;

WEDGEWOOD TENTH ADDITION

Page 2 of 2

thence North 89°-24'-30" East 110.00 feet along the south line of said Lot 11 to the point of beginning.

ALSO INCLUDING:

Commencing at the southeast corner of Lot 6 of said Wedgewood 7th Addition, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

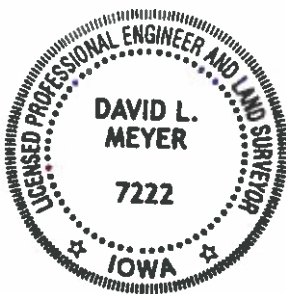
thence South 00°-35'-30" East 182.00 feet to the northeast corner of Lot 3 of said Wedgewood 7th Addition;

thence South 89°-24'-30" West 110.00 feet along the north line to the northwest corner of said Lot 3;

thence North 00°-35'-30" West 182.00 feet to the southwest corner of said Lot 6;

thence North 89°-24'-30" East 110.00 feet along the south line of said Lot 6 to the point of beginning.

The total area of the above described tracts is 0.92 acres, more or less.



VERBEKE-MEYER
CONSULTING ENGINEERS, P.C.

David L. Meyer
David L. Meyer, P.E. & L.S.
Iowa License Number 7222

HOLD HARMLESS AGREEMENT

The undersigned, Pine Partners, L.L.C., owner of the property known as Wedgewood Tenth Addition, hereby agrees to hold harmless the City of Davenport, Iowa, from any damages, claims or suits resulting from any construction or development by the owner and/or subdivider from the date of acceptance of said plat to and including the date of completion of any and all improvements made thereto.

Dated this 11th day of June, 2018

Pine Partners, L.L.C.

By: 

John Patrick Condon, Member

STATE OF IOWA, SCOTT COUNTY, SS:

On this 11th day of June, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared John Patrick Condon as Member of Pine Partners, L.L.C., personally known to me to be the same person whose name is are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.




Notary Public

CERTIFICATE AND DEDICATION OF OWNER

This is to certify that the annexed Plat and Subdivision known as Wedgewood Tenth Addition, an Addition to the City of Davenport, Iowa, is hereby made with the free consent of Pine Partners, L.L.C., as owner of the real estate described in the foregoing attached Plat and Surveyor's Certificate thereto attached, and certifies that said Plat is made in accordance with the desire of said owner.

All streets shown and not heretofore dedicated, are hereby dedicated to the City of Davenport, Iowa, for street purposes.

A perpetual easement is hereby granted to any local public utility or municipal department, their successors and assigns, within the areas shown on the plat and marked as an Easement, to install, lay, construct, renew, operate, maintain and remove conduits, cables, pipes, poles and wires with all necessary braces, guys, anchors, manholes and other equipment for the purpose of serving the subdivision and other property with the underground telephone, storm sewer, cable television, electric, gas, sanitary sewer, water or other service as a part of the respective utility systems; (Further, an overhead easement is hereby granted for those overhead utilities in existence at the time of this platting); also is granted, subject to the prior rights of the public therein, the right to use the streets and lots with underground service lines to serve adjacent lots and street lights, the right to cut down and remove or trim and keep trimmed any trees or shrubs that interfere or threaten to interfere with any of the said public utility equipment, and the right is hereby granted to enter upon the lots at all times for all of the purposes aforesaid. No permanent buildings or trees shall be placed on said area as shown on the plat and marked "Easement", but same may be used for gardens, shrubs, landscaping and other purposes that does not then or later interfere with the aforesaid uses or the rights herein granted.

Dated this 11th day of June, 2018

Pine Partners, L.L.C.

By: 

John Patrick Condon, Member

STATE OF IOWA, SCOTT COUNTY, SS:

On this 11th day of June, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared John Patrick Condon as Member of Pine Partners, L.L.C., personally known to me to be the same person whose name is are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.

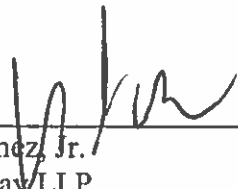



Notary Public

CERTIFICATE OF ATTORNEYS

I, Jorge Gomez, Jr., do hereby certify that, in my opinion, the fee simple title to the real estate described in the Certificate of David L. Meyer of Verbeke-Meyer Consulting Engineers, P.C., a Registered Land Surveyor, as indicated on the Final Plat of Wedgewood Tenth Addition, an Addition to the City of Davenport, Scott County, Iowa is vested in Pine Partners, L.L.C., free and clear from all mortgages, liens or other encumbrances, except for the following: None

DATED this 11th day of June, 2018.



Jorge Gomez, Jr.
Gomez May LLP
2322 East Kimberly Road, Suite 120W
Davenport, IA 52807
563.359.3591

ACCEPTANCE BY CITY OF DAVENPORT, IOWA

We, Frank Klipsch, Mayor, and Jackie E. Holecek, City Clerk of the City of Davenport, Iowa, do hereby certify that the following resolution was adopted by the City Council of the City of Davenport, Iowa, at a regular meeting held on the ____ day of _____, 2018.

“RESOLVED by the City Council of Davenport, Iowa that the Final Plat of Wedgewood Tenth Addition to the City of Davenport, Iowa as filed with the City Clerk, be and the same is hereby approved and accepted; and the dedication for public street purposes, and the granting of easements as shown on said plat are accepted and confirmed and the Mayor and the City Clerk of said City be and they are hereby authorized and directed to certify the adoption of this resolution on said plat as required by law.”

DATED at Davenport, Iowa this ____ day of _____, 2018

Frank Klipsch, Mayor
City of Davenport, Iowa

ATTEST:

Jackie E. Holecek, Deputy City Clerk
City of Davenport

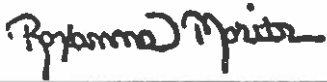
APPROVAL OF SUBDIVISION PLAT NAME
BY SCOTT COUNTY AUDITOR

Dated this 11th day of June, 2018.

The Scott County Auditor's Office has reviewed the final plat of:

Wedgewood Tenth Addition, an Addition to the City of Davenport, Iowa.

Pursuant to Iowa Code §354.6(2) and §354.11(6), we approve of the subdivision name or title and have no objections to this subdivision plat being recorded.

Signed 
Auditor of Scott County, Iowa

(SEAL)

CERTIFICATE OF COUNTY TREASURER

I, Bill Fennelly, Treasurer of Scott County, Iowa, do hereby certify that I have examined the records of said County, and find that the following described real estate, to-wit: Wedgewood Tenth Addition, an addition to the City of Davenport, Iowa, is free from taxes as of this date, except:

DATED this 11 day of June, 2018.

Bill Fennelly, Treasurer Scott County, Iowa

By: Emily Winstra

Parcel #s

W1019B33

W1003C01

W1003C05

W1003C06

W1001-15D

Prepared by and Return to: Jorge Gomez, Jr., 2322 E. Kimberly Road, Suite 120W, Davenport, IA 52807

ASSESSMENT WAIVER

The undersigned, Pine Partners, L.L.C., has this date filed with the Clerk of the City of Davenport, Iowa, the Final Plat of Wedgewood Tenth Addition, an Addition to the City of Davenport, Iowa.

It is agreed by the undersigned, its successors and assigns, that at such time as sidewalks are needed, the City of Davenport shall put in said sidewalks and assess the total cost of same in the prescribed manner against the subdivided property comprising said Wedgewood Tenth Addition, an Addition to the City of Davenport, Iowa, in accordance with the laws regarding special assessments. Said assessment shall be paid in one installment.

In accordance with the provisions of the Municipal Ordinances of the City of Davenport, Iowa, the undersigned subdivider and owner of all lots in said Wedgewood Tenth Addition, an Addition to the City of Davenport, Iowa, for itself, its grantees, representative successors, assignees and all subsequent owners of any part of said addition do hereby waive all formalities, rights of protest and rights of appeal to the ordering of said improvements and assessing the cost thereof against the subdivided property even though the cost thereof may exceed the amount that can legally be assessed by the City of Davenport against the subdivided property and agree to be responsible for such differences and agree to permit the assessment of the entire cost of all of said improvements against the subdivided property. This waiver shall become null and void at such time as the original required subdivision improvements herein referred to are completed by the undersigned at no cost to the City and accepted by the City of Davenport, Iowa, and a release of waiver is signed by the City Engineer and duly recorded.

Dated this 11th day of June, 2018

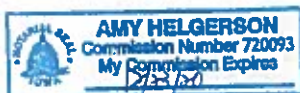
Pine Partners, L.L.C.

By: 

John Patrick Condon, Member

STATE OF IOWA, SCOTT COUNTY, SS:

On this 11th day of June, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared John Patrick Condon as Member of Pine Partners, L.L.C., personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.




Notary Public

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: ALL

Action / Date
6/20/2018

Subject:

Motion to set a public hearing for the purpose of amending the Urban Revitalization Area plans for the Central City and North Urban Revitalization Areas. [Ward All]

Recommendation:

Pass the motion.

Relationship to Goals:

Welcoming Neighborhoods.

Background:

On April 24, 2018, the City Council met in a work session to discuss the current schedules offered through the Urban Revitalization Tax Exemption (URTE) program. There was a consensus to update the schedules for all property classes in the Central and North URAs. The Council also discussed combining the 2013 and North areas and adding additional commercial and industrial areas.

The attachments show the proposed new boundaries for these areas and schedules.

Public hearing to be held at the July 3, 2018 Committee of the Whole meeting.

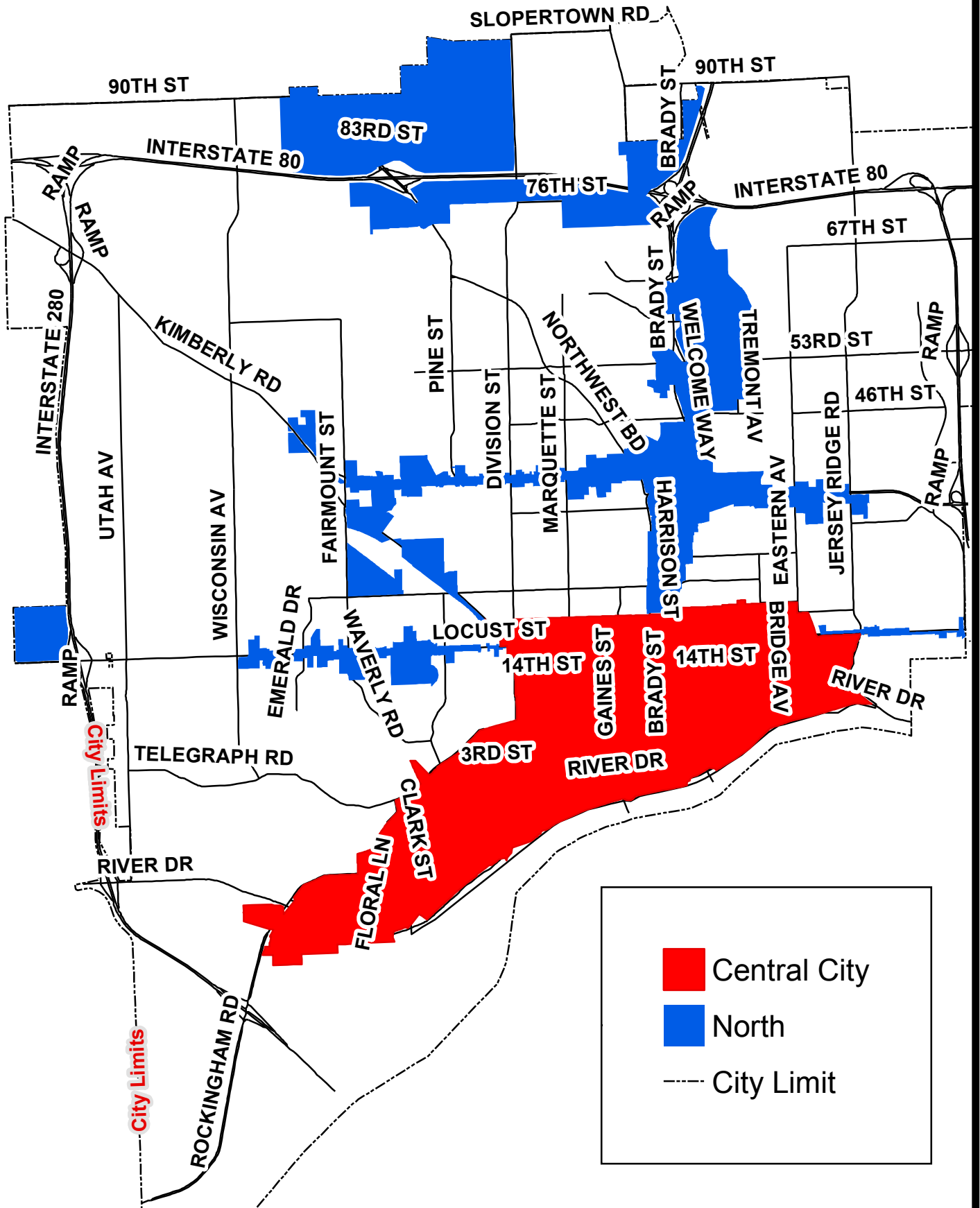
ATTACHMENTS:

| Type | Description |
|-------------------|-------------------------|
| ▣ Backup Material | Proposed URTE areas map |
| ▣ Backup Material | Proposed URTE Schedules |

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:08 AM |

Proposed URTE 2018 Areas



Proposed URTE Schedules

Central City

| Exemption Schedule | Use | How much of improvement's value is exempted? |
|--------------------|------------------------------------|--|
| C1 | Commercial & Industrial | 1st yr- 80% 2nd yr- 70% 3rd yr- 60% 4th yr- 50% 5th & 6th yr- 40% 7th & 8th yr- 30% 9th & 10th yr- 20% |
| C2 | Commercial & Industrial | 100% for 3 years |
| C3 | Residential and Multi- Residential | 100% for 10 years |

North Area

| Exemption Schedule | Use | How much of improvement's value is exempted? |
|--------------------|--|--|
| N1 | Residential, Multi- Residential, Commercial & Industrial | 1st yr- 80% 2nd yr- 70% 3rd yr- 60% 4th yr- 50% 5th & 6th yr- 40% 7th & 8th yr- 30% 9th & 10th yr- 20% |
| N2 | Residential, Multi- Residential, Commercial & Industrial | 100% for 3 years |

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Rita Pribyl 326-6171
Wards: All

Action / Date
6/20/2018

Subject:
Motion approving the Annual Action Plan, for Year 44 (July 1, 2018 - June 30, 2019) for the CDBG and HOME Programs, the revised Citizen Participation Plan, and the updated CAC recommendations for CDBG allocations. [Ward All]

Recommendation:
Approve the motion

Relationship to Goals:
Welcoming Neighborhoods

Background:
Each year, the City must submit an Annual Action Plan (AAP) to the Department of Housing and Urban Development (HUD). This plan is required to receive Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds. This plan will cover the city fiscal year from July 1, 2018 through June 30, 2019, which is the fourth year of the City's current Five Year Consolidated Plan.

