

# COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, September 4, 2019; 5:30 PM

City Hall, 226 W 4th Street, Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Avenue. [Ward 5]

B. Public Works

1. Public Hearing on the plans, specifications, forms of contract, and estimate of cost for the River Dr Median Removal Project, CIP #35044. [Ward 3]
2. Public Hearing on the plans, specifications, forms of contract, and estimate of cost for Phase II of the Downtown Decorative Streetlight LED Retrofit Project, CIP #60020. [Ward 3]

VII. Presentations

VIII. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

IX. Action items for Discussion

## COMMUNITY DEVELOPMENT

Rita Rawson, Chairman; Ray Ambrose, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. Third Consideration: Ordinance for Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [All Wards]
2. Third Consideration: Ordinance for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Dr and



Telegraph Rd, bounded roughly by Wisconsin Ave and S Vermont Ave to the east and west respectively, from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1]

3. Third Consideration: Ordinance vacating the excess right-of-way formerly part of Forest Grove Ct. [Ward 6]
4. First Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]
5. Resolution for Case P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7]
6. Resolution for Case F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4 lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7]
7. Resolution for Case F19-14 being the request of Montgomery LC for a final plat for a 2-lot subdivision on 3.4 acres, more or less, of property located on the north side of E 53rd Street approximately 155 feet east of Belle Ave. [Ward 8]
8. Resolution setting a Public Hearing on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

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

### PUBLIC SAFETY

Kyle Gripp, Chairman; Maria Dickmann, Vice Chairman

## III. PUBLIC SAFETY

1. Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]
2. First Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]
3. First Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Hickory Grove Rd at the northernmost Cobham driveway. [Ward 2]
4. First Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]
5. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events.

Beaux Arts Fund Committee; Beaux Arts Fall Fair; Friday, September 6, 2019 12:00 p.m. - 9:00 p.m.; Saturday, September 7, 2019 10:00 a.m. - 5:00 p.m.; Sunday, September 8, 2019 10:00 a.m. - 4:00 p.m.; **Closure:** W 2nd St from Harrison to Main



with access to US Bank (see attached map). [Ward 3] **\*\*TO BE VOTED ON LATER ON THIS AGENDA\*\***

Ralph Kelly; Hilltop Urban Garden Taste; Saturday, September 7, 2019 6:00 a.m. - 5:00 p.m.; **Closure:** Scott St between W 14th St and W 15th St. [Ward 4] **\*\*TO BE VOTED ON LATER ON THIS AGENDA\*\***

Davenport Schools; North High School Homecoming Parade; Thursday, September 19, 2019 6:00 p.m. - 7:30 p.m.; **Closures:** (Police controlled intersections) Starting at Wood Intermediate, easternmost northbound lane on Division St to Northwest Blvd, Northwest Blvd south to W 56th St, W 56th St to Oakbrook Rd, Oakbrook Rd to W 57th St, W 57th St to Marquette St, Marquette St to W 60th St, W 60th St to Myrtle St, Myrtle St to W 59th St, W 59th St to Vine St, Vine St to W 58th St, W 58th St to Gaines St, Gaines St to finish at North High School. [Wards 7 & 8]

Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 7:00 a.m. - Sunday, September 22, 2019 3:00 p.m.; **Closure:** W 2nd St east of the Post Office lot to west of 802 W 2nd St, Warren St from the alley south of 3rd St to the alley north of River Dr. [Ward 3]

City of Davenport; Halloween Parade; Saturday, October 26, 2019 10:00 a.m. - conclusion of parade; **Closures:** Staging: 10:00 a.m. - conclusion of parade, 3rd St from Brady to LeClaire, Pershing from 2nd to 4th, and Iowa from 2nd to 4th; Parade Route: 12:00 p.m. - conclusion of parade, 3rd St from Western to Brady, Western from 2nd to 5th, Scott & Ripley from 2nd to 4th, Main St from alley north of The Current to 4th St; 2:00 p.m. - conclusion of parade, Harrison from 2nd to 6th, Brady from 2nd to 4th. [Ward 3]

6. Motion approving a special occurrence permit for River Music Experience, 129 N Main St, to allow food trucks to operate outside the business along Main St during the Experience Deaf QC event from 9:00 a.m. - 10:00 p.m. on Saturday, November 2, 2019. [Ward 3]
7. Motion approving noise variance request(s) for various events on the listed dates and times.

Dwayne Hodges; Westend Park Party; Herington Park 935 Brown St; Saturday, September 14, 2019 1:00 p.m. - 7:00 p.m., Outdoor music, over 50 dBa. [Ward 3]

Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 4:00 p.m. - 12:00 a.m. and Saturday, September 21, 2019 12:00 p.m. - 12:00 a.m.; Outdoor music/performances, over 50 dBa. [Ward 3]

City of Davenport; Halloween Parade; Downtown; Saturday, October 26, 2019 12:00 p.m. - conclusion of parade; Outdoor music/performances, over 50 dBa. [Ward 3]

8. Motion approving beer and liquor license applications.

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



### **Ward 3**

Jaycees of the Quad Cities Brew Ha Ha (Davenport Jaycees) - 400 W Beiderbecke Dr - Outdoor Area September 20 - 21, 2019 - License Type: B Beer

Mary's on 2nd (Birdland, Inc) - 832 W 2nd St - Outdoor Area September 20 - 21, 2019 "Fall Pride Fest" - License Type: C Liquor

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

### **Ward 2**

Probstei Inn Bar & Grill (Mayberry Homestead Inc) - 6315 W Kimberly Rd - License Type: Class C Liquor - On Premise

### **Ward 3**

Fresh Deli By Nostalgia Farms (Nostalgia Farms Market Inc) - 421 W River Dr Suite 2- Outdoor Area License Type: Class C Liquor- On Premise/T

Shenanigans (Here We Go Again, Inc) - 303 W 3rd St - License Type: Class C Liquor - On Premise

Van's Pizza Pub And Grill (TJM QC LLC) - 217 Brady Street - License Type: Class C Liquor - On Premise

### **Ward 4**

QC Mart (Bethany Enterprises, Inc) - 1556 W Locust St - License Type: Class C Beer - Carry Out

The Putnam (Putnam Museum And Science Center) - 1717 West 12th St - Outdoor Area License Type: Class C Liquor - On Premise

### **Ward 5**

QC Marts (Bethany Enterprises, Inc.) - 1313 E River Dr - License Type: Class C Beer - Carry Out

### **Ward 6**

The Mound (Mound QC, LLC) - 1029 Mound St - License Type: Class C Liquor - On Premise

### **Ward 7**

Theisen's Of Davenport (Theisen's Inc) - 3808 Brady St - License Type: Class C Beer - Carry Out/WB

### **Ward 8**



Harold's Jack & Jill (Slagle Foods, Inc) - 6723 NW Blvd Unit 1 - License Type: Class C Beer - Carry Out/WB

Harold's Jack N Jill (Slagle Foods, Inc) - 6723 NW Blvd Unit 2 - License Type: Class E Liquor - Carry Out

Leisure Lanes (Four Bros, LLC) - 2802 W 73rd St - Outdoor Area License Type: Class C Liquor - On Premise

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

### PUBLIC WORKS

Rick Dunn, Chairman; JJ Condon, Vice Chairman

#### V. PUBLIC WORKS

1. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the River Dr Median Removal Project, CIP #35044. [Ward 3]
2. Resolution approving the replacement of the tank membrane within Digester #3 at the Water Pollution Control Plant (WPCP). The work is to be performed by General Constructors, Inc of Bettendorf, IA in the amount of \$320,000, CIP #39008. [Ward 1]
3. Resolution approving the contract for the Kimberly Road Patching Project to Langman Construction, Inc of Rock Island, IL in the amount of \$794,295.50, CIP #35042. [Ward 6]
4. Resolution approving the FY19 Street Finance Report from July 1, 2018 to June 30, 2019 to be submitted to the Iowa Department of Transportation. [All Wards]
5. Resolution of acceptance for the construction of E Locust St Pavement Improvements (Kenwood Ave to Broadlawn Ave), CIP #35032, completed by Langman Construction, Inc of Rock Island, IL. [Ward 6]
6. Resolution approving change order #1 to the N Lincoln Ave Reconstruction Project (W Locust St to Central Park Ave) with McCarthy Improvement Company in the amount of \$114,670, CIP #35035. [Ward 4]
7. Resolution approving the plans, specifications, forms of contract, and estimate of cost for Phase II of the Downtown Decorative Streetlight LED Retrofit Project, CIP #60020. [Ward 3]
8. Resolution approving the contract for West 28 1/2 St and Gaines St Resurfacing project to McCarthy Improvement Company of Davenport, IA in the amount of \$148,702.50, CIP #35036. [Ward 7]
9. Resolution approving the contract for the Police Department parking garage deck/joint repairs to Western Specialty Contractors of West Des Moines, IA in the amount of \$249,709, CIP #23027. [Ward 3]
10. Resolution approving the contract for the 2300 block of N Fairmount St



Reconstruction project to Langman Construction Inc. of Rock Island, in the amount of \$344,960.46. CIP #35035. [Ward 2]

11. Resolution approving the contract for the Jersey Ridge Road Patching project to Hawkeye Paving Corporation in the amount of \$509,055, CIP #35035. [Ward 6]
12. Motion awarding the Underground Storage Tank Removal project at the Davenport Municipal Airport to Impact7G, Inc of Clive, IA in the amount of \$67,194.12, CIP #20011. [Ward 8]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Mike Matson, Chairman; Rich Clewell, Vice Chairman

VII. FINANCE

1. Resolution approving the purchase of a battery-electric ice resurfacer for The River's Edge from CTM Services, Inc of Lonsdale, MN in the amount of \$167,650, CIP #24016. [Ward 3]
2. Motion waiving the remaining annual lease payment of \$53,245.24 by Main Street Iowa, LLC for the use of Modern Woodmen Park due to 2019 Mississippi River flooding and restricted access caused by Canadian Pacific's rail raising project. [Ward 3]

VIII. Motion recommending discussion or consent for Finance items

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

1. Main Street Iowa LLP - Summer Kids Pass program - Amount: \$12,380.80
2. Kronos SAASHR Inc - Kronos annual DPD renewal - Amount: \$13,734.41
3. MTI Distributing - Toro Lynx irrigation upgrade (Emeis Golf) - Amount: \$15,098.24
4. Bracke Hayes Miller Architects - Roosevelt window replacement design - Amount: \$16,087.50
5. Trane US Inc - HVAC system annual contract - Amount: \$21,390
6. Off Course Production Inc - Cosmic golf equipment - Amount: \$31,020.50
7. GovConnection Inc - HP t630 thin clients - Amount: \$39,000

XI. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to vote on the following items:
2. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events.

Beaux Arts Fund Committee; Beaux Arts Fall Fair; Friday, September 6, 2019 12:00 p.m. - 9:00 p.m.; Saturday, September 7, 2019 10:00 a.m. - 5:00 p.m.; Sunday, September 8, 2019 10:00 a.m. - 4:00 p.m.; **Closure:** W 2nd St from Harrison to Main with access to US Bank (see attached map). [Ward 3]

Ralph Kelly; Hilltop Urban Garden Taste; Saturday, September 7, 2019 6:00 a.m. -



5:00 p.m.; **Closure:** Scott St between W 14th St and W 15th St. [Ward 4]

XII. Public with Business

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

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

XIII. Reports of City Officials

XIV. Adjourn



City of Davenport

Agenda Group:  
Department: Community Development Committee  
Contact Info: Matt Flynn 563-888-2286  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Public Hearing for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Avenue. [Ward 5]

Recommendation:  
Hold the Hearing.

Background:

In 2017, under the old zoning ordinance, the petitioner received approval of a PUD to allow for construction of a two story carriage house consisting of a three car garage on the first level and an office on the second. The structure was proposed to be 23 feet tall. The petitioner now proposes a structure approximately 27 feet tall.

Staff has determined that the existing PUD is still in effect, however, any modifications must adhere to the rules under the new code.

Alterations in building height can be achieved through approval of either:

- 1) a minor modification, less than 10% increase, which is handled by the Plan and Zoning Commission, or
- 2) a major modification, more than 10% increase, handled by the City Council.

In this case the petitioner seeks an increase in height of 17%.

According to the petitioner, below are the reasons for major modification.

*(We own a) SUV Yukon we camp a lot and kayak, along with biking trails so we have racks that we intend to have on SUV permanently.*

*Racks will not fit. SUV will be our family's main vehicle, back when it was approved we had one child on the way, now we have to and plan on another.*

*If placement of carriage is viewed in person you will see that it doesn't obstruct anyone's view. The house to the North is my rental and the house to the west and northwest are downhill. The street view is blocked by huge oak trees and my current home.*

*Not asking for anything special I own 43 rents units, I am in the business of bettering the neighborhood not destroying it.*

No comments were received when the original PUD was approved. Staff sent notices to property



owners within 200 feet informing them of the proposed major modification. Again, no comments have been received.

The proposed structure will still be 8 feet shorter than the maximum allowed in the District (35 feet). Staff supports approval of the major modification.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Exhibit	Exhibit A - Plans
▣ Backup Material	Neighbor Letter and Map
▣ Backup Material	Application
▣ Backup Material	Owner List

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 9:27 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 12:47 PM



ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDMENT FOR CASE PUD19-01 ALLOWING FOR A MAJOR MODIFICAITON OF AN EXISTING PLANNED UNIT DEVELOPMENT LOCATED AT 1002 BRIDGE AVENUE THAT WAS PREVIOUSLY APPROVED IN ORDINANCE NO. 2016-483.

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

Section 1. The previously approved planned unit development (Ord. No. 2016-483) for the following described real estate, to-wit: Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 78 North, Range 3 East of the 5<sup>th</sup> P.M., more particularly described as Lot 1 of Block 7 of Part of G. C. Churchill's Resurvey of Churchill's Addition to the City of Davenport is hereby amended by increasing the maximum height of the previously approved building structure to a height of twenty-seven (27) feet. All other conditions in Ordinance No. 2016-483 remain in effect.

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:

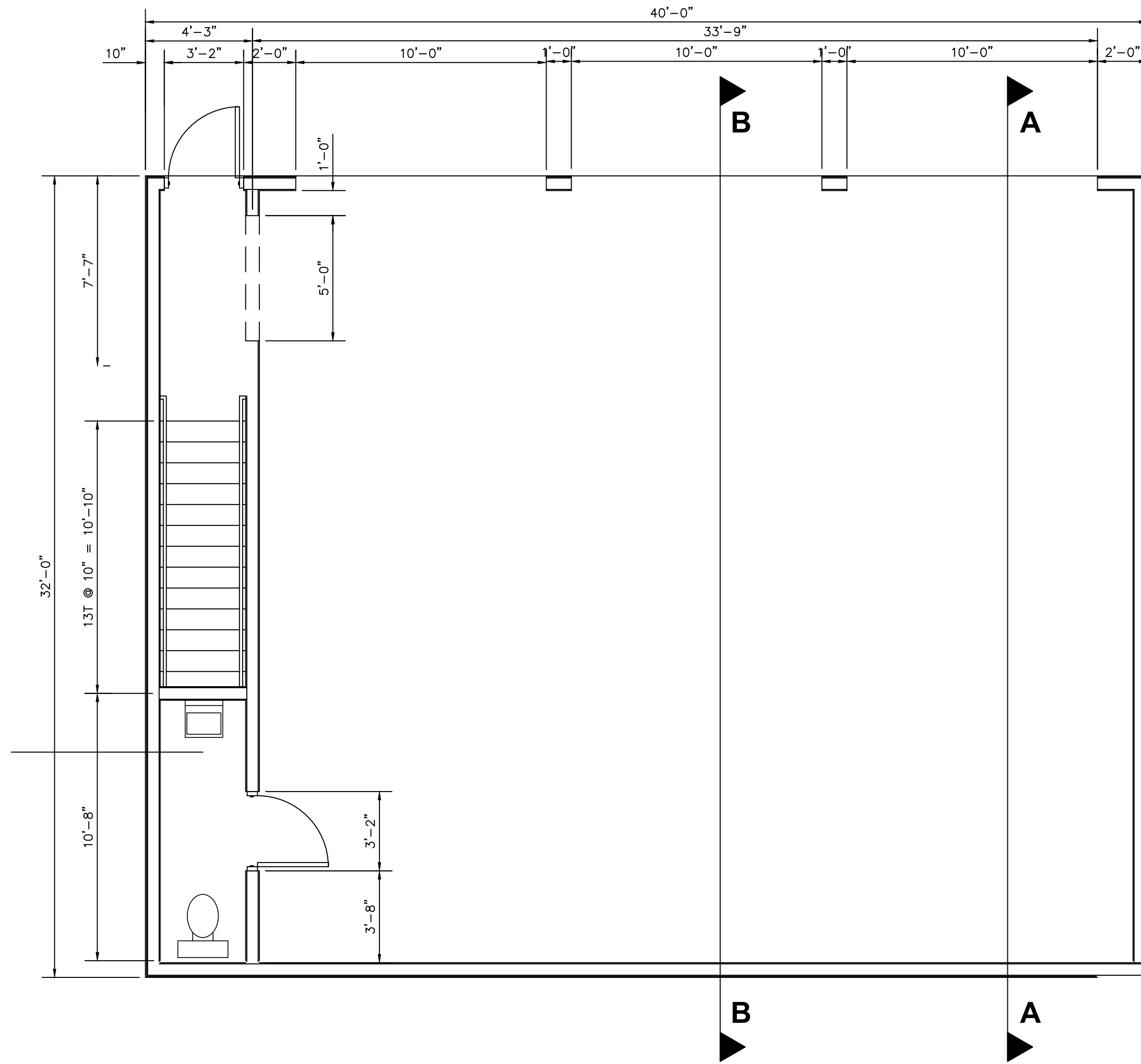
\_\_\_\_\_  
Brian Krup, Deputy City Clerk

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



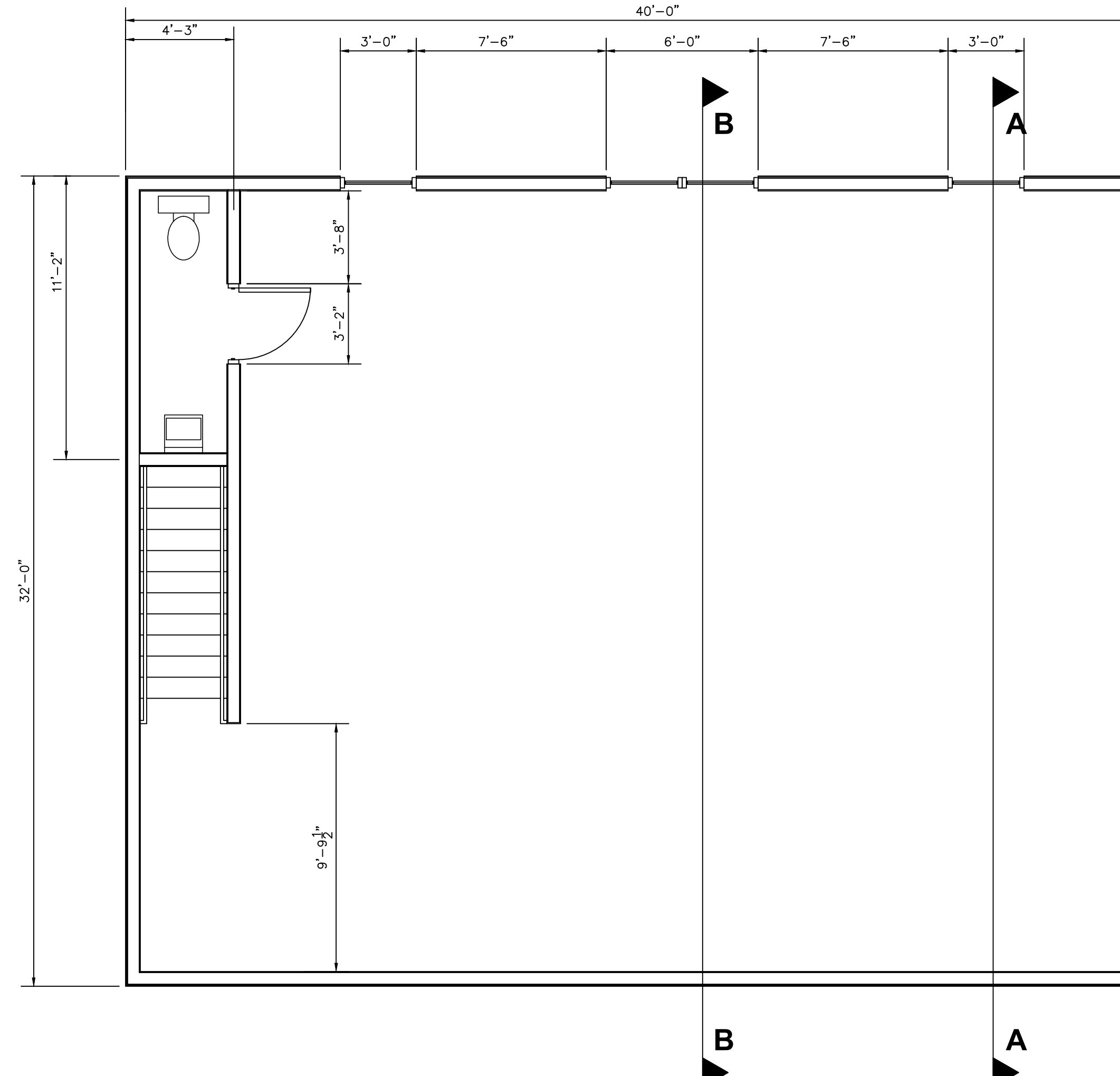


*[Handwritten signature]*



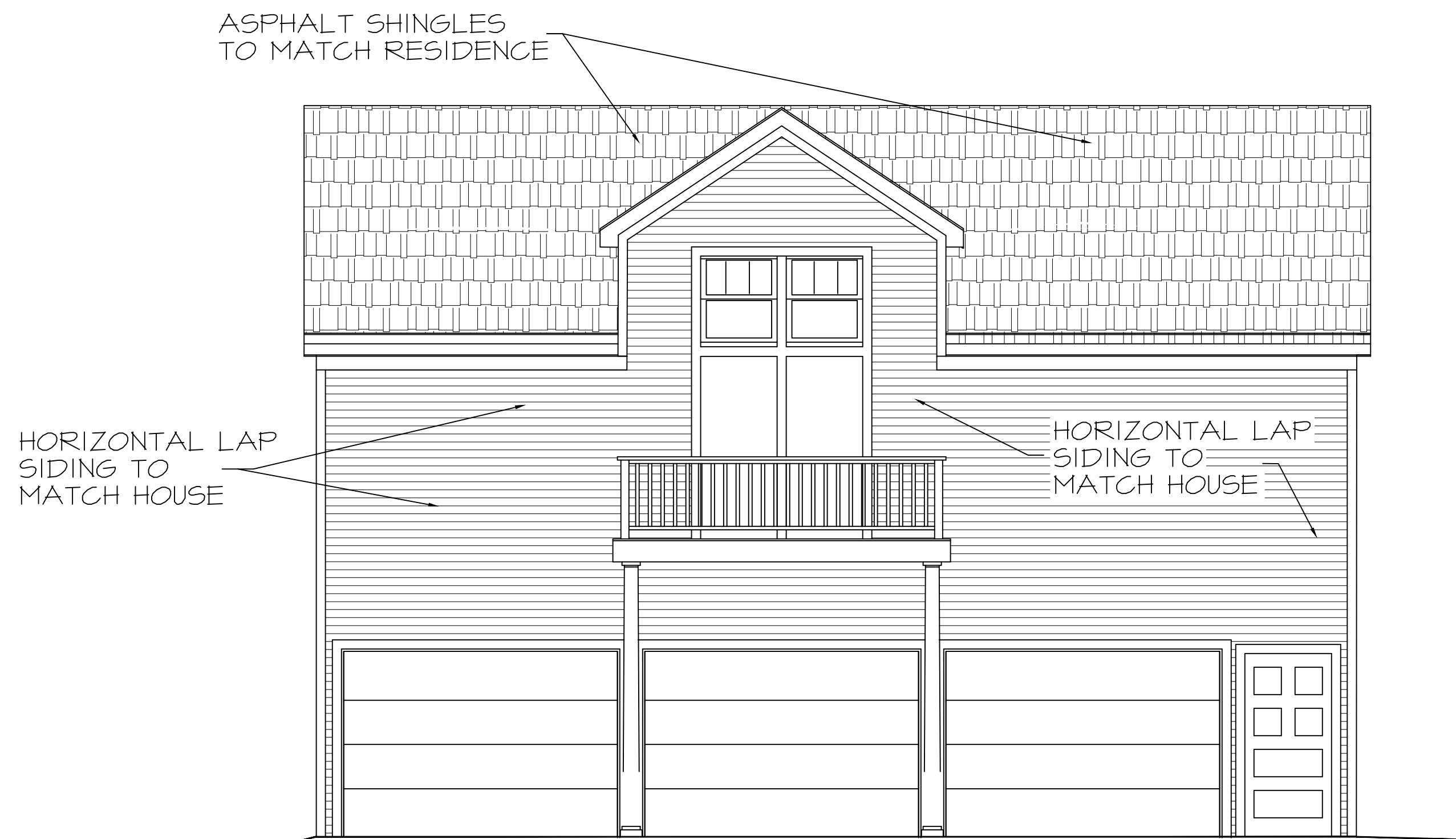
FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"



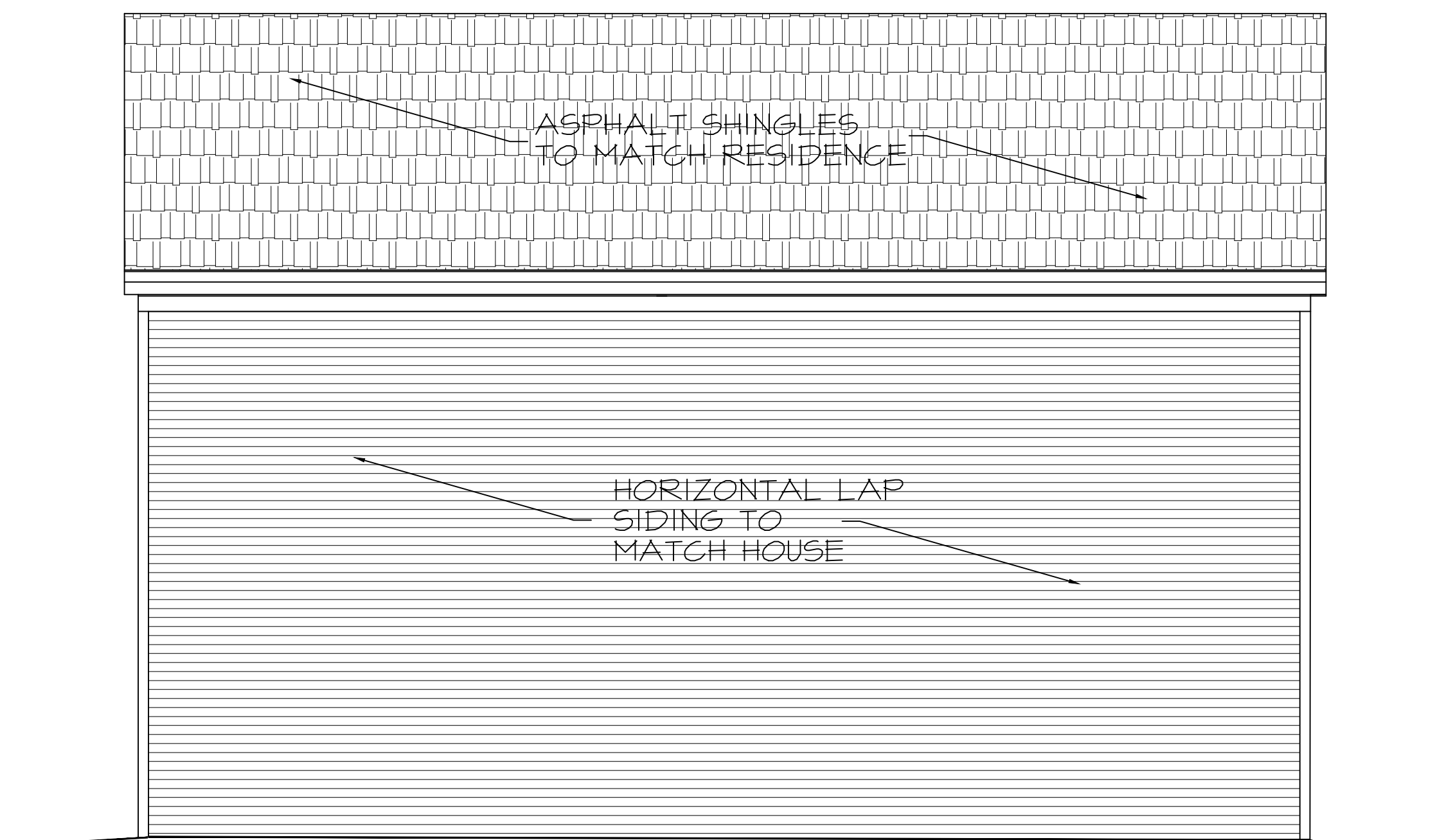
SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"



GARAGE FRONT ELEVATION

SCALE: 1/4"=1'-0"



GARAGE BACK ELEVATION

SCALE: 1/4"=1'-0"





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Community Planning Division, CPED  
City Hall, 226 West 4<sup>th</sup> Street  
Davenport, IA 52801  
[planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) | 563-326-7765

August 20, 2019

Subject: Public Hearing  
Major Modification of a Planned Unit Development  
1002 Bridge Avenue

Dear Property Owner:

You may recall in 2016, Juan Goitia at 1002 Bridge Avenue sought and received a rezoning in order to allow the construction of a two story carriage house for a home office. The proposed structure was to be approximately 23 feet in height.

Mr. Goitia is now ready to proceed with his project, but now proposes a building 27 feet in height.

Since his proposal is more than 10% taller than originally permitted, it must be approved by the City Council, following a public hearing. You are being notified as an owner within 200 feet of the subject property.

The public hearing will be held on Wednesday, September 4, 2019, at 5:30 pm in the Council Chambers of City Hall, 226 West 4th Street. At the public hearing, you are welcome to speak in favor, opposition or to ask questions.

If you have any questions in the meantime, or would like to submit comments beforehand, feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew G. Flynn', enclosed in a rectangular box.

Matthew G. Flynn, AICP  
Senior Planning Manager  
[Matt.flynn@ci.davenport.ia.us](mailto:Matt.flynn@ci.davenport.ia.us) | 563-888-2286

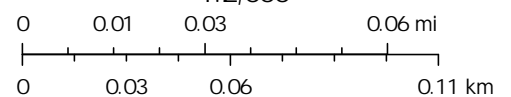


# 1002 Bridge Avenue



8/20/2019, 2:11:01 PM

1:2,000



- Parks
- Parcels
- Street Centerline (Labels only)
- City Limit
- Address Points
- Creeks
- Named Creeks
- Unnamed Tributaries
- Zoning Districts
- R-1 Single-Family Residential District
- R-2 Single-Family Residential District

Scott County Iowa, Bi-State Regional Commission





Complete application can be emailed to [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

**Property Address\***

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

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

Name:

Company:

Address:

City/State/Zip:

Phone:

Email:

*Application Form Type:*

**Plan and Zoning Commission**

Zoning Map Amendment (Rezoning)

Planned Unit Development

Zoning Ordinance Text Amendment

Right-of-way or Easement Vacation

Voluntary Annexation

**Owner** (if different from Applicant)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

**Zoning Board of Adjustment**

Zoning Appeal

Special Use

Hardship Variance

**Design Review Board**

Design Approval

Demolition Request in the Downtown

Demolition Request in the Village of

East Davenport

**Engineer** (if applicable)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

**Historic Preservation Commission**

Certificate of Appropriateness

Landmark Nomination

Demolition Request

**Architect** (if applicable)

Name:

Company

Address:

City/State/Zip:

Phone:

Email:

**Administrative**

Administrative Exception

Health Services and Congregate

Living Permit

**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:

Purpose of the Request:

Total Land Area:

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

**Submittal Requirements:**

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

**Formal Procedure:**

(1) Application:

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

(2) Plan and Zoning Commission public hearing:

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

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

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



**Formal Procedure (continued):**

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

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

Applicant:

Date:

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

Received by:

Date:

Planning staff

Date of the Public Hearing:

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



**Authorization to Act as Applicant**

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

\_\_\_\_\_

\_\_\_\_\_

Signature(s)

State of \_\_\_\_\_ ,  
County of \_\_\_\_\_ .  
Sworn and subscribed to before me

This            day of            20

\_\_\_\_\_

Form of Identification

\_\_\_\_\_

Notary Public

My Commission Expires:



## 2019 PLAN & ZONING COMMISSION CALENDAR

PLAN & ZONING COMMISSION SCHEDULE				CITY COUNCIL SCHEDULE		
<u>REZONING &amp; ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION PLAT &amp; DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING COMMISSION PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISSION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE PUBLIC HEARING	CITY COUNCIL MEETING
(12:00 PM - Monday)	(12:00 PM - Monday)	(5:00 PM - Tuesday)	(5:00 PM - Tuesday)	(12:00PM - Friday)	(5:30 PM - Wednesday)	(5:30 PM - Wednesday)
<b>11/13/18</b>	11/26/18	12/04/18	12/18/18	12/21/18	01/02/19	01/09/19
11/26/18	12/10/18	12/18/18	<b>12/31/18</b>	01/04/19	01/16/19	01/23/19
12/10/18	<b>12/21/18</b>	<b>12/31/18</b>	01/15/19	01/25/19	02/06/19	02/13/19
<b>12/21/18</b>	01/07/19	01/15/19	02/05/19	02/08/19	02/20/19	02/27/19
01/14/19	01/28/19	02/05/19	02/19/19	02/22/19	03/06/19	03/13/19
01/28/19	02/11/19	02/19/19	03/05/19	03/08/19	03/20/19	03/27/19
02/11/19	02/25/19	03/05/19	03/19/19	03/22/19	04/03/19	04/10/19
02/25/19	03/11/19	03/19/19	04/02/19	04/05/19	04/17/19	04/24/19
03/11/19	03/25/19	04/02/19	04/16/19	04/19/19	05/01/19	05/08/19
03/25/19	04/08/19	04/16/19	04/30/19	05/03/19	05/15/19	05/22/19
04/08/19	04/22/19	04/30/19	05/14/19	05/24/19	06/05/19	06/12/19
04/22/19	05/06/19	05/14/19	06/04/19	06/07/19	06/19/19	06/26/19
05/13/19	<b>05/24/19</b>	06/04/19	06/18/19	06/21/19	07/03/19	07/10/19
<b>05/24/19</b>	06/10/19	06/18/19	07/02/19	07/05/19	07/17/19	07/24/19
06/10/19	06/24/19	07/02/19	07/16/19	07/26/19	08/07/19	08/14/19
06/24/19	07/08/19	07/16/19	08/06/19	08/09/19	08/21/19	08/28/19
07/15/19	07/29/19	08/06/19	08/20/19	08/23/19	09/04/19	09/11/19
07/29/19	08/12/19	08/20/19	09/03/19	09/06/19	09/18/19	09/25/19
08/12/19	08/26/19	09/03/19	09/17/19	09/20/19	10/02/19	10/09/19
08/26/19	09/09/19	09/17/19	10/01/19	10/04/19	10/16/19	10/23/19
09/09/19	09/23/19	10/01/19	10/15/19	10/25/19	11/06/19	11/13/19
09/23/19	10/07/19	10/15/19	11/05/19	11/08/19	11/20/19	<b>11/27/19</b>
10/14/19	10/28/19	11/05/19	11/19/19	11/22/19	12/04/19	12/11/19
10/28/19	<b>11/08/19</b>	11/19/19	12/03/19	<b>cancelled due to holiday</b>		
11/11/19	11/25/19	12/03/19	12/17/19	<b>12/13/19</b>	<b>01/02/20</b>	01/08/20
11/25/19	12/09/19	12/17/19	12/31/19	12/27/19	01/15/20	01/22/20
12/09/19	12/23/19	12/31/19	01/14/20	01/17/20	02/05/20	02/12/20
12/23/19	01/06/20	01/14/20	02/04/20	01/31/20	02/19/20	02/26/20

- SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY - **MARKED IN RED**
- ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL
- DATES SUBJECT TO CGHHANE DUE TO HOLIDAYS - **MARKED IN RED**
- DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA



ParcelId	OwnerName	OwnerAddress1
F0038-22	GRAVES MYRTLE L (Deed)	1111 E 10TH ST
F0038-23	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-02	MINITER JOHN P (Deed)	1104 E 10TH ST
F0038-03	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-04	REWERTS CARRI (Deed)	1116 E 10TH ST
F0038-05	GOITIA JUAN F (Deed)	1002 BRIDGE AVE
F0038-06	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-01	HARVEY TY (Deed)	1021 ONEIDA AV
F0038-01	HARVEY SEAN (Deed)	1021 ONEIDA AV
F0038-08	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-24	WIATT TIPSWORD MICHELLE (Deed)	919 ONEIDA AV
F0038-24	WIATT JEFFREY LEE (Deed)	919 ONEIDA AV
F0038-07	WAHLMANN HOLDINGS LLC (Deed)	10531 4S COMMONS DR - STE 166-589
F0038-11	RICHARD JEREMY J (Deed)	919 BRIDGE AVE
F0039-09	EL GATO LLC (Deed)	9711 N VALLEY HILL DR
F0039-09	SUPIRA LLC (Deed)	9711 N VALLEY HILL DR
F0038-19A	MIRANDA KAREN L (Deed)	920 BRIDGE AV
F0038-20A	ROBISON CHARLES E IV (Deed)	930 BRIDGE AV
F0027-18	ANTON MARY F (Deed)	1601 CANAL SHORE DR
F0027-19	SPINNER DAVID R (Deed)	1033 ONEIDA AV
F0027-20A	FUTURE CAPITAL LLC (Deed)	5001 TREMONT AV
F0027-20B	MARTIN WILLIAM J (Deed)	3041 WILLOW CREEK ESTATES
F0027-20B	MARTIN ELIZABETH E (Deed)	
F0038-21	H & N SERIES LLC SERIES D (Deed)	1223 E 10TH ST



## OwnerCityStZip

DAVENPORT IA 52803

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DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

SAN DIEGO CA 92127

DAVENPORT IA 52803

MEQUON WI 53092

MEQUON WI 53092

DAVENPORT IA 52803

DAVENPORT IA 52803

LECLAIRE IA 52753

DAVENPORT IA 52803

DAVENPORT IA 52807

FLORISSANT MO 63031

DAVENPORT IA 52803-5642



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Nichole Kriz 563-326-7784  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Public Hearing on the plans, specifications, forms of contract, and estimate of cost for the River Dr Median Removal Project, CIP #35044. [Ward 3]

Recommendation:  
Hold the Hearing.