The AAP identifies the local objectives to be addressed, which were approved by Council at the October 18, 2017 meeting; and the allocations of the federal entitlement funds in the fiscal year July 1, 2018 through June 30, 2018 for that year.

The AAP includes the revised Citizen Participation Plan, which sets forth the steps used to encourage citizen participation in the development of the Plan, any substantial amendments to the Plan, and the performance report. Revisions of the Citizen Participation Plan are necessary to meet changes in federal regulations, particularly with regard to the recently postponed requirement for an Assessment of Fair Housing under HUD's Affirmatively Furthering Fair Housing rule.

Year 44 CDBG allocations

- On March 5, 2018, the Citizens' Advisory Committee (CAC) reviewed applications for Year 44 CDBG funds and made funding recommendations using an estimated entitlement amount.
- On March 28, 2018, City Council approved the CAC's recommendations.
- On May 1, 2018, HUD announced the actual allocation amounts for the CDBG and HOME grants; Davenport's actual CDBG allocation is \$1,401,803, which exceeds the estimated amount by \$201,803. Davenport's actual HOME allocation is \$494,401, which exceeds the estimated amount by \$132,509.
- On May 7, 2018 the CAC met to allocate the additional CDBG funds to the Year 44 applicants. the CAC met to recommend allocating the additional funds. Following past procedure, the CAC allocated the additional funds to Year 44 applicants which were recommended for funding but not fully funded. The public services category was funded to the maximum allowed under HUD regulations. The remainder was allocated to the non-

public services category.

- On May 21, 2018, Salvation Army publically announced that they would be closing their shelter/transitional housing program as of June 30, 2018. That was the program for which they had previously submitted a CDBG application and been recommended for funding for the year beginning July 1, 2018. The agency requested that they be allowed to utilize the CDBG funds awarded for their new initiative of homelessness prevention. To accommodate this request Staff requested and, on May 25, 2018, Salvation Army submitted, a new CDBG application for the homelessness prevention program, which is expected to begin operations at a new location in Davenport on October 1, 2018.
- On June 4, 2018, the CAC met to review Year 44 CDBG allocations in light of Salvation Army's planned changes. At the meeting, the CAC voted in favor of accepting for consideration Salvation Army's application outside of the regular application period. The CAC voted to recommend funding for Salvation Army's homelessness prevention program with the following conditions:
 - Salvation Army will be recommended for $\frac{3}{4}$ of the requested amount, due to the fact that the new location is not expected to be open and operating during the first quarter of the program year. Funding made available by this change is being directed to Humility of Mary Shelter & Housing to help offset the increased demand for their services with the closure of Salvation Army's existing shelter/transitional housing program.
 - Salvation Army has stated that the new location is expected to open by October 1, 2018. For each month past October 1 that the new location is not open and operating, the recommended grant award will be reduced by \$2,520, with the same amount being directed to Humility of Mary Shelter & Housing to help offset the increased demand for their services with the closure of Salvation Army's existing shelter/transitional housing program.
 - Salvation Army has not announced the location of the new operation. If the location is not in Davenport, no CDBG funds can be awarded, and the recommended amount for Salvation Army will instead come back to the CAC for reallocation to other eligible CDBG activities.

The draft Annual Action Plan was available for public comment from April 19 through May 25, 2018; no comments were received. The estimated Year 44 allocation amounts were the subject of a public hearing on March 21, 2018, no comments were received and no new programs have been funded since then nor have any programs been eliminated, therefore, an additional public hearing is not required.

Attached is a summary of the updated recommendation allocations which includes the updated allocation recommendations made by the CAC at their May 7th and June 4th meetings as well as a summary of activities to be funded.

Approvals of this motion will approve the updated Year 44 Annual Action Plan (which includes the updated allocation recommendations made by the CAC at their May 7th and June 5th meetings), the revised Citizen Participation Plan and also authorize the City Administrator or her designees to sign necessary documents and agreements.

ATTACHMENTS:

| Type | Description |
|-------------------|-------------------------------|
| □ Backup Material | CDBG YR 44 Allocation summary |

REVIEWERS:

| Department | Reviewer | Action | Date |
|--|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:08 AM |

Year 44 (July 1, 2018 – June 30, 2019) CDBG Recommendations

Based on estimates – HUD formula allocations not yet announced

Public Service Programs

This category is capped by HUD regulation. The maximum available under the cap for public services has been recommended by the CAC.

| AGENCY | CDBG FUNDED PURPOSE/SERVICES | PROGRAM | PROPOSED ALLOCATION AMOUNT |
|---|--|------------------------------------|----------------------------|
| BIG BROTHERS/ BIG SISTERS OF THE QUAD CITIES | Provides adult mentoring for children | ADULT MENTORING | \$30,000 |
| BOYS & GIRLS CLUBS OF THE IOWA MISSISSIPPI VALLEY | Provides recreation, education, cultural arts and leadership programs | DAVENPORT PROGRAMS | \$35,000 |
| FAMILY RESOURCES | Provides individual and family therapy; counseling; domestic violence advocacy program and shelter; and crisis intervention. | DOMESTIC VIOLENCE | \$35,000 |
| FRIENDLY HOUSE | Provides recreational and educational activities for youth year-round | RECREATION & EDUCATION | \$28,291 |
| HUMILITY OF MARY HOUSING & SHELTER, INC. | Provides shelter, transitional and supportive housing and services | SHELTER & SUPPORTIVE HOUSING | \$47,602 |
| PROJECT RENEWAL | Provides after school program with social, recreational, educational Activities | AFTER SCHOOL PROGRAM | \$31,428 |
| SALVATION ARMY HOMELESSNESS PREVENTION* | Provides counseling, referrals, case management services and emergency financial assistance to keep families with children in their existing housing and/or to fund emergency housing. | EMERGENCY SHELTER | \$22,679 |
| VERA FRENCH COMM MENTAL HEALTH CTR. | Provides supportive services to Vera French Housing Corp tenants | TENANT SUPPORT SERVICES | \$20,000 |
| PUBLIC SERVICE TOTAL: | | | \$250,000 |

*Salvation Army applied for funding for the Family Service Center in January 2018. In May 2018 they announced they would be closing the Family Service center and switching to a Homelessness Prevention model. They submitted an application for the adjusted service which was considered by the CAC at the June meeting. CAC reduced its recommendation by 25% to account for the new location's projected start date of October 1. The CAC placed two other conditions on the funding: 1) For each month past the expected opening date of October 1 that the new location does not open, Salvation Army's grant will be reduced by \$2,520, with the funds being directed to Humility of Mary; 2) If the new location is not in Davenport, no CDBG funding will be awarded to Salvation Army.

Year 44 (July 1, 2018 – June 30, 2019) CDBG Recommendations and HOME funds

Non-Public Service Programs

The amount recommended for Planning & Administration is below the HUD regulatory cap for that category.
No other non-public service programs are capped by HUD.

| AGENCY | CDBG FUNDED PURPOSE/SERVICES | PROGRAM | PROPOSED ALLOCATION AMOUNT |
|---|---|--|----------------------------------|
| PLANNING & ADMINISTRATION | | | |
| COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED) | Coordinates, administers, and monitors CDBG program; prepares reports and plans required by HUD; prepares needs assessments and other planning efforts including historic and environmental studies and coordination with neighborhood groups on planning Activities | CDBG STAFF & OPERATIONS | \$249,845 ¹ |
| ECONOMIC DEVELOPMENT: | | | |
| CPED ECONOMIC DEVELOPMENT FUND | Formulation, coordination, and implementation of local economic development strategies | STAFF | \$0 ² |
| | | ECONOMIC DEVELOPMENT FUND | \$75,000 |
| HOUSING: | | | |
| CPED HOUSING REHABILITATION/ NEIGHBORHOOD REVITALIZATION FUND | Provides financing for rehabilitation and purchase of housing; elimination of blight; infrastructure in low and moderate income areas and accessibility improvements. | STAFF | \$376,958 ³ |
| | | CITY REHAB LOANS/ GRANTS/RELOCATION | \$450,000 |
| | | HOME STAFF & OPERATIONS | \$49,440 |
| | | HOME LOANS / GRANTS | \$444,961 |
| NON PUBLIC SERVICE TOTAL: | | | \$1,151,803 |
| HOME TOTAL: | | | \$494,401 |

¹ \$0 in CDBG Program Income for grant administration

² \$65,548 in Economic Development Revolving Loan Fund Program Income for program delivery

³ \$45,300 in Housing Rehabilitation Revolving Loan Fund Program Income for program delivery

CDBG YR 44 APPLICATION SUMMARY
July 1, 2018 to June 30, 2019

| | <u>YEAR 44</u> <u>AGENCY</u> <u>REQUESTED</u> | <u>YEAR 44</u> <u>COUNCIL</u> <u>APPROVED</u> <u>03/28/18</u> | <u>YEAR 44</u> <u>CAC</u> <u>RECOMMENDED</u> <u>05/07/18*</u> |
|--|---|--|--|
| ADMINISTRATION | | | |
| City Administration/Planning** | EN \$240,000 PI \$9,845 | EN \$240,000 PI \$9,845 | EN \$249,845 PI \$0 |
| EN SUBTOTAL | \$240,000 | \$240,000 | \$249,845 |
| ECONOMIC DEVELOPMENT | | | |
| City Economic Development Fund | \$75,000 | \$75,000 | \$75,000 |
| SUBTOTAL | \$75,000 | \$75,000 | \$75,000 |
| HOUSING | | | |
| City Housing Progs. Staff & Operations** | EN \$241,245 PI \$181,013 | EN \$241,245 PI \$181,013 | EN \$376,958 PI \$45,300 |
| City Housing Rehab & Neighborhood Revitalization | \$450,000 | \$423,755 | \$450,000 |
| SUBTOTAL | \$691,245 | \$665,000 | \$826,958 |
| PUBLIC SERVICES | | | |
| Big Brothers/Big Sisters of Q.C. | \$30,000 | \$26,383 | \$30,000 |
| Boys & Girls Club | \$35,000 | \$28,412 | \$35,000 |
| Family Resources DV Services | \$35,000 | \$32,067 | \$35,000 |
| Friendly House Year-Round Youth Program | \$28,291 | \$28,291 | \$28,291 |
| Humility of Mary Shelter & Housing | \$61,589 | \$23,797 | \$35,281 |
| Project Renewal | \$31,428 | \$30,811 | \$31,428 |
| Salvation Army Family Service Center | \$35,000 | \$30,239 | \$35,000 |
| Vera French Community Mental Health | \$20,000 | \$20,000 | \$20,000 |
| SUBTOTAL | \$276,308 | \$220,000 | \$250,000 |
| ALL PROGRAMS TOTAL | \$1,282,553 | \$1,200,000 | \$1,401,803 |
| Projected Year 44 Entitlement Amount | \$ | 1,200,000 | \$ 1,401,803 |
| Projected plng/admin cap | \$ | 320,000 | \$ 360,361 |
| Projected public service cap | \$ | 220,000 | \$ 250,000 |
| (cap calculations include program income) | | | |

* \$201,803 in additional entitlement over estimated

** These changes do not represent increases in overall funding. Rather, the changes represent a redistribution of the existing award between program income and entitlement funds because the City's grant award from HUD is higher than was originally estimated. The initial allocation included requests to use program income generated by the City's CDBG funded revolving loan funds towards the administrative, staff, and supplies expenses of those programs. With the increased entitlement amount from HUD, CAC recommends that the distribution of expenses between entitlement and program income funds be shifted to allow more of the program income generated by the revolving loan funds to remain in the programs that generated them, funding eligible projects.

CAC also recommends that \$65,548 in program income from the economic development revolving loan fund be used for program delivery for the Economic Development fund.

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 563-326-7769
Wards: ALL

Action / Date
6/20/2018

Subject:

Motion authorizing staff to notify the Department of Housing & Urban Development of its intent to allocate \$2.6 million to its Community Development Block Grant line of credit that can be utilized for various eligible projects including those consistent with urban revitalization. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Vibrant region.

Background:

Each year, the U.S. Department of Housing and Urban Development (HUD) provides Community Development Block Grant (CDBG) dollars to the City. These funds must primarily benefit low- to moderate-income areas or beneficiaries. From roughly 1978 through 2015, the City provided CDBG funding to Neighborhood Housing Services (NHS) as a subrecipient.

Among other activities, NHS primarily used the funds to make loans to homebuyers/owners. Over the years, the principle amount of those loans grew to roughly \$2.6 million.

Over the past decade, NHS encountered challenges in complying with the federal requirements. By 2015, NHS was notified that the City would not enter into a Subrecipient Agreement due to increasing risk to the City. When Subrecipient Agreements are not renewed, HUD requires that any existing assets (such as loan portfolios) must revert to the City. NHS opposed this due to subsequent lender involvement and the loss of the future stream of revenue.

With the goals of allowing NHS to avoid the far reaching federal requirements, mitigating the City's existing and future financial exposure due to potential compliance challenges, and disentangling from financial partnering, multiple attempts at workout solutions have not been successful.

Recent communication from HUD has outlined two options for the City to consider. Only one of the options meets the above objectives of both the City and NHS. It entails replenishing the City's CDBG line of credit. Doing so will end NHS' federal obligations and allow them to retain their portfolio. From the City's perspective, this solution would move funding from an unrestricted source, such as local option sales tax or bond proceeds, to a restricted source (CDBG in this case). Rather than losing the funding, the City can then focus the CDBG dollars on infrastructure in low- to moderate-income areas, a goal of recent Urban Revitalization planning.

HUD has tentatively offered to allow the replenishment to occur over a three year period. Approval of this resolution will commit the City to this option and authorize staff to execute necessary documents with HUD. Further, this approval directs staff to prepare a settlement agreement with NHS which at a minimum establishes a permanent ban on any

allocation of City-administered federal funding to NHS or their principals, as well as a five-year prohibition on the provision of any City funding to NHS or their principals.

Staff anticipates future discussion with Council on which funding sources will be impacted and how to prioritize the reinvestment of the CDBG dollars.

REVIEWERS:

| Department | Reviewer | Action | Date |
|---|----------------|----------|----------------------|
| Community Planning & Economic Development | Admin, Default | Approved | 6/19/2018 - 11:09 AM |

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Gary Statz (563) 326-7754
Wards: 8

Action / Date
5/16/2018

Subject:
Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled
"Intersection Traffic Signals" by adding Division Street at 76th Street. [Ward 8]

Recommendation:
Approve the ordinance.

Relationship to Goals:
Sustainable Infrastructure.

Background:
Signalization at the intersection of 76th and Division is part of the 76th Street project. The work involves the extension of 76th Street so that it connects Northwest Boulevard to Division Street. Traffic signal warrants are expected to be met after the completion of this project. The signals will be especially helpful for the extra truck traffic that will cross there.

ATTACHMENTS:

| Type | Description |
|-------------|------------------------------|
| ▣ Ordinance | PS_ORD_Division at 76th_pg 2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 9:58 AM |

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIV INTERSECTION TRAFFIC SIGNALS THERETO BY ADDING DIVISION STREET AT 76TH STREET.

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

Section 1. That Schedule XIV Intersection Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Division Street at 76th Street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Jackie Holecek, MMC
Deputy City Clerk

City of Davenport

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

Action / Date
6/6/2018

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

7G Distributing LLC, 3200 Research Parkway, July 7, 2018, 12:00 PM to 5:00 PM: Closure
Location: Research Parkway from Research Drive to Hillandale (one lane for overflow parking)
[Ward 8]

Barrel House, 211 East 2nd Street, Bix Celebration, July 26-29, 3:00 p.m. to 1:00 a.m., Closure
Location: East 2nd Street between Perry and Pershing Streets [Ward 3]

Me & Billy's, 200 West 3rd Street, Bix Celebration, July 28-29, 7:00 a.m. to 8:00 a.m., Closure
Location: West 3rd Street between Main and Harrison Streets in front of 200 West 3rd Street
[Ward 3]

The Office, 116 West 3rd Street, Bix Celebration, July 28-29, 8:00 a.m. to 2:00 a.m., Closure
Location: West 3rd Street between Brady and Main Streets in front of 116 West 3rd Street [Ward 3]

Recommendation:
Approve the resolution.

Relationship to Goals:
Vibrant Region and Support Small Business

ATTACHMENTS:

| Type | Description |
|--------------|-------------|
| ▣ Cover Memo | Resolution |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 9:58 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: 7G Distributing LLC

Event: Open House

Date: July 7th

Time: Noon to 5:00 p.m.

Closure Location: Research Parkway from Research Drive to Hillandale (one lane only for overflow parking)

Ward: 8

Entity: Barrel House

Event: Bix Celebration

Date: July 26 – 29th

Time: 3:00 p.m. to 1:00 a.m.

Closure Location: East 2nd Street between Perry and Pershing Streets

Ward: 3

Entity: Me & Billy's

Event: Bix Celebration

Date: July 28th – July 29th

Time: 7:00 a.m. to 8:00 a.m.

Closure Location: West 3rd Street between Main and Harrison Streets in front of 200 W. 3rd Street

Ward: 3

Entity: The Office

Event: Bix Celebration

Date: July 28th – July 29th

Time: 8:00 a.m. to 2:00 a.m.

Closure Location: West 3rd Street between Brady and Main Streets in front of 116 W. 3rd Street

Ward: 3

Approved this 27th day of June, 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: 3

Action / Date

Subject:
Motion approving the Special Occurrence Permit for Mac's Tavern to allow a food truck operate outside their premise on the public right-of-way Monday through Thursday 10 pm to 2 am and Friday and Saturday from 10 pm to 2 am.

Recommendation:
Approve the request.

Relationship to Goals:
Vibrant Region and Support Small Business

Background:
For several years Karoumia Grill has operated outside Mac's tavern and they would like to do this again in 2018. Twelve notices were sent to surrounding businesses and no objections have been filed.

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 9:58 AM |

City of Davenport

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

Action / Date
6/20/2018

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

Circle Tap, 1345 W. Locust Street, Wheeler Wedding, July 6, 2018, 8:00 p.m. to 12:00 a.m.,
Over 50 dBa, [Ward 4]

Dam View Inn, 410 East 2nd Street, Bix Party, July 27-28, 7:00 a.m. to 12:00 a.m., Over 50 dBa,
[Ward 3]

Barrel House, 211 East 2nd Street, Bix Bash, July 28-29, 8:00 a.m. to 1:00 a.m., Over 50 dBa,
[Ward 3]

Me & Billy, 200 West 3rd Street, Bix Party, July 28-29, 9:00 a.m. to 2:00 a.m., Over 50 dBa,
[Ward 3]

The Office, 116 West 3rd Street, Bix Party, July 28-29, 8:00 a.m. to 2:00 a.m., Over 50 dBa,
[Ward 3]

Recommendation:
Approve the motion.

Relationship to Goals:
Vibrant Region

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 9:58 AM |

City of Davenport

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

Action / Date
6/20/2018

Subject:

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

Ward 3

Mississippi Valley Blues Fest (Mississippi Valley Blues Society) - 400 W Beiderbecke Dr.
(LeClaire Park) OR Harrison St. south of 2nd Street - Outdoor Area July 6 - 7, 2018 "Blues Fest"
- License Type: B Beer

Recommendation:

Consider the license applications.

Relationship to Goals:

Welcoming neighborhoods.

Background:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|---------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 9:58 AM |

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Ron Hocker 327-5169
Wards: All

Action / Date
6/20/2018

Subject:
Resolution of acceptance for the FY2016 Contract Sewer Repair Program for Hagerty Earthworks, LLC, of Muscatine, IA. [All Wards]

Recommendation:
Pass the resolution

Relationship to Goals:
Sustainable Infrastructure

Background:
This program is to repair damages to sewer infrastructure by contract. All work has been satisfactorily completed. The total cost was \$499,673.40 paid out of CIP #30002 and #33001.

ATTACHMENTS:

| Type | Description |
|--------------|-------------|
| ▣ Cover Memo | Resolution |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/14/2018 - 10:43 AM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 10:43 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 10:56 AM |

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION of acceptance for the FY2016 Contract Sewer Repair Program for Hagerty Earthworks, LLC, of Muscatine, IA.

WHEREAS, the FY2016 Contract Sewer Repair Program has been satisfactorily completed:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the FY2016 Contract Sewer Repair Program, which work was completed by Hagerty Earthworks, LLC, of Muscatine, IA, having been satisfactorily completed, be and the same is hereby formally accepted. The final cost totals \$499,673.40.

Passed and approved this 27th day of June, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Sandy Doran;(563) 325-7756
Wards: All

Action / Date
6/20/2018

Subject:
Resolution of acceptance for the FY2018 Sewer Lining Program Phase II from Municipal Pipe Tool Co, LLC of Hudson, IA. Final project cost was \$527,153.71 budgeted in CIP #30036. [All Wards]

Recommendation:
Pass the resolution.

Relationship to Goals:
Sustainable Infrastructure

Background:
Work has been satisfactorily completed by Municipal Pipe Tool Co., Inc., Hudson, Iowa. 11,660 L.F. of lining was completed. The final cost for the project was \$527,153.71.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------|
| ▣ Resolution Letter | PW_RES pg2 |

REVIEWERS:

| Department | Reviewer | Action | Date |
|----------------------------|----------------|----------|----------------------|
| Public Works - Engineering | Lechvar, Gina | Approved | 6/13/2018 - 12:33 PM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 10:42 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 10:55 AM |

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION of acceptance for the FY2018 Sewer Lining Program Phase II from Municipal Pipe Tool Co, LLC of Hudson, IA. Final project cost was \$527,153.71 budgeted in CIP #30036.

WHEREAS, the City of Davenport entered into a contract with Municipal Pipe Tool Co., Inc., Hudson, Iowa; and

WHEREAS, work on the project has been satisfactorily completed

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa: that the FY2018 Sewer Lining Program Phase II Program is hereby accepted.

Passed and approved this 27th day of June, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brad Guy
Wards: All

Action / Date
6/20/2018

Subject:
Resolution approving the contracts for the FY2019 Sewer Lateral Repair and Nuisance Repair program from six contractors in the total amount of \$870,000 and authorizing the Mayor to sign and manage any related agreements. CIP #30042 [All Wards]

Recommendation:
Pass the Resolution.

Relationship to Goals:
Sustainable Infrastructure.

Background:
A Request for Bid was issued on April 18, 2018 and was sent to 281 contractors. On May 18, 2018 the Purchasing Division received and opened six responsive and responsible bids.

This work will provide a stable and more reliable sanitary sewer system for the residents of Davenport. This program will also update old materials and connections to help reduce the amount of I&I into Davenport's sanitary collection system, as well as reducing the potential for future sink holes on private property and within city right-of-way.

The following list are the contractors that have agreed to the City's determined fair and reasonable pricing:

Petersen Plumbing & Heating: \$300,000
Hometown Plumbing & Heating Co., Inc.: \$200,000
Tappendorf Plumbing: \$120,000
River Bend Plumbing: \$100,000
Hagerty Earthworks: \$100,000
Triton Plumbing: \$50,000

Funding for this program is from CIP #30042.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------|
| □ Resolution Letter | Resolution Letter |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|-----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Rejected | 6/14/2018 - 11:59 AM |
| Public Works - Admin | Whitaker, Cindy | Approved | 6/14/2018 - 12:02 PM |
| Public Works - Admin | Lechvar, Gina | Approved | 6/14/2018 - 12:07 PM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 12:07 PM |

City Clerk

Admin, Default

Approved

6/14/2018 - 2:57 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contracts for the FY2019 Sewer Lateral Repair and Nuisance Repair program from six contractors in the total amount of \$870,000 and authorizing Mayor Frank Klipsch to sign and manage any related agreements.

WHEREAS, the City needs to contract the sewer lateral repair and nuisance water repair program and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation an award to Petersen Plumbing & Heating: \$300,000;
Hometown Plumbing & Heating: \$200,000; Tappendorf Plumbing: \$120,000;
River Bend Plumbing: \$100,000; Hagerty Earthworks: \$100,000;
Triton Plumbing: \$50,000.;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contracts for FY2019 Sewer Lateral Repair and Nuisance Water Repair program from six contractors is hereby approved; and
2. Mayor Frank Klipsch is authorized to sign and manage any related agreements;

Attest:

Approved:

Jackie E. Holecek, CMC
Deputy City Clerk

Frank Klipsch
Mayor

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Tom Vesalga 326-7783
Wards: 8

Action / Date
6/20/2018

Subject:
Resolution approving the contract for the Davenport Municipal Airport Runway 15/33 Reconstruction project from Langman Construction, Inc. of Rock Island, IL in the amount of \$6,709,394.52 and authorizing Mayor Frank Klipsch to sign and manage any related agreements. CIP #20010 [Ward 8]

Recommendation:
Pass the Resolution.

Relationship to Goals:
Sustainable Infrastructure.

Background:
A Request for Bid was issued on May 16, 2018 and was sent to 452 contractors and suppliers. On June 12, 2018 the Purchasing Division received and opened four responsive and responsible bids.

The Airport 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.

McClure Engineering Co. prepared the plans and specifications for this project.

Funding for this project will come from a FAA grant of 90% with a local match of 10%.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------|
| ▣ Resolution Letter | Resolution Letter |
| ▣ Backup Material | Bid Tab |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/14/2018 - 11:58 AM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 11:58 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 11:58 AM |

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Davenport Municipal Airport Runway 15/33 Reconstruction project from Langman Construction, Inc. of Rock Island, IL in the amount of \$6,709,394.52 and authorizing Mayor Frank Klipsch to sign and manage any related agreements.