Background:  
This project will include the removal of medians on River Dr from Perry St to Iowa St and the construction of left turn lanes at these locations to help facilitate flood protection. Funding is available through CIP #35044.

The project is anticipated to be constructed during fall of 2019. The estimated cost is \$260,000 for the base bid plus alternate.

ATTACHMENTS:

Type	Description
▢ Backup Material	Location Map

REVIEWERS:




Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 9:58 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:04 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 12:48 PM

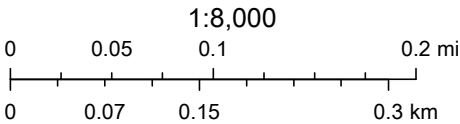


# Location Map



8/16/2019, 12:48:05 PM

-  Parks
-  Unnamed Tributaries
-  Street Centerline (Labels only)
-  Piped Creeks
-  Creeks
-  City Limit
-  Named Creeks



Scott County Iowa, Bi-State Regional Commission



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Jen Walker 563-326-6168  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Public Hearing on the plans, specifications, forms of contract, and estimate of cost for Phase II of the Downtown Decorative Streetlight LED Retrofit Project, CIP #60020. [Ward 3]

Recommendation:  
Hold the Hearing.

Background:  
The second phase of the project will replace and upgrade all non-Holophane brand ornamental streetlights in the downtown with LED Holophane brand fixtures. Currently, phase I of the project is underway. Phase II is estimated at \$84,150.

ATTACHMENTS:

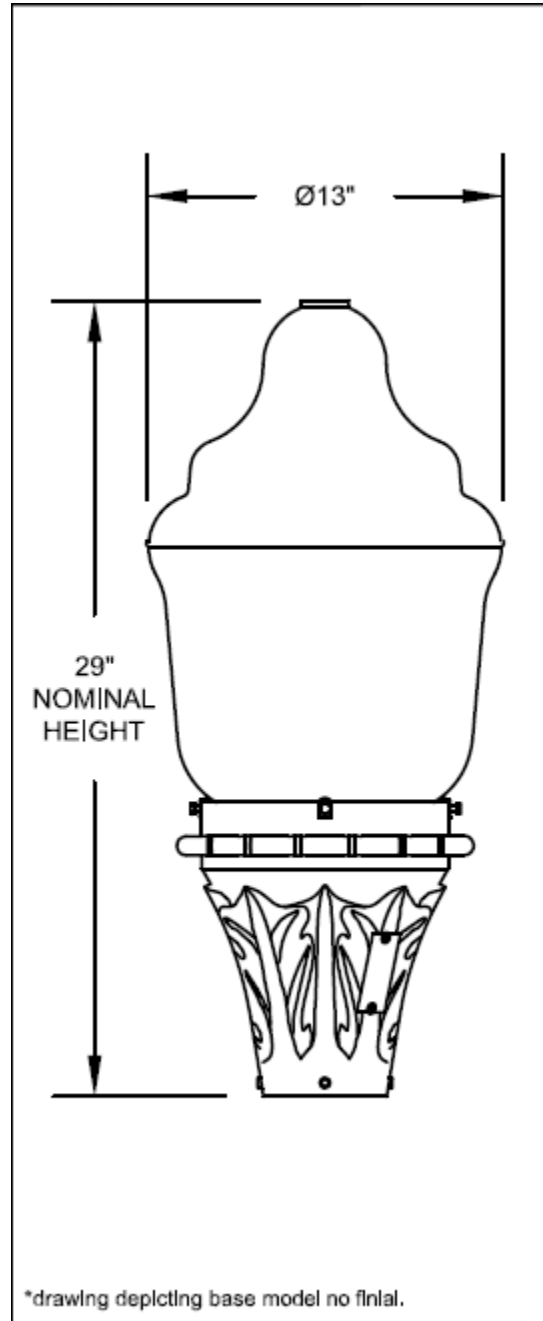
Type	Description
▣ Exhibit	Holophane ornamental fixture
▣ Backup Material	QC Times proof

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 10:03 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:03 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 12:50 PM



Holophane Granville LED Complete Head Assembly





# Customer Ad Proof

60046877 DAVENPORT PUBLIC WORKS-legal

Order Nbr 49689

Publication	Quad-City Times		
Contact	DAVENPORT PUBLIC WORKS-legal	PO Number	2001474.
Address 1	226 W 4TH ST	Rate	Legal
Address 2		Order Price	16.12
City St Zip	DAVENPORT IA 52801	Amount Paid	0.00
Phone	5633267704	Amount Due	16.12
Fax			
Section	Notices & Legals	Start/End Dates	08/26/2019 - 08/26/2019
SubSection		Insertions	1
Category	2627 Miscellaneous Notices	Size	31
Ad Key	49689-1	Salesperson(s)	Obits Legals O10
Keywords	Notice of Hearing on the Propo	Taken By	Molly Cox
Notes			

Ad Proof	<p><b>Notice of Hearing on the Proposed Plans, Specifications and Proposed Contract for the Downtown Ornamental Streetlight Upgrade for Non-Holophane Lights for the City of Davenport, Iowa</b></p> <p>Notice is hereby given that at 5:30 P.M., on Wednesday, September 4, 2019, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on the Proposed Plans, Specifications and Proposed Con- tract for the Downtown Ornamental Streetlight Upgrade for Non-Holophane Lights Project, which the City Council has caused to be filed with the City Clerk of the City of Davenport, Iowa, and on the cost and necessity of the above project in the City of Davenport, Iowa.</p> <p>At said hearing any interested person may file written objection or comments with respect to the Downtown Ornamental Streetlight Upgrade for Non-Holophane Lights Project or cost of and necessity for such improvements and may be heard orally with respect thereto. (P.O. #2001474)</p> <p>Brian Krup, Deputy City Clerk</p> <p>Davenport, Iowa August 20, 2019</p>
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City of Davenport

Agenda Group:  
Department: Community Planning & Economic Development  
Contact Info: Ryan Rusnak 563-888-2022  
Wards:

**Action / Date**  
**7/12/2019**

Subject:

Third Consideration: Ordinance for Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [All Wards]

Recommendation:  
Adopt the Ordinance.

Background:

**Update since first consideration:**

- The notice time has been increased from four days to seven days for zoning applications.
- A council notice policy has been added that requires eight affirmative votes of the city council to lessen the notice requirements in the zoning application notice policy resolution.

Staff has been applying the Zoning Ordinance over the past six months. The proposed Zoning Ordinance amendment would correct scrivener's errors and content inconsistencies, clarify certain regulations and amend certain overly restrictive regulations.

The proposed Ordinance is attached. Also attached is a strikethrough and underline version with changes highlighted in yellow. Text with strike through would be deleted and text with an underline would be added.

**Plan and Zoning Commission Recommendation:**

Finding:

1. The proposed Zoning Ordinance amendment would correct scrivener's errors and content inconsistencies, clarify certain regulations and amend certain overly restrictive regulations.

Plan and Zoning Commission accepted the listed finding and forwards Case ORD19-02 to the City Council with a recommendation for approval.

**ATTACHMENTS:**

Type	Description
□ Backup Material	Ordinance
□ Backup Material	Plan and Zoning Commission Letter to City Council - 7-17-2019
□ Backup Material	Ordinance - Strike Through and Underline Version
□ Backup Material	Letter from Lamar re: Billboards

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	8/1/2019 - 10:24 AM



Community Development Committee	Berger, Bruce	Approved	8/1/2019 - 10:24 AM
City Clerk	Admin, Default	Approved	8/1/2019 - 10:41 AM



## ORDINANCE NO. 2019 -

Case ORD19-02: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code (hereto referred to as DMC), entitled "Zoning", by amending Section 17.02.010 of the DMC, entitled "Rules of Interpretation" by adding and defining the term "should" and by reordering the subsequent rules, by amending Section 17.02.030 of the DMC, entitled "Definition of General Terms" by adding and defining the terms "Adjacent" and "Façade" to the existing list of Definition and General Terms and by revising the definitions of the terms "Sign, Freestanding" by correcting a term inconsistency, "Stoop" by adding a maximum dimension and "Substantial Repair/Rehabilitation" by revising unclear language, by amending Section 17.04.010 of the DMC, entitled "Purpose Statements" by modifying Section 17.04.010.G by replacing single-family dwellings with semi-detached dwellings in the purpose statement, by amending Section 17.04.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.04-1 by deleting "SF" and related standards and adding a five foot interior side setback for "2F" and "SF-SD" within the "R-MF" District, by amending Section 17.04.050 of the DMC, entitled "R-3C and R-4C District Design Standards" by deleting language and a diagram related to garages, carports and alley access, by amending Section 17.05.010 of the DMC, entitled "Purpose Statement" by revising the locational intent, by amending Section 17.05.040 of the DMC entitled "Design Standards" by modifying Table 17.05-2 by replacing the term "abut" with "face" and the term "abutting" with "facing", by clarifying unclear language, by deleting overly restrictive transparency requirements for outlot buildings and by revising reduced setback language for commercial centers so that it is permissive and not mandatory (the diagram for Multi-Tenant Commercial Center Site Design Standards is also modified), by amending Section 17.05.050 of the DMC, entitled "C-D District Standards" by modifying Section 17.05.050.C by correcting a scrivener's error, by amending Section 17.05.060 of the DMC, entitled "C-V District Standards" by modifying Section 17.05.060.C by correcting a scrivener's error, by amending Section 17.05.070 of the DMC, entitled "C-E District Standards" by modifying Section 17.05.070.C by correcting a scrivener's error, by amending Section 17.06.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.06-1 by reducing the minimum interior side setback from five feet to none in certain circumstances, by amending Section 17.07.020 of the DMC, entitled "S-OS Open Space District" by modifying Section 17.07.020.A by adding additional uses to the purpose statement, by amending Section 17.080.020 of the DMC, entitled "Use Matrix" by modifying Table 17.08.020 by adding "Amusement Facility – Indoor", "Animal Care Facility – Small Animal" and "Parking Lot (Principal Use)" to the list of permitted uses in the I-1 District, by adding "Dwelling – Multi-Family" and "Dwelling – Townhouse" to the list of permitted uses in the I-MU District, by adding "Government Office/Facility", "Public Safety Facility" and "Restaurant" to the list of permitted uses in the S-OS District, by adding the use "Equine, Keeping of/Equestrian Facility" to the list of

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permitted uses in the R-1 and S-AG Districts, by revising the "Use Standard" section for "Dwelling – Townhouse" and by reordering the "Use Standard" subsections subsequent to Section 17.08.030.P, by amending Section 17.080.030 of the DMC, entitled "Principal Use Standards" by modifying Section 17.080.030.D, entitled "Billboard" by deleting reference to the same side of the street, by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family or Townhouse" by deleting reference and standards related to a townhouse and by deleting "Aluminum, steel or other metal siding" and "Vinyl" from the listed of prohibited building materials, by modifying Section 17.080.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family" by adding reference to and standards related to a townhouse, by creating a point system for front façade design, by revising certain language and a diagram to support this point system, by deleting the "Transition Rule for Section 17.080.030.O.3" provision, by adding Section 17.08.030.P, entitled "Equine, Keeping of/Equestrian Facility" and related principal use standards, by reordering subsections subsequent to Section 17.08.030.P and by deleting language in Section 17.08.030.DD (being revised to Section 17.08.030.EE) regarding distributed antenna systems in the right-of-way, by amending Section 17.08.050 of the DMC, entitled "Use Definitions" by revising the definition of the uses "Lodge/Meeting Hall" and "Place of Worship" by including language regarding the service and/or sale of food and drinks as an ancillary use, by revising the definition of the use "Public Safety Facility" by deleting reference to canine and equine units and by revising the definition of the use "Restaurant" to include language regarding alcoholic beverages, by amending Section 17.090.030 of the DMC, entitled "Accessory Structures and Uses" by modifying Section 17.090.030.A, entitled "General Regulations for Accessory Structures" by adding a material standard and a prohibition on the use of shipping containers, by modifying Section 17.090.030.H.1, entitled "General Requirements for All Fences" by deleting reference to walls and by revising and deleting certain language regarding the finished side of all fences, by modifying Section 17.09.030.K, entitled "Garage, Detached and Carports", by adding language and a diagram requiring access from the alley or rear service drive, by creating design standards for detached garages, by deleting the "Sunset for Section 17.09.030.K.4.d" provision, by deleting language regarding temporary tent structures, by modifying Section 17.09.030.L, entitled "Home Occupation" by adding language to prohibit any business that provides physical good, products, or merchandise directly to the consumer, by deleting Section 17.09.030.M, entitled "Keeping of Equines", by reordering subsections subsequent to Section 17.09.030.M and by modifying Table 17.09-1 by deleting the phrase "Prohibited in the front yard" from the encroachment term "Deck", by amending Section 17.10.030 of the DMC, entitled "Off-Street Parking Design Standards" by revising certain off-street parking space minimum dimensions and aisle width in Figure 17.10-1, by amending Section 17.10.040 of the DMC, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" by modifying Section 17.10.040.C by correcting a term inconsistency and Section 17.10.040.E by deleting a definition contained elsewhere in Title 17, by amending Section 17.10.070 of the DMC, entitled "Required Off-Street Loading Spaces" by modifying Section 17.10.070.B by correcting a term inconsistency, by amending Section 17.11.050 of the DMC, entitled "Parking Lot Perimeter Landscape Yard" by requiring a perimeter landscape yard when a parking lot is adjacent to streets, alleys and public spaces and by revising the width of

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the perimeter parking lot landscape area in certain circumstances, by amending Section 17.11.070 of the DMC, entitled "Site Landscape" by replacing the term "abuts" with the phrase "is adjacent to", by amending Section 17.11.080 of the DMC, entitled "Buffer Yards" by modifying Section 17.11.080.C.6 by including vinyl as a permitted fence material, by amending Section 17.14.020 of the DMC, entitled "Notice" by deleting "required" in certain subsections, by revising certain mandatory language to permissive language in certain subsections, by increasing the notice time from four days to seven days in certain circumstances and by adding a reference to notice policy for zoning applications, by amending Section 17.14.040 of the DMC, entitled "Zoning Text and Map Amendment" by modifying Section 17.14.040.D by revising mandatory language to permissive language, by amending Section 17.14.090 of the DMC, entitled "Site Plan Review" by adding Section 17.14.090.F, entitled "Minor Adjustments to Certain Design Standards" and subsection standards, by reordering subsections subsequent to Section 17.14.090.F and by correcting a scrivener's error in Section 17.14.090.G (revised to Section 17.14.090.H) and by amending Section 17.14.100, entitled "Design Review" by modifying Section 17.14.100.D.2 by adding "and/or National Register of Historic Places". [Ward All]

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

Section 1. Section 17.02.010 of the Davenport Municipal Code, entitled "Rules of Interpretation" is hereby amended to read as follows:

#### **Section 17.02.010 Rules of Interpretation**

The terms in the text of this Ordinance are interpreted in accordance with the following rules of construction:

- A.** The singular number includes the plural, and the plural the singular.
  - B.** The present tense includes the past and future tenses, and the future tense includes the present.
  - C.** The terms "must," "shall," and "will" are mandatory.
  - D.** The term "should" is mandatory unless extenuating circumstances warrant administrative flexibility.
  - E.** The term "may" is permissive.
  - F.** The terms "must not," "will not," and "shall not" are prohibiting.
  - G.** Any gender includes all genders.
  - H.** Whenever a defined word or term appears in the text of this Ordinance, its meaning must be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage.
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Section 2. Section 17.02.030 of the Davenport Municipal Code, entitled "Definition of General Terms" is hereby amended by adding and defining the terms "Adjacent" and "Façade" to the existing list of Definition and General Terms and by revising the definitions of the terms "Sign, Freestanding", "Stoop" and "Substantial Repair/Rehabilitation" to read as follows:

#### Section 17.02.030 Definition of General Terms

**Adjacent.** Close to or near something.

**Façade.** The vertical face of a building, including any insets and protrusions, which contribute the aesthetic and/or structure design of the building.

**Sign, Freestanding.** A sign that is placed on or supported by the ground, independent of the principal structure on the lot, designed with a monument base that is an integral part of the sign structure. There are three types of freestanding signs regulated by this Ordinance:

1. **Freestanding Sign – Standard.** A freestanding sign that identifies an establishment that is not specifically categorized as a residential subdivision freestanding sign or a multi-tenant commercial center freestanding sign.
2. **Freestanding Sign – Residential Subdivision.** A freestanding sign used to identify a residential subdivision.
3. **Freestanding Sign – Multi-Tenant Commercial Center.** A freestanding sign used to identify a commercial development with two or more tenants.

#### FREESTANDING SIGN



#### FREESTANDING SIGN



**Stoop.** An exterior floor having a maximum dimension of five feet wide by five feet long, typically constructed of wood, stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings, but cannot be enclosed.

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**Substantial Repair/Rehabilitation.** Substantial repair/rehabilitation occurs with any exterior change, the cost of which exceeds 50% of the assessed or appraised building value. Routine exterior maintenance activities such as painting, tuckpointing, replacing trim in kind, railings in kind, or replacing other nonstructural architectural details in kind are not considered to constitute a substantial repair/rehabilitation unless the cost of exceeds 50% of the assessed or appraised building value.

**Section 3.** Section 17.04.010 of the Davenport Municipal Code, entitled "Purpose Statements (Section 17.04.010.G only)" is hereby amended to read as follows:

**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 semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

**Section 4.** Section 17.04.030 of the Davenport Municipal Code, entitled "Dimensional Standards (Table 17.04-1 only)" is hereby amended to read as follows:

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



**Section 5.** Section 17.04.050 of the Davenport Municipal Code, entitled "R-3C and R-4C District Design Standards" is hereby amended to read as follows:

In addition to the use standards for dwelling types located in Chapter 17.08, the following design standards apply to the R-3C and R-4C Districts. The standards below are applicable to construction of a new dwelling, and/or an addition to an existing dwelling that exceeds 25% of the 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.

**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 or simulated 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 or simulated 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. Terra Cotta

v. Ceramic tile

vi. 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.

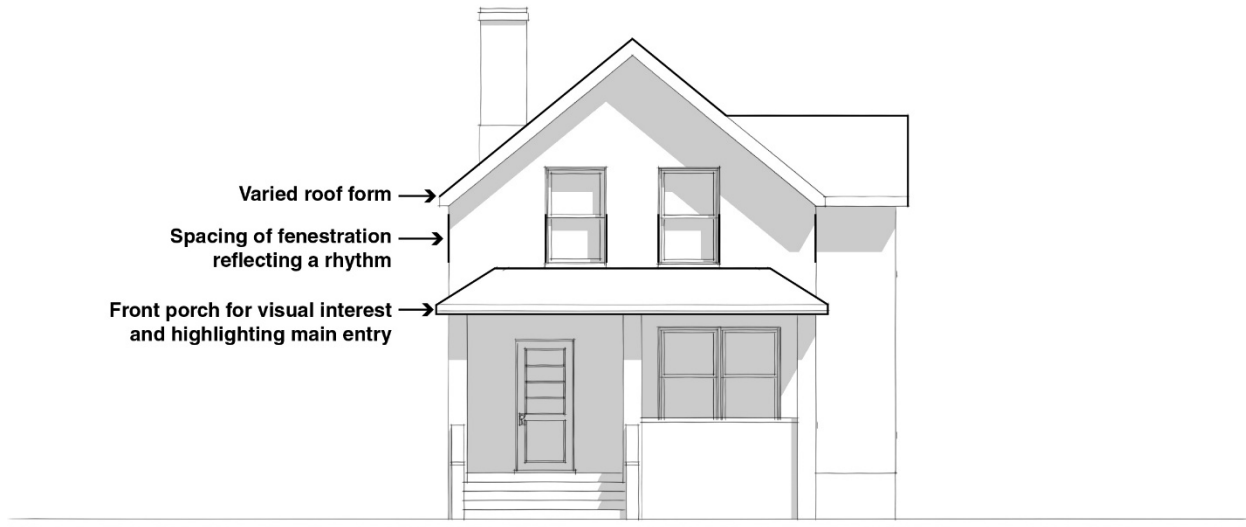
c. Frequent or irrational changes in building materials should be avoided. Change of materials should occur with prominent architectural features or changes in wall plane.

d. Where materials change with a change in wall plane, the material change should occur on the inside corner, not the outside edge.

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## R-3C AND R-4C DISTRICT DESIGN STANDARDS



**Section 6.** Section 17.05.010 of the Davenport Municipal Code, entitled “Purpose Statement” is hereby amended to read as follows:

### 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 arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport’s commercial corridors.

**Section 7.** Section 17.05.040 of the Davenport Municipal Code, entitled “Design Standards” is hereby amended to read as follows:

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

### A. Commercial Districts Design Standards

Table 17.05-2: 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.

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
<b>Façade Design</b>					
Building façades that face 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 face 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, building material 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.	•	•	•	•	
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.					•



Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
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.	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•
<b>Fenestration Design</b>					
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•		
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•		
<b>Roof Design</b>					
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.	•	•	•	•	•
<b>Entrance Design</b>					
Public entrances and primary building elevations must be oriented toward a public street. 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.					•
<b>Multi-Tenant Commercial Center and Office Park Site Design</b>					
Sites must be designed to ensure safe pedestrian access to the commercial 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.		•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	
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.					•
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. Building Material Restrictions

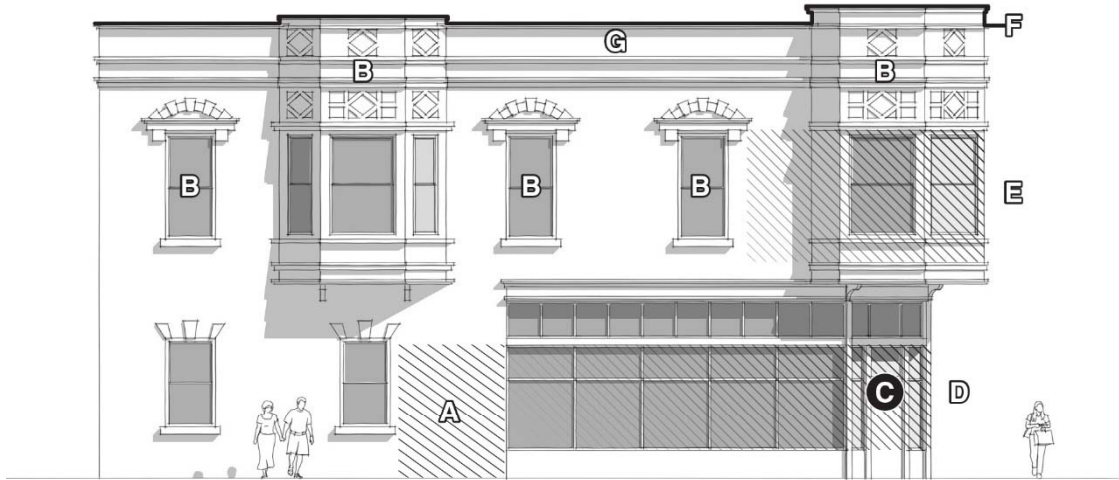
In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail 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



- |  |  |
|--|--|
| <p>A. Blank wall area 40 linear feet or less, measured parallel to the street</p> <p>B. Repeating pattern of two elements at an interval of no more than 40 linear feet</p> <p>C. A visually distinct public entrance from the sidewalk along the primary building frontage</p> <p>D. First floor transparency of 50% measured between two and ten feet in height from grade</p> | <p>E. Upper floor transparency of 15% of the wall area of the story</p> <p>F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet</p> <p>G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details</p> |
|--|--|



## 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

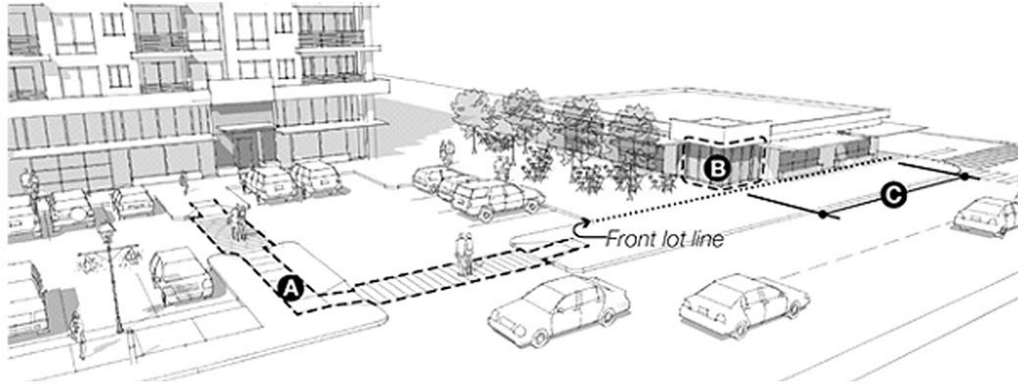
## C-3 DISTRICT DESIGN STANDARDS



- 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 35% measured between two and ten feet in height from grade
- E. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details



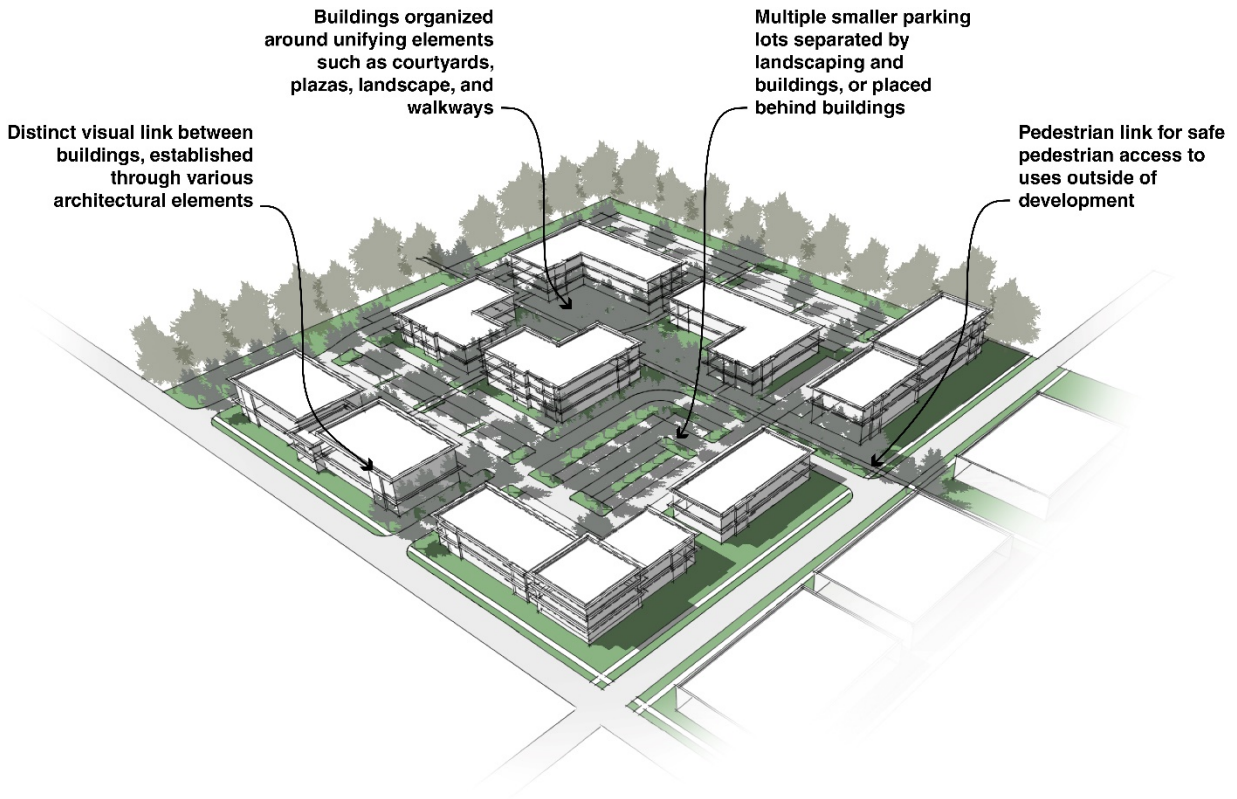
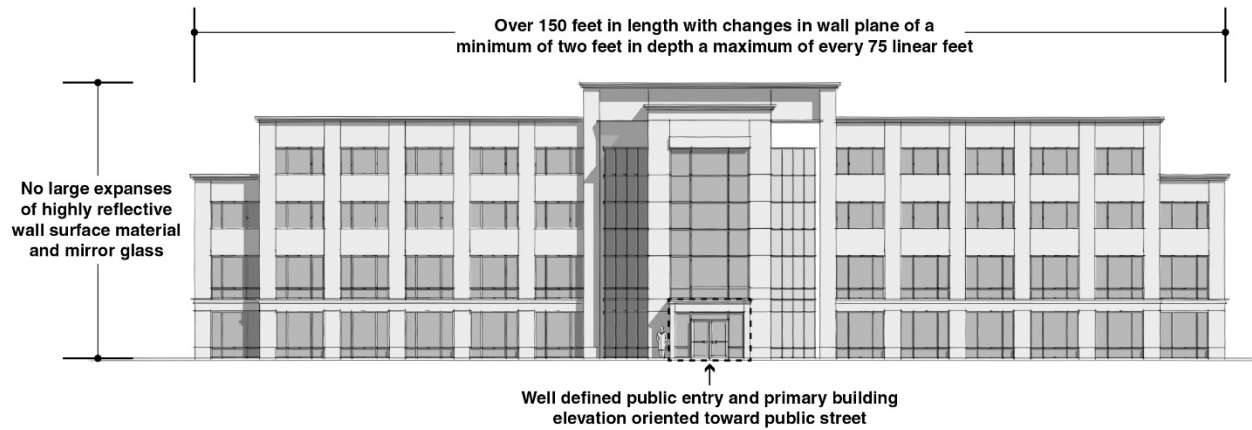
## MULTI-TENANT COMMERCIAL CENTER SITE DESIGN STANDARDS



- A. Sites must be designed to ensure safe pedestrian access to the commercial 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 lot.
- C. Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.



## C-OP DISTRICT DESIGN STANDARDS





**Section 8.** Section 17.05.050 of the Davenport Municipal Code, entitled "C-D District Standards (Section 17.05.050.C only)" is hereby amended to read as follows:

**C. C-D District Design Standards**

Development in the C-D District is subject to design review per Section 17.14.100, and must be designed in accordance with the City of Davenport's adopted Downtown Design Guidelines and Downtown Davenport Streetscape Improvement Plan.

**Section 9.** Section 17.05.060 of the Davenport Municipal Code, entitled "C-V District Standards (Section 17.05.060.C only)" is hereby amended to read as follows:

**C. C-V District Design Standards**

Development in the C-V District is subject to design review per Section 17.14.100. Design requirements for the C-V District are described in the adopted Village of East Davenport Performance Standards.

**Section 10.** Section 17.05.070 of the Davenport Municipal Code, entitled "C-E District Standards (Section 17.05.070.C only)" is hereby amended to read as follows:

**C. C-E District Design Standards**

Development in the C-E District is subject to design review per Section 17.14.100. Design requirements for the C-E District are described in the adopted Elmore Corners Plan.

**Section 11.** Section 17.06.030 of the Davenport Municipal Code, entitled "Dimensional Standards (Table 17.06-1 only)" is hereby amended to read as follows:

Table 17.06-1: Industrial Districts Dimensional Standards			
	I-1	I-2	I-MU
Bulk			
Minimum Lot Area	None	10,000sf	None
Minimum Lot Width	None	70'	None
Maximum Building Height	90'	90'	90'
Setbacks			
Minimum Front Setback	25'	25'	0'-10' build-to zone
Front Setback Build-to Percentage	None	None	80%
Minimum Interior Side Setback	None, unless abutting a residential district then 25'	15', unless abutting a residential district then 25'	None
Minimum Corner Side Setback	20'	20'	0'-10' build-to zone
Corner Side Setback Build-to Percentage			60%
Minimum Rear Setback	15'	25'	None, unless abutting a residential district then 20'

**Section 12.** Section 17.07.020 of the Davenport Municipal Code, entitled "S-OS Open Space District (Section 17.07.020.A only)" is hereby amended to read as follows:

**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, and cemeteries. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses, such as cultural facilities, performance venues, and eating establishments. This district is also intended for governmental agency offices/facilities providing a governmental service to the public.

**Section 13.** Section 17.08.020 of the Davenport Municipal Code, entitled "Use Matrix (Table 17.08.020 only)" is hereby amended to read as follows



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



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



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







Section 14. Section 17.08.030 of the Davenport Municipal Code, entitled "Principal Use Standards" is hereby amended by modifying Section 17.08.030.D, entitled "Billboard", by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family, by modifying Section 17.08.030.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family, by adding Section 17.008.030.P, entitled "Equine, Keeping of/Equestrian Facility", by reordering subsections subsequent to Section 17.08.030.P and by modifying Section 17.08.030.DD (revised to Section 17.08.030.EE) to read as follows:

**D. Billboard**

1. Billboard locational restrictions are as follows:
  - a. Billboard structures are prohibited if visible from an interstate highway.
  - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
  - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
2. The maximum sign area of a billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
3. The maximum height of a billboard is 45 feet.
4. Billboards must meet principal building setbacks.
5. All billboards must be separated by a minimum distance of 1,500 feet.
6. Up to four billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two billboard sign faces can be visible from any one street direction.
7. Billboards are permitted to be electronic billboards but must comply with the following:
  - a. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.
  - b. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.

**N. Dwelling - Multi-Family**

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 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 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. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
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4. 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. Exposed aggregate (rough finish) concrete wall panels
- iii. T-111 composite plywood siding

**O. Dwelling - Single-Family, Single-Family Semi-Detached, Two-Family, and Townhouse**

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

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

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

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

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

i. 8 points – covered porch with columns.

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

iii. 6 points – front facing roof dormer.

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

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

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

vii. 3 points – bay/box window(s).

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

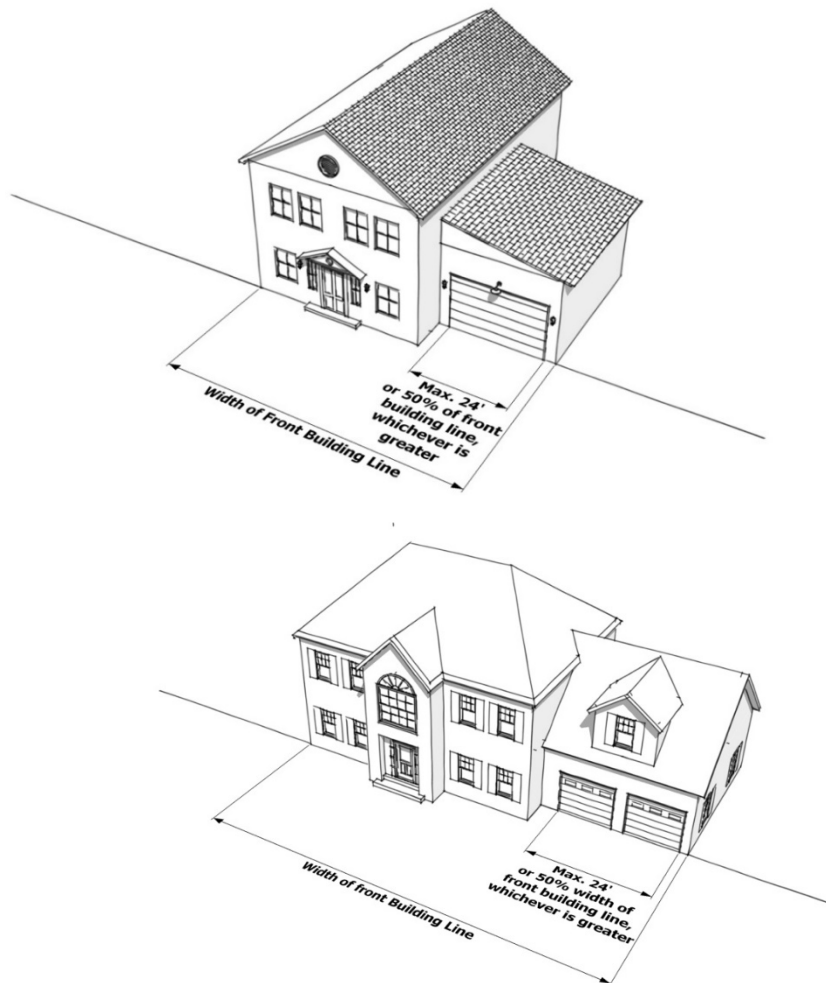
ix. 3 points – door or window surrounds as an accent material.

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- x. 3 points – freeze boards and/or horizontal bands as an accent material.
- xi. 2 points – decorative roof at the base of a gable.
- xii. 1.5 points – for each percentage of transparency below the roofline over 5%.
- xiii. 1 point – decorative gable vent(s).
- xiv. 1 point – window shutters.
- xv. negative 5 points – front facing attached garage that exceeds 24 feet or 50% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

#### ATTACHED GARAGE WIDTH



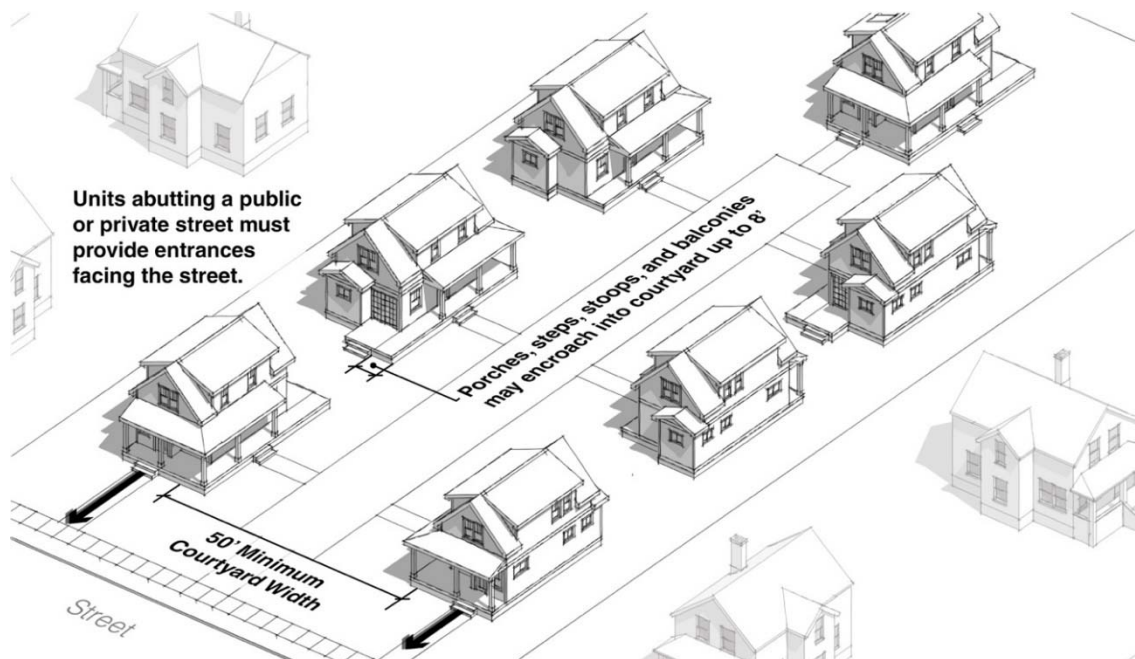
5. When a single-family and/or two-family development is designed as a house court, the following standards apply. A house court is a group of single-family and/or two-family dwellings arranged around a common courtyard or open space. Front facades of dwellings and primary pedestrian entrances are oriented to and accessed from the common area.

- a. The minimum total site area required for a house court is 15,000 square feet or the cumulative area required for each dwelling type in the house court, whichever is greater.
- b. The zoning district standards apply to each individual site within the house court.



- c. For any unit of a house court abutting a public or private street, the entrance of the units must face the street.
- d. Courtyards must meet the following standards:
  - 1. The minimum courtyard area is 3,000 square feet or 500 square feet per dwelling unit, whichever is greater.
  - 2. A courtyard must have a minimum width of 50 feet.
  - 3. All courtyard space must be contiguous and centrally located.
  - 4. Porches, steps and stoops, and balconies may encroach up to eight feet into a courtyard.
- e. Where a dwelling fronts on the courtyard, it is considered to meet the requirement for frontage on a public or private street.

#### SINGLE-FAMILY DWELLING: HOUSE COURT



- 6. 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.

#### P. Equine, Keeping of/Equestrian Facility

- 1. A minimum of two acres is required to keep one equine. For each additional acre in excess of two acres, one additional equine may be housed and maintained.
- 2. A fence must be installed around the entire grazing area. The fence must be a minimum of 150 feet from the front lot line. The fence must be a minimum of 150 feet from an existing dwelling located on an adjacent lot.
- 3. A stable or shelter must be provided for the stabling of each equine. The stable or shelter must be a minimum of 100 feet from any side or rear lot line, and a minimum of 150 feet from any front lot line.
- 4. The keeping of equines for personal use is only permitted in the R-1 and S-AG Districts. No retail or wholesale use of these animals in the R-1 District. An equestrian facilities, which are defined as any place where



equine are kept, housed, boarded, lodged, fed, hired, trained, sold, rented, or bred for monetary compensation, is only permitted in the S-AG District.

**Q. Financial Services, Alternative (AFS)**

1. Alternative financial services (AFS) must be located no closer than 1,000 feet from any other AFS.
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.

**R. 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 two car wash bays are permitted in connection with the principal gas station use.
4. When a gas station abuts the lot line of a residential district, it must be screened along the interior side and/or rear lot lines that abut the residential lot as follows:
  - a. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
  - b. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

**S. Group Home**

1. Group homes must be licensed by the state.
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.

**T. 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.

**U. 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
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- c. Office
- d. Personal service establishment
- e. Restaurant
- f. Retail goods establishment:
  - i. Retail sales of alcohol is prohibited.
  - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is 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.

#### **V. 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 may be setback up to 30 feet from the required build-to line.

#### **W. Reception Facility**

- 1. 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.
- 2. When allowed in the residential districts and S-AG District, a minimum lot size of two acres is required. Fifty foot minimum setbacks are required along all lot lines.

#### **X. Residential Care Facility**

- 1. Residential care facilities must be licensed by the state.
- 2. When located in a nonresidential district, the structure must be designed with a lobby entrance along the primary frontage.

#### **Y. Retail Sales of Fireworks**

- 1. All fireworks sales are subject to the regulations on sale and storage by the Iowa Department of Transportation Hazard Classes 1.3g and 1.4g fireworks, excluding any novelty or sparklers as defined by the American Pyrotechnics Association.
- 2. All retail sales of fireworks establishments must be a minimum of 500 feet from any residential district.

#### **Z. Self-Storage Facility: Indoor and Outdoor**

- 1. Storage units cannot be used for residential occupancy or business.
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2. No plumbing connections are permitted in self-storage units.
3. Storing hazardous or toxic materials is prohibited.
4. For self-storage facilities that include both indoor and outdoor facilities, both types of uses must be allowed in the district.
5. In the C-3 District, self-storage facilities are only subject to the district design standards when located within 100 feet of a public right-of-way, excluding alleys.
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 25 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. Shrubs must be planted and space sufficiently to form a continuous linear hedgerow at plant maturity; plantings must be placed inside the face of the fence toward the interior of the lot.

#### **AA. 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.

#### **BB. 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, shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity, and one evergreen tree every 50 feet planted linearly. Plantings must be placed outside the face of the fence facing the right-of-way.
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b. Fences or walls along the rear or interior side lot line require the planting of shrubs spaced sufficiently to form a continuous linear hedgerow at plant maturity; 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.

#### **CC. 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.

#### **DD. 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,

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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 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, 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.

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## **EE. 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. Where a wireless telecommunications tower exceeds the maximum height permitted in the district, the City may require additional setbacks from all lot lines.

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#### **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. These standards only apply to distributed antenna systems (DAS) installed on private property.

- 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.
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- 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.
- e.** 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.
- f.** 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 a permitted use, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.

Section 15. Section 17.08.050 of the Davenport Municipal Code, entitled "Use Definitions" is hereby amended by modifying the definition of the uses "Lodge/Meeting Hall", "Place of Worship", "Public Safety Facility" and "Restaurant" to read as follows:

**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. The service and/or sale of food and drinks, including alcoholic beverages, is permitted as an ancillary use to activities sponsored by the organization.

**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. The service and/or sale of food and drinks, including alcoholic beverages, is permitted as an ancillary use to activities sponsored by the organization.

**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

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facilities include shelter and training facilities.

**Restaurant.** An establishment where food and drinks, including alcoholic beverages, are provided to the public for on-premises consumption by seated patrons and/or for carry-out service.

**Section 16.** Section 17.090.030 of the Davenport Municipal Code, entitled "Accessory Structures and Uses" is hereby amended by modifying Section 17.090.030.A, entitled "General Regulations for Accessory Structures", by modifying Section 17.090.030.H.1, entitled "General Requirements for All Fences", by modifying Section 17.09.030.K, entitled "Garage, Detached and Carports", by modifying Section 17.09.030.L, entitled "Home Occupation", by deleting Section 17.09.030.M, entitled "Keeping of Equines", by reordering subsections subsequent to Section 17.09.030.M and by modifying Section 17.09.040, entitled "Permitted Encroachments (Table 17.09-1 only)" to read as follows:

**A. General Regulations for Accessory Structures**

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by specific regulations of this section and Ordinance.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory.
2. Accessory structures shall be constructed out of material intended for long-term exposure to the elements. Prohibited materials include but are not limited to cloth, fabric, canvas, plastic sheets and tarps. Greenhouses are not subject to this prohibition, Shipping containers are prohibited as an accessory structure.
2. Only those accessory structures permitted by this section and Section 17.09.040 are permitted in required setbacks. Certain accessory structures may also be prohibited in certain yards. The use of the term "yard" refers to the area between the principal building and lot line. The distinction is made because certain principal buildings may not be built at required district setback lines, thereby creating a yard larger than the minimum setback dimension.
3. The maximum height of any detached accessory structure is 20 feet, unless otherwise permitted or restricted by this Ordinance. This does not apply to any structure accessory to an active agricultural use, which are not limited in height.
4. Detached accessory structures, including those listed in this section and Section 17.09.040, must be setback as follows, unless otherwise permitted or restricted by this Ordinance:
  - a. Four feet from any interior side lot line. This interior side setback may be reduced to two feet if the adjacent walls, or parts of walls, of the accessory building have no openings and are protected on the inside with fire-proofing materials or are constructed of fire-proof materials, as verified by the Zoning Administrator.
  - b. No closer than four feet from any rear lot line.
  - c. No structure may be located in a front or corner side yard unless specifically allowed by this Ordinance.
5. Accessory structures are included in the calculation of all maximum impervious surface and building coverage requirements of the district.
6. The footprint of any single detached accessory structure cannot exceed the footprint of the principal building. This does not apply to any structure accessory to an active agricultural use, which are not limited in area.

**H. Fences**

**1. General Requirements for All Fences**

- a. Every fence must be maintained in a good repair and safe condition at all times. Every damaged or missing element must be repaired, removed, or replaced.
-



- b.** When only one side of a fence is finished, the finished side of all fences must face away from the lot on which it is located.
- c.** Fence height is measured from the adjacent ground to the highest point, except that decorative posts/pillars of a fence may exceed the maximum height by nine inches.
- d.** If a fence of a greater height is required and/or a fence is required to be a solid fence by any other section of this Ordinance or other City ordinance, then such fence is required.
- e.** Fences are prohibited within any right-of-way, drainage easement, or any designated floodway.
- f.** No barbed wire, spikes, nails, or any kind of pointed instrument may be installed on any railing, fence, guard, or other barrier or protection unless specifically allowed by the City Code.
- g.** The following materials are prohibited in the construction of fences:
  - i.** Scrap metal
  - ii.** Corrugated metal
  - iii.** Sheet metal
  - iv.** Electrical fences or any kind of electrically charged fences, unless used as part of livestock enclosures
  - v.** Razor wire
  - vi.** Pallets
  - vii.** Oriented strand board (OSB)
  - viii.** Plywood
  - ix.** Used or repurposed material

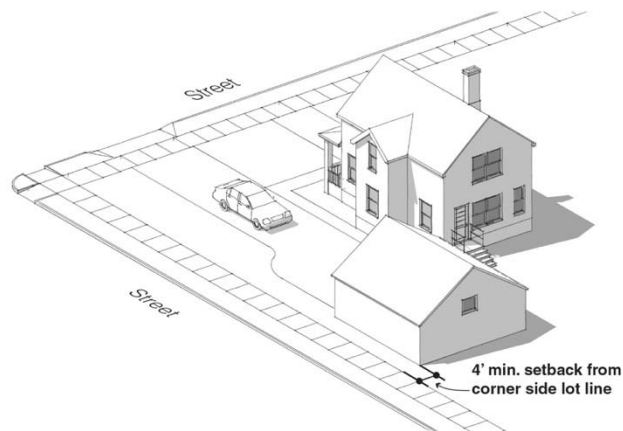
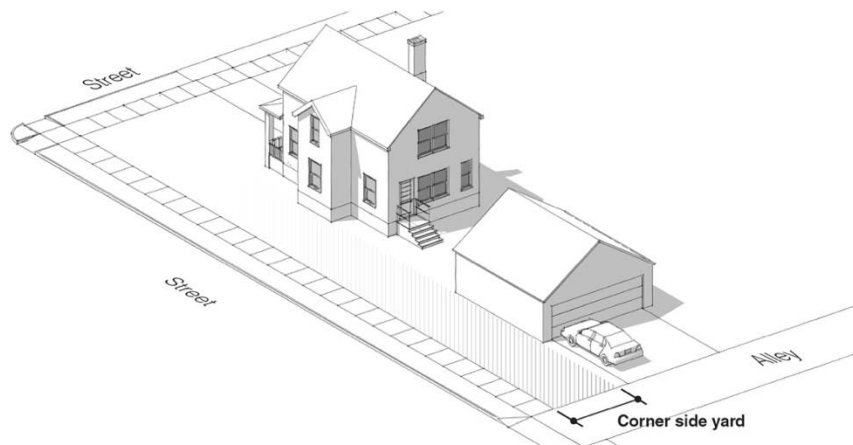
#### **K. Garages, Detached and Carports**

- 1.** Only one detached garage and one carport is permitted per lot for a single-family or two-family dwelling. Where a lot contains a detached garage and a carport, such carport must be attached to and constructed as an extension of the detached garage.
  - 2.** Detached garages and carports are permitted in the rear and interior side yards.
  - 3.** Detached garages and carports are permitted in the corner side yard, subject to the following:
    - a.** Where there is no alley access, and the garage or carport is located in the corner side yard and takes access from the abutting street, the garage or carport must be set back 20 feet from the corner side lot line.
    - b.** Where there is no alley access, and the garage or carport is located in the corner side yard but does not take access from the abutting street, the garage or carport must be set back four feet from the corner side lot line.
    - c.** Any detached garage located in a corner side yard must be set back a minimum of five feet from the front building facade line.
  - 4.** Where served by an alley or rear service drive, garages, parking pads for access and carports must take access from the alley or rear service drive. If a lot abuts an improved public alley that provides adequate access to a street, the garage or carport is not permitted within the required corner side yard setback.
  - 5.** Detached garages are subject to the following:
    - a.** Detached garages shall have the eaves of roof extend a minimum of one foot past the outside walls.
    - b.** Detached garages shall have a minimum 4/12 roof pitch.
-

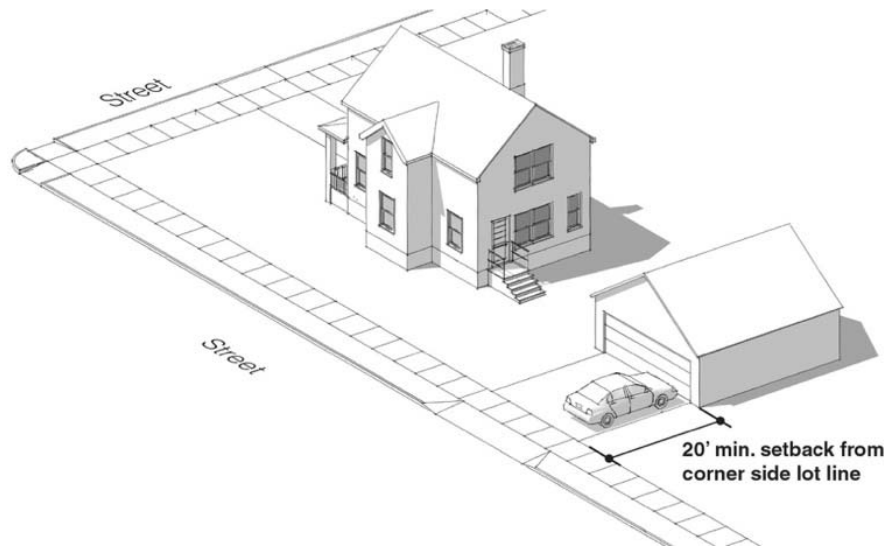


- c. Detached garages are encouraged to match the pitch of the roof of the principal dwelling.
  - d. Detached garages utilizing metal siding and/or roofing shall not have highly reflective surfaces.
  - e. Detached garages shall not contain cooking facilities or plumbing. This does not apply if an accessory dwelling unit use has been approved, in which case those standards control.
  - f. The design standards related to eaves, roof pitch and highly reflective surfaces do not apply to detached garages in the S-AG and R-1 Districts when properties are two acres in area or greater and the detached garage is located in the rear yard.
6. Carports are subject to the following:
- a. Carports must be located over a driveway.
  - b. The total length of a carport is limited to 22 feet. The height of a carport is limited to 15 feet.
  - c. A carport must be entirely open on at least two sides, with the exception of necessary support structures.
  - d. Only carports located in the rear yard may be used as recreational vehicles storage.

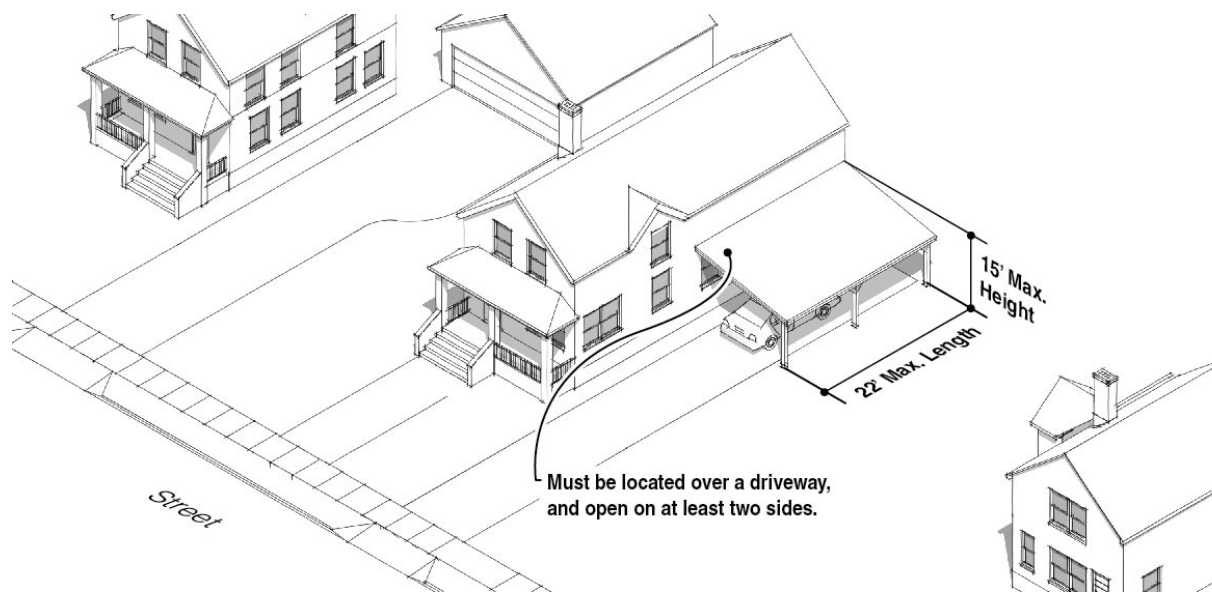
#### DETACHED GARAGE ACCESS





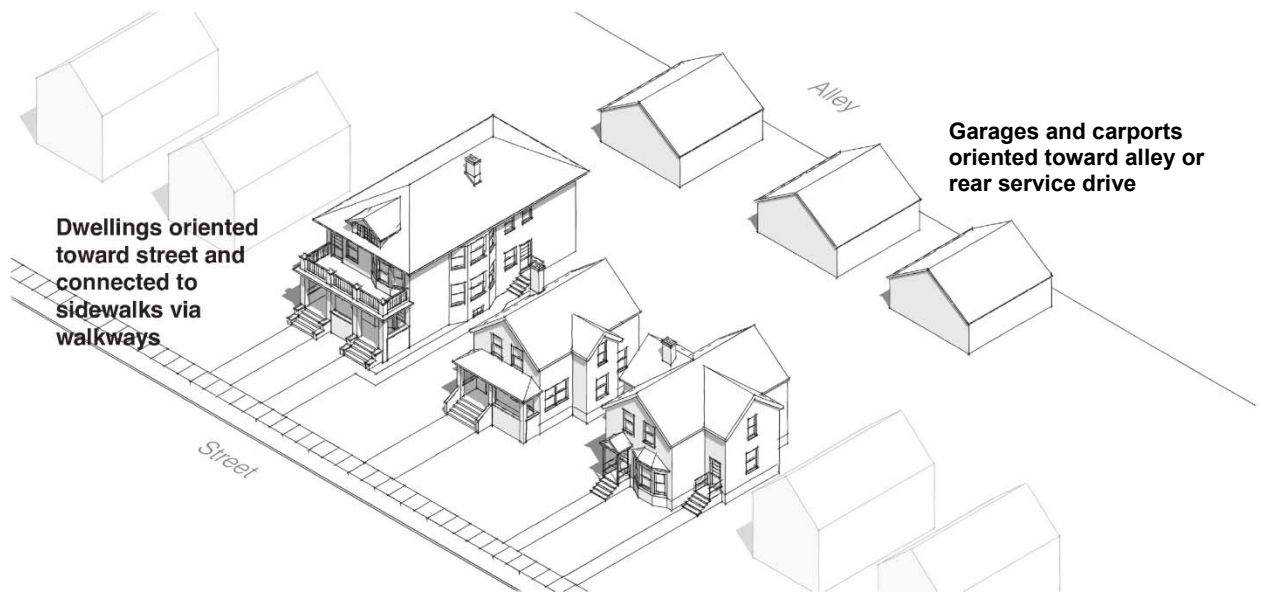


### CARPORT





## GARAGES AND CARPORTS



**Table 17.09-1: Permitted Encroachments Into Required Setbacks**

Y= Permitted // N= Prohibited

Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp	Y	Y	Y	Y
Air Conditioner Window Unit <i>Max. projection of 18" from building wall</i> <i>No building permit required</i>	Y	Y	Y	Y
Arbor <i>No building permit required</i>	Y	Y	Y	Y
Awning or Sunshade <i>Max. of 2' from building wall</i> <i>Does not include awnings used as a sign (See Chapter 17.12)</i>	Y	Y	Y	Y
Balcony <i>Max. of 6' into front, interior side, or corner side setback</i> <i>Max. of 8' into rear setback</i> <i>Min. of 4' from any lot line</i> <i>Min. vertical clearance of 8'</i>	Y	Y	Y	Y
Bay Window <i>Max. of 5' into any setback</i> <i>Min. of 24" above ground</i>	Y	Y	Y	Y
Canopy (Residential Uses) <i>Max. of 5' into any setback</i> <i>Min. of 4' from any lot line</i> <i>Max. 15' width or no more than 3' extension on either doorway side, whichever is less</i> <i>Does not include canopies used as a sign (See Chapter 17.12)</i>	Y	Y	Y	Y
Canopy (Non-Residential Uses) <i>Max. of 18" from the curb line</i> <i>Max. 15' width or no more than 3' extension on either doorway side, whichever is less</i> <i>Does not include canopies used as a sign (See Chapter 17.12)</i>	Y	Y	Y	Y
	Y	Y	Y	Y



Table 17.09-1: Permitted Encroachments Into Required Setbacks  
Y= Permitted // N= Prohibited  
Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Chimney <i>Max. of 18" into setback</i>				
Deck Max. of 5' into corner side, or interior side setback Max. of 10' into rear setback Max. height of 5' above grade	N	Y	Y	Y
Dog House Prohibited in front or corner side yard No building permit required	N	N	N	Y
Eaves Max. of 4' into setback	Y	Y	Y	Y
Exterior Stairwell Max. of 6' into setback Prohibited in front yard	N	Y	Y	Y
Fire Escape Max. of 3' into setback Prohibited in front yard	N	Y	Y	Y
Fire Escape Max. of 3' into setback Prohibited in front yard	N	Y	Y	Y
Gazebo or Pergola Prohibited in front yard	N	N	Y	Y
Greenhouse Min. of 5' from any lot line Prohibited in front and corner side yard	N	N	Y	Y
Personal Recreation Game Court Prohibited in front and corner side yard Min. of 4' from any lot line	N	N	N	Y
Playground Equipment Prohibited in front and corner side yard Min. of 4' from any lot line (This does not apply to backstops & portable basketball nets, which are allowed in any yard)	N	N	N	Y
Porch - Unenclosed Max. of 5' into front, interior side, or corner side setback Max. of 10' into rear setback Enclosed porches are considered part of the principal structure	Y	Y	Y	Y
Shed Prohibited in front yard Min. of 4' from any lot line	N	N	Y	Y
Sidewalk No min. setback from lot lines	Y	Y	Y	Y
Sills, belt course, cornices, and ornamental features Max. of 3' into setback	Y	Y	Y	Y
Scoop Max. of 4' into setback	Y	Y	Y	Y



**Section 17.** Section 17.10.030 of the Davenport Municipal Code, entitled "Off-Street Parking Design Standards (Figure 17.10-1 only)" is hereby amended to read as follows:

Figure 17.10-1: Off-Street Parking Space Minimum Dimensions					
Parking Angle	Stall Width (A)	Stall Depth (B)	Aisle Width Two-Way (C)	Aisle Width One-Way (D)	Vertical Clearance
0° (Parallel)	8.5*	20'	24'	12'	7' 6"
90° (Head-In)	8.5*	18**	24'	24'	7' 6"
60°	8.5*	15' 7"	25' 10"	20' 4"	7' 6"
45°	8.5*	12' 9"	29' 8"	12' 9"	7' 6"

\* Stall width may be reduced to 8' for accessible spaces designed in accordance with Iowa Statewide Urban Design and Specifications.

\*\* Stall depth may be reduced to 16.5' if a 2' overhang area is provided in an abutting parking lot island or landscape area or pedestrian walkway.

**Section 18.** Section 17.10.040 of the Davenport Municipal Code, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" is hereby amended by modifying Section 17.10.040.C and Section 17.10.040.E to read as follows:

**C.** The total number of required parking spaces is calculated by the principal use of the lot. When more than one use occupies the same lot, the number of required spaces is the sum of the separate requirements for each use, unless a shared parking arrangement is approved or such use is a multi-tenant commercial center, which has a separate requirement per item E below. The following standards for computation apply:

1. When calculating the number of required off-street spaces results in a requirement of a fractional space, said fraction is rounded up.
2. In places of assembly in which patrons or spectators occupy benches, pews, or similar seating facilities, each 24 inches of such seating facility is counted as one seat for the purpose of determining the requirement for off-street parking facilities. Floor area of a prayer hall is counted as one seat per marked prayer mat space or one seat for every five square feet in the prayer hall if prayer mat spaces are not marked.

**E.** Parking for multi-tenant commercial centers is calculated as one space required per 500 square feet of gross floor area, rather than by the individual uses.

**Section 19.** Section 17.10.070 of the Davenport Municipal Code, entitled "Required Off-Street Loading Spaces" is hereby amended by modifying Section 17.10.070.B to read as follows:

**B. Required Number of Off-Street Loading Spaces**

Off-street loading spaces must be provided in accordance with Table 17.10-4: Off-Street Loading Requirements. In the case of multi-tenant commercial centers or mixed-use developments, required loading spaces are calculated on the basis of each individual tenant (for example, if only one non-residential use tenant of a multi-tenant commercial center is over 10,000 square feet, only one loading space is required; if all tenants are under 10,000 square feet, no loading is required).

TABLE 17.10-4: OFF-STREET LOADING REQUIREMENTS	
Use Type	Number of Spaces Required
<b>Multi-Family Dwelling</b>	
Total of 50 dwelling units or more	1 loading space
<b>Commercial &amp; Institutional Use</b>	
10,000 - 100,000sf GFA	1 loading space
100,001 - 200,000sf GFA	2 loading spaces



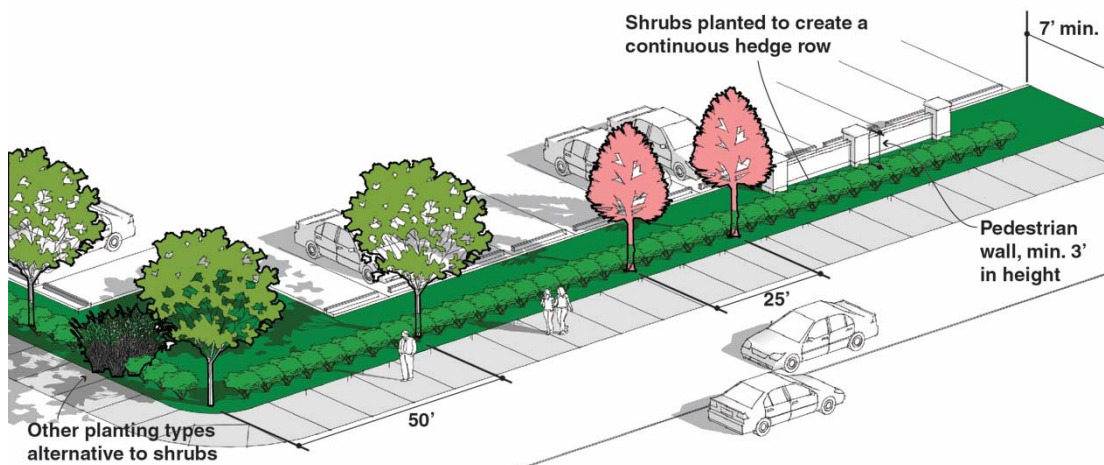
TABLE 17.10-4: OFF-STREET LOADING REQUIREMENTS	
Use Type	Number of Spaces Required
200,001sf and above GFA	3 loading spaces
<b>Industrial Use</b>	
10,000 - 40,000sf GFA	1 loading spaces
40,001 - 100,000sf GFA	2 loading spaces
100,001 and above GFA	3 loading spaces

**Section 20.** Section 17.11.050 of the Davenport Municipal Code, entitled "Parking Lot Perimeter Landscape Yard" is hereby amended to read as follows:

A perimeter landscape yard is required for all parking lots that are adjacent to streets and alleys, and must be established along the edge of the parking lot to create a visually attractive environment. A perimeter landscape yard is also required where a parking lot is adjacent to a public space such as a plaza, public seating area, or park. The landscape treatment must run the full length of the parking lot perimeter and must be located between the lot line and the edge of the parking lot, with the exception of pedestrian accessways. The landscaped area must be improved as follows:

- A.** The perimeter parking lot landscape area must be at least five feet in width along a street or public space. This area shall be increased to seven feet in width if it is utilized as an off-street parking space stall overhang. The perimeter parking lot landscape area must be at least five feet in width along an alley. The C-D and C-V Districts are exempt from perimeter parking lot landscape along an alley; vehicle parking must not overhang into an alley right-of-way.
- B.** Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height may be used.
- C.** A minimum of one shade tree must be provided for every 50 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for one shade tree and must be spaced one ornamental tree every 25 feet. Trees may be spaced linearly on-center, or grouped to complement an overall design concept.
- D.** Alternatively, a low pedestrian wall a minimum of three feet to a maximum of four feet in height may be used. The pedestrian wall must be masonry, brick, or stone; unfinished CMU is prohibited. No shade trees are required. Required shrubs must be installed between the sidewalk and the wall to provide a softening effect.
- E.** 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Mulch or other permeable landscape materials are required for any remaining area.