WHEREAS, the City needs to contract the project Davenport Municipal Airport Runway 15/33 Reconstruction project and

WHEREAS, the applicable purchasing process was followed resulting in a recommendation to award to Langman Construction, Inc.;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contract for Davenport Municipal Airport Runway 15/33 Reconstruction project from Langman 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: DAVENPORT MUNICIPAL AIRPORT RUNWAY 15/33
RECONSTRUCTION

BID NUMBER: 18-133

OPENING DATE: JUNE 12, 2018

RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN CONSTRUCTION,
INC OF ROCK ISLAND, IL

| <u>VENDOR NAME</u> | <u>LOCATION</u> | <u>AMOUNT</u> |
|------------------------------|-----------------|----------------|
| LANGMAN CONSTRUCTION, INC | ROCK ISLAND, IL | \$6,709,394.52 |
| VALLEY CONSTRUCTION COMPANY | ROCK ISLAND, IL | \$7,198,685.30 |
| MCCARTHY IMPROVEMENT COMPANY | DAVENPORT, IA | \$7,400,062.50 |
| MANATT'S, INC. | DAVENPORT, IA | \$7,887,152.93 |

Prepared By

Purchasing

Approved By

Department Director

Approved By

Budget/CIP

Approved By

Finance Director

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: John Powell; (563) 888-2150
Wards: All

Action / Date
6/20/2018

Subject:
Resolution accepting a grant from the Iowa Department of Transportation and the Federal Transit Administration in the amount of \$1,370,388 to provide transportation alternatives during the I-74 Bridge Reconstruction. [All Wards]

Recommendation:
Approve the resolution

Relationship to Goals:
Fiscal Vitality

Background:
To help reduce bridge traffic during the replacement of the I-74 Bridge Corridor, the Quad Cities transit systems have identified two express commuter routes that would provide commuters with a reliable option for cost-effective transportation and reduce the number of vehicles crossing the bridge thereby further enhancing congestion mitigation efforts.

Davenport CitiBus would be responsible for operating these routes this grant assistance will pay for the rehabilitation of four CitiBus transit vehicles, marketing by MetroLINK, and operating costs wages and wage related fringes.

The cost for the 18 month service is estimated at \$1,680,119 and funded by the grant Davenport CitiBus received and a State of Illinois grant received by MetroLink.

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/14/2018 - 12:39 PM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 12:39 PM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 2:57 PM |

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport.

Resolution accepting a grant from the Iowa Department of Transportation and the Federal Transit Administration in the amount of \$1,370,388 to provide transportation alternatives during the I-74 Bridge Reconstruction.

Whereas, the City of Davenport received a grant in the amount of \$1,370,388 from the Iowa Department of Transportation and the Federal Transit Administration; and

Whereas, this agreement is to be in effect from October 1, 2018 through March 31, 2020.

Now, Therefore, Be It Resolved, by the City Council of the City of Davenport, Iowa: that the grant is hereby accepted.

Passed and approved this 27th day of June, 2018.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

**TRANSIT JOINT PARTICIPATION AGREEMENT
TO IMPLEMENT A FEDERAL TRANSIT ADMINISTRATION (FTA)
CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ)
[CFDA 20.507]**

WHEREAS, the Iowa Department of Transportation (hereinafter called the DEPARTMENT) has, in accordance with Chapter 324A of the Code of Iowa, secured a grant under 49 U.S.C. 5307 from the Federal Transit Administration on behalf of Iowa public transit systems, and

WHEREAS, the **City of Davenport (Citibus)** (hereinafter called the AGENCY) has been duly designated as a public transit system by local officials, in accordance with Chapter 324A of the Code, and

WHEREAS, Federal Transit Administration Grant IA-2018-007-01-00 (CMAQ -- executed by FTA on 5-9-18) includes the project detailed below, programmed for the AGENCY for the Federal Fiscal Year 2019:

| | | | Iowa | | |
|-----------|-----------------------|------------------------|-----------------------|-------------------|-------|
| Service | Expense | FTA Activity Line Item | Federal Participation | Primary Road Fund | % |
| 18 months | Operating | 30.80.01 | \$648,310 | \$162,078 | 80/20 |
| 18 months | Capital (Bus Rehab) | 11.14.01 | \$448,000 | \$112,000 | 80/20 |
| | 18 Month Total | | \$1,096,310 | \$274,078 | |

Therefore, it is agreed as follows:

1. Project Information

- a. The AGENCY shall be the lead local governmental agency for carrying out the provisions of this agreement. The DEPARTMENT will assist and advise the AGENCY at all stages of the project.
- b. All notices required under this agreement shall be made in writing to the DEPARTMENT's and/or the AGENCY's contact person. The DEPARTMENT's contact person shall be the Transit Program Administrator. The AGENCY's contact person shall be the Transit Administrator.
- c. The AGENCY shall be responsible for the development and procurement of the following:

Two express commuter routes and rehabilitation of four Davenport City buses. Davenport Citibus will operate these two routes that will run Monday – Friday, and will involve the rehabilitation of four Davenport Citibus buses. Route 1 is from Burlington Coat Factory in Bettendorf to Center Station in Moline, and will have 30 minute headways during morning peak hours (5:15 a.m. – 8:45 a.m.) afternoon peak hours (2:45 p.m. – 6:45 p.m.), and 60-minute service during the midday. Route 2 is from Burlington Coat Factory in Bettendorf to District Station in Rock Island, and will have 60-minute service from 5:15 a.m. – 6:45 p.m. The duration of the service is eighteen months, with it beginning October, 2018 and ending March, 2020. Davenport Citibus will contract with Iowa DOT for the rehab of the four buses to be used in the service by Citibus, and operating expenses in Iowa not-to-exceed the cost per the table above.

- d. The AGENCY shall contract for and manage the Express Commuter service.

The DEPARTMENT will provide funding for the Express Commuter service which is expected to begin October 2018 and end March 2020.

2. Project Estimates and Funding Sources

- a. The estimate of costs for the project are as stated above and in Exhibit A (attached).

3. Service

- a. The AGENCY shall be responsible for monitoring the service and shall initiate adjustments to the services based on the level of passenger demand. AGENCY will provide contractor 90 days' notice to the DEPARTMENT in the event of a change.

4. General Provisions

- a. This Agreement may be terminated by either party in accordance with this Section in whole or in part whenever either party determines, that such termination is in their best interest. Any such termination shall be effected by delivery to the other party of a notice of termination, provided not less than 90 calendar days prior to the termination date, specifying the extent to which performance of work under the Agreement is terminated and the date upon which such termination becomes effective.
- b. If any part of this agreement is found to be void and unenforceable then the remaining provisions of this agreement shall remain in effect.
- c. This agreement is not assignable without the prior written consent of the DEPARTMENT.
- d. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.
- e. In case of dispute concerning the terms of this agreement, the parties shall submit the matter to arbitration pursuant to Iowa Code Chapter 679A. Either party has the right to submit the matter to arbitration after ten (10) days' notice to the other party of their intent to seek arbitration. The written notice must include a precise statement of the disputed question. The DEPARTMENT and the AGENCY agree to be bound by the decision of the appointed arbitrator. Neither party may seek any remedy with the State or Federal courts absent exhaustion of the provisions of this paragraph for arbitration.
- f. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- g. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the AGENCY and DEPARTMENT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

NOW, THEREFORE, THE DEPARTMENT AND THE AGENCY HAVE AGREED THAT THE AGENCY shall proceed with implementation of the above-described project, subject to all terms, conditions and obligations connected with the federal grant, and also subject to such policies, procedures and conditions as have been established by the DEPARTMENT and which are documented in Part II of this AGREEMENT (found at <https://iowadot.gov/transit/funding-programs-and-applications/joint-participation-agreement-attachments>).

BE IT FURTHER AGREED THAT THE DEPARTMENT shall reimburse the AGENCY for eligible costs of implementing each element of said project at the participation rate(s) and subject to the funding ceiling(s) delineated above.


THIS AGREEMENT TO BE IN EFFECT from **October 1, 2018** through **March 31, 2020**. [Any project element not obligated twelve months prior to the original expiration date of this AGREEMENT will be forfeited, unless prior written approval of other arrangements is received from the DEPARTMENT.]

IN WITNESS WHEREOF, the parties hereunto have caused this AGREEMENT to be executed by their proper officials thereunto duly authorized as of the dates below indicated, in consideration of the mutual covenants, promises and representations herein.

For The AGENCY:

Frank Klipsch, Mayor
City of Davenport

For the DEPARTMENT:



Stuart Anderson, Director
Planning, Programing and Modal Division
Iowa Department of Transportation

Exhibit A
Express Commuter Routes
Scope and Long Range Budget
Iowa Department of Transportation
May 16, 2018

SCOPE:

1. **Two Express Commuter Routes:** Davenport Citibus will operate two routes that will run Monday – Friday, and will involve the rehabilitation of four Davenport Citibus buses. Route 1 is from Burlington Coat Factory in Bettendorf to Center Station in Moline, and will have 30 minute headways during morning peak hours (5:15 a.m. – 8:45 a.m.) afternoon peak hours (2:45 p.m. – 6:45 p.m.), and 60-minute service during the midday. Route 2 is from Burlington Coat Factory in Bettendorf to District Station in Rock Island, and will have 60-minute service from 5:15 a.m. – 6:45 p.m. The duration of the service is eighteen months, with it beginning October, 2018 and ending March, 2020.
2. **Rehabilitation of four buses:** Davenport Citibus will contract with Iowa DOT for the rehab of the four buses to be used in the service by Citibus, and operating expenses in Iowa not-to-exceed the cost per the table below.
3. **Marketing:** In a separate agreement, Davenport Citibus will contract with Rock Island County Metropolitan Mass Transit District, commonly known as MetroLINK, for marketing expenses and operating expenses in Illinois.

| | | |
|----------------|-----------------------|------------------|
| | | Illinois |
| Service | Expense | MetroLINK |
| 18 months | Operating | \$284,731 |
| 18 months | Capital (Bus Rehab) | \$0 |
| 18 months | Marketing | \$25,000 |
| | 18 Month Total | \$309,731 |

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup
Wards: All

Action / Date
6/20/2018

Subject:
Resolution assessing the cost of boarding up building at various lots and tracts of real estate. [All Wards]

Recommendation:
Consider the resolution.

Relationship to Goals:
Welcoming Neighborhoods.

Background:
The buildings were boarded up at the following locations and billed to the property owners. The bills have not been paid and now are to be levied against the properties.

ATTACHMENTS:

| Type | Description |
|--------------|----------------------------|
| ▣ Cover Memo | PW RES - BOARD UP BUILDING |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/13/2018 - 11:51 AM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 10:42 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 10:55 AM |

Resolution No. _____

Resolution offered by Alderman Ray Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of boarding up building at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of boarding up building on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 9%. All assessments bear interest at the current rate of 9%.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

Board Up Building Invoices for Levy

| <u>CUST ACCT</u> | <u>NAME</u> | <u>PARCELID</u> | <u>INVOICE</u> | <u>BALANCE</u> |
|------------------|----------------------|-----------------|----------------|----------------|
| 000061123 | DENNIS FUESSEL | F0011-16 | 80019270 | 759.91 |
| 000015549 | HIBBS, MICHAEL A | G0035-11 | 80019349 | 399.20 |
| 000022675 | HELBLE, VIRGINIA LOU | C0062-32 | 80019351 | 107.54 |
| 120207186 | PARKS, SCOTT | G0045-16 | 80019395 | 164.18 |
| 300264227 | LIDDELL, KRAIG | K0012-02A | 80019410 | 208.53 |
| 400004156 | PRICE, HELEN | F0028-20 | 80019442 | 107.44 |
| 000043161 | STAHL, MATTHEW | G0036-07 | 80019452 | 107.44 |
| 300263372 | CLAUSS, STEPHANIE M | G0037-34 | 80019454 | 688.68 |
| 000056721 | CAHILL, JAMES T | G0036-18 | 80019494 | 133.58 |
| 300148789 | CRIBBS, BETTY | G0037-13 | 80019583 | 118.58 |
| 300264227 | LIDDELL, KRAIG | K0012-02A | 80019595 | 224.56 |

| | | | |
|-----------------------------------|-----------|-----------------------------------|-------------------|
| Number of Accounts to Levy | 11 | Total Balance Outstanding: | \$3,019.64 |
|-----------------------------------|-----------|-----------------------------------|-------------------|

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup
Wards: All

Action / Date
6/20/2018

Subject:
Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate.
[All Wards]

Recommendation:
Consider the resolution.

Relationship to Goals:
Welcoming Neighborhoods

Background:
The brush and debris was removed at the following locations and were billed to the property owners. The bills have not been paid and now are to be levied against the properties.