**PARKING LOT PERIMETER LANDSCAPE YARD**





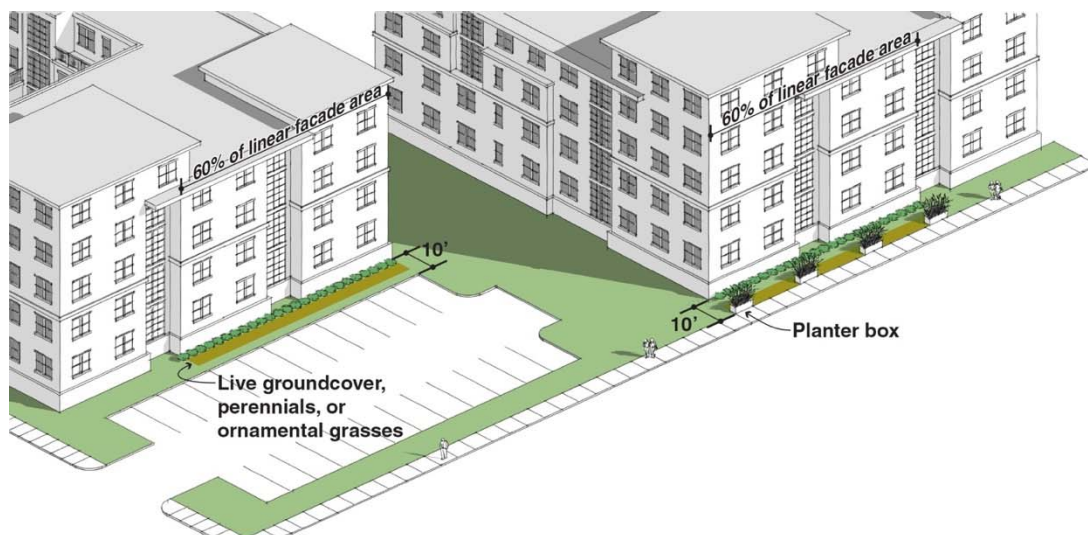
**Section 21.** Section 17.11.070 of the Davenport Municipal Code, entitled "Site Landscape" is hereby amended to read as follows:

**A.** Areas of any lot that are not covered by structures or pavement must be planted with live landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement, but must not cover more than 40% of such area and must be designed so such materials are placed so that they are no higher than the height of the curb to prevent spill. Section 17.11.090 contains additional requirements for on-site tree plantings for certain districts.

**B.** Where multi-family and nonresidential (including mixed-use) developments are located ten feet or more from a street lot line and where the front, corner side, or interior side façade is adjacent to a parking area, foundation landscape must be planted as described below. This planting area is required along 60% of the linear façade area. This percentage may be reduced to accommodate building functional operations during landscape plan review.

1. Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity.
2. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Mulch or other permeable landscape materials are required for any remaining area.
3. As an alternative, planted pots and/or planter boxes may be used to satisfy up to 30% of the total landscape area requirement if approved as part of the landscape plan. The landscape plan must show the materials and/or models of pots and planter boxes.

**SITE LANDSCAPE**

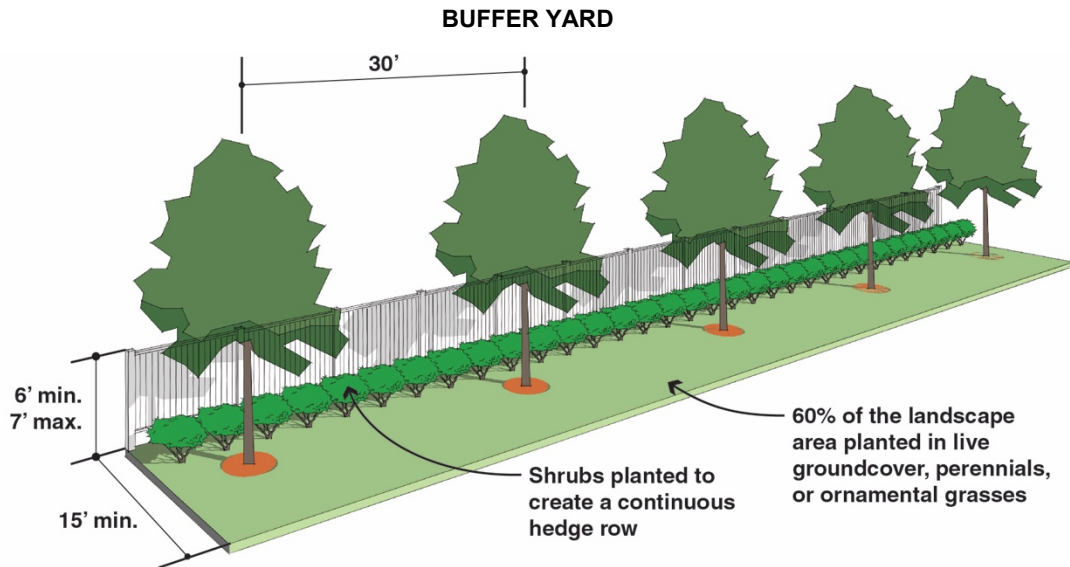


**Section 22.** Section 17.11.080 of the Davenport Municipal Code, entitled "Buffer Yards (Section 17.11.080.C.6 only)" is hereby amended to read as follows:

**6.** Unless otherwise specifically required by the use standards of this Ordinance, such as required by the use standards of Chapter 17.08, a solid fence or wall, constructed of wood, vinyl, brick, masonry, or stone must be erected along 100% of the buffer yard length, with the exception of ingress/egress points. If constructed on a berm, the height of the berm is included and the maximum height of fence and berm is seven feet.

- a. The solid fence or wall must be a minimum of six feet and a maximum of seven feet in height along the rear lot line.
- b. The solid fence or wall must a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the abutting lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.





**Section 23.** Section 17.14.020 of the Davenport Municipal Code, entitled "Notice" is hereby amended to read as follows:

**A. Notice**

Table 17.14-1: Notice indicates the types of notice for public hearings on the zoning applications. Certain applications may contain additional notice requirements within their specific provisions.

Table 17.14-1: Notice				
Zoning Application	Type			
	Published Notice	Mailed Courtesy Notice	Mailed Required Notice	Posted Notice
Zoning Text Amendment	•			
Zoning Map Amendment	•	•	•	•
Special Use	•	•		•
Hardship Variance	•	•		•
Design Review				
Planned Unit Development	•	•		•
Administrative Exception			•	
Zoning Appeals	•			

**B. Published Notice**

When published notice is required, the Zoning Administrator will publish notice in a newspaper of general circulation within the City. The notice must include the date, time, and location of the hearing/decision, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property. Notice must be published as follows:

1. Hearing before the Plan and Zoning Commission or Zoning Board of Adjustment: No less than four days and no more than 20 days in advance of the scheduled hearing date.
2. Hearing before the City Council: No less than seven days and no more than 20 days in advance of the scheduled hearing date.



## **C. Mailed Courtesy Notice**

### **1. General Notice Requirements**

- a. The city may mail notice.
- b. The notice should include the date, time, and location of the hearing/decision, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property.
- c. Nothing in this section prevents the applicant from giving additional notice as he/she may deem appropriate.

### **2. Mailed Notice**

The City may follow the following standards when mailing courtesy notices per Table 17.14-1. Courtesy notice is not required. If notice does not meet these standards or is not mailed, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing.

- a. Courtesy notice may be mailed to all property owners within 200 feet of the lot line of the subject property.
- b. Courtesy notice may be mailed as follows:
  - i. Hearing before the Plan and Zoning Commission or Zoning Board of Adjustment: No less than seven days and no more than 20 days in advance of the scheduled hearing date.
  - ii. Hearing before the City Council: No less than seven days and no more than 20 days in advance of the scheduled hearing date.
- c. When a zoning map amendment is proposed by the City, notification will also be mailed to the owner of the subject property.

### **3. Mailed Required Notice**

Per Table 17.14-1, administrative exceptions require mailed notice.

- a. Notice will be mailed to property owners abutting the subject property as well as the property owner(s) located directly across the street.
- b. Notice will be mailed no less than seven days and no more than 20 days in advance of the date the Zoning Administrator may render a decision.

## **D. Posted Notice**

The City may follow the following standards when posting notices per Table 17.14-1. Posted notice is not required. If notice does not meet these standards or is not posted, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing.

1. The City may post notice on the subject property.
2. The sign may be posted at a prominent location on the property, near the sidewalk or public right-of-way so that it is visible to pedestrians and motorists. Properties with more than one street frontage may be required to post one sign visible on each street frontage.
3. The posting period may be no less than seven days and no more than 20 days in advance of the scheduled hearing date.
4. The applicant is responsible for removal of a sign within ten days of the issuance of a decision.

## **E. Council Notice Policy**

The city council, by resolution, has adopted a public notice policy for zoning applications in order to increase transparency beyond what is legally required and to foster public participation and input. It may be amended from time to time as modes of communication evolve and knowledge of the effectiveness of our communications grows. Future amendments of this policy resolution that add modes of communication, add to types of information contained in the notice, increase the geographic scope of the notice, or increase the lead time of the notice may be passed by a simple majority vote; but future amendments that remove, lessen or otherwise diminish these attributes require eight affirmative votes of the city council membership to pass.

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**Section 24.** Section 17.14.040 of the Davenport Municipal Code, entitled "Zoning Text and Map Amendment (Section 17.14.040.D only)" is hereby amended to read as follows:

**D. Procedure**

All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Plan and Zoning Commission. Amendments initiated by a City Council, commission, or official also require an application, but are exempt from fees.

**1. Neighborhood Meeting**

The City may require the applicant to conduct a neighborhood meeting prior to the Plan and Zoning Commission public hearing. A neighborhood meeting is not required. If the neighborhood meeting does not meet these standards or does not occur, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing

- a. The purpose of the neighborhood meeting is to share the details of the application, answer questions, and receive feedback.
- b. The City may mail notification of the meeting to all property owners within the 200 feet of the subject property. The City may expand the notification of the neighborhood meeting if deemed warranted.
- c. The applicant must provide the City with a list of attendees following the neighborhood meeting.

**Section 25.** Section 17.14.090 of the Davenport Municipal Code, entitled "Site Plan Review" is hereby amended by adding Section 17.14.090.F, entitled "Minor Adjustments to Certain Design Standards" and by modifying the Sections subsequent to Section 17.14.090.F to read as follows:

**F. Minor Adjustments to Certain Design Standards**

The Zoning Administrator is authorized to grant minor adjustments to off-street parking and loading and landscape design standards when carrying out the requirement may cause a minor practical difficulty. Such adjustment may be granted when it will not adversely affect the purposes and intent of this chapter or simply grant a convenience to the applicant.

**G. Modifications to Approved Site Plans**

1. An application for a modification to an approved site plan must be submitted to the Zoning Administrator. Modification applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.
2. The Zoning Administrator may approve the following minor modifications to approved site plans. Only those elements of the site plan being modified need to be submitted for review.
  - a. Minor changes required during construction, as related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation.
  - b. Exterior renovations to a building facade when in conformance with the requirements of this Ordinance.
  - c. The modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Ordinance.
  - d. The construction of additional bicycle or parking spaces.
  - e. The addition of any open space.
  - f. A reduction in the amount of bicycle or parking spaces so long as the remaining number of spaces is in conformance with the requirements of this Ordinance.
  - g. Modifications to the approved landscape plan that does not result in a reduction of the total amount of plant material required and remains in conformance with all landscape requirements.



h. The modification of existing signs or the addition of new signs when in conformance with the requirements of the Ordinance.

3. Any modification not considered a minor modification requires resubmittal of a full site plan.

#### **H. Expiration**

The site plan approval expires if a building permit has not been issued or construction has not begun within one year after the date of site plan approval. An extension of this one year validity period may be granted by the Zoning Administrator prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.

**Section 26.** Section 17.14.100 of the Davenport Municipal Code, entitled "Design Review (Section 17.14.100.D.2 only)" is hereby amended to read as follows:

2. The following are exempt from Design Review Board approval:

a. Properties listed on the Davenport Register of Historic Places and/or demolition of a building listed on the National Register of Historic Places, which are subject to the review authority of the Historic Preservation Commission.

b. The Zoning Administrator is authorized to approve design proposals as determined by the Design Review Board.

**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.

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First Consideration:

Second Consideration:

Approved:

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Frank Klipsch, Mayor

Attest: \_\_\_\_\_  
Brian Krup, Deputy City Clerk

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

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

July 17, 2019

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of July 16, 2019, the City Plan and Zoning Commission considered Case No. Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [Ward All]

Finding:

1. The proposed Zoning Ordinance amendment would correct scrivener's errors and content inconsistencies, clarify certain regulations and amend certain overly restrictive regulations.

The Plan and Zoning Commission accepted the listed finding and forward Case ORD19-02 to the City Council with a recommendation for approval.

The Commission vote was 5 yes, 0 no and 0 abstention.

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 & Zoning Commission Voting Record

Hearing/Meeting Date:\_\_\_ 7/16/2019

Meeting Location:\_\_\_Council Chambers\_\_\_

	Name:	Public Hearing Roll Call	Regular Meeting Roll Call	REZ19-09	ORD19-02				
	Motion			Tallman	Tallman				
	Second			Maness	Johnson				
1	Connell	EXC							
2	Hepner	EXC							
3	Inghram								
4	Johnson			Yes	Yes				
5	Schneider	EXC							
6	Lammers	EXC							
7	Maness			Yes	Yes				
8	Medd			Yes	Yes				
9	Brandsgard	EXC							
10	Reinartz			Yes	Yes				
11	Tallman			Yes	Yes				



## ORDINANCE NO. 2019 -

Case ORD19-02: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code (hereto referred to as DMC), entitled "Zoning", by amending Section 17.02.010 of the DMC, entitled "Rules of Interpretation" by adding and defining the term "should" and by reordering the subsequent rules, by amending Section 17.02.030 of the DMC, entitled "Definition of General Terms" by adding and defining the terms "Adjacent" and "Façade" to the existing list of Definition and General Terms and by revising the definitions of the terms "Sign, Freestanding" by correcting a term inconsistency, "Stoop" by adding a maximum dimension and "Substantial Repair/Rehabilitation" by revising unclear language, by amending Section 17.04.010 of the DMC, entitled "Purpose Statements" by modifying Section 17.04.010.G by replacing single-family dwellings with semi-detached dwellings in the purpose statement, by amending Section 17.04.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.04-1 by deleting "SF" and related standards and adding a five foot interior side setback for "2F" and "SF-SD" within the "R-MF" District, by amending Section 17.04.050 of the DMC, entitled "R-3C and R-4C District Design Standards" by deleting language and a diagram related to garages, carports and alley access, by amending Section 17.05.010 of the DMC, entitled "Purpose Statement" by revising the locational intent, by amending Section 17.05.040 of the DMC entitled "Design Standards" by modifying Table 17.05-2 by replacing the term "abut" with "face" and the term "abutting" with "facing", by clarifying unclear language, by deleting overly restrictive transparency requirements for outlot buildings and by revising reduced setback language for commercial centers so that it is permissive and not mandatory (the diagram for Multi-Tenant Commercial Center Site Design Standards is also modified), by amending Section 17.05.050 of the DMC, entitled "C-D District Standards" by modifying Section 17.05.050.C by correcting a scrivener's error, by amending Section 17.05.060 of the DMC, entitled "C-V District Standards" by modifying Section 17.05.060.C by correcting a scrivener's error, by amending Section 17.05.070 of the DMC, entitled "C-E District Standards" by modifying Section 17.05.070.C by correcting a scrivener's error, by amending Section 17.06.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.06-1 by reducing the minimum interior side setback from five feet to none in certain circumstances, by amending Section 17.07.020 of the DMC, entitled "S-OS Open Space District" by modifying Section 17.07.020.A by adding additional uses to the purpose statement, by amending Section 17.080.020 of the DMC, entitled "Use Matrix" by modifying Table 17.08.020 by adding "Amusement Facility – Indoor", "Animal Care Facility – Small Animal" and "Parking Lot (Principal Use)" to the list of permitted uses in the I-1 District, by adding "Dwelling – Multi-Family" and "Dwelling – Townhouse" to the list of permitted uses in the I-MU District, by adding "Government Office/Facility", "Public Safety Facility" and "Restaurant" to the list of permitted uses in the S-OS District, by adding the use "Equine, Keeping of/Equestrian Facility" to the list of

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permitted uses in the R-1 and S-AG Districts, by revising the "Use Standard" section for "Dwelling – Townhouse" and by reordering the "Use Standard" subsections subsequent to Section 17.08.030.P, by amending Section 17.080.030 of the DMC, entitled "Principal Use Standards" by modifying Section 17.080.030.D, entitled "Billboard" by deleting reference to the same side of the street, by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family or Townhouse" by deleting reference and standards related to a townhouse and by deleting "Aluminum, steel or other metal siding" and "Vinyl" from the listed of prohibited building materials, by modifying Section 17.080.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family" by adding reference to and standards related to a townhouse, by creating a point system for front façade design, by revising certain language and a diagram to support this point system, by deleting the "Transition Rule for Section 17.080.030.O.3" provision, by adding Section 17.08.030.P, entitled "Equine, Keeping of/Equestrian Facility" and related principal use standards, by reordering subsections subsequent to Section 17.08.030.P and by deleting language in Section 17.08.030.DD (being revised to Section 17.08.030.EE) regarding distributed antenna systems in the right-of-way, by amending Section 17.08.050 of the DMC, entitled "Use Definitions" by revising the definition of the uses "Lodge/Meeting Hall" and "Place of Worship" by including language regarding the service and/or sale of food and drinks as an ancillary use, by revising the definition of the use "Public Safety Facility" by deleting reference to canine and equine units and by revising the definition of the use "Restaurant" to include language regarding alcoholic beverages, by amending Section 17.090.030 of the DMC, entitled "Accessory Structures and Uses" by modifying Section 17.090.030.A, entitled "General Regulations for Accessory Structures" by adding a material standard and a prohibition on the use of shipping containers, by modifying Section 17.090.030.H.1, entitled "General Requirements for All Fences" by deleting reference to walls and by revising and deleting certain language regarding the finished side of all fences, by modifying Section 17.09.030.K, entitled "Garage, Detached and Carports", by adding language and a diagram requiring access from the alley or rear service drive, by creating design standards for detached garages, by deleting the "Sunset for Section 17.09.030.K.4.d" provision, by deleting language regarding temporary tent structures, by modifying Section 17.09.030.L, entitled "Home Occupation" by adding language to prohibit any business that provides physical good, products, or merchandise directly to the consumer, by deleting Section 17.09.030.M, entitled "Keeping of Equines", by reordering subsections subsequent to Section 17.09.030.M and by modifying Table 17.09-1 by deleting the phrase "Prohibited in the front yard" from the encroachment term "Deck", by amending Section 17.10.030 of the DMC, entitled "Off-Street Parking Design Standards" by revising certain off-street parking space minimum dimensions and aisle width in Figure 17.10-1, by amending Section 17.10.040 of the DMC, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" by modifying Section 17.10.040.C by correcting a term inconsistency and Section 17.10.040.E by deleting a definition contained elsewhere in Title 17, by amending Section 17.10.070 of the DMC, entitled "Required Off-Street Loading Spaces" by modifying Section 17.10.070.B by correcting a term inconsistency, by amending Section 17.11.050 of the DMC, entitled "Parking Lot Perimeter Landscape Yard" by requiring a perimeter landscape yard when a parking lot is adjacent to streets, alleys and public spaces and by revising the width of

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the perimeter parking lot landscape area in certain circumstances, by amending Section 17.11.070 of the DMC, entitled "Site Landscape" by replacing the term "abuts" with the phrase "is adjacent to", by amending Section 17.11.080 of the DMC, entitled "Buffer Yards" by modifying Section 17.11.080.C.6 by including vinyl as a permitted fence material, by amending Section 17.14.020 of the DMC, entitled "Notice" by deleting "required" in certain subsections, by revising certain mandatory language to permissive language in certain subsections, by increasing the notice time from four days to seven days in certain circumstances and by adding a reference to notice policy for zoning applications, by amending Section 17.14.040 of the DMC, entitled "Zoning Text and Map Amendment" by modifying Section 17.14.040.D by revising mandatory language to permissive language, by amending Section 17.14.090 of the DMC, entitled "Site Plan Review" by adding Section 17.14.090.F, entitled "Minor Adjustments to Certain Design Standards" and subsection standards, by reordering subsections subsequent to Section 17.14.090.F and by correcting a scrivener's error in Section 17.14.090.G (revised to Section 17.14.090.H) and by amending Section 17.14.100, entitled "Design Review" by modifying Section 17.14.100.D.2 by adding "and/or National Register of Historic Places". [Ward All]

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

Section 1. Section 17.02.010 of the Davenport Municipal Code, entitled "Rules of Interpretation" is hereby amended to read as follows:

#### **Section 17.02.010 Rules of Interpretation**

The terms in the text of this Ordinance are interpreted in accordance with the following rules of construction:

- A.** The singular number includes the plural, and the plural the singular.
- B.** The present tense includes the past and future tenses, and the future tense includes the present.
- C.** The terms "must," "shall," and "will" are mandatory.
- D.** The term "should" is mandatory unless extenuating circumstances warrant administrative flexibility.
- D.E.** The term "may" is permissive.
- E.F.** The terms "must not," "will not," and "shall not" are prohibiting.
- F.G.** Any gender includes all genders.
- G.H.** Whenever a defined word or term appears in the text of this Ordinance, its meaning must be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage.



Section 2. Section 17.02.030 of the Davenport Municipal Code, entitled "Definition of General Terms" is hereby amended by adding and defining the terms "Adjacent" and "Façade" to the existing list of Definition and General Terms and by revising the definitions of the terms "Sign, Freestanding", "Stoop" and "Substantial Repair/Rehabilitation" to read as follows:

#### Section 17.02.030 Definition of General Terms

**Adjacent.** Close to or near something.

**Façade.** The vertical face of a building, including any insets and protrusions, which contribute the aesthetic and/or structure design of the building.

**Sign, Freestanding.** A sign that is placed on or supported by the ground, independent of the principal structure on the lot, designed with a monument base that is an integral part of the sign structure. There are three types of freestanding signs regulated by this Ordinance:

1. **Freestanding Sign – Standard.** A freestanding sign that identifies an establishment that is not specifically categorized as a residential subdivision freestanding sign or a multi-tenant **retail commercial** center freestanding sign.
2. **Freestanding Sign – Residential Subdivision.** A freestanding sign used to identify a residential subdivision.
3. **Freestanding Sign – Multi-Tenant **Retail Commercial** Center.** A freestanding sign used to identify a commercial development with two or more tenants.

#### FREESTANDING SIGN



#### FREESTANDING SIGN



**Stoop.** An exterior floor **having a maximum dimension of five feet wide by five feet long**, typically constructed of **wood**, stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings, but cannot be enclosed.



**Substantial Repair/Rehabilitation.** Substantial repair/rehabilitation occurs with any exterior change, the cost of which exceeds 50% of the assessed or appraised building value. Routine exterior maintenance activities such as painting, tuckpointing, replacing trim in kind, railings in kind, or replacing other nonstructural architectural details in kind are not considered to constitute a substantial repair/rehabilitation unless the cost of exceeds 50% of the assessed or appraised building value.

**Section 3.** Section 17.04.010 of the Davenport Municipal Code, entitled "Purpose Statements (Section 17.04.010.G only)" is hereby amended to read as follows:

**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~~ **semi-detached** dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

**Section 4.** Section 17.04.030 of the Davenport Municipal Code, entitled "Dimensional Standards (Table 17.04-1 only)" is hereby amended to read as follows:

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



**Section 5.** Section 17.04.050 of the Davenport Municipal Code, entitled "R-3C and R-4C District Design Standards" is hereby amended to read as follows:

In addition to the use standards for dwelling types located in Chapter 17.08, the following design standards apply to the R-3C and R-4C Districts. The standards below are applicable to construction of a new dwelling, ~~construction of a new garage and/or carport,~~ and/or an addition to an existing dwelling that exceeds 25% of the 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.
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## **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 or simulated 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 or simulated wood
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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. Terra Cotta

v. Ceramic tile

vi. 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.

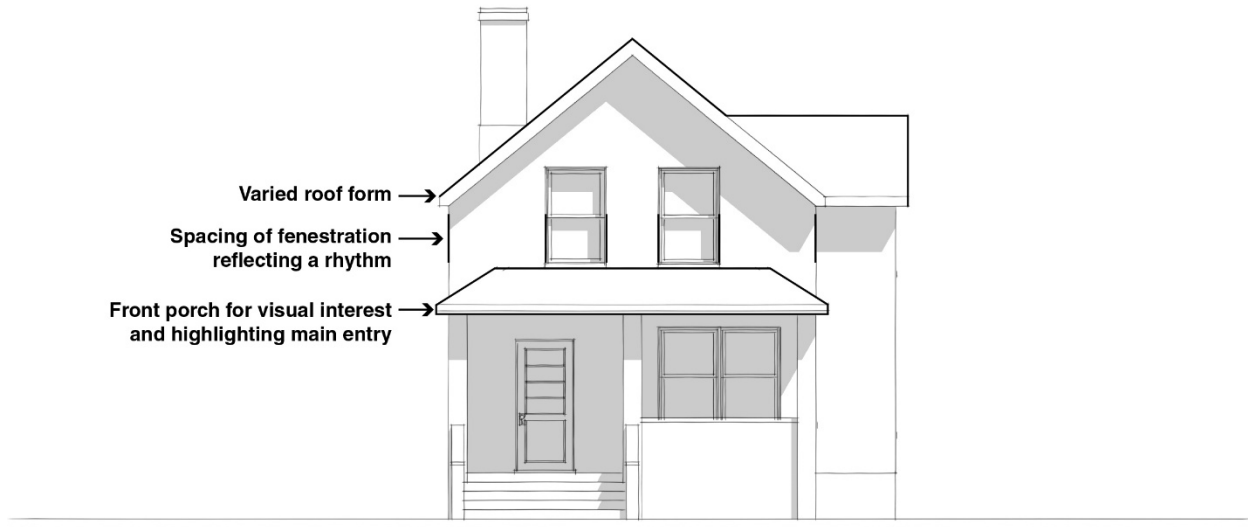
c. Frequent or irrational changes in building materials should be avoided. Change of materials should occur with prominent architectural features or changes in wall plane.

d. Where materials change with a change in wall plane, the material change should occur on the inside corner, not the outside edge.

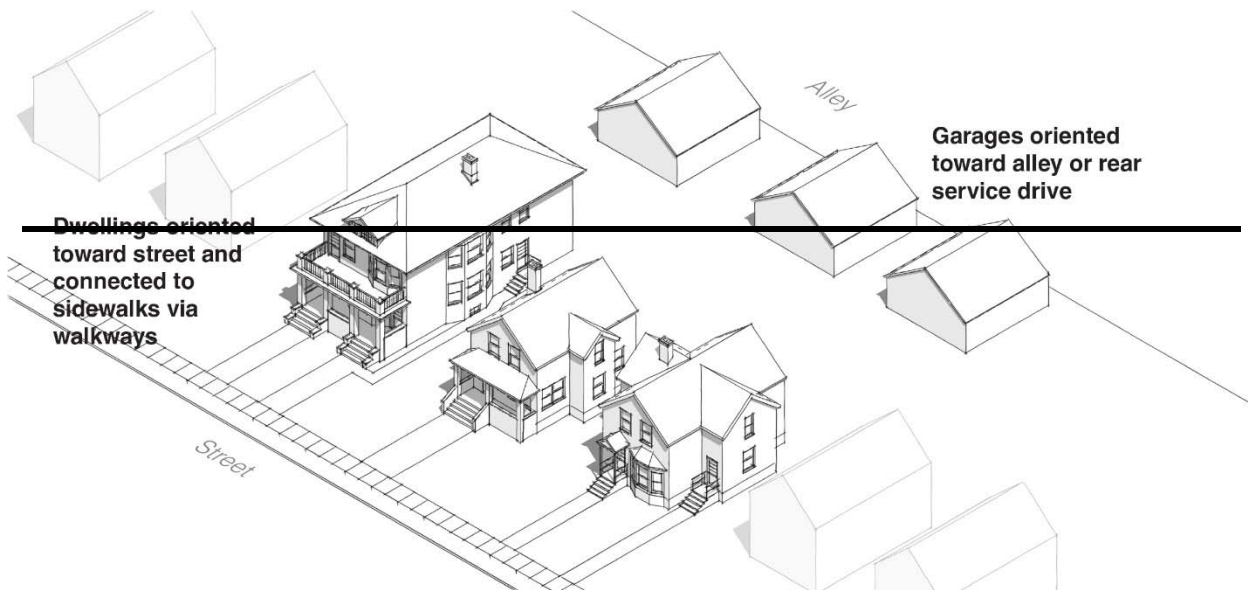
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## R-3C AND R-4C DISTRICT DESIGN STANDARDS



## R-3C AND R-4C DISTRICT DESIGN STANDARDS



Section 6. Section 17.05.010 of the Davenport Municipal Code, entitled "Purpose Statement" is hereby amended to read as follows:

### 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 streets and collectors streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.



**Section 7. Section 17.05.040 of the Davenport Municipal Code, entitled “Design Standards” is hereby amended to read as follows:**

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

**A. Commercial Districts Design Standards**

Table 17.05-2: 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.

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
<b>Façade Design</b>					
Building façades that <b>abut face</b> 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 <b>abut face</b> 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, building material 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.	•	•	•	•	
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.					•
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.	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that <b>abut face</b> a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•
<b>Fenestration Design</b>					
The ground floor of a façade <b>abutting facing</b> a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•		
The ground floor of a façade <b>abutting facing</b> a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	
Upper floors of a façade <b>abutting facing</b> a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•		
<b>Roof Design</b>					
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.	•	•	•	•	•
<b>Entrance Design</b>					
Public entrances and primary building elevations must be oriented toward <b>a public streets</b> . 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.					•



Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
<b>Multi-Tenant Commercial Center and Office Park Site Design</b>					
Sites must be designed to ensure safe pedestrian access to the commercial 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.				•	
Commercial centers <del>must</del> may provide definition along the street frontage by <del>located</del> locating part of the center or outlot buildings within 0' to 25' of the front lot line <del>for a minimum of 30% of the frontage</del> . The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	
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.					•
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. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E 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
- 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



## 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

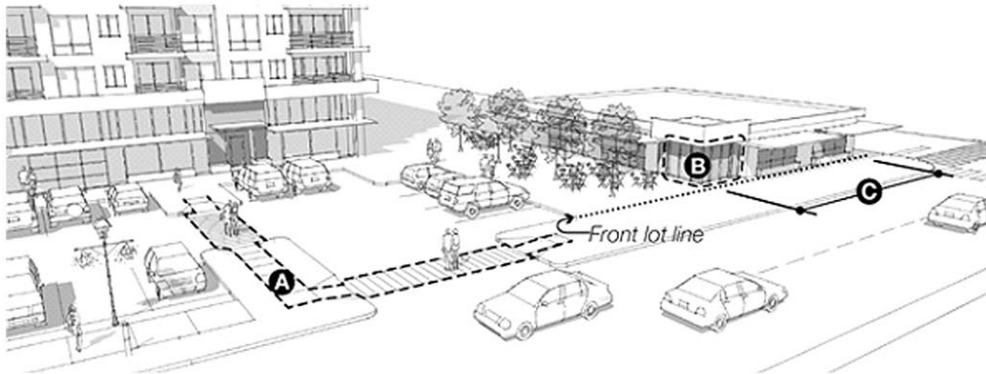
## C-3 DISTRICT DESIGN STANDARDS



- 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 35% measured between two and ten feet in height from grade
- E. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details



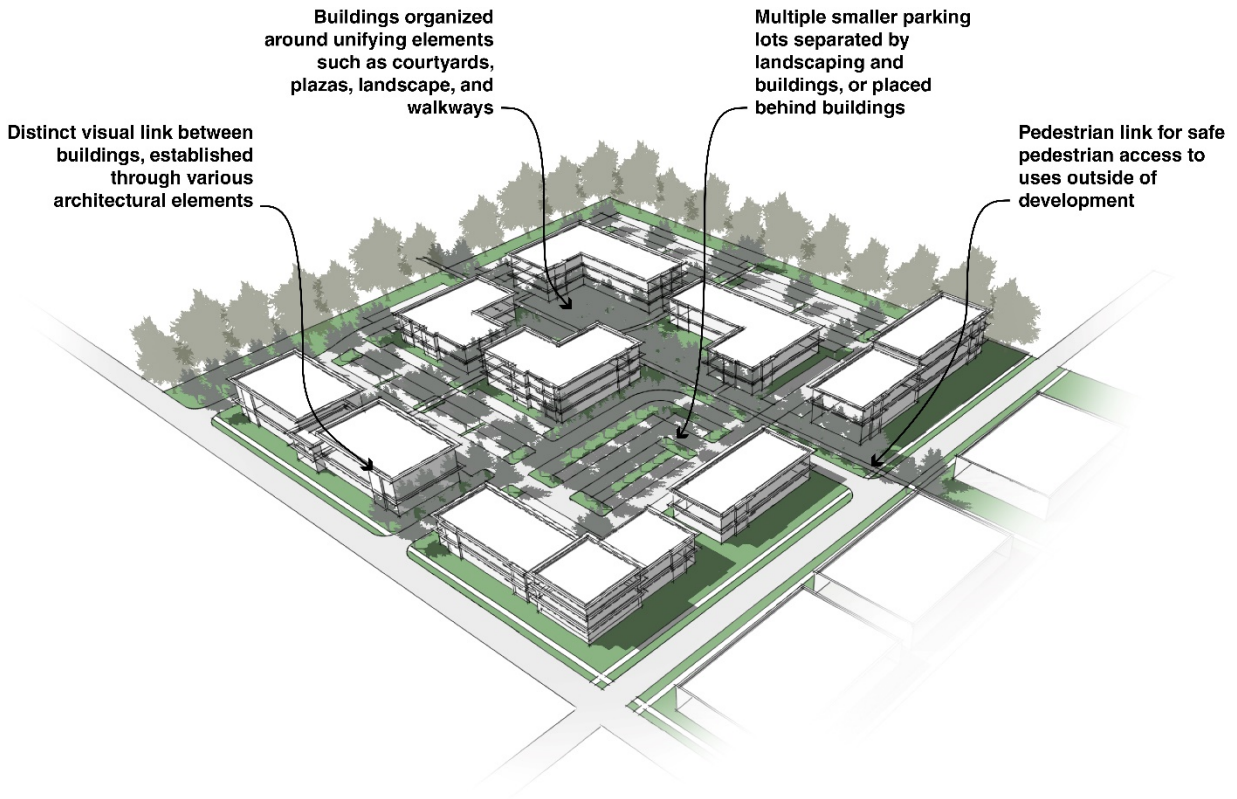
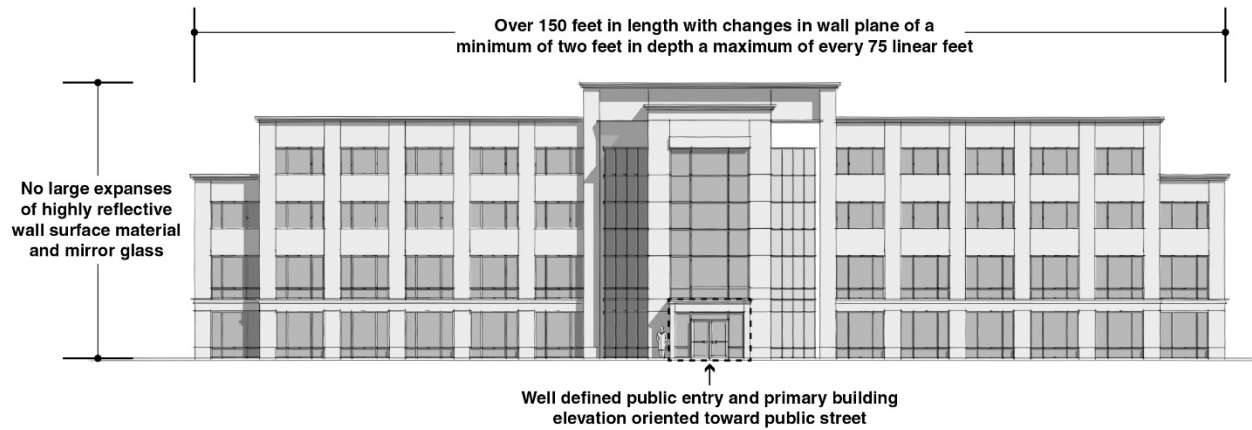
## MULTI-TENANT COMMERCIAL CENTER SITE DESIGN STANDARDS



- A. Sites must be designed to ensure safe pedestrian access to the commercial 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 lot.
- C. Commercial centers ~~must~~ *may* provide definition along the street frontage by ~~located~~ *locating* 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.



## C-OP DISTRICT DESIGN STANDARDS





Section 8. Section 17.05.050 of the Davenport Municipal Code, entitled "C-D District Standards (Section 17.05.050.C only)" is hereby amended to read as follows:

**C. C-D District Design Standards**

Development in the C-D District is subject to design review per Section ~~17.15.070~~ 17.14.100, and must be designed in accordance with the City of Davenport's adopted Downtown Design Guidelines and Downtown Davenport Streetscape Improvement Plan.

Section 9. Section 17.05.060 of the Davenport Municipal Code, entitled "C-V District Standards (Section 17.05.060.C only)" is hereby amended to read as follows:

**C. C-V District Design Standards**

Development in the C-V District is subject to design review per Section ~~17.15.070~~ 17.14.100. Design requirements for the C-V District are described in the adopted Village of East Davenport Performance Standards.

Section 10. Section 17.05.070 of the Davenport Municipal Code, entitled "C-E District Standards (Section 17.05.070.C only)" is hereby amended to read as follows:

**C. C-E District Design Standards**

Development in the C-E District is subject to design review per Section ~~17.15.070~~ 17.14.100. Design requirements for the C-E District are described in the adopted Elmore Corners Plan.

Section 11. Section 17.06.030 of the Davenport Municipal Code, entitled "Dimensional Standards (Table 17.06-1 only)" is hereby amended to read as follows:

Table 17.06-1: Industrial Districts Dimensional Standards			
	I-1	I-2	I-MU
Bulk			
Minimum Lot Area	None	10,000sf	None
Minimum Lot Width	None	70'	None
Maximum Building Height	90'	90'	90'
Setbacks			
Minimum Front Setback	25'	25'	0'-10' build-to zone
Front Setback Build-to Percentage	None	None	80%
Minimum Interior Side Setback	<del>5' None</del> , unless abutting a residential district then 25'	15', unless abutting a residential district then 25'	None
Minimum Corner Side Setback	20'	20'	0'-10' build-to zone
Corner Side Setback Build-to Percentage			60%
Minimum Rear Setback	15'	25'	None, unless abutting a residential district then 20'

Section 12. Section 17.07.020 of the Davenport Municipal Code, entitled "S-OS Open Space District (Section 17.07.020.A only)" is hereby amended to read as follows:

**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, and cemeteries. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses, such as cultural facilities, performance venues, and eating establishments. This district is also intended for governmental agency offices/facilities providing a governmental service to the public.

Section 13. Section 17.080.020 of the Davenport Municipal Code, entitled "Use Matrix (Table 17.08.020 only)" is hereby amended to read as follows:

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



TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Dwelling - Multi-Family					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.N
Dwelling - Townhouse					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.NO
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.030.O
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.030.O
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.030.O
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.030.O
Educational Facility - Primary or Secondary	P	P	P	P	P															P	
Educational Facility - University or College										P	P	P		P						P	
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P	
Equine, Keeping of/Equestrian Facility	P																	P			Sec. 17.08.030.P
Fairground																		S	S	P	
Financial Institution							P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S				S			P				Sec. 17.08.030.PO
Food Bank															P		P				
Food Pantry									P	S				S			S				
Funeral Home							S	S	S	P				P			P				
Gas Station								S	P	P				P	P	P	P				Sec. 17.08.030.OR
Golf Course/Driving Range																			P		
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P		P	P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Greenhouse/Nursery - Retail										P				P			P	S			
Group Home	P	P	P	P	P																Sec. 17.08.030.RS
Halfway House									S	S				S			S			S	Sec. 17.08.030.K
Healthcare Institution																				P	
Heavy Rental and Service															P		P				
Heavy Retail										S				S	P		P				
Homeless Shelter									S	S				S			S			S	Sec. 17.08.030.K
Hotel									P	P	P	P	S	P			P				
Industrial - General																P					
Industrial - Light											P				P	P	P				
Industrial Design								P	P	P	P	P		P	P	P	P				
Live Performance Venue										P		P	P	P			P				



TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030. <del>ST</del>
Manufactured Home Park						P															
Medical/Dental Office							P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P		P	P	P	P		P				
Neighborhood Commercial Establishment		S	S	S	S																Sec. 17.08.030. <del>TU</del>
Office							P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining								P	P	P	P	P	P	P			P				Sec. 17.08.030. <del>UV</del>
Parking Lot (Principal Use)								S	S	S	S	S	S	S	P		S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P		P	P	P				P		P	
Private Recreation Facility								P	P	P		P	P	P			P			P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility											P				P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P		S	S	P			P	S			Sec. 17.08.030. <del>VW</del>
Recreational Vehicle (RV) Park																		S	S		Sec. 17.08.030.E
Research and Development											P				P	P	P			P	
Residential Care Facility					P				P	P				P						P	Sec. 17.08.030. <del>WX</del>
Restaurant								P	P	P	P	P	P	P	P	P	P		P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P			P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Retail Alcohol Sales									P	P		S		P	P		P				
Retail Sales of Fireworks																P	P				Sec. 17.08.030. <del>XY</del>
Salvage Yard																S					
Self-Storage Facility: Enclosed									S	P	P			P	P	P	P				Sec. 17.08.030. <del>YZ</del>
Self-Storage Facility: Outdoor										S					P	P	S				Sec. 17.08.030. <del>YZ</del>
Social Service Center									P	P				P			P			P	
Solar Farm											P				P	P		S		P	Sec. 17.08.030. <del>ZAA</del>
Specialty Food Service								P	P	P		P	P	P	P		P				
Storage Yard - Outdoor															P	P					Sec. 17.08.030. <del>AABB</del>
Truck Stop															P	P					
Vehicle Dealership – Enclosed										P	S	P		P	S		P				



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



Section 14. Section 17.08.030 of the Davenport Municipal Code, entitled "Principal Use Standards" is hereby amended by modifying Section 17.08.030.D, entitled "Billboard", by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family, by modifying Section 17.08.030.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family, by adding Section 17.008.030.P, entitled "Equine, Keeping of/Equestrian Facility", by reordering subsections subsequent to Section 17.08.030.P and by modifying Section 17.08.030.DD (revised to Section 17.08.030.EE) to read as follows:

**D. Billboard**

1. Billboard locational restrictions are as follows:
  - a. Billboard structures are prohibited if visible from an interstate highway.
  - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
  - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
2. The maximum sign area of a billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
3. The maximum height of a billboard is 45 feet.
4. Billboards must meet principal building setbacks.
5. All billboards ~~on the same side of a street~~ must be separated by a minimum distance of 1,500 feet.
6. Up to four billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two billboard sign faces can be visible from any one street direction.
7. Billboards are permitted to be electronic billboards but must comply with the following:
  - a. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.
  - b. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.

**N. Dwelling - Multi-Family ~~or Townhouse~~**

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 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 A 25%~~ minimum transparency requirements ~~is apply applies~~ to any façade facing a street and ~~are~~ ~~is~~ 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.~~

**6.4.** 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.ii.~~ Exposed aggregate (rough finish) concrete wall panels
- ~~iv.iii.~~ T-111 composite plywood siding
- ~~v. Vinyl~~

#### **O. Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family, and Townhouse**

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

~~1. A 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.~~

~~3.2.~~ A ~~15%~~ 5% minimum transparency requirement applies to the front façade and is calculated on the basis of the ~~entire~~ area of the façade ~~below the roofline~~.

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

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

~~i. 8 points – covered porch with columns.~~

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

~~iii. 6 points – front facing roof dormer.~~

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

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

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

**vii.** 3 points – bay/box window(s).

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

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

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

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

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

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

**xiv.** 1 point – window shutters.

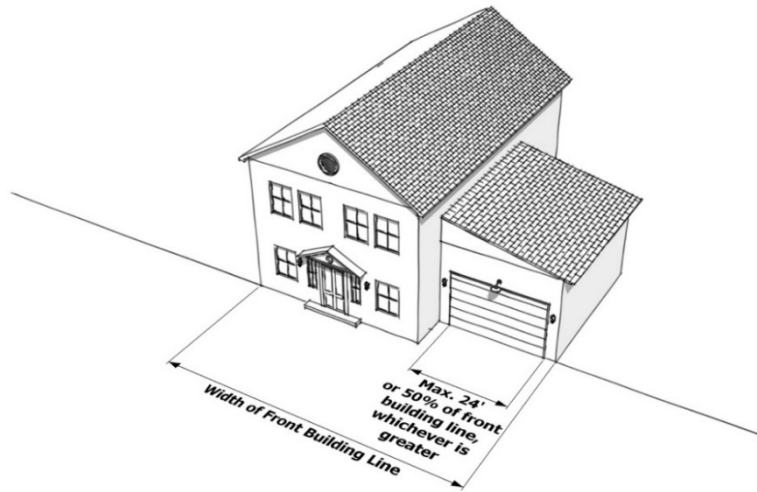
**xv.** negative 5 points – front facing attached garage that exceeds 24 feet or 50% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between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

**4.** Front loaded attached garages are limited to 50% of the width of the front building line or 24 feet, whichever is greater. Garage width is measure between the edges of the garage door(s).

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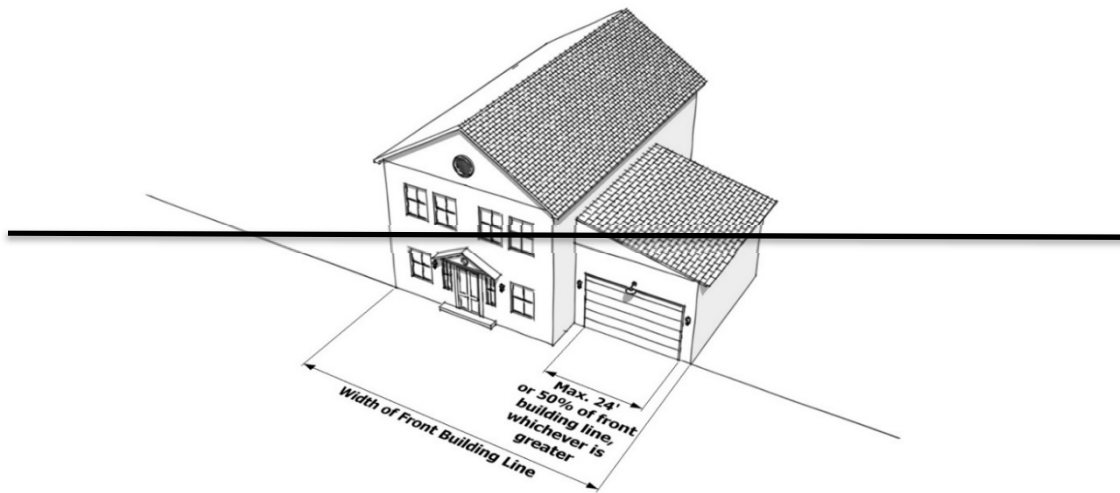


## **ATTACHED GARAGE WIDTH**





## ATTACHED GARAGE WIDTH



### Transition Rule for Section 17.08.030.O.3:

The changes below are considered part of a transition rule. As such, any previously permitted plans must be followed as approved.

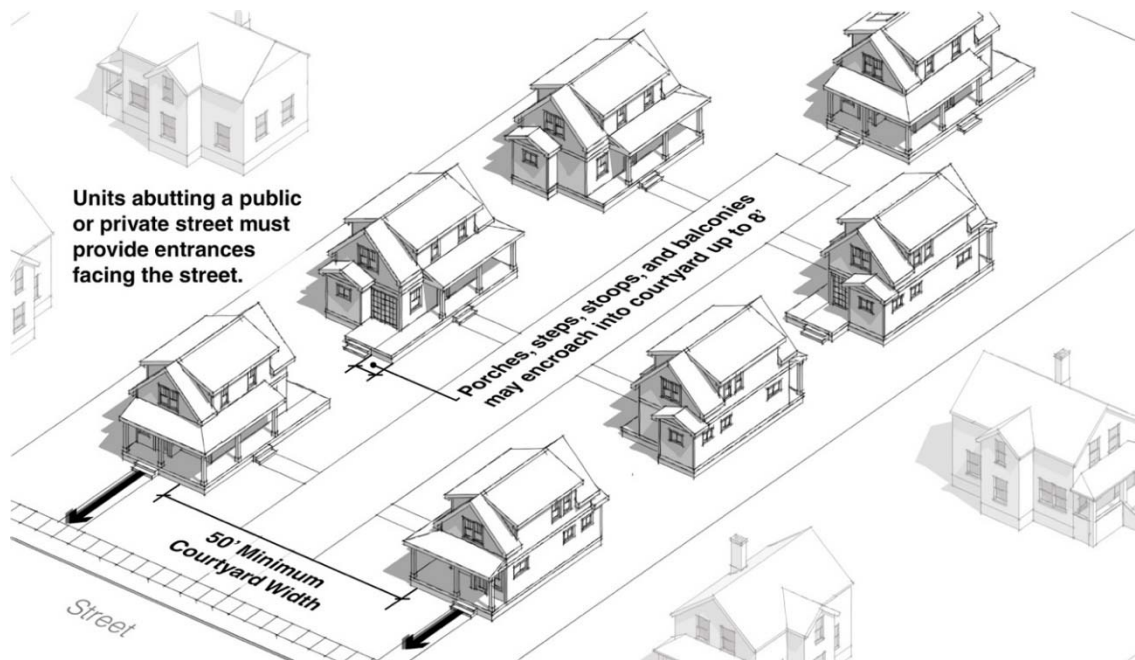
1. In case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.
2. A 5% minimum transparency requirement applies to the front façade and is calculated on the basis of the entire area of the façade. In addition to the primary building material, a minimum of one accent material is required on the front façade. Permitted accent materials include brick and stone, wood or simulated wood, vinyl siding, aluminum siding and stucco. Accent materials not referenced 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. This transition rule will sunset on September 1, 2019.



5. When a single-family and/or two-family development is designed as a house court, the following standards apply. A house court is a group of single-family and/or two-family dwellings arranged around a common courtyard or open space. Front facades of dwellings and primary pedestrian entrances are oriented to and accessed from the common area.

- a. The minimum total site area required for a house court is 15,000 square feet or the cumulative area required for each dwelling type in the house court, whichever is greater.
- b. The zoning district standards apply to each individual site within the house court.
- c. For any unit of a house court abutting a public or private street, the entrance of the units must face the street.
- d. Courtyards must meet the following standards:
  1. The minimum courtyard area is 3,000 square feet or 500 square feet per dwelling unit, whichever is greater.
  2. A courtyard must have a minimum width of 50 feet.
  3. All courtyard space must be contiguous and centrally located.
  4. Porches, steps and stoops, and balconies may encroach up to eight feet into a courtyard.
- e. Where a dwelling fronts on the courtyard, it is considered to meet the requirement for frontage on a public or private street.

#### **SINGLE-FAMILY DWELLING: HOUSE COURT**



6. 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.



#### **P. Equine, Keeping of/Equestrian Facility**

1. A minimum of two acres is required to keep one equine. For each additional acre in excess of two acres, one additional equine may be housed and maintained.
2. A fence must be installed around the entire grazing area. The fence must be a minimum of 150 feet from the front lot line. The fence must be a minimum of 150 feet from an existing dwelling located on an adjacent lot.
3. A stable or shelter must be provided for the stabling of each equine. The stable or shelter must be a minimum of 100 feet from any side or rear lot line, and a minimum of 150 feet from any front lot line.
4. The keeping of equines for personal use is only permitted in the R-1 and S-AG Districts. No retail or wholesale use of these animals in the R-1 District. An equestrian facilities, which are defined as any place where equine are kept, housed, boarded, lodged, fed, hired, trained, sold, rented, or bred for monetary compensation, is only permitted in the S-AG District.

#### **P-Q. Financial Services, Alternative (AFS)**

1. Alternative financial services (AFS) must be located no closer than 1,000 feet from any other AFS.
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.

#### **Q-R. 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 two car wash bays are permitted in connection with the principal gas station use.
4. When a gas station abuts the lot line of a residential district, it must be screened along the interior side and/or rear lot lines that abut the residential lot as follows:
  - a. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
  - b. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

#### **R-S. Group Home**

1. Group homes must be licensed by the state.
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.

#### **S-T. 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.
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4. Lodges/meeting halls leased or used as reception facilities must comply with the requirements for reception facilities.

#### **T-U. 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
  - f. Retail goods establishment:
    - i. Retail sales of alcohol is prohibited.
    - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is 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.

#### **U-V. 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 may be setback up to 30 feet from the required build-to line.

#### **V-W. Reception Facility**

1. 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.
  2. When allowed in the residential districts and S-AG District, a minimum lot size of two acres is required. Fifty foot minimum setbacks are required along all lot lines.
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#### **W.X. Residential Care Facility**

1. Residential care facilities must be licensed by the state.
2. When located in a nonresidential district, the structure must be designed with a lobby entrance along the primary frontage.

#### **X.Y. Retail Sales of Fireworks**

1. All fireworks sales are subject to the regulations on sale and storage by the Iowa Department of Transportation Hazard Classes 1.3g and 1.4g fireworks, excluding any novelty or sparklers as defined by the American Pyrotechnics Association.
2. All retail sales of fireworks establishments must be a minimum of 500 feet from any residential district.

#### **Y.Z. 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.
  3. Storing hazardous or toxic materials is prohibited.
  4. For self-storage facilities that include both indoor and outdoor facilities, both types of uses must be allowed in the district.
  5. In the C-3 District, self-storage facilities are only subject to the district design standards when located within 100 feet of a public right-of-way, excluding alleys.
  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 25 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. Shrubs must be planted and space sufficiently to form a continuous linear hedgerow at plant maturity; plantings must be placed inside the face of the fence toward the interior of the lot.
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#### **Z-AA. 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.

#### **AA-BB. 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, shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity, and one evergreen tree every 50 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 spaced sufficiently to form a continuous linear hedgerow at plant maturity; 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.

#### **BB-CC. 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.

#### **CC-DD. 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.
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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 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, 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.
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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.

## **DD-EE. 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.
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## **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. Where a wireless telecommunications tower exceeds the maximum height permitted in the district, the City may require additional setbacks from all lot lines.

## **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.
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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. These standards only apply to distributed antenna systems (DAS) installed on private property. ~~While DAS located within the right of way are not controlled by this Ordinance, Davenport Public Works may seek to enforce the following standards for those located in the right of way.~~

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.

e. 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.

f. 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 a permitted use, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.

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**Section 15.** Section 17.08.050 of the Davenport Municipal Code, entitled "Use Definitions" is hereby amended by modifying the definition of the uses "Lodge/Meeting Hall", "Place of Worship", "Public Safety Facility" and "Restaurant" to read as follows:

**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. The service and/or sale of food and drinks, including alcoholic beverages, is permitted as an ancillary use to activities sponsored by the organization.

**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. The service and/or sale of food and drinks, including alcoholic beverages, is permitted as an ancillary use to activities sponsored by the organization.

**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.

**Restaurant.** An establishment where food and drinks, including alcoholic beverages, are provided to the public for on-premises consumption by seated patrons and/or for carry-out service.

**Section 16.** Section 17.090.030 of the Davenport Municipal Code, entitled "Accessory Structures and Uses" is hereby amended by modifying Section 17.090.030.A, entitled "General Regulations for Accessory Structures", by modifying Section 17.090.030.H.1, entitled "General Requirements for All Fences", by modifying Section 17.09.030.K, entitled "Garage, Detached and Carports", by modifying Section 17.09.030.L, entitled "Home Occupation", by deleting Section 17.09.030.M, entitled "Keeping of Equines", by reordering subsections subsequent to Section 17.09.030.M and by modifying Section 17.09.040, entitled "Permitted Encroachments (Table 17.09-1 only)" to read as follows:

**A. General Regulations for Accessory Structures**

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by specific regulations of this section and Ordinance.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory.

2. Accessory structures shall be constructed out of material intended for long-term exposure to the elements. Prohibited materials include but are not limited to cloth, fabric, canvas, plastic sheets and tarps. Greenhouses are not subject to this prohibition. Shipping containers are prohibited as an accessory structure.

2. Only those accessory structures permitted by this section and Section 17.09.040 are permitted in required setbacks. Certain accessory structures may also be prohibited in certain yards. The use of the term "yard" refers to the area between the principal building and lot line. The distinction is made because certain principal buildings may not be built at required district setback lines, thereby creating a yard larger than the minimum setback dimension.

3. The maximum height of any detached accessory structure is 20 feet, unless otherwise permitted or restricted by this Ordinance. This does not apply to any structure accessory to an active agricultural use, which are not limited in height.

4. Detached accessory structures, including those listed in this section and Section 17.09.040, must be setback as follows, unless otherwise permitted or restricted by this Ordinance:



- a. Four feet from any interior side lot line. This interior side setback may be reduced to two feet if the adjacent walls, or parts of walls, of the accessory building have no openings and are protected on the inside with fire-proofing materials or are constructed of fire-proof materials, as verified by the Zoning Administrator.
  - b. No closer than four feet from any rear lot line.
  - c. No structure may be located in a front or corner side yard unless specifically allowed by this Ordinance.
5. Accessory structures are included in the calculation of all maximum impervious surface and building coverage requirements of the district.
6. The footprint of any single detached accessory structure cannot exceed the footprint of the principal building. This does not apply to any structure accessory to an active agricultural use, which are not limited in area.

## **H. Fences and Walls**

### **1. General Requirements for All Fences**

- a. Every fence and wall must be maintained in a good repair and safe condition at all times. Every damaged or missing element must be repaired, removed, or replaced.
- b. When only one side of a fence is finished, the finished side of all fences must face away from the lot on which it is located. ~~All fence posts must be placed on the inside of the fence.~~
- c. Fence height is measured from the adjacent ground to the highest point, except that decorative posts/pillars of a fence or wall may exceed the maximum height by nine inches.
- d. If a fence of a greater height is required and/or a fence is required to be a solid fence by any other section of this Ordinance or other City ordinance, then such fence is required.
- e. Fences are prohibited within any right-of-way, drainage easement, or any designated floodway.
- f. No barbed wire, spikes, nails, or any kind of pointed instrument may be installed on any railing, fence, guard, or other barrier or protection unless specifically allowed by the City Code.
- g. The following materials are prohibited in the construction of fences and walls:
  - i. Scrap metal
  - ii. Corrugated metal
  - iii. Sheet metal
  - iv. Electrical fences or any kind of electrically charged fences, unless used as part of livestock enclosures
  - v. Razor wire
  - vi. Pallets
  - vii. Oriented strand board (OSB)
  - viii. Plywood
  - ix. Used or repurposed material

## **K. Garages, Detached and Carports**

1. Only one detached garage and one carport is permitted per lot for a single-family or two-family dwelling. Where a lot contains a detached garage and a carport, such carport must be attached to and constructed as an extension of the detached garage.
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2. Detached garages and carports are permitted in the rear and interior side yards.

3. Detached garages and carports are permitted in the corner side yard, subject to the following:

~~a. If a lot abuts an improved public alley that provides adequate access to a street, the garage or carport is not permitted within the required corner side yard setback.~~

~~b.a.~~ Where there is no alley access, and the garage or carport is located in the corner side yard and takes access from the abutting street, the garage or carport must be set back 20 feet from the corner side lot line.

~~c.b.~~ Where there is no alley access, and the garage or carport is located in the corner side yard but does not take access from the abutting street, the garage or carport must be set back four feet from the corner side lot line.

~~d.c.~~ Any detached garage located in a corner side yard must be set back a minimum of five feet from the front building facade line.

~~4. Where served by an alley or rear service drive, garages, parking pads for access and carports must take access from the alley or rear service drive. If a lot abuts an improved public alley that provides adequate access to a street, the garage or carport is not permitted within the required corner side yard setback.~~

~~4.5.~~ Detached garages are subject to the following:

~~a. Detached garages shall have the eaves of roof extend a minimum of one foot past the outside walls.~~

~~b. Detached garages shall have a minimum 4/12 roof pitch.~~

~~a.c.~~ Detached garages are encouraged to match the pitch of the roof of the principal dwelling.

~~d. Detached garages utilizing metal siding and/or roofing shall not have highly reflective surfaces.~~

~~b.e.~~ ~~The area above vehicle parking spaces in a detached~~ Detached garages ~~may shall~~ not contain ~~a~~ cooking facilities or plumbing. This does not apply if an accessory dwelling unit use has been approved, in which case those standards control.

~~f. The design standards related to eaves, roof pitch and highly reflective surfaces do not apply to detached garages in the S-AG and R-1 Districts when properties are two acres in area or greater and the detached garage is located in the rear yard.~~

~~c. If a lot abuts an improved public alley that provides adequate access to a street, a detached garage must be constructed so that access is from the public alley.~~

~~d. Pole barn type construction is prohibited in all residential districts.~~

**Sunset for Section 17.09.030.K.4.d:**

**This provision will sunset on September 1, 2019.**

~~5.6.~~ Carports are subject to the following:

a. Carports must be located over a driveway.

b. The total length of a carport is limited to 22 feet. The height of a carport is limited to 15 feet.

c. A carport must be entirely open on at least two sides, with the exception of necessary support structures.

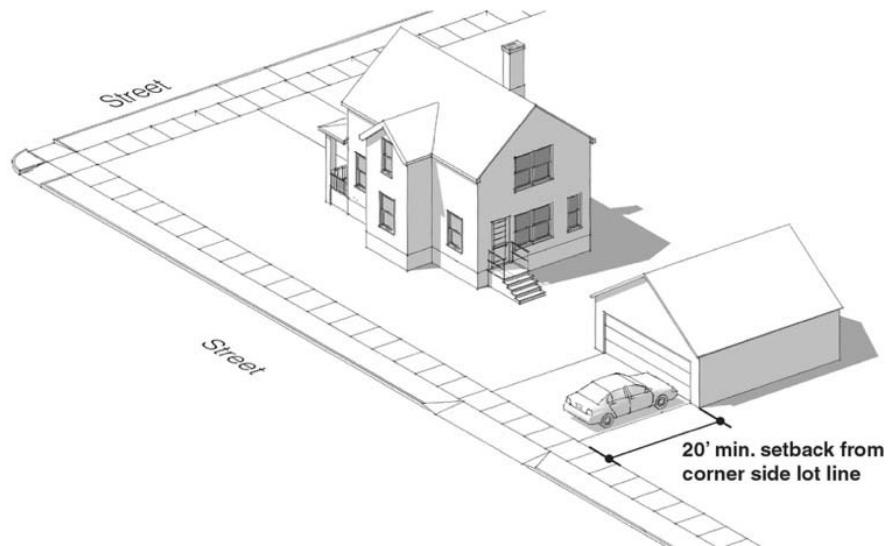
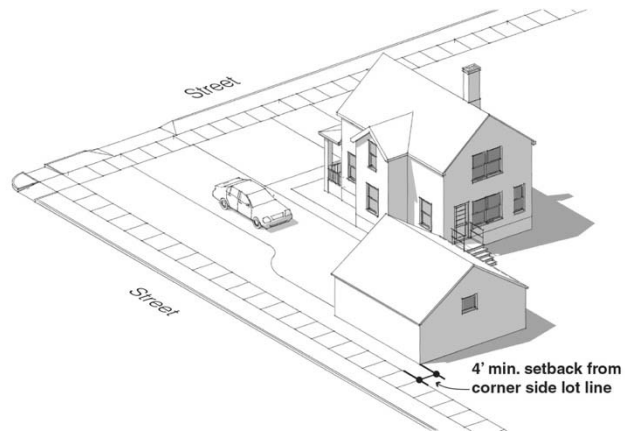
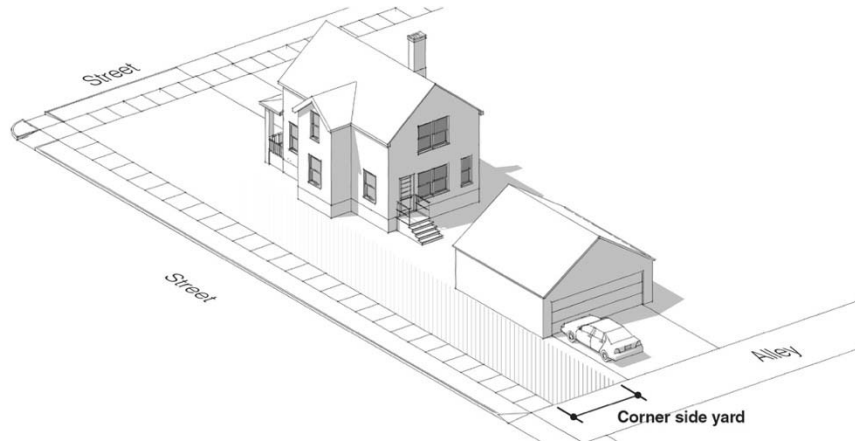
~~d. A carport must be constructed as a permanent structure. Temporary tent structures are not considered a permanent structure.~~

~~e.d.~~ Only carports located in the rear yard may be used as recreational vehicles storage.

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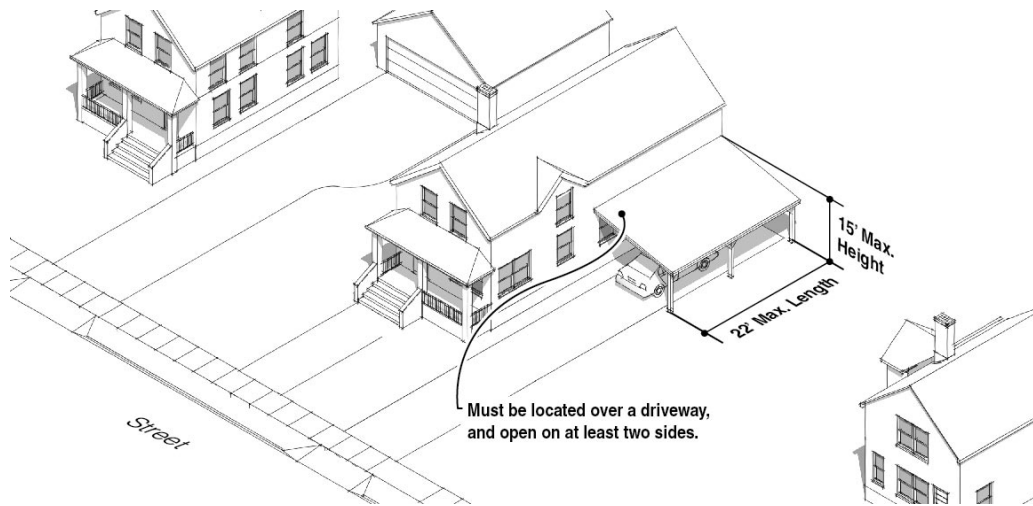


## DETACHED GARAGE ACCESS





## CARPORT



## GARAGES AND CARPORTS

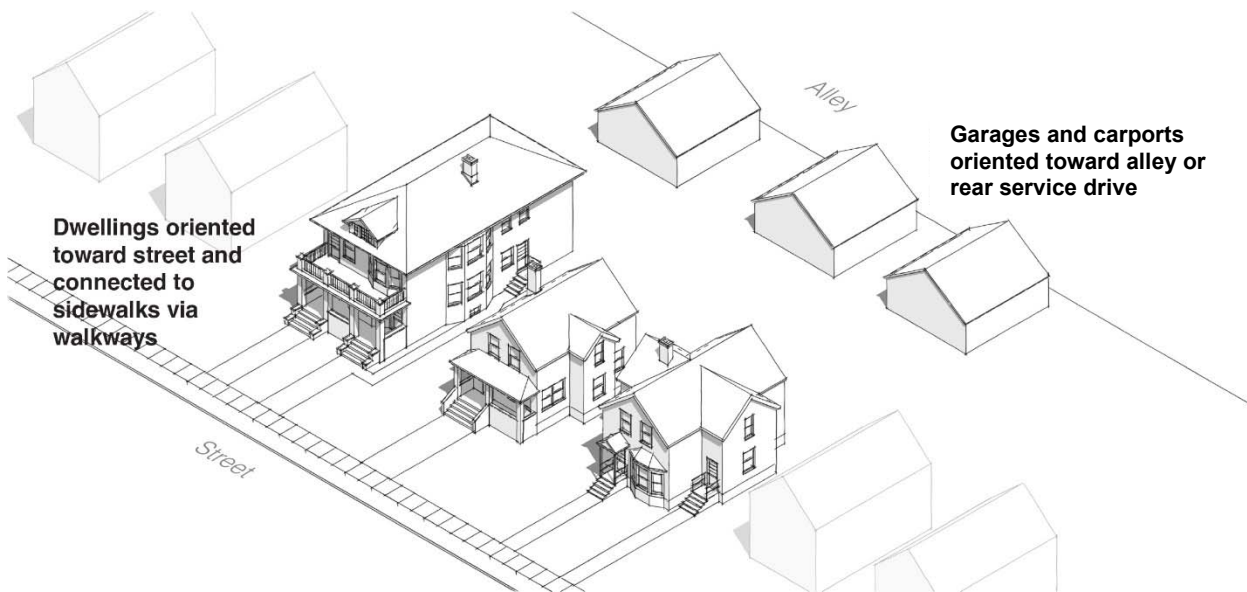


Table 17.09-1: Permitted Encroachments Into Required Setbacks  
Y= Permitted // N= Prohibited  
Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp	Y	Y	Y	Y
Air Conditioner Window Unit Max. projection of 18" from building wall No building permit required	Y	Y	Y	Y
Arbor No building permit required	Y	Y	Y	Y
Awning or Sunshade	Y	Y	Y	Y



Table 17.09-1: Permitted Encroachments Into Required Setbacks

Y= Permitted // N= Prohibited

Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Max. of 2' from building wall Does not include awnings used as a sign (See Chapter 17.12)				
Balcony Max. of 6' into front, interior side, or corner side setback Max. of 8' into rear setback Min. of 4' from any lot line Min. vertical clearance of 8'	Y	Y	Y	Y
Bay Window Max. of 5' into any setback Min. of 24" above ground	Y	Y	Y	Y
Canopy (Residential Uses) Max. of 5' into any setback Min. of 4' from any lot line Max. 15' width or no more than 3' extension on either doorway side, whichever is less Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	Y
Canopy (Non-Residential Uses) Max. of 18" from the curb line Max. 15' width or no more than 3' extension on either doorway side, whichever is less Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	Y
Chimney Max. of 18" into setback	Y	Y	Y	Y
Deck Max. of 5' into corner side, or interior side setback Max. of 10' into rear setback Prohibited in front yard Max. height of 5' above grade	N	Y	Y	Y
Dog House Prohibited in front or corner side yard No building permit required	N	N	N	Y
Eaves Max. of 4' into setback	Y	Y	Y	Y
Exterior Stairwell Max. of 6' into setback Prohibited in front yard	N	Y	Y	Y
Fire Escape Max. of 3' into setback Prohibited in front yard	N	Y	Y	Y
Fire Escape Max. of 3' into setback Prohibited in front yard	N	Y	Y	Y
Gazebo or Pergola Prohibited in front yard	N	N	Y	Y
Greenhouse Min. of 5' from any lot line Prohibited in front and corner side yard	N	N	Y	Y
Personal Recreation Game Court Prohibited in front and corner side yard Min. of 4' from any lot line	N	N	N	Y
Playground Equipment Prohibited in front and corner side yard Min. of 4' from any lot line (This does not apply to backstops & portable basketball nets, which are allowed in any yard)	N	N	N	Y
Porch - Unenclosed	Y	Y	Y	Y



Table 17.09-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Max. of 5' into front, interior side, or corner side setback Max. of 10' into rear setback Enclosed porches are considered part of the principal structure				
Shed Prohibited in front yard Min. of 4' from any lot line	N	N	Y	Y
Sidewalk No min. setback from lot lines	Y	Y	Y	Y
Sills, belt course, cornices, and ornamental features Max. of 3' into setback	Y	Y	Y	Y
Stoop Max. of 4' into setback	Y	Y	Y	Y

**Section 17.** Section 17.10.030 of the Davenport Municipal Code, entitled "Off-Street Parking Design Standards (Figure 17.10-1 only)" is hereby amended to read as follows:

Figure 17.10-1: Off-Street Parking Space Minimum Dimensions					
Parking Angle	Stall Width (A)	Stall Depth (B)	Aisle Width Two-Way (C)	Aisle Width One-Way (D)	Vertical Clearance
0° (Parallel)	8.5'	20'	24'	12'	7' 6"
90° (Head-In)	8.5'	18'	24'	24'	7' 6"
60°	8.5'	24' 15' 7"	N/A 25' 10"	18' 20' 4"	7' 6"
45°	8.5'	17' 12' 9"	N/A 29' 8"	12' 9"	7' 6"

\* Stall width may be reduced to 8' for accessible spaces designed in accordance with Iowa Statewide Urban Design and Specifications.