ATTACHMENTS:

| Type | Description |
|--------------|-------------------------|
| ▣ Cover Memo | PW RES - BRUSH & DEBRIS |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/13/2018 - 11:53 AM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 10:42 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 10:55 AM |

Resolution No. _____

Resolution offered by Alderman Ray Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of brush and debris removal at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of brush and debris removal on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 9%. All assessments bear interest at the current rate of 9%.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

Brush and Debris Invoices for Levy

| <u>CUST ACCT</u> | <u>NAME</u> | <u>PARCELID</u> | <u>INVOICE</u> | <u>BALANCE</u> |
|------------------|-----------------------------|-----------------|----------------|----------------|
| 300206700 | REXROAT, DAMIEN | B0026-28 | 80019247 | 153.25 |
| 000007769 | LATHAM, REX G | B0063-15 | 80019249 | 58.25 |
| 120218629 | SIERRA LEE LLC | E0032-14 | 80019261 | 58.25 |
| 120247604 | SNOOK, TYLER JOSEPH | F0005-01 | 80019265 | 220.50 |
| 000078004 | MAYA HAFFAR | F0020-07 | 80019274 | 153.25 |
| 300251174 | BOCKSTEDT, LOUISA | F0026-09 | 80019281 | 189.25 |
| 000009112 | ERENBERGER, JOE | F0028-22 | 80019283 | 169.75 |
| 300151922 | COLE, JOE/AMIE | H0013-12 | 80019293 | 178.00 |
| 300246526 | FOLEY, JANET L | H0023-25 | 80019296 | 169.75 |
| 300132913 | BENNAMON, KENNETH | H0053-24 | 80019300 | 104.25 |
| 300114624 | DEVOL, JAMES | I0040-12 | 80019303 | 58.25 |
| 000036693 | MEIER, HELEN | J0037-24 | 80019311 | 178.00 |
| 000078301 | KATHRYN DIETRICH | K0005-24 | 80019315 | 66.50 |
| 000009650 | VILLALPANDO, GUSTAVO | N0737-08 | 80019322 | 186.25 |
| 300216744 | SPINLER, CLAYTON | O2107A12 | 80019326 | 186.25 |
| 300175238 | BLANCHARD, ROBERT | R0416-05 | 80019333 | 149.75 |
| 000076652 | SANDRA FERWALT | R0418-15 | 80019335 | 177.75 |
| 000054173 | NORTH SHORE ESTATES LC | W1003C04 | 80019342 | 58.25 |
| 000054173 | NORTH SHORE ESTATES LC | W1019B31 | 80019344 | 161.50 |
| 000054173 | NORTH SHORE ESTATES LC | W1019B32 | 80019346 | 186.25 |
| 000038516 | BAILEY-CUSACK, VIRGINIA | C0059-22 | 80019354 | 178.00 |
| 000054173 | NORTH SHORE ESTATES LC | W1003C07 | 80019362 | 83.00 |
| 000054452 | WARICK, KRIS | F0035-05 | 80019364 | 153.25 |
| 000058683 | DAVIS, AUDREY OLIVIA | F0034-03 | 80019368 | 178.00 |
| 000075164 | JOSEPH NACHE | X0235C20 | 80019386 | 179.75 |
| 300119078 | BUTLER, CAROL | F0034-08 | 80019398 | 153.25 |
| 300228285 | JACOBSMEIER, THERESA M | A0062-20 | 80019400 | 58.25 |
| 300248684 | WRIGHT, DONALD E | O2107A13 | 80019406 | 169.50 |
| 000077935 | SUNNYVIEW CAPITAL GROUP LLC | C0063-16 | 80019427 | 58.25 |
| 000078549 | BRADLEY RICE | F0018-31 | 80019439 | 171.50 |
| 000151057 | HICKMAN, ALBERTA | F0037-07 | 80019446 | 194.00 |
| 300183298 | CASSINI, NISA M | G0047-18 | 80019456 | 201.50 |
| 000078282 | FLIPPING CAPTIAL LLC | G0047-19 | 80019458 | 306.25 |
| 300259864 | MUILENBURG, CHARLES A | J0052-14 | 80019465 | 66.50 |
| 000060653 | ZELDA JONES | J0063-26 | 80019467 | 62.00 |

| | | | | |
|-----------|------------------------|-----------|----------|---------------|
| 000059221 | ZACHARY HARTER | W0319D11 | 80019473 | 178.00 |
| 300245912 | HOEPER, JANET | W0426-03 | 80019475 | 58.00 |
| 000054173 | NORTH SHORE ESTATES LC | W1003C02 | 80019479 | 83.00 |
| 000077478 | KYLE CONDON | D0055-13 | 80019487 | 178.00 |
| 400003029 | UNITED NEIGHBORS | G0043-37B | 80019496 | 74.00 |
| 400001861 | PLAMBECK, CLARK | J0027-41 | 80019505 | 58.25 |
| 300142893 | HERRINGTON, WILLIAM A | W1007C17 | 80019521 | 58.25 |
| 000078571 | GOODENBOUR, BLAKE | A0007D20 | 80019575 | 58.25 |
| 300206190 | TALBOT, MARLENE | H0037-20B | 80019585 | 59.50 |
| 300242330 | PORTER, ANITA | F0020-27 | 80019587 | 177.75 |
| 300253124 | BIERMAN, MARK | F0003-34 | 80019591 | 179.25 |
| 300258415 | NANTZ, STEPHEN | F0034-01 | 80019593 | 153.25 |
| 810003414 | RODRIQUEZ ANTONIO JR | G0017-37 | 80019607 | 75.75 |

| | | | |
|-----------------------------------|-----------|-----------------------------------|-------------------|
| Number of Accounts to Levy | 48 | Total Balance Outstanding: | \$6,467.50 |
|-----------------------------------|-----------|-----------------------------------|-------------------|

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup
Wards: All

Action / Date
6/20/2018

Subject:
Resolution assessing the cost of condemned property demolition at various lots and tracts of real estate. [All Wards]

Recommendation:
Consider the resolution.

Relationship to Goals:
Welcoming Neighborhoods

Background:
The buildings were demolished at the following locations and billed to the property owners. The bills have not been paid and now are to be levied against the properties.

ATTACHMENTS:

| Type | Description |
|--------------|------------------------|
| ▣ Cover Memo | PW RES - BUILDING DEMO |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/13/2018 - 11:55 AM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 10:43 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 10:55 AM |

Resolution No. _____

Resolution offered by Alderman Ray Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of condemned property demolitions at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of condemned property demolition on said lots or tracts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 9%. All assessments bear interest at the current rate of 9%.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

Building Demolition Invoices for Levy

| <u>CUST ACCT</u> | <u>NAME</u> | <u>PARCELID</u> | <u>INVOICE</u> | <u>BALANCE</u> |
|----------------------------|----------------|-----------------|----------------------------|----------------|
| 810002081 | KEPHART CARRIE | F0009-22 | 80019435 | 1,602.00 |
| <hr/> | | | | |
| Number of Accounts to Levy | | 1 | Total Balance Outstanding: | \$1,602.00 |

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup
Wards: All

Action / Date
6/20/2018

Subject:
Resolution assessing the cost of snow removal from sidewalks at various lots and tracts of real estate. [All Wards]

Recommendation:
Consider the resolution.

Relationship to Goals:
Welcoming Neighborhoods

Background:
The snow was removed from sidewalks at various lots and tracts of real estate and was billed to the property owners. The bills have not been paid and now are to be levied against the properties.

ATTACHMENTS:

| Type | Description |
|--------------|-----------------------|
| ▣ Cover Memo | PW RES - SNOW REMOVAL |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Public Works - Admin | Lechvar, Gina | Approved | 6/13/2018 - 11:57 AM |
| Public Works Committee | Lechvar, Gina | Approved | 6/14/2018 - 10:43 AM |
| City Clerk | Admin, Default | Approved | 6/14/2018 - 10:56 AM |

Resolution No. _____

Resolution offered by Alderman Ray Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION assessing the cost of snow removal from sidewalks at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of snow removal from sidewalk at various lots and tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit.

BE IT FURTHER RESOLVED: If any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 9%. All assessments bear interest at the current rate of 9%.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

Snow Invoices for Levy

| <u>CUST ACCT</u> | <u>NAME</u> | <u>PARCELID</u> | <u>INVOICE</u> | <u>BALANCE</u> |
|----------------------------|-----------------|-----------------|----------------------------|----------------|
| 000073071 | DANNATTA BINION | F0021-39 | 80019534 | 71.84 |
| <hr/> | | | | |
| Number of Accounts to Levy | | 1 | Total Balance Outstanding: | \$71.84 |

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Kelley Shook 888-3379
Wards: All

Action / Date
6/20/2018

Subject:
Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance, and related professional risk management services for Fiscal Year 2019 with multiple insurance companies in the amount of \$986,720. [All Wards]

Recommendation:
Adopt the resolution.

Relationship to Goals:
Fiscal Vitality

Background:
The City has established a Risk Management Fund to account for liability, property, and workers' compensation insurance premiums, claims, and administrative costs for the Risk Management program. The strategy of the Risk Management program is to procure insurance policies to protect against catastrophic losses and to self-insure for claims up to a specified stop loss amount for each type of coverage.

It has been the practice of the City to contract with Arthur J. Gallagher & Company to serve as the agent/broker for these insurance policies. The agent/broker is paid by a combination of policy commissions. The role of the agent/broker is to make recommendations for policy enhancements and to negotiate with various insurance markets on the City's behalf. The goal is to find the most cost-effective coverages to minimize overall risk exposure with stable insurance firms capable of handling the specialized needs of a municipal government.

The overall premiums increased this year from \$913,361 to \$986,720 or 8.03% from last year. The worksheet reflects a modest increase for property of 1% and a 4% annual increase in building valuations. The liability increase is largely due to the City increasing its umbrella coverage by an extra \$10 million, as well as a 9% increase in auto liability. This is due to an increase of 10 vehicles in the City's fleet. Even with these increases, the City continues to maintain lower rates per thousand when compared to similar municipalities. Additionally, it should be noted that the workers' compensation premiums are flat compared to last year's numbers.

Attached are documents labeled "FY19 Schedule of Insurance in Force," which is a comprehensive list of policies and premiums, and a document labeled "FY19 Year Over Year Comparison," which displays the year-over-year premium comparisons for Fiscal Years 2018 and 2019, respectively.

Below is a summary of insurance products *not* included in the information above:

AHRMA
Selective (flood policies)

January 1, 2019
Various renewal dates in FY 2019

Travelers (public official bonds) January 31, 2019

All insurance products are estimated to be within budget for FY 2019.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------------------------|
| ▣ Resolution Letter | Resolution FY19 Insurance Renewals |
| ▣ Backup Material | FY19 Schedule of Insurance in Force |
| ▣ Backup Material | FY19 Year Over Year Comparison |

REVIEWERS:

| Department | Reviewer | Action | Date |
|-------------------|-----------------------|----------|---------------------|
| Finance | Watson-Arnould, Kathe | Approved | 6/13/2018 - 2:41 PM |
| Finance Committee | Watson-Arnould, Kathe | Approved | 6/13/2018 - 2:41 PM |
| City Clerk | Admin, Default | Approved | 6/13/2018 - 2:58 PM |

Resolution No. _____

Resolution offered by Alderman Tompkins:

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the renewal of general and auto liability, property, and workers' compensation insurance, and related professional risk management services for Fiscal Year 2019 with multiple insurance companies in the amount of \$986,720.

WHEREAS, the City of Davenport must renew various insurance coverages effective July 1, 2018 for Fiscal Year 2019;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that renewal of general and auto liability, property, and workers' compensation insurance, and related professional risk management services for Fiscal Year 2019 is hereby approved in accordance with the attached Schedule of Insurance in Force.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, City Clerk

| | | | | | | |
|---|----------------------------|----------------|----------------------|------------------------|---------------------------|-----------------------|
| CITY OF DAVENPORT | | | | | | |
| | | | | | | |
| | | | | | | |
| SCHEDULE OF INSURANCE IN FORCE | | | | | | |
| JULY 1, 2018 thru JUNE 30, 2019 | | | | | | |
| | | | | | | |
| | | PREMIUM | | | | COINSURANCE OR |
| COVERAGE | COMPANY | 2018 | POLICY NUMBER | EXPIRATION DATE | AMOUNT OF COVERAGE | DEDUCTIBLE |
| <u>PROPERTY</u> | | | | | | |
| City Buildings | Travelers | 388,424 | 6587N575 | 7/1/19 | 250,000,000 | 100,000 |
| Contents & Fixed Equipment | Travelers - Included Above | | " | " | Included Above | 100,000 |
| Stored Vehicles | Travelers - Included Above | | " | " | Included Above | 100,000 |
| Boiler & Machinery | Cincinnati | 23,328 | BEP2664904 | 7/1/20 | 25,000,000 | 25,000 |
| Flood (various locations) | NFIP/Selective | 51,403 | Various | Various | Various | Various |
| Transit Center (50% needs to be billed to SCC) | Cincinnati | 7,712 | ENP0029100 | 7/1/19 | 6,544,561 | 1,000 |
| Employee Dishonesty/Crime | Travelers | 3,693 | 106682997 | 1/31/19 | 1,000,000 | 10,000 |
| Scattered Sites & Heritage House | AHRMA | 40,312 | P060189064 | 1/1/18 | 16,043,680 | 1,000 |
| Hull Physical Damage | Travelers | 3,152 | 13S3915118 | 7/1/19 | 178,182 | 10,000 |
| Red Flex Van | Travelers | 1,000 | BA-8E565124 | 6/19/19 | 1,000,000 | 1,000 |
| Fire Truck Physical Damage Coverage | Travelers | 16,206 | 2C410726 | 7/1/19 | Actual Cash Value | 25,000 |
| Fire Boat House | Travelers | 5,125 | ZPD31M6648A18 | 7/1/19 | 250,000 | 25,000 |
| | | | | | | |
| <u>LIABILITY</u> | | | | | | |
| | | | | | | |
| GL/LAW/EBL/TERRORISM/LIQUOR | Travelers | 180,612 | 15P21593 | 7/1/19 | 1,000,000 | 500,000 |
| Public Officials (City) | Travelers - Included Above | | " | " | Included Above | 500,000 |
| Auto Liability | Travelers | 81,588 | 810-9160P612 | 7/1/19 | 1,000,000 | 500,000 |
| Umbrella | Travelers | 139,798 | ZUP15P21600 | 7/1/19 | 20,000,000 | No Deductible |
| Housing Authority (Incl. Public Officials) | AHRMA | | LO60189070 | 1/1/18 | 2,000,000 | No Deductible |
| Airport | Commerce & Industry Ins Co | 5,166 | AP003790418 | 7/1/19 | 5,000,000 | No Deductible |
| Public Official Bond (Wright) | Travelers | 6,040 | 106684015 | 1/31/19 | 5,000,000 | No Deductible |
| Public Official Bond (Folland) | Travelers | 6,040 | 106684016 | 1/31/19 | 5,000,000 | No Deductible |
| Public Official Bond (Odean) | Travelers | 6,040 | 106684017 | 1/31/19 | 5,000,000 | No Deductible |
| | | | | | | |
| <u>WORKERS' COMPENSATION</u> | | | | | | |
| Excess Workers' Compensation | Midwest Employers | 130,921 | EWC008321 | 7/1/19 | Statutory | 2,000,000 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| City has Terrorism Coverage under Liability and WC. | | | | | | |
| | | | | | | |