\*\* Stall depth may be reduced to 16.5' if a 2' overhang area is provided in an abutting parking lot island or landscape area or pedestrian walkway.

**Section 18.** Section 17.10.040 of the Davenport Municipal Code, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" is hereby amended by modifying Section 17.10.040.C and Section 17.10.040.E to read as follows:

**C.** The total number of required parking spaces is calculated by the principal use of the lot. When more than one use occupies the same lot, the number of required spaces is the sum of the separate requirements for each use, unless a shared parking arrangement is approved or such use is a multi-tenant retail commercial center, which has a separate requirement per item E below. The following standards for computation apply:

1. When calculating the number of required off-street spaces results in a requirement of a fractional space, said fraction is rounded up.
2. In places of assembly in which patrons or spectators occupy benches, pews, or similar seating facilities, each 24 inches of such seating facility is counted as one seat for the purpose of determining the requirement for off-street parking facilities. Floor area of a prayer hall is counted as one seat per marked prayer mat space or one seat for every five square feet in the prayer hall if prayer mat spaces are not marked.

**E.** Parking for multi-tenant commercial centers is calculated as one space required per 500 square feet of gross floor area, rather than by the individual uses. A multi-tenant commercial center is defined as a group of three or more commercial establishments, primarily retail, but also including service, restaurant, recreation, office, or medical, that is planned, owned, and/or managed as a single property. The two main configurations of multi-tenant commercial centers are large shopping centers and strip retail centers.



**Section 19.** Section 17.10.070 of the Davenport Municipal Code, entitled “Required Off-Street Loading Spaces” is hereby amended by modifying Section 17.10.070.B to read as follows:

**B. Required Number of Off-Street Loading Spaces**

Off-street loading spaces must be provided in accordance with Table 17.10-4: Off-Street Loading Requirements. In the case of multi-tenant **buildings commercial centers** or mixed-use developments, required loading spaces are calculated on the basis of each individual tenant (for example, if only one non-residential use tenant of a multi-tenant **building commercial center** is over 10,000 square feet, only one loading space is required; if all tenants are under 10,000 square feet, no loading is required).

TABLE 17.10-4: OFF-STREET LOADING REQUIREMENTS	
Use Type	Number of Spaces Required
<b>Multi-Family Dwelling</b>	
Total of 50 dwelling units or more	1 loading space
<b>Commercial &amp; Institutional Use</b>	
10,000 - 100,000sf GFA	1 loading space
100,001 - 200,000sf GFA	2 loading spaces
200,001sf and above GFA	3 loading spaces
<b>Industrial Use</b>	
10,000 - 40,000sf GFA	1 loading spaces
40,001 - 100,000sf GFA	2 loading spaces
100,001 and above GFA	3 loading spaces

**Section 20.** Section 17.11.050 of the Davenport Municipal Code, entitled “Parking Lot Perimeter Landscape Yard” is hereby amended to read as follows:

A perimeter landscape yard is required for all parking lots that **abut are adjacent to** streets and alleys, and must be established along the edge of the parking lot to create a visually attractive environment. A perimeter landscape yard is also required where a parking lot **abuts an is adjacent to a** public space such as a plaza, public seating area, or park. The landscape treatment must run the full length of the parking lot perimeter and must be located between the lot line and the edge of the parking lot, with the exception of pedestrian accessways. The landscaped area must be improved as follows:

**A.** The perimeter parking lot landscape area must be at least **seven five** feet in width along a street or public space. **This area shall be increased to seven feet in width if it is utilized as an off-street parking space stall overhang.** The perimeter parking lot landscape area must be at least five feet in width along an alley. The C-D and C-V Districts are exempt from perimeter parking lot landscape along an alley; vehicle parking must not overhang into an alley right-of-way.

**B.** Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height may be used.

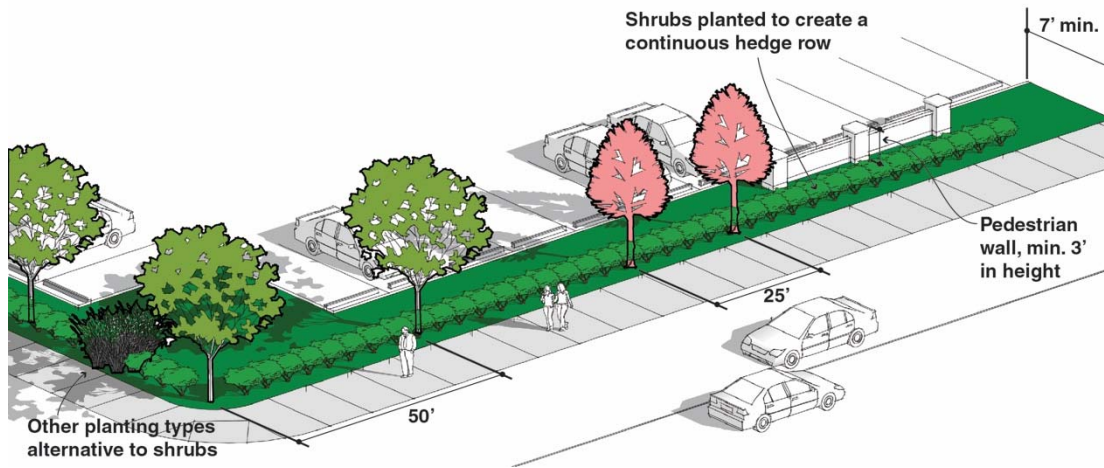
**C.** A minimum of one shade tree must be provided for every 50 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for one shade tree and must be spaced one ornamental tree every 25 feet. Trees may be spaced linearly on-center, or grouped to complement an overall design concept.

**D.** Alternatively, a low pedestrian wall a minimum of three feet to a maximum of four feet in height may be used. The pedestrian wall must be masonry, brick, or stone; unfinished CMU is prohibited. No shade trees are required. Required shrubs must be installed between the sidewalk and the wall to provide a softening effect.

**E.** 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Mulch or other permeable landscape materials are required for any remaining area.



## PARKING LOT PERIMETER LANDSCAPE YARD



**Section 21.** Section 17.11.070 of the Davenport Municipal Code, entitled "Site Landscape" is hereby amended to read as follows:

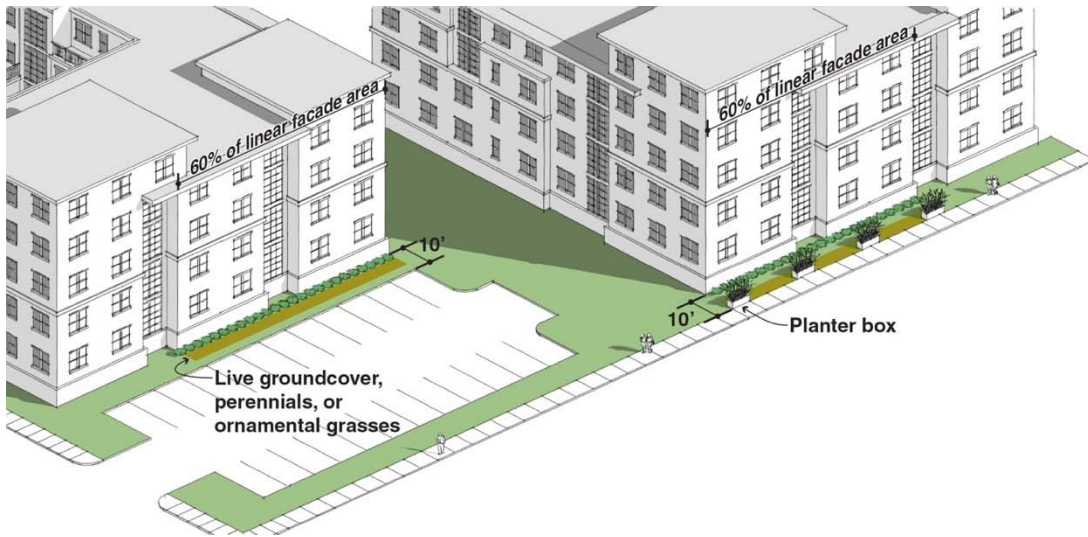
**A.** Areas of any lot that are not covered by structures or pavement must be planted with live landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement, but must not cover more than 40% of such area and must be designed so such materials are placed so that they are no higher than the height of the curb to prevent spill. Section 17.11.090 contains additional requirements for on-site tree plantings for certain districts.

**B.** Where multi-family and nonresidential (including mixed-use) developments are located ten feet or more from a street lot line and where the front, corner side, or interior side façade **abuts is adjacent to** a parking area, foundation landscape must be planted as described below. This planting area is required along 60% of the linear façade area. This percentage may be reduced to accommodate building functional operations during landscape plan review.

1. Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity.
2. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Mulch or other permeable landscape materials are required for any remaining area.
3. As an alternative, planted pots and/or planter boxes may be used to satisfy up to 30% of the total landscape area requirement if approved as part of the landscape plan. The landscape plan must show the materials and/or models of pots and planter boxes.



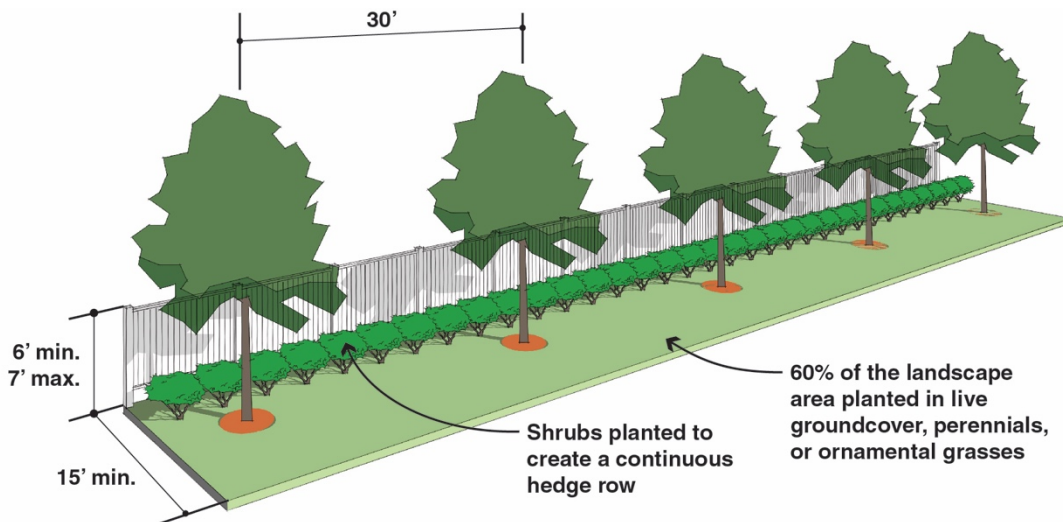
## SITE LANDSCAPE



Section 22. Section 17.11.080 of the Davenport Municipal Code, entitled "Buffer Yards (Section 17.11.080.C.6 only" is hereby amended to read as follows:

6. Unless otherwise specifically required by the use standards of this Ordinance, such as required by the use standards of Chapter 17.08, a solid fence or wall, constructed of wood, **vinyl**, brick, masonry, or stone must be erected along 100% of the buffer yard length, with the exception of ingress/egress points. If constructed on a berm, the height of the berm is included and the maximum height of fence and berm is seven feet.
  - a. The solid fence or wall must be a minimum of six feet and a maximum of seven feet in height along the rear lot line.
  - b. The solid fence or wall must a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the abutting lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

## BUFFER YARD





**Section 23.** Section 17.14.020 of the Davenport Municipal Code, entitled "Notice" is hereby amended to read as follows:

**A. Required Notice**

Table 17.14-1: Required Notice indicates the types of notice required for public hearings on the zoning applications. Certain applications may contain additional notice requirements within their specific provisions.

Table 17.14-1: Required Notice				
Zoning Application	Type			
	Published Notice	Mailed Courtesy Notice	Mailed Required Notice	Posted Notice
Zoning Text Amendment	•			
Zoning Map Amendment	•	•	•	•
Special Use	•	•		•
Hardship Variance	•	•		•
Design Review				
Planned Unit Development	•	•		•
Administrative Exception			•	
Zoning Appeals	•			

**B. Published Notice**

When published notice is required, the Zoning Administrator will publish notice in a newspaper of general circulation within the City. The notice must include the date, time, and location of the hearing/decision, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property. Notice must be published as follows:

1. Hearing before the Plan and Zoning Commission or Zoning Board of Adjustment: No less than four days and no more than 20 days in advance of the scheduled hearing date.
2. Hearing before the City Council: No less than seven days and no more than 20 days in advance of the scheduled hearing date.

**C. Mailed Courtesy Notice**

**1. General Notice Requirements**

- a. The city will may mail notice.
- b. The notice must should include the date, time, and location of the hearing/decision, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property.
- c. Nothing in this section prevents the applicant from giving additional notice as he/she may deem appropriate.

**2. Mailed Courtesy Notice**

The City will may follow the following standards when mailing courtesy notices per Table 17.14-1. Courtesy notice is not required. If notice does not meet these standards or is not mailed, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing.

- a. Courtesy notice will may be mailed to all property owners within 200 feet of the lot line of the subject property.
- b. Courtesy notice will may be mailed as follows:
  - i. Hearing before the Plan and Zoning Commission or Zoning Board of Adjustment: No less than four seven days and no more than 20 days in advance of the scheduled hearing date.



ii. Hearing before the City Council: No less than seven days and no more than 20 days in advance of the scheduled hearing date.

c. When a zoning map amendment is proposed by the City, notification will also be mailed to the owner of the subject property.

### 3. Mailed Required Notice

Per Table 17.14-1, administrative exceptions require mailed notice.

a. Notice will be mailed to property owners abutting the subject property as well as the property owner(s) located directly across the street.

b. Notice will be mailed no less than ~~four~~ **seven** days and no more than 20 days in advance of the date the Zoning Administrator may render a decision.

### D. Posted Notice

~~The City may follow the following standards when posting notices per Table 17.14-1. Posted notice is not required. If notice does not meet these standards or is not posted, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing.~~

1. ~~When posted notice is required, the~~ **The** City ~~will~~ **may** post notice on the subject property.

2. The sign ~~must~~ **may** be posted at a prominent location on the property, near the sidewalk or public right-of-way so that it is visible to pedestrians and motorists. Properties with more than one street frontage ~~are~~ **may be** required to post one sign visible on each street frontage.

3. The ~~required~~ posting period ~~must~~ **may** be no less than ~~four~~ **seven** days and no more than 20 days in advance of the scheduled hearing date.

~~4. Any sign knocked down after posting before a public hearing does not invalidate, impair, or otherwise affect any subsequent approval following the public hearing.~~

~~5.4.~~ The applicant is responsible for removal of a sign within ten days of the issuance of a decision.

### E. Council Notice Policy

~~The city council, by resolution, has adopted a public notice policy for zoning applications in order to increase transparency beyond what is legally required and to foster public participation and input. It may be amended from time to time as modes of communication evolve and knowledge of the effectiveness of our communications grows. Future amendments of this policy resolution that add modes of communication, add to types of information contained in the notice, increase the geographic scope of the notice, or increase the lead time of the notice may be passed by a simple majority vote; but future amendments that remove, lessen or otherwise diminish these attributes require eight affirmative votes of the city council membership to pass.~~

**Section 24.** Section 17.14.040 of the Davenport Municipal Code, entitled "Zoning Text and Map Amendment (Section 17.14.040.D only)" is hereby amended to read as follows:

### D. Procedure

All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Plan and Zoning Commission. Amendments initiated by a City Council, commission, or official also require an application, but are exempt from fees.

#### 1. **Required Neighborhood Meeting**

~~The City may require the applicant to conduct a neighborhood meeting prior to the Plan and Zoning Commission public hearing. A neighborhood meeting is not required. If the neighborhood meeting does not meet these standards or does not occur, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing~~

a. ~~The applicant must conduct a neighborhood meeting prior to the Plan and Zoning Commission public hearing for the~~ **The** purpose of ~~the neighborhood meeting is to share~~ **sharing** the details of the application, ~~answering~~ **answer** questions, and ~~receiving~~ **receive** feedback.

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- b. The City ~~will~~ **may** mail notification of the meeting to all property owners within the 200 feet of the subject property. The City may expand the notification of the neighborhood meeting if deemed warranted.
- c. The applicant must provide the City with a list of attendees following the neighborhood meeting.

**Section 25.** Section 17.14.090 of the Davenport Municipal Code, entitled "Site Plan Review" is hereby amended by adding Section 17.14.090.F, entitled "Minor Adjustments to Certain Design Standards" and by modifying the Sections subsequent to Section 17.14.090.F to read as follows:

**F. Minor Adjustments to Certain Design Standards**

The Zoning Administrator is authorized to grant minor adjustments to off-street parking and loading and landscape design standards when carrying out the requirement may cause a minor practical difficulty. Such adjustment may be granted when it will not adversely affect the purposes and intent of this chapter or simply grant a convenience to the applicant.

**F.G. Modifications to Approved Site Plans**

1. An application for a modification to an approved site plan must be submitted to the Zoning Administrator. Modification applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.
2. The Zoning Administrator may approve the following minor modifications to approved site plans. Only those elements of the site plan being modified need to be submitted for review.
  - a. Minor changes required during construction, as related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation.
  - b. Exterior renovations to a building facade when in conformance with the requirements of this Ordinance.
  - c. The modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Ordinance.
  - d. The construction of additional bicycle or parking spaces.
  - e. The addition of any open space.
  - f. A reduction in the amount of bicycle or parking spaces so long as the remaining number of spaces is in conformance with the requirements of this Ordinance.
  - g. Modifications to the approved landscape plan that does not result in a reduction of the total amount of plant material required and remains in conformance with all landscape requirements.
  - h. The modification of existing signs or the addition of new signs when in conformance with the requirements of the Ordinance.
3. Any modification not considered a minor modification requires resubmittal of a full site plan.

**G.H. Expiration**

The site plan approval expires if a building permit has not been issued or construction has not ~~begin~~ **begun** within one year after the date of site plan approval. An extension of this one year validity period may be granted by the Zoning Administrator prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.

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Section 26. Section 17.14.100 of the Davenport Municipal Code, entitled "Design Review (Section 17.14.100.D.2 only)" is hereby amended to read as follows:

2. The following are exempt from Design Review Board approval:

- a. Properties listed on the Davenport Register of Historic Places and/or demolition of a building listed on the National Register of Historic Places, which are subject to the review authority of the Historic Preservation Commission.
- b. The Zoning Administrator is authorized to approve design proposals as determined by the Design Review Board.

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:

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Frank Klipsch, Mayor

Attest: \_\_\_\_\_  
Brian Krup, Deputy City Clerk

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

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LAMAR ADVERTISING OF DUBUQUE | QUAD CITIES

August 19, 2019

Matt Flynn  
Senior Planning Manager  
Davenport City Hall  
226 W. 4<sup>th</sup> St.  
Davenport, IA 52801

RE: ORDINANCE CHANGES – Section 17.08.030 D (Billboards)

Dear Matt:

First of all, thanks again for taking time to meet with us on Friday. I believe that it was a very constructive meeting, and we are happy to have the opportunity to work with the city on an agreeable resolution on the spacing between billboards.

As we discussed, when meeting with you and the consulting firm out of Chicago last year, we were not surprised to see their proposal of “same side of the roadway” spacing. This standard is consistent with the State of Illinois DOT, and most Illinois communities we serve. In saying that, we were certainly in favor of it in hopes that we would have an opportunity to replace a few of the many locations we have lost over the last several years. 1500’ spacing, between signs, on the same side of the roadway would provide us that opportunity.

It is our understanding that city staff has since reviewed this portion of the ordinance, and City Council is contemplating going back to 1500’ radial spacing (as it was prior). The radial spacing has precluded us from building anything for many years. As Jim & I discussed with you, we would like to offer a suggestion that we feel is a fair compromise.

We would like council to consider keeping the 1500’ spacing, but make it for BOTH sides of the roadway (as the State of Iowa DOT is written). We feel this standard will still provide reasonable control between advertising structures within the city, and Lamar the opportunity to replace locations lost through attrition and invest in areas of Davenport where new commercial development is taking place.

Matt, on another issue of concern: We learned of a zoning change to bulk regulations while applying for a permit on a property along Brady. The property is currently zoned C-2, and for years was the commercial zone where billboards were allowed. We now understand this has changed where billboards are no longer allowed in C-2, and are to be placed on C-3 districts.

We are curious when and how this change took place? And if it was with the new ordinance updates, why we were not made aware of during the review process prior to the adoption of the ordinance? Was the change inadvertent and/or mistakenly transposed somehow? And, if

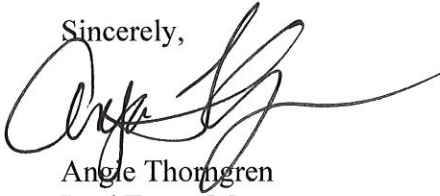


intended, what was the city's rationale? We ask, because this has a significant negative impact on our existing locations placed on C-2 properties throughout the Davenport community. It places 90% of these assets in a non-conforming status where use is applied, and results in not being able to seek a variance for future upgrades, if need be.

Matt, thanks in advance for the opportunity to address these concerns. We appreciate the amiable relationship we have with you, and the City of Davenport.

Please let me know a good time that works for you this week where you, Jim and I can meet to discuss further.

Sincerely,



Angie Thorngren  
Real Estate Manager



City of Davenport

Agenda Group:  
Department: Community Planning & Economic Development  
Contact Info: Brandon Melton 563-888-2221  
Wards:

**Action / Date**  
**8/7/2019**

Subject:

Third Consideration: Ordinance for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Dr and Telegraph Rd, bounded roughly by Wisconsin Ave and S Vermont Ave to the east and west respectively, from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1]

Recommendation:  
Adopt the Ordinance.

Background:  
**Background:**

Reason for Request: The petitioner is requesting a rezoning to S-AG Agricultural District to accommodate the development of a commercial horse stable and associated facilities including an indoor training facility. The petitioner has expressed interest in creating horse riding trails through the property as well.

**Comprehensive Plan:**

Within Existing Urban Service Area: Partially

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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.

Agricultural Reserve (AR) - Areas located outside the Urban Service Boundary and unlikely to develop in the foreseeable future. Uses should be limited to agriculture and open space, with only limited residential development needing minimal urban services.

Open Space and Public Land (OS) - Includes undeveloped open space, natural areas, floodplains and wetlands that may be or may not be planned for future park and recreation development.

Relevant Goals to be considered in this Case: Conserve, Protect, and Enhance our Natural Resources

**Zoning:**



The property is currently zoned R-1 and R-2 Single-Family Residential Zoning District.

**Technical Review:**

No specific concerns have been noted by the Technical Review Team.

**Public Input:**

Letters were sent to property owners within 200 feet of the proposed request notifying them of the June 25, 2019 neighborhood meeting and the July 1, 2019 Plan and Zoning Commission Public Hearing.

A neighborhood meeting was held on June 25. Approximately twelve people attended the meeting.

A sign was posted on the property on June 21.

A Public Hearing was held on July 1, 2019. Two people spoke in favor of the petition.

No protests have been received.

**Discussion:**

The new zoning ordinance includes approval standards for rezonings. Staff will be using these standards as part of the evaluation of rezoning requests.

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

Staff Comments:

While portions of the subject area are designated residential general, the majority is designated agricultural reserve or open space. Rezoning to S-AG is in line with the Comprehensive plan and furthers the goal: "Conserve, Protect, and Enhance our Natural Resources"

b. The compatibility with the zoning of nearby property.

Staff Comments:

While there is residential property adjacent there is also other farm land. Overall the area has a very rural character and S-AG is compatible.

c. The compatibility with established neighborhood character.

Staff Comments:

Residential development is rural in nature with minimal urban services. S-AG is in keeping with the established neighborhood character



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

Staff Comments:

The proposed S-AG zoning is consistent with existing vicinity uses.

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

Staff Comments:

The property is not suited for development of the proposed business under the existing R-1 and R-2 Zoning.

f. The extent to which the proposed amendment creates non-conformities.

Staff Comments:

The amendment will not create any non-conformities.

Conclusion:

Staff's opinion is that zoning this property S-AG is compatible with the existing character of the surrounding area.

### **Plan and Zoning Commission Recommendation:**

The Plan and Zoning Commission accepted findings and forwards Case REZ19-09 to the City Council for approval.

### **Findings:**

1. The subject property is primarily designated as Agricultural Reserve, but also has portions designated Open Space and Residential General.
2. The proposed S-AG zoning adequately protects the adjoining residential property from adverse impacts.
3. The proposed S-AG zoning would maintain the existing rural character of the land.

Vote for approval was unanimous 5-0.

### **ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Application
▣ Backup Material	P&Z Letter
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map



- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material

Aerial Map  
Legal Notice  
Public Input

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Berger, Bruce	Approved	8/1/2019 - 4:34 PM



ORDINANCE NO.

ORDINANCE for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1].

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "S-AG - Agricultural District".

PART OF THE S.W.  $\frac{1}{4}$  OF SECTION 32, IN TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF SAID S.W.  $\frac{1}{4}$ ; THENCE EAST ON QUARTER SECTION LINE 20 CHAINS TO THE N.E. CORNER OF THE N.W.  $\frac{1}{4}$  OF THE S.W.  $\frac{1}{4}$  OF SAID SECTION 32; THENCE SOUTH 15 CHAINS; THENCE W. 20 CHAINS TO THE SECTION LINE BETWEEN SECTIONS 31 AND 32 IN SAID TOWNSHIP AND RANGE; AND THENCE NORTH ON THE SECTION LINE 15 CHAINS TO THE PLACE OF BEGINNING; CONTAINING 30 ACRES.

AND

PART OF THE NORTHWEST QUARTER OF SEC. 32 IN TOWNSHIP 78 N., RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE S.W. CORNER OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 32; THENCE RUNNING E. ALONG THE QUARTER SECTION LINE 1320 FEET; THENCE NORTH 2217 FEET TO THE TELEGRAPH ROAD; THENCE IN A WESTERLY DIRECTION AND IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTH SIDE OF SAID ROAD TO THE DIVISION LINE BETWEEN SECTIONS 32 AND 31 IN SAID TOWNSHIP AND RANGE; AND THENCE SOUTH 1860 FEET ALONG SAID DIVISION LINE TO THE PLACE OF BEGINNING.

EXCEPTING A TRACT OF LAND IN THE N.W. CORNER OF SAID LAST DESCRIBED TRACT OF LAND DESCRIBED AS COMMENCING AT THE AFORESAID NORTHWEST CORNER OF SAID TRACT LAST ABOVE DESCRIBED; RUNNING THENCE SOUTH 34 FEET; THENCE EAST 99 FEET; THENCE NORTH 53 FEET TO SAID TELEGRAPH ROAD; AND THENCE WESTERLY ALONG THE SOUTH SIDE OF SAID TELEGRAPH ROAD TO THE PLACE OF BEGINNING; SAID TRACT BEING GRANTED TO SCHOOL DISTRICT NO. 12 IN DAVENPORT TOWNSHIP IN SCOTT COUNTY, IOWA.

AND



THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., EXCEPT THAT PART PLATTED AS DEER WOODS SECOND ADDITION TO THE CITY OF DAVENPORT, IOWA.

EXCEPT:

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST, IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 01°38'08" EAST 1231.89 FEET ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 88°34'11" WEST 85.11 FEET; THENCE NORTH 74°38'27" WEST 114.56 FEET; THENCE NORTH 73°54'14" WEST 85.06 FEET; THENCE NORTH 53°35'06" WEST 42.40 FEET TO THE NORTHWEST CORNER OF LOT 9 OF DEER WOODS SECOND ADDITION AND THE POINT OF BEGINNING; THENCE SOUTH 57°38'29" WEST 35.17 FEET; THENCE SOUTH 03°48'27" WEST 92.40 FEET; THENCE SOUTH 88°29'14" WEST 143.32 FEET; THENCE SOUTH 06°27'25" EAST 171.96 FEET; THENCE SOUTH 83°32'29" WEST 70.00 FEET; THENCE NORTH 06°27'25" WEST 282.28 FEET TO THE BEGINNING OF A 315.00 FOOT RADIUS TANGENT CURVE CONCAVE WESTERLY WHOSE 49.42 FOOT CHORD BEARS NORTH 10°57'22" WEST; THENCE NORTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 49.47 FEET; THENCE NORTH 15°27'18" WEST 91.15 FEET; THENCE NORTH 66°34'18" EAST 70.68 FEET; THENCE SOUTH 15°27'18" EAST 47.45 FEET; THENCE NORTH 74°32'42" EAST 63.67 FEET; THENCE SOUTH 66°07'23" EAST 118.81 FEET; THENCE SOUTH 32°21'31" EAST 88.27 FEET TO THE POINT OF BEGINNING. CONTAINING 1.51 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD.

AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., EXCEPT THOSE PARTS PLATTED AS DEER WOODS FIRST AND SECOND ADDITIONS TO THE CITY OF DAVENPORT, IOWA. ALSO, EXCEPTING THOSE PARTS DESIGNATED AS THE RIGHT OF WAY FOR RICKER HILL ROAD AND THE RIGHT OF WAY FOR THE STATE HIGHWAY.

Section 2. That the following findings are hereby associated with said rezoning:

Findings:

1. The subject property is primarily designated as Agricultural Reserve, but also has portions designated Open Space and Residential General.
2. The proposed S-AG zoning adequately protects the adjoining residential property from adverse impacts.
3. The proposed S-AG zoning would maintain the existing rural character of the land.

Section 3. At its July 16, 2019 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation to approve.



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: \_\_\_\_\_  
Brian Krup, Deputy City Clerk

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





Complete application can be emailed to [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

**Property Address\*** Please see attached.

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

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

Name: Mark Cross  
Company: Cross Roads Land Development, L.L.C.  
Address: PO Box 80  
City/State/Zip: Camanche, IA 52730  
Phone: 563-242-6871  
Email: transtar@mchsi.com

**Owner** (if different from Applicant)

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

**Engineer** (if applicable)

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

**Architect** (if applicable)

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

**Attorney** (if applicable)

Name: Michael A. Koury  
Company: Bush, Motto, Green, Koury & Halligan, PLC  
Address: 5505 Victoria Ave. Ste. 100  
City/State/Zip: Davenport, IA 52807  
Phone: 563-344-4900  
Email: makoury@bmcklaw.com

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

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

*Application Form Type:*

**Plan and Zoning Commission**

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

**Zoning Board of Adjustment**

Zoning Appeal ☐  
Special Use ☐  
Hardship Variance ☐

**Design Review Board**

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

**Historic Preservation Commission**

Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

**Administrative**

Administrative Exception ☒  
Health Services and Congregate Living Permit ☐



**Request:**

Existing Zoning:

Proposed Zoning Map Amendment:

Purpose of the Request:

Please see attached.

Total Land Area:

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

**Submittal Requirements:**

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

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

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

**(2) Plan and Zoning Commission public hearing:**

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

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

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



**Formal Procedure (continued):**

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

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

Applicant:

Date:

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

Received by:

Planning staff

Date:

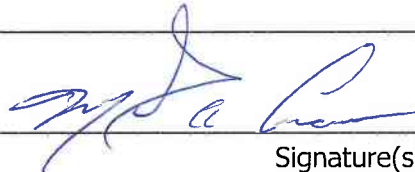
Date of the Public Hearing:

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



**Authorization to Act as Applicant**

I, Mark Cross, as Manager of Owner  
authorize Michael A. Koury of Bush, Motto, Creen, Koury & Halligan, P.L.C.  
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

  
Signature(s)

State of Iowa,  
County of Scott.  
Sworn and subscribed to before me

This 5<sup>th</sup> day of June 2014

Form of Identification

  
Notary Public

My Commission Expires: 5-10-20





## 2019 PLAN & ZONING COMMISSION CALENDAR

PLAN & ZONING COMMISSION SCHEDULE				CITY COUNCIL SCHEDULE		
<u>REZONING &amp; ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION PLAT &amp; DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING COMMISSION PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISSION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE PUBLIC HEARING	CITY COUNCIL MEETING
(12:00 PM - Monday)	(12:00 PM - Monday)	(5:00 PM - Tuesday)	(5:00 PM - Tuesday)	(12:00PM - Friday)	(5:30 PM - Wednesday)	(5:30 PM - Wednesday)
11/13/18	11/26/18	12/04/18	12/18/18	12/21/18	01/02/19	01/09/19
11/26/18	12/10/18	12/18/18	12/31/18	01/04/19	01/16/19	01/23/19
12/10/18	12/21/18	12/31/18	01/15/19	01/25/19	02/06/19	02/13/19
12/21/18	01/07/19	01/15/19	02/05/19	02/08/19	02/20/19	02/27/19
01/14/19	01/28/19	02/05/19	02/19/19	02/22/19	03/06/19	03/13/19
01/28/19	02/11/19	02/19/19	03/05/19	03/08/19	03/20/19	03/27/19
02/11/19	02/25/19	03/05/19	03/19/19	03/22/19	04/03/19	04/10/19
02/25/19	03/11/19	03/19/19	04/02/19	04/05/19	04/17/19	04/24/19
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08/26/19	09/09/19	09/17/19	10/01/19	10/04/19	10/16/19	10/23/19
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09/23/19	10/07/19	10/15/19	11/05/19	11/08/19	11/20/19	11/27/19
10/14/19	10/28/19	11/05/19	11/19/19	11/22/19	12/04/19	12/11/19
10/28/19	11/08/19	11/19/19	12/03/19	cancelled due to holiday		
11/11/19	11/25/19	12/03/19	12/17/19	12/13/19	01/02/20	01/08/20
11/25/19	12/09/19	12/17/19	12/31/19	12/27/19	01/15/20	01/22/20
12/09/19	12/23/19	12/31/19	01/14/20	01/17/20	02/05/20	02/12/20
12/23/19	01/06/20	01/14/20	02/04/20	01/31/20	02/19/20	02/26/20

- SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY - MARKED IN RED
- ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL
- DATES SUBJECT TO CCHANE DUE TO HOLIDAYS - MARKED IN RED
- DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA



<b>Parcel Number</b>	<b>Number of Acres</b>	<b>Existing Zoning</b>
23137-20B	22.93 acres	R-2
23137-19B	36.30 acres	R-1
23233-01	30 acres	R-1
S3217-07	40 acres	R-1
S3201-08	17.75 acres	R-1

#### **Purpose of Request**

The purpose of this rezoning request is to accommodate the following activities, uses, and improvements: two or more equine stables that will be used by and rented out to the public; one or more equine training facilities/arenas that will be used by and rented out to the public; office with bathrooms; grain storage; the sale of equines to the public; available trails for equine riding; the sale of bag feed, shampoo, supplies, etc. to tenants that are utilizing the stables and/or training facilities; and any and all related or ancillary uses and activities.



July 17, 2019

Honorable Mayor and City Council  
City Hall  
226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801

Dear Mayor and Council:

At its regular meeting of July 16, 2019, the Plan and Zoning Commission considered Case REZ19-09: Request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1]

The Commission voted 5-0 to forward the case to the City Council for its approval, with the following findings:

Findings:

1. The subject property is primarily designated as Agricultural Reserve, but also has portions designated Open Space and Residential General.
2. The proposed S-AG zoning adequately protects the adjoining residential property from adverse impacts.
3. The proposed S-AG zoning would maintain the existing rural character of the land.

Respectfully submitted,



Robert Inghram, Chairperson  
City Plan and Zoning Commission



**City Plan & Zoning Commission Voting Record**

**Meeting Date: 7-16-19**

**Meeting Location: Council Chambers-City Hall**

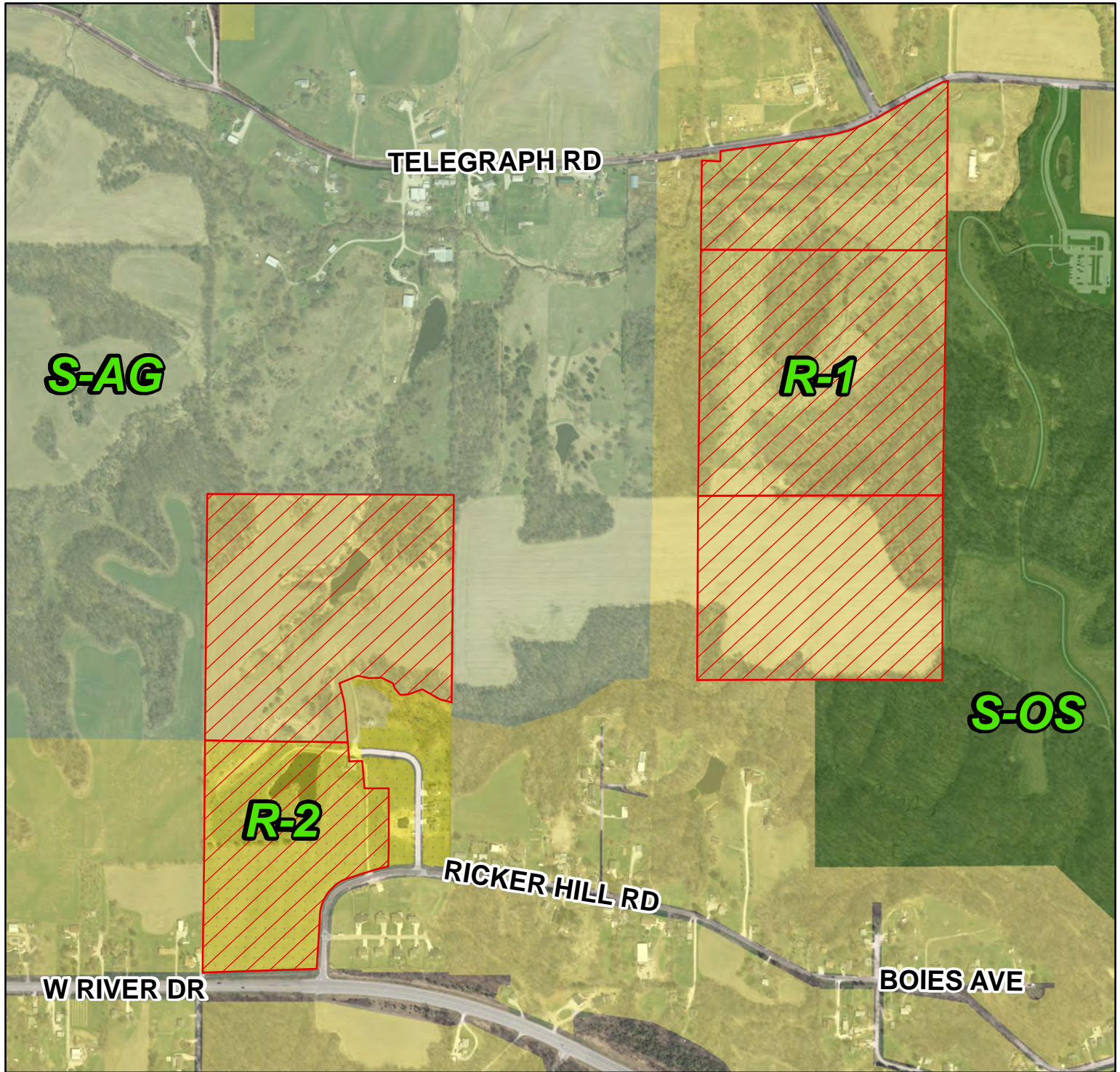
No.	Name:	Public Hearing Roll Call	Regular Meeting Roll Call	7-1-19 Minutes	M	S	REZ19-09	M	S	ORD19-02	M	S										
1	Schneider	-	EXC	-			-			-												
2	Lammers	-	EXC	-			-			-												
3	Medd	-	Y	Y		X	Y			Y												
4	Johnson	-	Y	Y			Y			Y		X										
5	Tallman	-	Y	Y	X		Y	X		Y	X											
6	Inghram	-	Y	Y			-			-												
7	Connell	-	EXC	-			-			-												
8	Hepner	-	EXC	-			-			-												
9	Brandsgard	-	EXC	-			-			-												
10	Reinartz	-	Y	Y			Y			Y												
11	Maness	-	Y	Y			Y	X		Y												
	Result																					

No Public Hearing



# Request for a Zoning Map Amendment (Rezoning)

## REZ19-09 - Mark Cross Stables R-1(2) - S-AG



### Legend

 Subject\_Properties

0 300 600 1,200 1,800 Feet  
1 inch = 750 feet



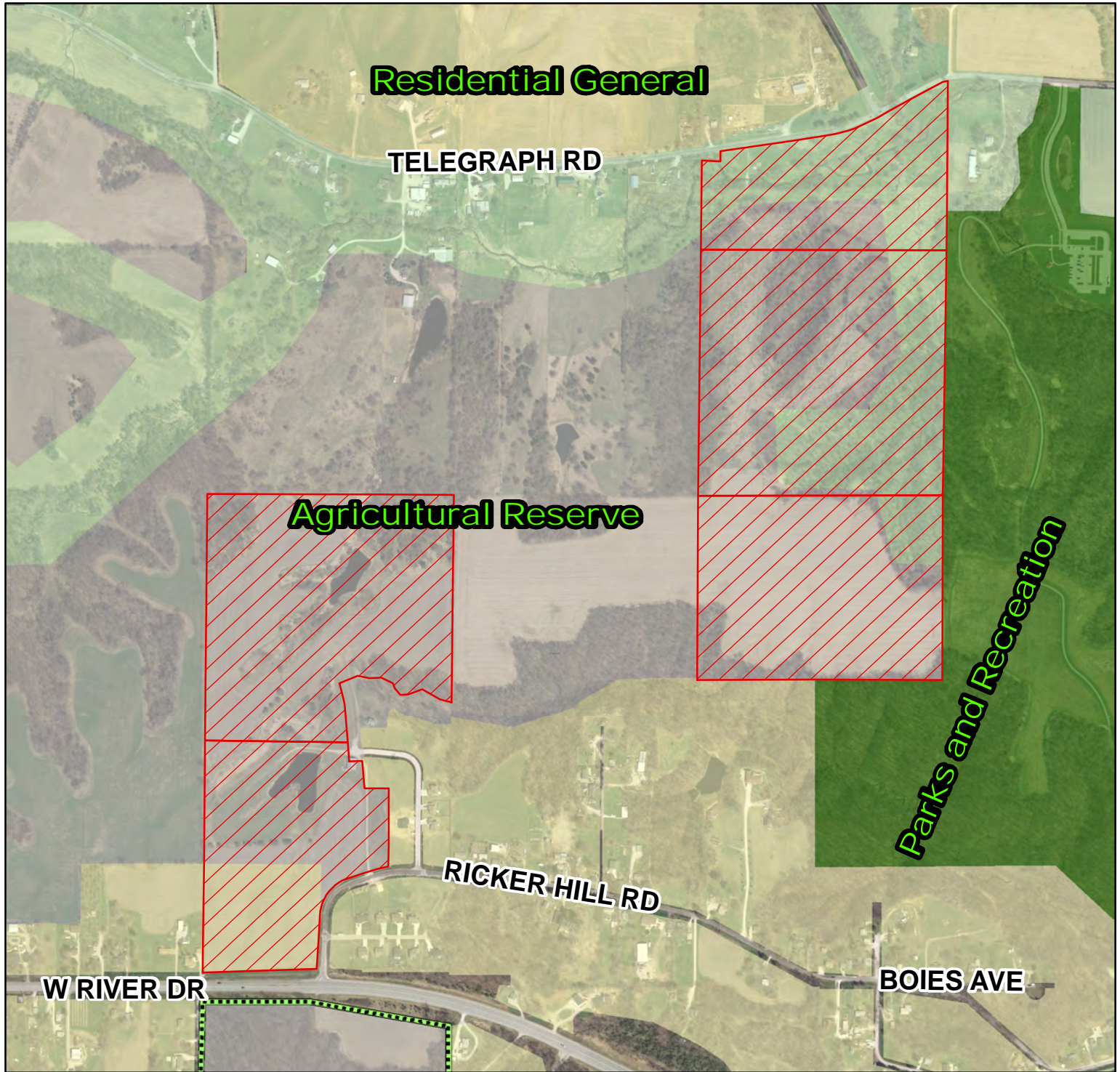
Private parties utilizing City GIS data do so at their own risk.  
The City of Davenport will not be responsible for any costs or  
liabilities incurred due to any differences between information  
provided and actual physical conditions.




# Request for a Zoning Map Amendment (Rezoning)

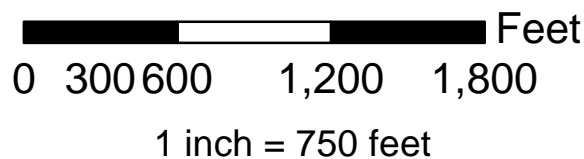
**REZ19-09 - Mark Cross Stables R-1(2) - S-AG**

## Future Land Use Map (Davenport +2035)



**Legend**

 Subject\_Properties



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.



# REZ-19-09 - Mark Cross Stables

Legend





Thursday, July 25, 2019

Please publish the following public notice in the July 30, 2019 edition of the Quad City Times.

The PO number for this notice is: 2000632

Please provide proof of publication for our records. If you have any questions, please contact us at [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) or 563-326-7765. Thank you!

---

**NOTICE  
PUBLIC HEARING  
WEDNESDAY, AUGUST 7, 2019 - 5:30 P.M.  
CITY OF DAVENPORT COMMITTEE OF THE WHOLE  
COUNCIL CHAMBERS - DAVENPORT CITY HALL  
226 WEST 4th STREET – DAVENPORT, IOWA**

There is on file in the Community Planning and Economic Development Department (CPED), on behalf of the Plan and Zoning Commission, the following requests:

Case REZ19-09: Request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1]

The Legal Description is as follows:

PART OF THE S.W.  $\frac{1}{4}$  OF SECTION 32, IN TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF SAID S.W.  $\frac{1}{4}$ ; THENCE EAST ON QUARTER SECTION LINE 20 CHAINS TO THE N.E. CORNER OF THE N.W.  $\frac{1}{4}$  OF THE S.W.  $\frac{1}{4}$  OF SAID SECTION 32; THENCE SOUTH 15 CHAINS; THENCE W. 20 CHAINS TO THE SECTION LINE BETWEEN SECTIONS 31 AND 32 IN SAID TOWNSHIP AND RANGE; AND THENCE NORTH ON THE SECTION LINE 15 CHAINS TO THE PLACE OF BEGINNING; CONTAINING 30 ACRES.

AND

PART OF THE NORTHWEST QUARTER OF SEC. 32 IN TOWNSHIP 78 N., RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE S.W. CORNER OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 32; THENCE RUNNING E. ALONG THE QUARTER SECTION LINE 1320 FEET; THENCE NORTH 2217 FEET TO THE TELEGRAPH ROAD; THENCE IN A WESTERLY DIRECTION AND IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTH SIDE OF SAID ROAD TO THE DIVISION LINE BETWEEN SECTIONS 32 AND 31 IN SAID TOWNSHIP AND RANGE; AND THENCE SOUTH 1860 FEET ALONG SAID DIVISION LINE TO THE PLACE OF BEGINNING.

EXCEPTING A TRACT OF LAND IN THE N.W. CORNER OF SAID LAST DESCRIBED TRACT OF LAND DESCRIBED AS COMMENCING AT THE AFORESAID NORTHWEST CORNER OF SAID TRACT LAST ABOVE DESCRIBED; RUNNING THENCE SOUTH 34 FEET; THENCE EAST 99 FEET;



THENCE NORTH 53 FEET TO SAID TELEGRAPH ROAD; AND THENCE WESTERLY ALONG THE SOUTH SIDE OF SAID TELEGRAPH ROAD TO THE PLACE OF BEGINNING; SAID TRACT BEING GRANTED TO SCHOOL DISTRICT NO. 12 IN DAVENPORT TOWNSHIP IN SCOTT COUNTY, IOWA.

AND

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., EXCEPT THAT PART PLATTED AS DEER WOODS SECOND ADDITION TO THE CITY OF DAVENPORT, IOWA.

EXCEPT:

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST, IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 01°38'08" EAST 1231.89 FEET ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 88°34'11" WEST 85.11 FEET; THENCE NORTH 74°38'27" WEST 114.56 FEET; THENCE NORTH 73°54'14" WEST 85.06 FEET; THENCE NORTH 53°35'06" WEST 42.40 FEET TO THE NORTHWEST CORNER OF LOT 9 OF DEER WOODS SECOND ADDITION AND THE POINT OF BEGINNING; THENCE SOUTH 57°38'29" WEST 35.17 FEET; THENCE SOUTH 03°48'27" WEST 92.40 FEET; THENCE SOUTH 88°29'14" WEST 143.32 FEET; THENCE SOUTH 06°27'25" EAST 171.96 FEET; THENCE SOUTH 83°32'29" WEST 70.00 FEET; THENCE NORTH 06°27'25" WEST 282.28 FEET TO THE BEGINNING OF A 315.00 FOOT RADIUS TANGENT CURVE CONCAVE WESTERLY WHOSE 49.42 FOOT CHORD BEARS NORTH 10°57'22" WEST; THENCE NORTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 49.47 FEET; THENCE NORTH 15°27'18" WEST 91.15 FEET; THENCE NORTH 66°34'18" EAST 70.68 FEET; THENCE SOUTH 15°27'18" EAST 47.45 FEET; THENCE NORTH 74°32'42" EAST 63.67 FEET; THENCE SOUTH 66°07'23" EAST 118.81 FEET; THENCE SOUTH 32°21'31" EAST 88.27 FEET TO THE POINT OF BEGINNING. CONTAINING 1.51 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD.

AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M., EXCEPT THOSE PARTS PLATTED AS DEER WOODS FIRST AND SECOND ADDITIONS TO THE CITY OF DAVENPORT, IOWA. ALSO, EXCEPTING THOSE PARTS DESIGNATED AS THE RIGHT OF WAY FOR RICKER HILL ROAD AND THE RIGHT OF WAY FOR THE STATE HIGHWAY.

Case ORD19-02: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code (hereto referred to as DMC), entitled "Zoning", by amending Section 17.02.010 of the DMC, entitled "Rules of Interpretation" by adding and defining the term "should" and by reordering the subsequent rules, by amending Section 17.02.030 of the DMC, entitled "Definition of General Terms" by adding and defining the terms "Adjacent" and "Façade" to the existing list of Definition and General Terms and by revising the definitions of the terms "Sign, Freestanding" by correcting a term inconsistency, "Stoop" by adding a maximum dimension and "Substantial Repair/Rehabilitation" by revising unclear language, by amending Section 17.04.010 of the DMC, entitled "Purpose Statements" by modifying Section 17.04.010.G by replacing single-family dwellings with semi-detached dwellings in the purpose statement, by amending Section 17.04.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.04-1 by deleting "SF" and related standards and adding a five foot interior side



setback for "2F" and "SF-SD" within the "R-MF" District, by amending Section 17.04.050 of the DMC, entitled "R-3C and R-4C District Design Standards" by deleting language and a diagram related to garages, carports and alley access, by amending Section 17.05.010 of the DMC, entitled "Purpose Statement" by revising the locational intent, by amending Section 17.05.040 of the DMC entitled "Design Standards" by modifying Table 17.05-2 by replacing the term "abut" with "face" and the term "abutting" with "facing", by clarifying unclear language, by deleting overly restrictive transparency requirements for outlot buildings and by revising reduced setback language for commercial centers so that it is permissive and not mandatory (the diagram for Multi-Tenant Commercial Center Site Design Standards is also modified), by amending Section 17.05.050 of the DMC, entitled "C-D District Standards" by modifying Section 17.05.050.C by correcting a scrivener's error, by amending Section 17.05.060 of the DMC, entitled "C-V District Standards" by modifying Section 17.05.060.C by correcting a scrivener's error, by amending Section 17.05.070 of the DMC, entitled "C-E District Standards" by modifying Section 17.05.070.C by correcting a scrivener's error, by amending Section 17.06.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.06-1 by reducing the minimum interior side setback from five feet to none in certain circumstances, by amending Section 17.07.020 of the DMC, entitled "S-OS Open Space District" by modifying Section 17.07.020.A by adding additional uses to the purpose statement, by amending Section 17.080.020 of the DMC, entitled "Use Matrix" by modifying Table 17.08.020 by adding "Amusement Facility – Indoor", "Animal Care Facility – Small Animal" and "Parking Lot (Principal Use)" to the list of permitted uses in the I-1 District, by adding "Dwelling – Multi-Family" and "Dwelling – Townhouse" to the list of permitted uses in the I-MU District, by adding "Government Office/Facility", "Public Safety Facility" and "Restaurant" to the list of permitted uses in the S-OS District, by adding the use "Equine, Keeping of/Equestrian Facility" to the list of permitted uses in the R-1 and S-AG Districts, by revising the "Use Standard" section for "Dwelling – Townhouse" and by reordering the "Use Standard" subsections subsequent to Section 17.08.030.P, by amending Section 17.080.030 of the DMC, entitled "Principal Use Standards" by modifying Section 17.080.030.D, entitled "Billboard" by deleting reference to the same side of the street, by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family or Townhouse" by deleting reference and standards related to a townhouse and by deleting "Aluminum, steel or other metal siding" and "Vinyl" from the listed of prohibited building materials, by modifying Section 17.080.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family" by adding reference to and standards related to a townhouse, by creating a point system for front façade design, by revising certain language and a diagram to support this point system, by deleting the "Transition Rule for Section 17.080.030.O.3" provision, by adding Section 17.08.030.P, entitled "Equine, Keeping of/Equestrian Facility" and related principal use standards, by reordering subsections subsequent to Section 17.08.030.P and by deleting language in Section 17.08.030.DD (being revised to Section 17.08.030.EE) regarding distributed antenna systems in the right-of-way, by amending Section 17.08.050 of the DMC, entitled "Use Definitions" by revising the definition of the uses "Lodge/Meeting Hall" and "Place of Worship" by including language regarding the service and/or sale of food and drinks as an ancillary use, by revising the definition of the use "Public Safety Facility" by deleting reference to canine and equine units and by revising the definition of the use "Restaurant" to include language regarding alcoholic beverages, by amending Section 17.090.030 of the DMC, entitled "Accessory Structures and Uses" by modifying Section 17.090.030.A, entitled "General Regulations for



Accessory Structures” by adding a material standard and a prohibition on the use of shipping containers, by modifying Section 17.090.030.H.1, entitled “General Requirements for All Fences” by deleting reference to walls and by revising and deleting certain language regarding the finished side of all fences, by modifying Section 17.09.030.K, entitled “Garage, Detached and Carports”, by adding language and a diagram requiring access from the alley or rear service drive, by creating design standards for detached garages, by deleting the “Sunset for Section 17.09.030.K.4.d” provision, by deleting language regarding temporary tent structures, by modifying Section 17.09.030.L, entitled “Home Occupation” by adding language to prohibit any business that provides physical good, products, or merchandise directly to the consumer, by deleting Section 17.09.030.M, entitled “Keeping of Equines”, by reordering subsections subsequent to Section 17.09.030.M and by modifying Table 17.09-1 by deleting the phrase “Prohibited in the front yard” from the encroachment term “Deck”, by amending Section 17.10.030 of the DMC, entitled “Off-Street Parking Design Standards” by revising certain off-street parking space minimum dimensions and aisle width in Figure 17.10-1, by amending Section 17.10.040 of the DMC, entitled “Required Off-Street Vehicle and Bicycle Parking Spaces” by modifying Section 17.10.040.C by correcting a term inconsistency and Section 17.10.040.E by deleting a definition contained elsewhere in Title 17, by amending Section 17.10.070 of the DMC, entitled “Required Off-Street Loading Spaces” by modifying Section 17.10.070.B by correcting a term inconsistency, by amending Section 17.11.050 of the DMC, entitled “Parking Lot Perimeter Landscape Yard” by requiring a perimeter landscape yard when a parking lot is adjacent to streets, alleys and public spaces and by revising the width of the perimeter parking lot landscape area in certain circumstances, by amending Section 17.11.070 of the DMC, entitled “Site Landscape” by replacing the term “abuts” with the phrase “is adjacent to”, by amending Section 17.11.080 of the DMC, entitled “Buffer Yards” by modifying Section 17.11.080.C.6 by including vinyl as a permitted fence material, by amending Section 17.14.020 of the DMC, entitled “Notice” by deleting “required” in certain subsections and by revising certain mandatory language to permissive language in certain subsections, by amending Section 17.14.040 of the DMC, entitled “Zoning Text and Map Amendment” by modifying Section 17.14.040.D by revising mandatory language to permissive language, by amending Section 17.14.090 of the DMC, entitled “Site Plan Review” by adding Section 17.14.090.F, entitled “Minor Adjustments to Certain Design Standards” and subsection standards, by reordering subsections subsequent to Section 17.14.090.F and by correcting a scrivener’s error in Section 17.14.090.G (revised to Section 17.14.090.H) and by amending Section 17.14.100, entitled “Design Review” by modifying Section 17.14.100.D.2 by adding “and/or National Register of Historic Places”. [Ward All]

At its Tuesday, July 16, 2019 meeting, the Plan and Zoning Commission recommended approval of these requests.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, August 7, 2019 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. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145



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. 2000632

Department of Community Planning & Economic Development  
E-MAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) PHONE: 563-326-7765



**NOTICE  
PUBLIC HEARING  
CITY OF DAVENPORT COMMITTEE OF THE WHOLE  
WEDNESDAY, AUGUST 7, 2019, 5:30 PM  
CITY HALL, 226 WEST 4<sup>TH</sup> STREET, DAVENPORT, IOWA**

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

Case REZ19-09: Request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1] (See map of the affected property on reverse side of this notice).

The Plan and Zoning Commission has recommended approval of the proposed rezoning.

The proposed rezoning, if successful, could result in the establishment of commercial horse stable and associated facilities including an indoor training facility. The petitioner has expressed interest in creating horse riding trails through the property as well.

A formal public hearing will be held on the matter by the City of Davenport Committee of the Whole, Wednesday August 7, 2019, 5:30 pm at Davenport City Hall.

As a property owner within 200 feet of the area proposed for rezoning, you have the right to formally protest this request. Any protest must be made in writing and mailed, emailed or delivered to our office. Protests must be filed prior to the close of the Public Hearing on August 7, 2019.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-09

EMAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

Phone: (563) 326-7765





**PUBLIC HEARING NOTICE  
PLAN AND ZONING COMMISSION  
CITY OF DAVENPORT**



**Public Hearing Details:**

Date: 7/1/2019 Ward: **1st**  
Time: 5:00 PM  
Location: Council Chambers, Davenport City Hall, 226 W 4<sup>th</sup> St., Davenport, IA 52803 Davenport, Iowa  
Subject: Public hearing for a rezoning request before the Plan and Zoning Commission  
Case #: REZ19-09

To: All property owners within 200 feet of the subject property located at **between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively.**

**What is this All About?**

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request Description

**Case REZ19-09: Request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1]**

**What are the Next Steps after the Public Hearing?**

This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. For the specific dates and times of subsequent meetings, please contact the case planner below.

**Would You Like to Submit an Official Comment?**

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the public hearing. Send comments to [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) or CPED, 226 W 4th St, Davenport IA 52801.

**Do You Have Any Questions?**

If you have any questions on this request, or if you need accommodations for any reason, please contact Brandon Melton, the case planner assigned to this project at [brandon.melton@ci.davenport.ia.us](mailto:brandon.melton@ci.davenport.ia.us) or 563-326-6172. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) for updates.



**NOTICE  
PUBLIC MEETING  
Tuesday, June 25, 2019 5:30 PM  
Roosevelt Community Center  
1220 Minnie Ave, Davenport, IA 52802  
Gymnasium**

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

**Case REZ19-09: Request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1]**

(See map of the affected property on reverse side of this notice).

If successful, this rezoning could result in the establishment of a commercial horse stable, training facility, and other ancillary uses.

A public meeting will be held to discuss the proposal at the time and place listed above. A formal public hearing will be held on the matter by the Plan and Zoning Commission on Monday July 1, 2019, 5:00 pm at Davenport City Hall. You will receive an additional notice prior to this meeting.

If you have any questions regarding the proposal, please contact the Community Planning Division.

Case No. REZ19-09

EMAIL: [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

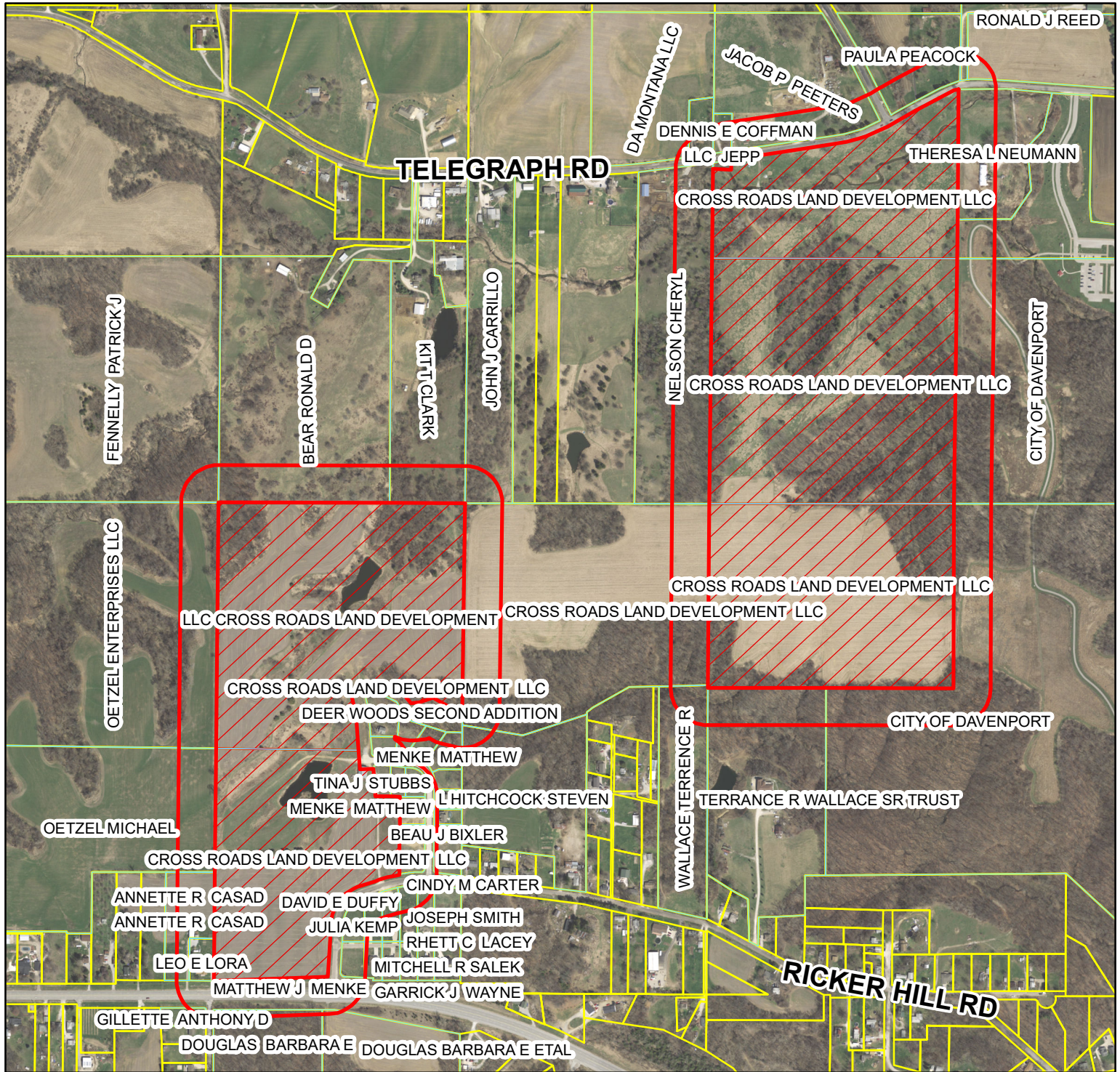
Phone: (563) 326-7765



# Request for a Zoning Map Amendment (Rezoning)

REZ19-09 - Mark Cross Stables R-1(2) - S-AG

## Adjacent Property Owner Notice Area



### Legend

- 200' Notice Area
- Adjacent Properties
- Subject Properties
- ParcelsALL

0 300 600 1,200 1,800 Feet  
1 inch = 750 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.



**Properties Notified**

<b>PARCEL #</b>	<b>PROPERTY ADDRESS</b>	<b>Owner Name</b>	<b>OWNER ADDRESS</b>	<b>OWNERCITY/STATE/ZIP</b>
20603-14		GILLETTE ANTHONY D	PO BOX 1544	BETTENDORF IA 52722
20605-03		DOUGLAS BARBARA E	4555 41ST ST	DES MOINES IA 50310
20605-04		DOUGLAS BARBARA E ETAL	ATTN: CAL WERNER	DAVENPORT IA 52801
23135-01		OETZEL ENTERPRISES	6132 W RIVER DR	DAVENPORT IA 52802
23139-33		CROSS ROADS LAND DEVELOPMENT LLC	PO BOX 80	CAMANICHE IA 52730
23151-11	5908 W RIVER DR	LEO E LORA	5908 W RIVER DR	DAVENPORT IA 52802
23153-01A	5642 BUCKHORN LN	JULIA KEMP	5642 BUCKHORN LN	DAVENPORT IA 52802-2309
23153-02A	5636 BUCKHORN LN	ROBERT A KENT	5636 BUCKHORN LN	DAVENPORT IA 52802
23153-03A	5630 BUCKHORN LN	DAVID E DUFFY	5630 BUCKHORN LN	DAVENPORT IA 52802
23153-04A	5624 BUCKHORN LN	RHETT C LACEY	5624 BUCKHORN LN	DAVENPORT IA 52802-2309
23153-05A	5618 BUCKHORN LN	JOSEPH SMITH	5618 BUCKHORN LN	DAVENPORT IA
23153-06A		DEER WOODS HOMEOWNER"S ASSN	5625 BUCKHORN LN	DAVENPORT IA 52802-2309
23155-24		WALLACE TERRENCE R	5128 RICKER HILL RD	DAVENPORT IA 52802
S2951-01A	4826 TELEGRAPH RD	RONALD J REED	4826 TELEGRAPH RD	DAVENPORT IA 52804
S3107-01B		NELSON CHERYL	1105 W 4TH ST	DAVENPORT IA 52802-3512
S3107-02		DA MONTANA LLC	9108 113TH ST	BLUE GRASS IA 52726
S3107-05	5208 TELEGRAPH RD	DENNIS E COFFMAN	5208 TELEGRAPH RD	DAVENPORT IA 52804-4719
S3119-05		FENNELLY PATRICK J	2313 W LOMBARD ST	DAVENPORT IA 52804
S3121-12D	5605 TELEGRAPH RD	KIT T CLARK	5605 TELEGRAPH RD	DAVENPORT IA 52804
S3121-12E		BEAR RONALD D	5609 TELEGRAPH RD	DAVENPORT IA 52804
S3123-03A	5505 TELEGRAPH RD	JOHN J CARRILLO	5505 TELEGRAPH RD	DAVENPORT IA 52804
S3201-01A	5010 TELEGRAPH RD	JACOB P PEETERS	9075 160TH ST	DAVENPORT IA 52804
S3201-02	4916 TELEGRAPH RD	PAUL A PEACOCK	4916 TELEGRAPH RD	DAVENPORT IA 52804
S3203-04C	4528 TELEGRAPH RD	RICHARD J COUSSENS REVOCABLE T	4528 TELEGRAPH RD	DAVENPORT IA 52804
S3203-05A	4723 TELEGRAPH RD	THERESA L NEUMANN	4723 TELEGRAPH RD	DAVENPORT IA 52804-4707
23137-01A		MENKE MATTHEW	15516 108TH AV PL	DAVENPORT IA 52804
23137-02A	723 DEER WOODS DR	BARRY L WALSH JR	723 DEER WOODS DR	DAVENPORT IA 52802-2335
23137-03A	717 DEER WOODS DR	BEAU J BIXLER	717 DEER WOODS DR	DAVENPORT IA 52802-2335
23137-04A	711 DEER WOODS DR	CHRISTOPHER	711 DEER WOODS DR	DAVENPORT IA 52802
23137-05A	703 DEER WOODS DR	ERIC S CURTIS	1533 HUNTINGTON DR	DUARTE CA 91010-2532
23137-06A	647 DEER WOODS DR	TINA J STUBBS	647 DEER WOODS DR	DAVENPORT IA 52802-2303
23137-07A		MENKE MATTHEW	15516 108TH AV	DAVENPORT IA 52804
23137-16A	714 DEER WOODS DR	CHAD J PRATZ	714 DEER WOODS DR	DAVENPORT IA 52802-2319
23137-18A	726 DEER WOODS DR	CINDY M CARTER	726 DEERWOODS DR	DAVENPORT IA 52802
23137-21A		DEER WOODS SECOND ADDITION	1500 S HOUSER ST	MUSCATINE IA 52761
23153-11A	5635 BUCKHORN LN	PAULA K MEYERMANN	5635 BUCKHORN LANE	DAVENPORT IA 52802
23153-12A	5643 BUCKHORN LN	MATTHEW J MENKE	5643 BUCKHORN LN	DAVENPORT IA 52802-2309
23155-06A	5408 RICKER HILL RD	L HITCHCOCK STEVEN	5408 RICKER HILL RD	DAVENPORT IA 52802-2231
23151-10	5920 W RIVER DR	ANNETTE R CASAD	5920 W RIVER DR	DAVENPORT IA 52802



City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Brian Heyer 563-326-7735

Wards:

**Action / Date**

**7/3/2019**

Subject:

Third Consideration: Ordinance vacating the excess right-of-way formerly part of Forest Grove Ct.  
[Ward 6]

Recommendation:

Adopt the Ordinance.

Background:

A Public Hearing was held September 2018 on the vacation of this public right-of-way. The vacation relates to the Veterans Memorial Parkway improvement project. The Ordinance vacating was omitted. It is now being brought forward as the abutting property owners would like to acquire the vacated right-of-way for incorporation into their properties.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	6/10/2019 - 8:23 AM



ORDINANCE NO.

AN ORDINANCE VACATING EXCESS RIGHT OF WAY FORMERLY PART OF FOREST GROVE CT

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

Section 1. The following legally described real property, formerly part of Forest Grove Court Public Right of Way, is hereby vacated as public right of way.