**CITY OF DAVENPORT
SCHEDULE OF INSURANCE IN FORCE
2018 vs. 2019**

| COVERAGE | | COMPANY | 2018 PREMIUM | 2019 PREMIUM | \$ Change | % Change | |
|---|----------------------------|------------------------------------|--------------------------------|-------------------------|--------------------------|----------------------|---------------------|
| <u>PROPERTY</u> | | | | | | | |
| City Buildings | Travelers | | 372,984 | 388,424 | 15,440 | 4.14% | |
| Contents & Fixed Equipment | Travelers - Included Above | | | | | | |
| Stored Vehicles | Travelers - Included Above | | | | | | |
| Boiler & Machinery | Cincinnati | | 23,328 | 23,328 | - | 0.00% | |
| Transit Center | Cincinnati | | 7,712 | 7,712 | - | 0.00% | |
| Employee Dishonesty/Bond | Travelers | | 3,693 | 3,693 | - | 0.00% | |
| Hull Physical Damage | Travelers | | 3,075 | 3,152 | 77 | 2.50% | |
| Fire Truck Physical Damage Coverage | Travelers | | 15,201 | 16,206 | 1,005 | 6.61% | |
| Red Flex Van | Travelers | | 1,000 | 1,000 | - | 0.00% | |
| Fireboat House | Travelers | | 5,000 | 5,120 | 120 | 2.40% | |
| <u>LIABILITY</u> | | | | | | | |
| GL/LAW/AUTO/TERRORISM | Travelers | | 345,249 | 401,998 | 56,749 | 16.44% | |
| Public Officials (City) | Travelers - Included Above | | | | | | |
| Claims Handling E&O | Travelers - Included Above | | | | | | |
| Airport | Commerce & Industry Ins Co | | 5,223 | 5,166 | (57) | -1.09% | |
| <u>WORKERS' COMPENSATION</u> | | | | | | | |
| Excess Workers' Compensation | Midwest Employers | | 130,896 | 130,921 | 25 | 0.02% | |
| <i>Total Property, Liability, & WC Coverages</i> | | | <u>913,361</u> | <u>986,720</u> | <u>73,359</u> | <u>8.03%</u> | |
| | | | | | | | |
| <i>OTHER COVERAGES</i> | | <i>(Current policies in force)</i> | | | | | |
| <u>PROPERTY</u> | | | POLICY RENEWAL DATE | 2018 PREMIUM | 2019 ESTIMATE | \$ Change | % Change |
| Scattered Sites & | | | | | | | |
| Heritage House | AHRMA | 1/1/19 | 31,158 | 32,439 | 1,281 | 4.11% | |
| Flood (various locations) | NFIP/Selective | Various | 51,403 | 58,563 | 7,160 | 13.93% | |
| <u>LIABILITY</u> | | | | | | | |
| Housing Authority (Inc. Public Officials) | AHRMA | 1/1/19 | 9,154 | 9,154 | - | 0.00% | |
| Public Officials Bonds | Travelers | 1/31/19 | 18,120 | 18,120 | - | 0.00% | |
| <i>Total Other Coverages</i> | | | <u>109,835</u> | <u>118,276</u> | <u>8,441</u> | <u>7.69%</u> | |
| <i>Grand Total All Coverages</i> | | | <u>1,023,196</u> | <u>1,104,996</u> | <u>81,800</u> | <u>7.99%</u> | |
| <i>Total Budget Amount Surplus/(Overage)</i> | | | | | | | |

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Bruce Berger, 326-7769
Wards: All Wards

Action / Date
6/20/2018

Subject:
Resolution authorizing the execution of the Quad Cities Economic Development Services Agreement with Quad Cities First for FY2019-FY2021.[All Wards]

Recommendation:
Adopt the resolution

Relationship to Goals:
Fiscal Vitality

Background:

The Quad Cities First Board of Directors began formal discussions on the potential of combining all three economic development functions under Quad Cities First board oversight in late 2016. When Quad Cities First was created, it was designed to oversee only the regional business attraction and marketing services provided by the Chamber on behalf of the Quad Cities region while business retention, expansion and creation/innovation activities provided by Chamber staff were overseen by the Chamber Board. Today, we know that successful economic development takes a more comprehensive approach that includes business attraction with business expansion/retention activities.

The first step in discussing oversight of all parts of economic development was for the Quad Cities First Board to review work plans of the three work areas to get a better understanding of their budgets and the work performed by Chamber staff.

After the review of the budgets and activities, the Quad Cities First board felt it made sense to combine the three functions under one economic development budget and work plan. But, before moving forward with a formal recommendation to bring all three functions under Quad Cities First, there was a desire to identify a long term public funding strategy. Currently, there are not clear formulas related to funding for different geographies such as urban core cities vs. outlining areas nor are there clear distinctions between different levels of services. The Board and Chamber staff agreed a funding plan would provide a consistent formula for financial investment and a long term funding mechanism would provide stability for the public/private partnership.

Thus, we are now poised to develop an economic development services agreement that outlines the core economic development services that will be provided by the Chamber and the funding plan to support those services.

The draft Economic Development Services Agreement consists of three components:

- Scope of services that will be provided by Quad Cities Chamber staff;
- A funding plan that outlines the terms for services and payment;
- The roles and responsibilities of the various players who provide economic development services toward our shared goals of regional economic growth.

Additionally, the Quad Cities First Board commissioned the assistance of Atlas Marketing to help develop a strategic marketing plan and budget that can help create vision of higher level economic development services. That plan is currently being reviewed by the Quad Cities First Board.

Moving forward, the goal is to have the economic development services agreement for FY19 completed by July 1st. The steps to develop and adopt the economic development services agreement are as follows:

- Public sector administrators determine a public funding model formula which will be incorporated into the Economic Development Services Agreement – *Completed April 9, 2018*
- Quad Cities First board reviews draft of the Economic Development Services Agreement (scope, funding plan, roles and responsibilities) and proposed FY19 Work-plan and Budget- *Completed April 5, 2018.*
- Quad Cities First Board approves the Economic Development Services Agreement and FY19 Work-plan and Budget – *Completed May 3rd.*
- Local governments review and approve Economic Development Services agreement - May through June 2018.
- Chamber Board adopts Quad Cities First work plan and budget as part of Chamber FY '19 work plan and budget – June 28, 2018.
- Economic Development Services Agreement Effective Date – July 1, 2018.

ATTACHMENTS:

| Type | Description |
|--------------|--------------------------|
| ▣ Cover Memo | Resolution |
| ▣ Cover Memo | Draft Services Agreement |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|------------|----------|---------------------|
| City Clerk | Ott, Sarah | Approved | 6/14/2018 - 8:48 AM |

Resolution No. _____

Resolution offered by Alderman Tompkins

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the execution of the Quad Cities Economic Development Services Agreement with Quad Cities First, FY2019-202.

WHEREAS, the City of Davenport has participated in regional economic development initiatives through Quad Cities First, a public private partnership created in September 2009, to promote the growth of the greater Quad Cities area by marketing the region as a premier business destination, serving as an expert resource for companies making location and expansion decisions and acting as a business advocate to align the regions' public and private sector resources for the benefit of the greater Quad Cities region; and,

WHEREAS, the City of Davenport has determined that supporting regional economic development initiatives across the Quad Cities region through Quad Cities First provides a benefit to the City; and,

WHEREAS, the City and other local governments believe that it would be mutually beneficial to establish a formal agreement that memorializes the terms and conditions whereby Quad Cities First would provide regional economic development business attraction, retention and expansion services for and on behalf of the City and the City would reasonably compensate Quad Cities First for such services.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa as follows:

Section 1.

An Economic Development Services Agreement by and between the City of Davenport, a local government corporation in the State of Iowa and the Quad Cities First, a 501c (6) Not-For-Profit corporation, in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, is hereby authorized and approved.

Section 2.

The City of Davenport agrees to pay Quad Cities First a fee for the services outlined in the Economic Development Services Agreement based on an annual work-plan and budget approved by the Quad Cities First Board. The funding structure as outlined and agreed upon in said Agreement, is based on a 2:1 (private to public) funding ratio with the public sector portion calculated on a per capita structure. The amount of funding which the City shall provide to Quad Cities First for the three year agreement will be based on an estimated annual per capita formula as follows:

Year One - \$1.31 per capita
Year Two - \$1.34 per capita
Year Three - \$1.37 per capita

Section 3.

The effective date of the Quad Cities Economic Development Services Agreement shall be for the time period July 1, 2018 through June 30, 2021.

Section 4.

The Davenport City Council authorizes the Mayor and City Administrator to take such further actions as deemed necessary to execute said Agreement.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

Quad Cities First Economic Development Services Agreement

June 7, 2018

AGREEMENT

This Economic Development Services Agreement is entered into effective the 1st day of July, 2018 by and between Quad Cities First and the signators to this Agreement.

1. **Purpose:** The purpose of the Economic Development Services Agreement (the "Agreement") is to outline the delivery and funding of core economic development services to be provided by Quad Cities First on behalf of the Quad Cities Region (defined by the marketing service area of Henry, Mercer and Rock Island Counties in Illinois; Clinton, Muscatine and Scott Counties in Iowa). Services provided by Quad Cities First, a public-private partnership operated by the Quad Cities Chamber of Commerce, will supplement, support and be distinct from local economic development efforts by focusing on marketing, lead generation, prospect management and other non-duplicative efforts that will stimulate economic activity and investment across the bi-state region.
2. **Scope of Work:** Quad Cities First shall complete the services outlined in the Scope of Work attached as Exhibit "A" and incorporated herein by the reference.
3. **Term of Agreement:** This Agreement shall commence July 1, 2018 and terminate June 30, 2021.
4. **Funding:** The parties agree to provide funding to Quad Cities First in accordance with Exhibit B, Financial Support for Regional Services.
5. **Termination / Amendment:** This Agreement may be terminated or amended prior to June 30, 2021 by mutual written consent of all parties to this Agreement and upon completion of the obligations of any contracted services made under this Agreement.
6. **Accountability:** Quad Cities First shall submit quarterly programmatic progress reports to each participating partner on uniform reporting documents.
7. **Liaisons:** Individuals appointed or elected to the Quad Cities First Board of Directors shall have the authority to represent and make decisions on performance of the Agreement.
8. **Severability:** Should any portion of this Agreement be judicially determined to be illegal or unenforceable, the remainder of the Agreement shall continue in full force and effect, and any party may renegotiate the terms affected by the severance.
9. **Process of Adoption:** A binding Resolution in support of the Economic Development Services Agreement shall be adopted by each governing body party to the Agreement.

10. **Assignment**: No party to this Agreement may assign, sell or transfer any part thereof to any other firm or entity without first obtaining the written permission of the Quad Cities First Board of Directors.
11. **Dissolution**: Upon any dissolution, the process for payment of all liabilities shall follow those procedures outlined in the Quad Cities First bylaws.
12. **Notices**: All notices, requests, demands, or other communications, provided for by this Agreement, shall be in writing and be either hand-delivered or mailed to the other party at the address noted below the signature.
13. **Waiver**: No action or forbearance on the part of either party shall constitute a waiver of any of the covenants or conditions set forth herein, unless given in writing, and no such waiver shall constitute a waiver of future strict compliance with the same or any covenants or conditions of this Agreement.
14. **No Third Party Rights**: Nothing in this Agreement shall be construed as creating or giving rise to any rights in any third party or any person other than the parties hereto.
15. **Entire Agreement**: This instrument contains the entire Agreement of the parties and supersedes any and all previous agreements between the parties, either oral or written. This Agreement may only be amended by an agreement in writing signed by the party against whom enforcement of any waiver change, modification, extension or discharge is sought.

IN WITNESS WHEREOF, the parties hereto have executed this Economic Development Services Agreement effective as of the date first written above.

Signature Page Attached Hereto

**SIGNATURE PAGE TO QUAD CITIES FIRST
ECONOMIC DEVELOPMENT SERVICES AGREEMENT**

The undersigned agree with the terms of the Agreement as written above:

City of East Moline, Illinois

By: _____
[Name], Mayor
[Contact Info]

City of Moline, Illinois

By: _____
[Name], Mayor
[Contact Info]

City of Rock Island, Illinois

By: _____
[Name], Mayor
[Contact Info]

City of Rock Island County, Illinois

By: _____
[Name], County Board Chairman
[Contact Info]

City of Bettendorf, Iowa

By: _____
[Name], Mayor
[Contact Info]

City of Davenport, Iowa

By: _____
[Name], Mayor
[Contact Info]

City of Scott County, Iowa

By: _____
[Name], County Board Chairman
[Contact Info]

Quad Cities First

By: _____
[Name], Chairman
[Contact Info]

Quad Cities Chamber of Commerce

By: _____
Paul Rumler, President & CEO
331 W. 3rd Street
Davenport, IA 52801

EXHIBIT A – SCOPE OF WORK

1. **Mission:** The purpose of Quad Cities First is to promote the growth of the greater Quad Cities by showcasing the region as a premier business destination, serving as an expert resource for companies making location and expansion decisions and acting as a business advocate to align the region's public and private sector resources for the benefit of residents in the six-county region.
2. **Staff:** Quad Cities Chamber of Commerce economic development professionals conduct the Services defined in this Agreement and serve as the lead contacts for business representatives hoping to locate in or to expand in the QC region.
3. **Geography:** The Quad Cities First marketing service area includes a six county region: Henry, Mercer and Rock Island Counties in Illinois and Clinton, Muscatine and Scott Counties in Iowa.
4. **Targeted Industries:** Quad Cities First shall target specific primary industries that align with the regional economic assets: Advanced Metals & Materials; Agricultural Innovation; Corporate Operation & Support Services; Defense; and Logistics.
5. **Scope of Services:** The Quad Cities First Board of Directors shall inform and approve an annual work plan and budget that outlines specific activities to achieve the objectives identified in this Agreement for services. The core economic development programs ("Services") to be provided by the Quad Cities Chamber staff include Business Attraction, Business Retention and Expansion. Chamber staff, with oversight from Quad Cities First Board, will:
 - a. Execute a comprehensive sales and marketing plan to attract new business opportunities within targeted industries to the Quad Cities region.
 - b. Execute a comprehensive existing business retention and expansion plan that stimulates growth of existing companies in the Quad Cities region.
 - c. Ensure availability of high-quality sites and buildings for existing companies wanting to expand and new businesses seeking to locate.
 - d. Execute high-value communications and education to enhance regional stakeholders' understanding of the Economic Development team's mission and accomplishments.
6. **Outcomes and Deliverables**

The Quad Cities First annual work-plan will be developed, reviewed and approved by the Quad Cities First board of directors on an ongoing basis to ensure continuing relevance of the economic development needs of the region. Quad Cities First shall submit quarterly programmatic progress reports on uniform reporting documents to each participating partner.

Measurements of success will include:

- The number and quality of new, primary high quality jobs through attraction, retention and expansion of targeted industries;
- The diversification and growth of the regional economy and tax base;
- The numbers and quality of inquiries and leads for the region;

- The efforts to Increase quality inventory of fully served industrial and business sites and buildings;
- The efforts to increase public and private awareness and support of regional economic development efforts.

DRAFT

EXHIBIT B – FINANCIAL SUPPORT FOR REGIONAL SERVICES

1. Funding Plan:

The funding model for Quad Cities First regional economic development services is based on a minimum 2:1 (private to public) funding ratio.

Public sector investments in regional economic development are based on a population ratio and per capita structure developed and agreed upon by city and county officials. Public sector payments for services are to be made to Quad Cities First on an annual schedule. . The estimated amount of public funding for the three year agreement will be based on an annual per capita formula:

Year One = \$1.31 per capita

Year Two = \$1.34 per capita

Year Three = \$1.37 per capita

Private sector dollars supporting regional economic development are raised by the Quad Cities Chamber and allocated to Quad Cities First on a 2:1 ratio (private to public) to support the annual work plan and budget approved by the Quad Cities First Board of Directors.

2. **Financial Accounting and Administration:** All monies dispersed to Quad Cities First will be deposited into an account under the Quad Cities First name. All costs associated with regional economic development functions in the work plan and budget shall be supported by documentation showing the details of the nature and priority of the charges. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by any participating entity's Chief Financial officer or authorized representative. All records shall be maintained in accordance with procedures and requirements established by the Quad Cities First Board. An Audit Task Force shall meet at a minimum annually for the purposes of providing input to the Chamber's annual audit related to Quad Cities First financial activities. The annual audit shall be presented to the Quad Cities First Board of Directors.
3. **Payment Terms:** As outlined in the Quad Cities First Bylaws, a public sector partner may serve on the Board of Directors of Quad Cities First as long as the city or county continues to financially support regional economic development initiatives through Quad Cities First.

EXHIBIT C – ECONOMIC DEVELOPMENT PARTNERS

- 1. Description of Roles and Responsibilities:** This Agreement is designed to help better define roles and responsibilities, facilitate coordination of services among stakeholders and providers, and avoid duplication of efforts. The following list identifies primary responsibilities and secondary supportive roles for various functions in the regional economic development process.

| ECONOMIC DEVELOPMENT FUNCTION | PRIMARY RESPONSIBILITY | SECONDARY SUPPORTIVE ROLE |
|--|--|---|
| BUSINESS ATTRACTION | | |
| Business Attraction Prospect Lead Generation | Quad Cities First | States, Site Consultants, Companies, Economic Development Partners |
| Regional Sales and Marketing Planning | Quad Cities First | Data from Business Intelligence; Bi-State; Partners |
| External Marketing Execution-Developing of marketing materials | Quad Cities First | Data from Business Intelligence; Bi-State; Economic Development Directors Input on Plan |
| External Sales – Strategic Travel Planning | Quad Cities First | Economic Development Directors Input on Plan |
| Sales Trips/Trade Shows | Quad Cities First | Economic Development Directors Input on Plan |
| Coordinate RFP Response | Quad Cities First | Community/Local Economic Development Organizations |
| Project Management | Quad Cities First | Community/Local Economic Development Organizations |
| Technical Assistance/Coordination of resources and referral | Quad Cities First | Community/EDPs/LEDOs |
| Incentive Packaging/Deal Structuring | Quad Cities First (Facilitation and Referral) | Community; Funding Entity |
| Deal Closure | Community/Funding Entity | QCF Communication Communication Support |
| BUSINESS EXPANSION AND RETENTION | | |
| BRE Lead Generation | Quad Cities First | EDPs, Site Consultants, Companies |
| Existing BRE Targeted Industries | Quad Cities First | Community/EDP |
| Existing BRE Non- Primary | Community/LEDO | Brokers |
| Rock Island Arsenal | Quad Cities First /RIADG | QCDA |
| Project Management | Quad Cities First as Lead Generator | Local Community as Manager of the project |
| Technical Assistance/Coordination of Resources and Referral | Quad Cities First | Community/EDPs/LEDO |
| Incentive Packaging/Deal Structuring | Quad Cities First (Facilitation and Referral) | Community; Funding Entity |
| Deal Closure | Community/Funding Entity | Quad Cities First Communication Support |
| PRODUCT/ASSET DEVELOPMENT | | |
| Community Development | Community/Local Economic Development Organizations | QC Chamber (regional assets) |
| Downtown Development | Community/Local Economic | Contractual relationship with |

| | | |
|---|---|---|
| | Development Organizations | Chamber |
| Site/Building Development | Brokers/Developers/Local Economic Development Organizations/Community | Quad Cities First (facilitation; need identification) |
| Manager LOIS, Data Sets | Quad Cities First | Community/Economic Development Partners |
| Product/Asset Promotion | Quad Cities First /Local Economic Development Organizations/Community | Economic Development Partners, Brokers |
| Infrastructure/Utility Development | Utilities/Community | Regional Infrastructure Groups/Local Economic Development Organizations/Quad Cities Chamber (regional facilitation) |
| Manage Inventory/Asset | Local Economic Development organizations/Community | Broker; EDPs |
| BUSINESS CREATION/INNOVATION | | |
| Recruitment of Start Up/Entrepreneurs | Quad Cities Chamber | HUB/Small Business Development Centers/SCORE/Higher Education |
| Access to BIG and Size Up Databases | Quad Cities Chamber | HUB/Small business Development Centers/SCORE/Higher Education |
| Technical Support for Business Development and Growth | Small Business Development Centers/CIRAS/IMEC | Quad Cities Chamber/Higher Education |
| Financial Assistance Packaging for business growth | Small Business Development Centers/CIRAS/IMEC | Quad Cities First/Ignite |
| Tech/Innovation Programs | Higher Education/Sector Boards | CIRAS/IMEC |
| WORKFORCE DEVELOPMENT | | |
| Workforce development/skill training | Community Colleges | Workforce Development Boards/Higher Education |
| Manage Laborshed/Graduate Studies | Quad Cities First | Bi-State Regional Commission |
| Workforce recruitment | EICC/BHC/Chamber/YPs | Private Sector/Higher Education |
| Workforce retention and talent attraction | Chamber/YPs/EICC/BHC | Private Sector/Higher Education |
| Pre-Employment Training | EICC/BHC | WDC/Colleges |
| Quality of Life Amenities | QCCVB/Downtown Organization | Community/Local Economic Development Organizations/Q2030 |
| DATA SYSTEMS ANALYSIS/PUBLIC SECTOR SOURCES | | |
| Regional Comprehensive Economic Development Strategy (CEDs) | Bi-State Regional Commission | Input from Economic Development Partners |
| ED Technical Assistance to local Governments | Bi-State Regional Commission | Federal and State agencies |
| Demographic, transportation, and planning data analysis | Bi-State Regional Commission | Federal and State agencies |
| Analysis federal sources | Bi-State Regional Commission | Federal and state agencies |

| PROJECT AFTERCARE | | |
|--|--|--|
| Technical Assistance to Company with Community Operations | One Point of Contact within local community | Quad Cities First |
| Celebration- ribbon cuttings, ground breakings, coordinated communications | Quad Cities First/QC Chamber communication (Facilitator of Protocol) | Local community/Local Economic Development Organizations/all partners in the project |
| Ongoing BRE visits | Quad Cities First | Local community/Economic Development Partners |
| Business Check-in's | Quad Cities Chamber Membership Services | Local Economic Development Organizations/Community |

2. Partner Code of Ethics

INTRODUCTION

Quad Cities First is committed to the economic development and growth of the Quad Cities region. Quad Cities First brings together the interests of a broad range of public, private, and public/private groups to promote the Quad Cities region as a single economic entity. The collaboration of such a variety of groups and interests requires that certain standards of conduct must be developed and adhered to for the Quad Cities First to meet its goals. This Code of Ethics represents the standards that each participant in the Quad Cities First regional economic development efforts supports and practices in its daily conduct of business.

PREAMBLE

We, the Quad Cities regional economic development partners of Quad Cities First, set forth the following principles of behavior and standards of conduct to guide efforts in promoting the long-term economic health of the Quad Cities region. We realize that no Code of Ethics is of value without an inherent level of trust in the integrity of one another and a commitment from each of us to conduct ourselves at the highest levels of professional conduct. The Quad Cities First was founded on the respect and trust of its members. In that spirit, we set forth this Code of Ethics.

We are committed to the promotion of the Quad Cities region as a desirable business location for new and expanding companies. When representing Quad Cities First, we shall endeavor to sell "Quad Cities First" and our individual communities and projects second.

We shall honor the confidentiality requested by both our fellow partners of Quad Cities First and our prospects. Information shared with our fellow partners in confidence shall remain in confidence. Transactions are to be driven by the client. In the event a company chooses to relocate from one community to another, every effort will be made to contact the affected community to let them know of the potential move as outlined in the Regional Economic Development Cooperation resolution, adopted annually through the regional Comprehensive Economic Development Strategy process. Violation of this commitment shall be viewed as the single most serious breach of our commitment and partnership in the Quad Cities First Agreement.

We are committed to sharing among our partnership as much information as is necessary and prudent on any activity undertaken by or in the name of Quad Cities First. Our guiding principle shall be that “more information is better than less.”

At no time shall any economic development organization partner of Quad Cities First advertise or promote its respective area to companies within another member’s geographic area in a manner that is derogatory or insulting to the other geographic area. “Selling against” another partner of Quad Cities First or direct solicitation of intrastate relocations, is strongly discouraged.

We are committed to locating prospects in the Quad Cities region. In the event that our local jurisdictions cannot meet the needs of a particular prospect we shall communicate with our fellow partners in an effort to meet the company’s needs elsewhere in the Quad Cities region.

Economic development organizations shall hold all responses to confidential requests for information pertaining to site and building information provided to the Quad Cities First by member real estate brokerage firms in the strictest confidence. Said information shall not be printed, copied, and shown in any manner to any entity other than prospects or their direct representatives without prior permission.

We are committed to the concept of competition for locations and expansions among our Individual communities and projects provided that the prospect has asked for specific proposals or has settled on a Quad Cities regional location. At no time shall any partner of the Quad Cities First solicit a fellow member’s prospects.

We are committed to working together with the real estate community and are in no way in direct competition with them. Economic developers are a resource and facilitator in the site selection process

CONFIDENTIALITY OF PROSPECTS

Partners of Quad Cities First shall honor the confidentiality of individual prospects. Whenever possible, specific information on particular transactions shall be shared within the realm of Quad Cities First and partner state organizations. In those instances where prospects are dealing with individual communities, information will only be shared by Quad Cities First staff and the local Economic Development representatives involved.

In instances, where a prospect wishes to remain completely confidential with an individual community, the remaining partners of Quad Cities First shall honor that confidentiality and shall in no way attempt to intervene in the relationship. The prospect will remain confidential until the prospect chooses to announce.

MARKETING

Any member of Quad Cities First that develops a prospect generated from national advertising and trade shows sponsored by Quad Cities First shall utilize the “Prospect Tracking System” of Quad Cities First in all contacts with the respective prospect.

Partners are strongly discouraged from advertising in local media outside of their own market area.

3. Regional Economic Development Cooperation Resolution

The partners agree to practice the principles of the Regional Economic Development Cooperation Memorandum of Understanding:

WHEREAS, the Quad City economy functions as a single unit with many common interests and resources, where growth and development anywhere within the Quad Cities region enhances the overall vitality for all people and localities; and

WHEREAS, the best way to promote economic development is for local governments and private/nonprofit economic development entities to join forces, working and communicating together to attract new business and retain and expand existing business; and

WHEREAS, businesses seek to maximize their private economic gains and local governments seek to maximize jobs and tax base within their communities, creating competition among governments to offer various financial and other incentives to business to entice the development within their community; and

WHEREAS, local government may provide expansion resources and assistance to businesses, however, there is no net gain to the total Quad Cities region economy if limited resources are committed to assisting businesses to move within the area with no increase in jobs; and

WHEREAS, private and nonprofit entities are similarly involved in economic development projects and should also follow the policy set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the participant local governments to the agreement that:

- Section 1. All elected officials and staff of signatory local governments or private/nonprofit economic development organizations in the Quad Cities region will work together to promote and facilitate economic development.
- Section 2. Local governments and private/nonprofit economic development organizations, within the Quad Cities region, will not initiate contact with existing local businesses in an effort to entice these businesses to leave one local government for another local government within the region.
- Section 3. When a local government or private/nonprofit economic development organizations is contacted by a business that currently has facilities elsewhere in the Quad Cities region and the business intends to vacate or downsize its current facilities as part of a move within the Quad Cities region, the contacted local government is obligated to inform the government that currently houses the business of the proposed

relocation. This contact may be made directly between the two governments. Alternatively, the involved business may make the contact and provide a letter documenting their conversation with the local government in which they are currently located.

Section 4. If a business decides to relocate from one local government to another, within the Quad Cities region, only previously existing incentives may be offered by the receiving local government. No new incentives may be developed for the purpose of facilitating the relocation of a business from one local government to another in the Quad Cities region.

Section 5. The provisions of this resolution cannot be superseded by agreements for confidentiality or other contracts between a local government or nonprofit economic development organizations and a business. Local business will be made aware of this resolution immediately upon contacting a local government about relocating within the region.

DRAFT

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright
Wards: All

Action / Date
6/20/2018

Subject:
Resolution awarding contracts for vehicle body repair work to a group of body repair companies.
[All Wards]

Recommendation:
Adopt the Resolution.

Relationship to Goals:
Fiscal Vitality.

Background:
On April 5, 2018, a Request for Proposals was issued and sent to companies that perform vehicle body repairs. On May 4, 2018, the Purchasing Division opened and read four proposals. See attached tabulation.

Some companies specialize in repairs to automobiles only and some specialize in repairs only to large trucks, and some do both. The volume of body repair work that has been required by the Risk Management Division justifies an award to several vendors for each type. No one company can handle the workload and the type of repairs needed. The recommendation is to award two lists, Auto Repairs and Truck Repairs.

The first choice vendor on each list will have the first option for the work. If they are too busy and not able to complete the work in a timely manner, the second choice will be contacted. If the second choice is busy, the third vendor will be contacted. The lists are as follows:

Auto Repairs: (1) Green Buick/GMC, Davenport; (2) Walcott Collision, Walcott; (3) Cleve's Collision, Davenport. Truck Repairs: (1) Walcott Collision, Walcott; (2) QC Peterbilt Inc., Davenport; (3) Cleve's Collision, Davenport.

The Funds used to pay for these repairs is the Risk Management Claims Fund.

ATTACHMENTS:

| Type | Description |
|---------------------|-------------------------------------|
| ▣ Resolution Letter | Resolution Vehicle Body Repair Work |
| ▣ Backup Material | Bid Tab for Greensheet |

REVIEWERS:

| Department | Reviewer | Action | Date |
|-------------------|-----------------------|----------|---------------------|
| Finance | Watson-Arnould, Kathe | Approved | 6/13/2018 - 2:42 PM |
| Finance Committee | Watson-Arnould, Kathe | Approved | 6/13/2018 - 2:42 PM |
| City Clerk | Admin, Default | Approved | 6/13/2018 - 2:58 PM |

Resolution No. _____

Resolution offered by Alderman Tompkins.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION awarding contracts for vehicle body repair work to a group of body repair companies, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for vehicle body repair work;

WHEREAS, these four companies (Green Buick/GMC, Walcott Collision, QC Peterbilt, Inc., and Cleve's Collision) submitted proposals and are awarded as most responsive and responsible vendors;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. the contracts for the vehicle body repair work to these companies are awarded; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Jackie E. Holecek, CMC
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
TABULATION OF PROPOSALS

DESCRIPTION: VEHICLE BODY WORK REPAIR CONTRACT

RFP NUMBER: 18-94

OPENING DATE: MAY 4, 2018

GL ACCOUNT NUMBER: 50470460 520236

RECOMMENDATION: AWARD THE CONTRACT TO A GROUP FOR AUTO
REPAIRS AND A GROUP FOR TRUCK REPAIRS

| <u>AUTO REPAIRS - VENDOR</u> | <u>LOCATION OF BUSINESS</u> |
|-----------------------------------|-----------------------------|
| Green Buick/GMC – First Choice | Davenport |
| Walcott Collision – Second Choice | Walcott, IA |
| Cleve's Collision – Third Choice | Davenport |

| <u>TRUCK REPAIRS – VENDOR</u> | <u>LOCATION OF BUSINESS</u> |
|-----------------------------------|-----------------------------|
| Walcott Collision – First Choice | Walcott, IA |
| QC Peterbilt Inc. – Second Choice | Davenport, IA |
| Cleve's Collision – Third Choice | Davenport, IA |

Approved By Kristi Keller
Purchasing

Approved By _____
Department Director

Approved By Mike Murray
Budget/CIP

Approved By BN
Finance Director

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Scott Hock 326-7817
Wards: 5

Action / Date
6/20/2018

Subject:
Motion approving a grant payment to Gabe's Dream Team in the amount of \$85,000 for construction of an all-inclusive playground in Vander Veer Park. [Ward 5]

Recommendation:
Approve the motion.

Relationship to Goals:
Welcoming Neighborhoods

Background:
In 2013 a group of volunteers saw a need for a playground designed to create play environments using inclusive playground equipment that welcomes kids and families of all abilities to learn, play, and grow together. The group chose Vander Veer Park as the best location for this new Quad-City amenity. This playground will replace the existing playground in Vander Veer Park. The City allocated funds equivalent to what would normally be used to replace the current equipment as a grant to Gabe's Dream Team for the construction of the new playground. The group established a goal of \$500,000 for building the inclusive playground. Gabe's Dream Team is now approaching that goal and is requesting the City of Davenport's financial contribution toward this project. The funding is available in the City's CIP.

ATTACHMENTS:

| Type | Description |
|-------------------|------------------------------|
| ▣ Backup Material | Gabe's Playground |
| ▣ Backup Material | Gab'e Playground Fundraising |

REVIEWERS:

| Department | Reviewer | Action | Date |
|-------------------|-----------------------|----------|---------------------|
| Finance | Watson-Arnould, Kathe | Approved | 6/13/2018 - 2:43 PM |
| Finance Committee | Watson-Arnould, Kathe | Approved | 6/13/2018 - 2:43 PM |
| City Clerk | Admin, Default | Approved | 6/13/2018 - 2:55 PM |

A young boy with short brown hair is sitting in a black wheelchair. He is wearing a white t-shirt, blue shorts, white socks, and blue sneakers. A race bib is pinned to his shirt with the text "JR. 7", "K4423", and "ALCOA". He is smiling and looking towards the camera. The background of the photo shows a grassy area and some trees. The photo is set within a circular frame that is part of a larger graphic design featuring stylized green hills and a blue sky with white clouds.

Gabe's Dream Team

Inclusive Playground for Vander Veer

Shanes - Gabe's Play Village

Davenport IA January 7, 2015 80857-1-2-4-v2



APPROVAL

PLEASE REVIEW AND APPROVE THE FOLLOWING:

COLOR & MATERIALS ☐
 VERBIAGE ☐
 LAYOUT/SIZE ☐
 GRAPHICS ☐

THIS APPROVAL CONFIRMS THAT ALL MAJOR DESIGN WORK HAS BEEN COMPLETED AND ACCURATELY REFLECTS THE DIRECTION SPECIFIED BY THE CLIENT. THIS ENDORSEMENT IS A CONCEPTUAL APPROXIMATION OF CUSTOM PRODUCTS AND IS SUBJECT TO FINAL SHEDDING AND MANUFACTURING PLACEMENT AND MINOR CHANGES RELATED TO STANDARD AND MANUFACTURING CAPABILITIES. ANY CHANGES FOLLOWING THIS APPROVAL WILL IMPACT DELIVERY DATE AND WILL BE SUBJECT TO CHANGE ORDER.

SIGNATURE

DATE

Custom products shown are conceptual only. Estimated manufacturing time: 16 weeks from the time of LSI order acceptance.

landscape
structures



Better playgrounds.
Better world.®

playlsi.com



Proudly presented by



Shanes - Gabe's Play Village

Davenport IA January 7, 2015 80857-1-2-3



APPROVAL

PLEASE REVIEW AND APPROVE THE FOLLOWING:

COLOR & MATERIALS ☐
 VERBIAGE ☐
 LAYOUT/SIZE ☐
 GRAPHICS ☐

THIS APPROVAL CONFIRMS THAT ALL MAJOR DESIGN WORK HAS BEEN COMPLETED AND ACCURATELY REFLECTS THE DIRECTION SPECIFIED BY THE CLIENT. THIS ENDORSEMENT REMAINS A CONCEPTUAL APPROXIMATION OF CUSTOM PRODUCTS AND IS SUBJECT TO FINAL CHANGES THAT WILL COME AFTER FINAL PLACEMENT AND BEFORE CHANGES RELATED TO STANDARD AND MANUFACTURING CAPABILITIES. ANY CHANGES FOLLOWING THIS APPROVAL WILL IMPACT DELIVERY DATE AND WILL BE SUBJECT TO CHANGE ORDER.

SIGNATURE

DATE

Custom products shown are conceptual only. Estimated manufacturing time: 16 weeks from the time of LSI order acceptance.

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Proudly presented by:





GABE'S ALL-INCLUSIVE PLAY VILLAGE FUNDS RAISED TO DATE

| Organization | Amount |
|---|------------------|
| RDA | \$75,000 |
| SCRA | \$75,000 |
| SCRA (2014) | \$45,000 |
| Kenneth & Sharon Glassman Fund | \$10,000 |
| Davenport Rotary | \$2,000 |
| QC Jaycees | \$1,500 |
| Roy J. Carver Charitable Trust | \$25,000 |
| Bend of the River Pilot Club QC | \$5,000 |
| Leading Ladies Giving Circle | \$1,000 |
| American Legion | \$5,000 |
| Risen Christ Lutheran Church | \$200 |
| St. Paul Lutheran Church | \$5,000 |
| Decker Charitable Fund | \$15,000 |
| Parrot Head Club | \$500 |
| Stanley M. Reeg Trust | \$250 |
| Richard and Joan Evans Charitable Fund | \$300 |
| Charles and Nancy Von Maur Foundation | \$5,000 |
| Robert A and Kathleen M Wolfe Family Foundation | \$500 |
| Gerald J & Mary R Van Severen Foundation | \$500 |
| The Vonderhaar Family Foundation | \$10,000 |
| Michael Duffy (Per Mar Security Service | \$10,000 |
| Robert & Blenda Ontiveros NonEndowed Donor Advised Fund | \$5,000 |
| Private Donations | \$25,637 |
| Misc . Contributions | \$14,792 |
| City of Davenport (Capital Improvement | \$85,000 |
| City of Davenport (In-Kind Services) | <u>\$20,000</u> |
| TOTAL | \$442,179 |

City of Davenport

Agenda Group: Council
Department: City Clerk
Contact Info: Mallory Merritt
Wards: All

Action / Date
6/27/2018

Subject:
Civil Service Certification List

Recommendation:
Receive and file list.

ATTACHMENTS:

| Type | Description |
|--|--|
|  Cover Memo | Civil Service List Forestry Technician |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------|----------------|----------|----------------------|
| City Clerk | Admin, Default | Approved | 6/19/2018 - 11:26 AM |

CIVIL SERVICE COMMISSION—CERTIFICATION ROSTER

| |
|----------------------------------|
| POSITION: Forestry Technician |
| TYPE OF LIST: Entry |
| CERTIFICATION DATE: June 8, 2018 |
| EXPIRATION DATE: June 7, 2019 |

JOB CODE: 5302 EXAM PLAN: 1037

To be completed by Hiring Department.

Please enter the appropriate code from the list below for each candidate on each job opening.

Please return this form to the Human Resources Department. Thank you.

| ELIGIBLE CANDIDATES | | RESULT CODE | DATE OF APPOINTMENT |
|---------------------|--|-------------|---------------------|
| Ben Edge | | | |
| Alex Ploen | | | |
| Nicholas Stanton | | | |
| Brad Terry | | | |
| | | | |
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Chair Ralph Kelly Date 6/8/2018INITIAL OF
APPOINTING
AUTHORITY

Commissioner _____

Commissioner [Signature]Commissioner [Signature]Commissioner [Signature]

RESULT CODES:

1. Appointed
2. Hired other candidate
3. Disqualified (Attach Documentation)
4. Not interested in this position, retain on list
5. No longer interested, remove from list
6. Not contacted
7. Unable to contact at given location
8. Failed to report for interview

PREFERENCE CODE:

P—Eligible for preference
See Iowa Code 400.28