Part of the Northwest Quarter and the Southwest Quarter of Section 4, Township 78 North, Range 4 East of the 5th Principal Meridian, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Commencing at the southeast corner of the Northwest Quarter of said Section 4;

Thence North 01 degrees 51 minutes 20 seconds West along the east line of the northwest quarter of said Section 4, a distance of 0.08 feet to the centerline of Forest Grove Drive;

Thence South 87 degrees 03 minutes 46 seconds West along said centerline, a distance of 622.25 feet;

Thence westerly 203.72 feet continuing along said centerline and the arc of a curve to the right, having a radius of 5,730.00 feet, a chord bearing of South 87 degrees 54 minutes 09 seconds West, and a chord distance of 203.71 feet;

Thence South 88 degrees 54 minutes 02 seconds West along said centerline, a distance of 0.28 feet to the east line of a parcel conveyed to Virginia L. McCall Trust by Warranty Deed recorded as Document No. 2002-14560 in the Scott County Recorder's Office

Thence continuing South 88 degrees 54 minutes 02 seconds West along said centerline, a distance of 88.89 feet to the Point of Beginning;

Thence northerly 5.01 feet along the arc of a curve to the left having a radius of 50.00 feet, a chord bearing of North 03 degrees 58 minutes 22 seconds West, and a chord distance of 5.01 feet to the north right of way line of Forest Grove Drive;



Thence North 88 degrees 54 minutes 00 seconds East along said north right of way line, a distance of 87.58 feet to the east line of said property so conveyed;

Thence easterly 202.61 feet along the north right of way line of Forest Grove Drive and the arc of a curve to toe left having a radius of 5,817.00 feet, a chord bearing of North 87 degrees 54 minutes 08 seconds East and a chord distance of 202.60 feet;

Thence North 87 degrees 03 minutes 46 seconds East along said right of way line a distance of 417.59 feet to the northerly projection of the west right of way line of Somerset Road;

Thence South 01 degrees 44 minutes 07 seconds East along the west right of way line of Somerset Road a distance of 88.34 feet to the northeasterly line of Lot 1 in Crow Valley View 8<sup>th</sup> Addition;

Thence northwesterly 23.88 feet along said northeasterly line and the arc of a curve to the left, not tangent to the last described course, having a radius of 15.00 feet, a chord bearing of North 47 degrees 20 minutes 10 seconds West, and a chord distance of 21.43 feet to the north line of said Lot 1;

Thence South 87 degrees 03 minutes 46 seconds West along said north line, a distance of 134.22 feet to the northwest corner of said Lot 1 and the northeast corner of Lot 4 in Crow Valley View 7<sup>th</sup> Addition;

Thence South 87 degrees 03 minutes 46 seconds West along the north line of said Lot 4, a distance of 70.56 feet to the northwest corner of Lot 4 in Crow Valley View 7<sup>th</sup> Addition which is also the northeast corner of Lot 3 in Crow Valley 7<sup>th</sup> Addition;

Thence South 87 degrees 03 minutes 46 seconds West along the north line of Lot 3 in Crow Valley 7<sup>th</sup> Addition, a distance of 195.86 feet;

Thence westerly 34.09 feet along said north line and the arc of a curve to the right, having a radius of 5,770.00 feet, a chord bearing of South 87 degrees 03 minutes 14 seconds West, and a chord distance of 34.09 feet to the northwest corner of Lot 3 in Crow Valley 7<sup>th</sup> Addition which is also the northeast corner of Lot 2 in Crow Valley 7<sup>th</sup> Addition;

Thence westerly 50.35 feet along the north line of Lot 2 in Crow Valley 7<sup>th</sup> Addition and the arc of a curve to the right, not tangent to the last described course, having a radius of 5,770.00 feet, a chord bearing of South 87 degrees 28 minutes 23 seconds West, and a chord distance of 50.35 feet to the northwest corner of Lot 2 in Crow Valley 7<sup>th</sup> Addition and the northeast corner of Lot 12 in Fry's 1st Addition;



Thence westerly 120.63 feet along the north line of Lot 12 in Fry's 1st Addition and the arc of a curve to the right having a radius of 5,770.00 feet, a chord bearing of South 88 degrees 19 minutes 19 seconds West, and a chord distance of 120.62 feet;

Thence South 88 degrees 54 minutes 00 seconds West along said north line, a distance of 34.53 feet to the northwest corner of said Lot 12 and the northeast corner of Lot 13 in Fry's 1st Addition;

Thence South 88 degrees 54 minutes 00 seconds West along the north line of Lot 13 in Fry's 1st Addition, a distance of 54.63 feet;

Thence North 01 degrees 06 minutes 00 seconds West, a distance of 40.00 feet to the centerline of Forrest Grove Drive and the Point of Beginning.

The above described parcel contains 51,866 square feet or 1.19 acres, more or less.

For the purpose of this description North is based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (1997 Adjustment).

And,

Part of the Northwest Quarter and the Southwest Quarter of Section 4, Township 78 North, Range 4 East of the 5th Principal Meridian, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the at the northeast corner of Outlot A in Crow Valley View 9th Addition;

Thence South 87 degrees 03 minutes 46 seconds West along the north line of said Outlot A, a distance of 140.66 feet to the northwesterly line of said Outlot A;

Thence southwesterly 23.25 feet along said northwesterly line and the arc of a curve to the left having a radius of 15.00 feet, a chord bearing of South 42 degrees 39 minutes 50 seconds West, and a chord distance of 20.99 feet to the east right of way line of Somerset Road;

Thence North 01 degrees 44 minutes 07 seconds West along the east right of way line of Somerset Road a distance of 33.36 feet to the north right of way line of Forest Grove Drive;



Thence North 87 degrees 03 minutes 46 seconds East along said north right of way line, a distance of 155.31 feet to the east line of the northwest quarter of said Section 4;

Thence South 01 degrees 51 minutes 20 seconds East along said east line, a distance of 0.08 feet to the north right of way line of Forest Grove Drive;

Thence North 87 degrees 01 minutes 37 seconds East along said north right of way line, a distance of 12.52 feet;

Thence South 18 degrees 46 minutes 37 seconds West, a distance of 35.53 feet to the east line of the northwest quarter of said Section 4;

Thence South 01 degrees 41 minutes 00 seconds East along the east line of the southwest quarter of said Section 4, a distance of 39.93 feet to the Point of Beginning.

The above described parcel contains 11,594 square feet or 0.266 acres, more or less.

For the purpose of this description North is based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (1997 Adjustment).

Section 2. That the following findings and conditions are hereby imposed upon said right of way vacation:

1. That a utility easement be provided in the vacated area for all existing utilities.

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: \_\_\_\_\_  
Brian Krup  
Deputy City Clerk

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



City of Davenport

Agenda Group:  
Department: Community Development Committee  
Contact Info: Matt Flynn 563-888-2286  
Wards:

**Action / Date**  
**9/4/2019**

Subject:

First Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]

Recommendation:

Staff recommends approval of the Major Modification to allow a building height of approximately 27 feet in accordance with the attached plans.

Background:

In 2017, under the old zoning Ordinance, the petitioner received approval of a PUD to allow for construction of a two story carriage house consisting of a three car garage on the first level and an office on the second. The structure was proposed to be 23 feet tall. The petitioner now proposes a structure approximately 27 feet tall.

Staff has determined that the existing PUD is still in effect, however, any modifications must adhere to the rules under the new code.

Alterations in building height can be achieved through approval of either:

- 1) a minor modification, less than 10% increase, which is handled by the Plan and Zoning Commission, or
- 2) a major modification, more than 10% increase, handled by the City Council.

In this case the petitioner seeks an increase in height of 17%.

According to the petitioner, below are the reasons for major modification.

*(We own a) SUV Yukon we camp a lot and kayak, along with biking trails so we have racks that we intend to have on SUV permanently.*

*Racks will not fit. SUV will be our family's main vehicle, back when it was approved we had one child on the way, now we have to and plan on another.*

*If placement of carriage is viewed in person you will see that it doesn't obstruct anyone's view. The house to the North is my rental and the house to the west and northwest are downhill. The street view is blocked by huge oak trees and my current home.*

*Not asking for anything special I own 43 rents units, I am in the business of bettering the neighborhood not destroying it.*



No comments were received when the original PUD was approved. Staff sent notices to property owners within 200 feet informing them of the proposed major modification. Again, no comments have been received.

The proposed structure will still be 8 feet shorter than the maximum allowed in the District (35 feet). Staff supports approval of the major modification.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Exhibit A - Plans
▣ Backup Material	Neighbor Letter and Map
▣ Backup Material	Application
▣ Backup Material	Owner List

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 9:29 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 12:50 PM



ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDMENT FOR CASE PUD19-01 ALLOWING FOR A MAJOR MODIFICAITON OF AN EXISTING PLANNED UNIT DEVELOPMENT LOCATED AT 1002 BRIDGE AVENUE THAT WAS PREVIOUSLY APPROVED IN ORDINANCE NO. 2016-483.

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

Section 1. The previously approved planned unit development (Ord. No. 2016-483) for the following described real estate, to-wit: Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 78 North, Range 3 East of the 5<sup>th</sup> P.M., more particularly described as Lot 1 of Block 7 of Part of G. C. Churchill's Resurvey of Churchill's Addition to the City of Davenport is hereby amended by increasing the maximum height of the previously approved building structure to a height of twenty-seven (27) feet. All other conditions in Ordinance No. 2016-483 remain in effect.

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

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

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

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

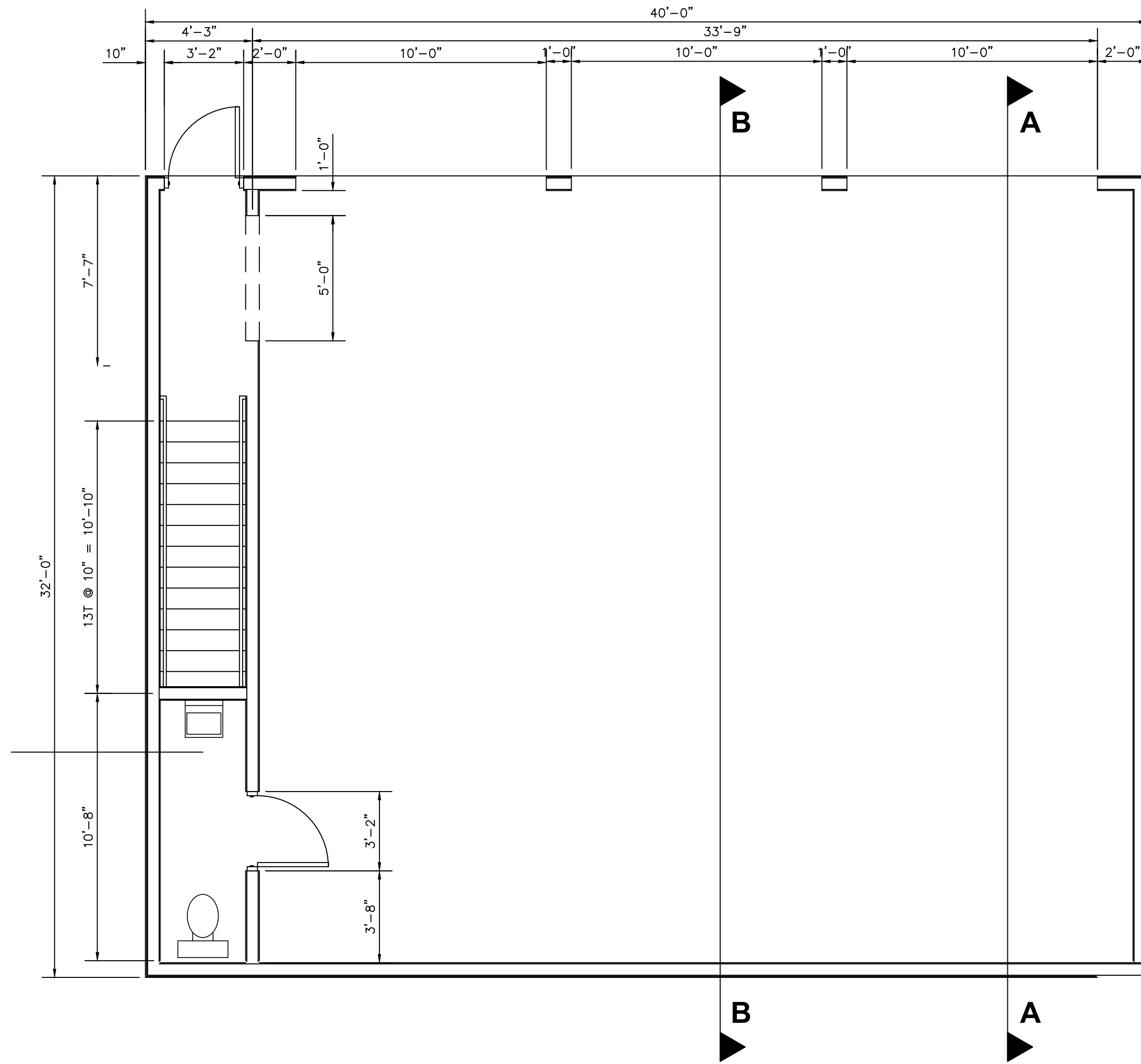
Published in the *Quad City Times* on \_\_\_\_\_

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

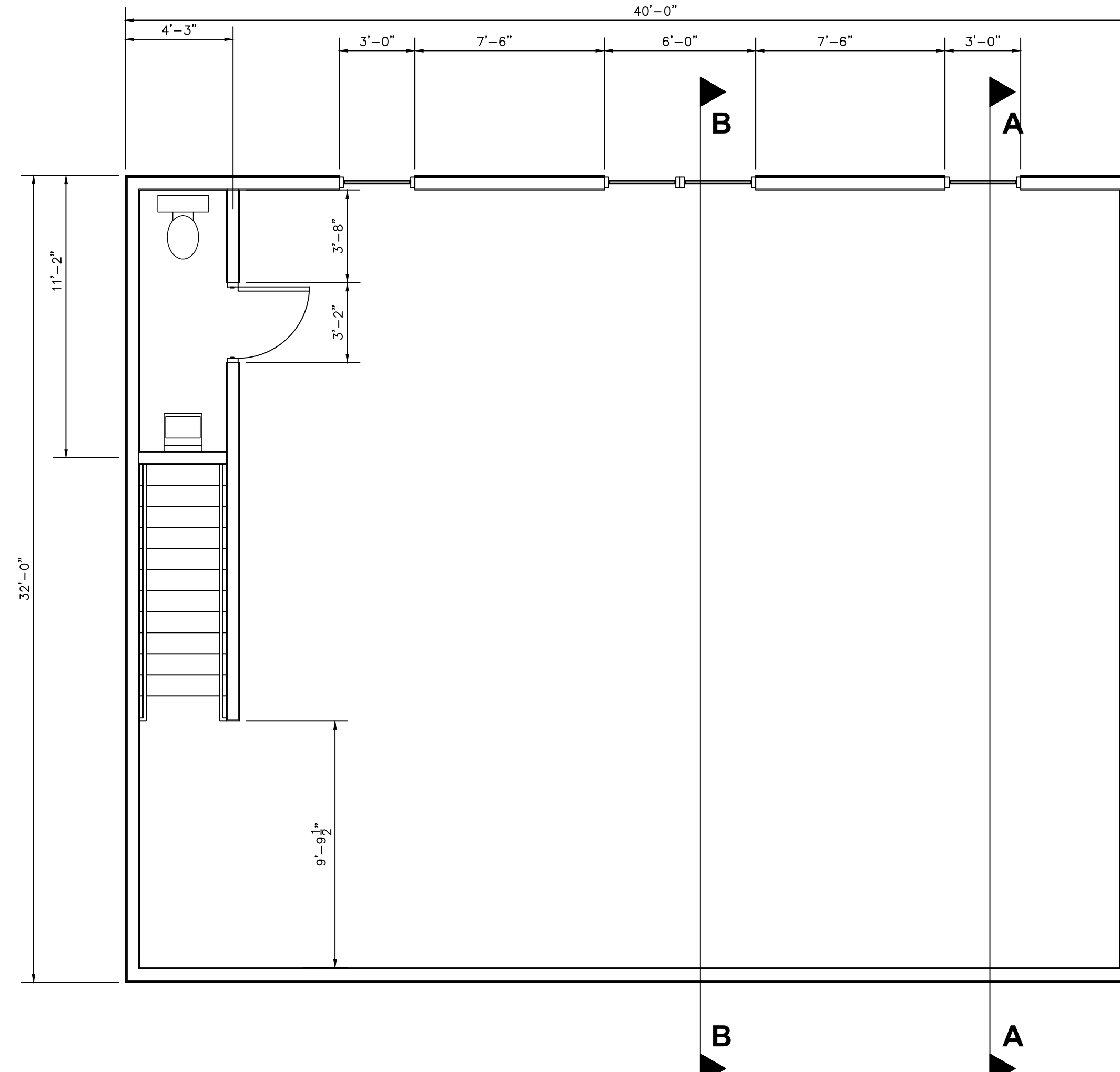
\_\_\_\_\_  
Brian Krup, Deputy City Clerk





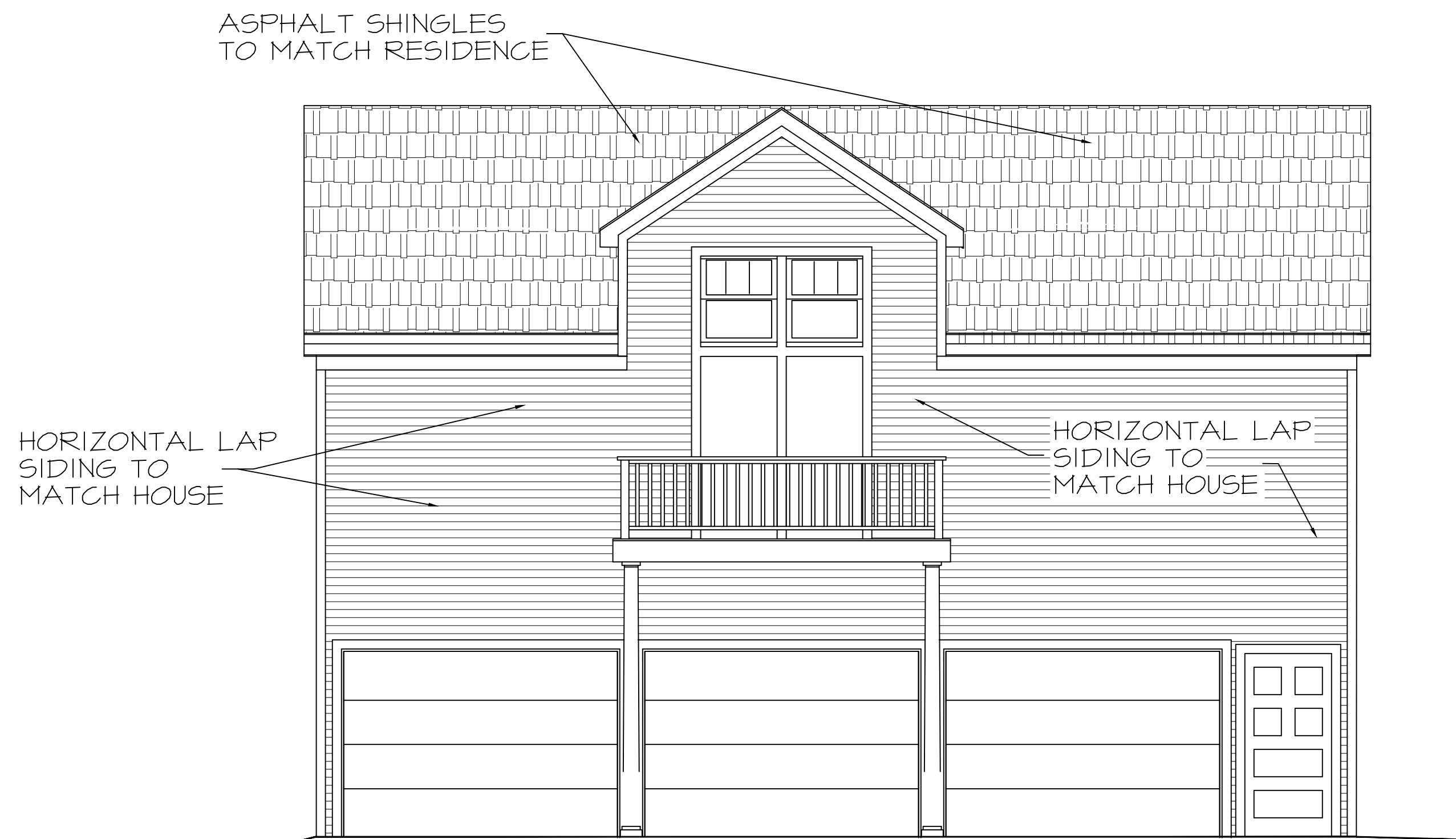
FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"



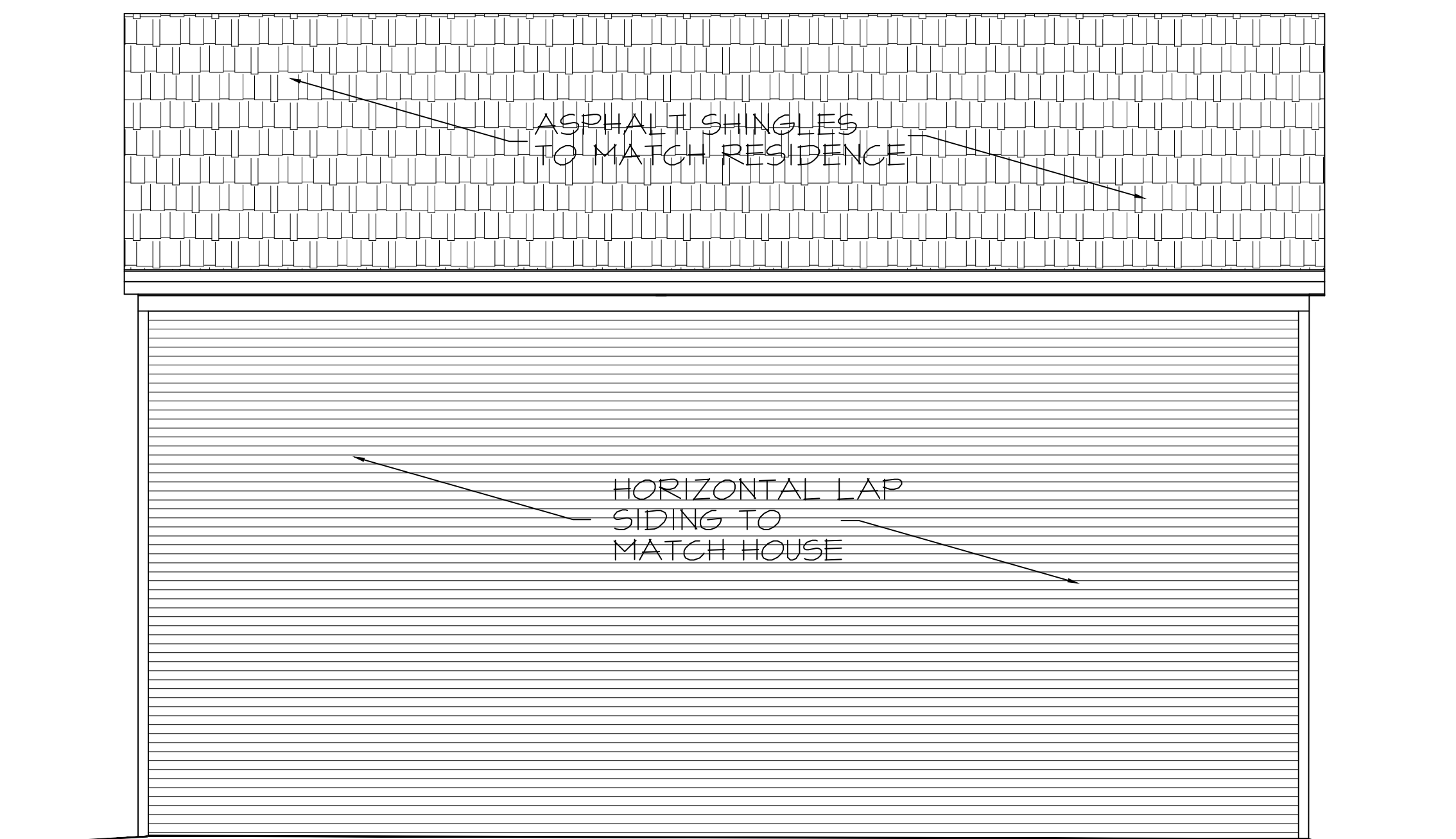
SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"



GARAGE FRONT ELEVATION

SCALE: 1/4"=1'-0"



GARAGE BACK ELEVATION

SCALE: 1/4"=1'-0"





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Community Planning Division, CPED  
City Hall, 226 West 4<sup>th</sup> Street  
Davenport, IA 52801  
[planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us) | 563-326-7765

August 20, 2019

Subject: Public Hearing  
Major Modification of a Planned Unit Development  
1002 Bridge Avenue

Dear Property Owner:

You may recall in 2016, Juan Goitia at 1002 Bridge Avenue sought and received a rezoning in order to allow the construction of a two story carriage house for a home office. The proposed structure was to be approximately 23 feet in height.

Mr. Goitia is now ready to proceed with his project, but now proposes a building 27 feet in height.

Since his proposal is more than 10% taller than originally permitted, it must be approved by the City Council, following a public hearing. You are being notified as an owner within 200 feet of the subject property.

The public hearing will be held on Wednesday, September 4, 2019, at 5:30 pm in the Council Chambers of City Hall, 226 West 4th Street. At the public hearing, you are welcome to speak in favor, opposition or to ask questions.

If you have any questions in the meantime, or would like to submit comments beforehand, feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew G. Flynn', enclosed in a rectangular box.

Matthew G. Flynn, AICP  
Senior Planning Manager  
[Matt.flynn@ci.davenport.ia.us](mailto:Matt.flynn@ci.davenport.ia.us) | 563-888-2286

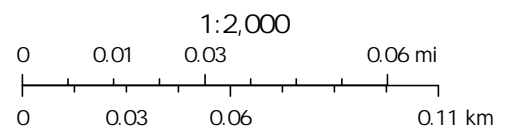


# 1002 Bridge Avenue



8/20/2019, 2:11:01 PM

- Parks
- Parcels
- Street Centerline (Labels only)
- Piped Creeks
- City Limit
- Address Points
- Creeks
  - Named Creeks
  - Unnamed Tributaries
- Zoning Districts
  - R-1 Single-Family Residential District
  - R-2 Single-Family Residential District



Scott County Iowa, Bi-State Regional Commission





Complete application can be emailed to [planning@ci.davenport.ia.us](mailto:planning@ci.davenport.ia.us)

**Property Address\***

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

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

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

*Application Form Type:*

**Plan and Zoning Commission**

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

**Owner** (if different from Applicant)

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

**Zoning Board of Adjustment**

Zoning Appeal  
Special Use  
Hardship Variance

**Engineer** (if applicable)

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

**Design Review Board**

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

**Architect** (if applicable)

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

**Historic Preservation Commission**

Certificate of Appropriateness  
Landmark Nomination  
Demolition Request

**Administrative**

Administrative Exception  
Health Services and Congregate  
Living Permit

**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:

Purpose of the Request:

Total Land Area:

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

**Submittal Requirements:**

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

**Formal Procedure:**

(1) Application:

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

(2) Plan and Zoning Commission public hearing:

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

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

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



**Formal Procedure (continued):**

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

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

Applicant:

Date:

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

Received by:

Date:

Planning staff

Date of the Public Hearing:

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



**Authorization to Act as Applicant**

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

\_\_\_\_\_

\_\_\_\_\_

Signature(s)

State of \_\_\_\_\_ ,  
County of \_\_\_\_\_ .  
Sworn and subscribed to before me

This            day of            20

\_\_\_\_\_

Form of Identification

\_\_\_\_\_

Notary Public

My Commission Expires:



## 2019 PLAN & ZONING COMMISSION CALENDAR

PLAN & ZONING COMMISSION SCHEDULE				CITY COUNCIL SCHEDULE		
<u>REZONING &amp; ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION PLAT &amp; DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING COMMISSION PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISSION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE PUBLIC HEARING	CITY COUNCIL MEETING
(12:00 PM - Monday)	(12:00 PM - Monday)	(5:00 PM - Tuesday)	(5:00 PM - Tuesday)	(12:00PM - Friday)	(5:30 PM - Wednesday)	(5:30 PM - Wednesday)
<b>11/13/18</b>	11/26/18	12/04/18	12/18/18	12/21/18	01/02/19	01/09/19
11/26/18	12/10/18	12/18/18	<b>12/31/18</b>	01/04/19	01/16/19	01/23/19
12/10/18	<b>12/21/18</b>	<b>12/31/18</b>	01/15/19	01/25/19	02/06/19	02/13/19
<b>12/21/18</b>	01/07/19	01/15/19	02/05/19	02/08/19	02/20/19	02/27/19
01/14/19	01/28/19	02/05/19	02/19/19	02/22/19	03/06/19	03/13/19
01/28/19	02/11/19	02/19/19	03/05/19	03/08/19	03/20/19	03/27/19
02/11/19	02/25/19	03/05/19	03/19/19	03/22/19	04/03/19	04/10/19
02/25/19	03/11/19	03/19/19	04/02/19	04/05/19	04/17/19	04/24/19
03/11/19	03/25/19	04/02/19	04/16/19	04/19/19	05/01/19	05/08/19
03/25/19	04/08/19	04/16/19	04/30/19	05/03/19	05/15/19	05/22/19
04/08/19	04/22/19	04/30/19	05/14/19	05/24/19	06/05/19	06/12/19
04/22/19	05/06/19	05/14/19	06/04/19	06/07/19	06/19/19	06/26/19
05/13/19	<b>05/24/19</b>	06/04/19	06/18/19	06/21/19	07/03/19	07/10/19
<b>05/24/19</b>	06/10/19	06/18/19	07/02/19	07/05/19	07/17/19	07/24/19
06/10/19	06/24/19	07/02/19	07/16/19	07/26/19	08/07/19	08/14/19
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09/09/19	09/23/19	10/01/19	10/15/19	10/25/19	11/06/19	11/13/19
09/23/19	10/07/19	10/15/19	11/05/19	11/08/19	11/20/19	<b>11/27/19</b>
10/14/19	10/28/19	11/05/19	11/19/19	11/22/19	12/04/19	12/11/19
10/28/19	<b>11/08/19</b>	11/19/19	12/03/19	<b>cancelled due to holiday</b>		
11/11/19	11/25/19	12/03/19	12/17/19	<b>12/13/19</b>	<b>01/02/20</b>	01/08/20
11/25/19	12/09/19	12/17/19	12/31/19	12/27/19	01/15/20	01/22/20
12/09/19	12/23/19	12/31/19	01/14/20	01/17/20	02/05/20	02/12/20
12/23/19	01/06/20	01/14/20	02/04/20	01/31/20	02/19/20	02/26/20

- SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY - **MARKED IN RED**
- ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL
- DATES SUBJECT TO CGHHANE DUE TO HOLIDAYS - **MARKED IN RED**
- DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA



ParcelId	OwnerName	OwnerAddress1
F0038-22	GRAVES MYRTLE L (Deed)	1111 E 10TH ST
F0038-23	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-02	MINITER JOHN P (Deed)	1104 E 10TH ST
F0038-03	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-04	REWERTS CARRI (Deed)	1116 E 10TH ST
F0038-05	GOITIA JUAN F (Deed)	1002 BRIDGE AVE
F0038-06	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-01	HARVEY TY (Deed)	1021 ONEIDA AV
F0038-01	HARVEY SEAN (Deed)	1021 ONEIDA AV
F0038-08	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-24	WIATT TIPSWORD MICHELLE (Deed)	919 ONEIDA AV
F0038-24	WIATT JEFFREY LEE (Deed)	919 ONEIDA AV
F0038-07	WAHLMANN HOLDINGS LLC (Deed)	10531 4S COMMONS DR - STE 166-589
F0038-11	RICHARD JEREMY J (Deed)	919 BRIDGE AVE
F0039-09	EL GATO LLC (Deed)	9711 N VALLEY HILL DR
F0039-09	SUPIRA LLC (Deed)	9711 N VALLEY HILL DR
F0038-19A	MIRANDA KAREN L (Deed)	920 BRIDGE AV
F0038-20A	ROBISON CHARLES E IV (Deed)	930 BRIDGE AV
F0027-18	ANTON MARY F (Deed)	1601 CANAL SHORE DR
F0027-19	SPINNER DAVID R (Deed)	1033 ONEIDA AV
F0027-20A	FUTURE CAPITAL LLC (Deed)	5001 TREMONT AV
F0027-20B	MARTIN WILLIAM J (Deed)	3041 WILLOW CREEK ESTATES
F0027-20B	MARTIN ELIZABETH E (Deed)	
F0038-21	H & N SERIES LLC SERIES D (Deed)	1223 E 10TH ST



## OwnerCityStZip

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

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DAVENPORT IA 52803

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DAVENPORT IA 52803

DAVENPORT IA 52803

SAN DIEGO CA 92127

DAVENPORT IA 52803

MEQUON WI 53092

MEQUON WI 53092

DAVENPORT IA 52803

DAVENPORT IA 52803

LECLAIRE IA 52753

DAVENPORT IA 52803

DAVENPORT IA 52807

FLORISSANT MO 63031

DAVENPORT IA 52803-5642



City of Davenport

Agenda Group:  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn 563-888-2286  
Wards:

**Action / Date**  
**8/21/2019**

Subject:  
Resolution for Case P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7]

Recommendation:  
Adopt the Resolution.

Background:

**Discussion:**

The request is for a Preliminary Plat for a 4 lot subdivision on .75 acres of property.

The property was rezoned to R-3 Planned Unit Development (PUD) (ORD2016-569) in 2017. The purpose was allow to allow the construction of two zero lot line single-family attached dwellings.

The concept related to this rezoning was carried forward into the new zoning ordinance.

Planned Unit Development was often utilized in the previous zoning ordinance because it allowed the flexibility of zero lot line developments. The new zoning ordinance allows for single-family, semi-detached (zero lot line) as permitted use.

The project would be developed as four single-family, semi-detached units on four lots.

**Comprehensive Plan:**

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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 Goals to be considered in this Case: Strengthen the Existing Built Environment.

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



**Zoning:**

The property is currently zoned R-MF Multi-Family Residential Zoning District.

The property was rezoned to R-3 Planned Unit Development (ORD2016-569) in 2017. The concept related to this rezoning was carried forward into the new zoning ordinance.

**Technical Review:**Streets.

The property would have access via Marquette Street via a common driveway.

Storm Water.

It appears that the development will include more than 5,000 square feet of hard surface. With 4 lots, the average per lot would have to be 1,250 square feet or less. Otherwise, the development will need to comply with the City's stormwater requirements.

Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

**Public Input:**

No public hearing is required for a Final Plat.

**Plan and Zoning Commission Recommendation:**

At its regular meeting of July 1, 2019, the Plan and Zoning Commission considered Case P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4 lot subdivision on .75 acres more or less of property located at the southeast corner of West 53rd Street and Marquette Street..

**Findings:**

1. The preliminary plat conforms to the comprehensive plan Davenport+2035; and
2. The preliminary plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

The Plan and Zoning Commission accepted the listed findings and forwards Case P19-02 to the City Council with a recommendation for approval subject to the following conditions:

1. That the following note be removed from the preliminary plat: No water detention requirements are proposed with this subdivision;
2. That the following note be added to the preliminary plat: No driveway access to West 53rd Street.
3. That the following note be added to the preliminary plat: The driveway access on Marquette Street be located a minimum of 150' south of the intersection of West 53rd Street and Marquette Street; and



4. That the driveway access and drive be shown on the preliminary plat.

Please note that the preliminary plat has been revised to achieve consistency with conditions 1 through 4, and therefore, the conditions are not included in the resolution.

The Commission vote was 9 yes, 0 no and 0 abstention.

**ATTACHMENTS:**

Type	Description
▣ Backup Material	Resolution
▣ Backup Material	Preliminary Plat
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map
▣ Backup Material	ORD2016-569 Concept Plan

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	8/29/2019 - 9:07 AM
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 9:08 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 12:58 PM



Resolution No. \_\_\_\_\_

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4 lot subdivision on .75 acres more or less of property located at the southeast corner of West 53rd Street and Marquette Street.  
[Ward 7]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Preliminary Plat of Thornburg Second Addition be the same and is hereby approved and accepted subject to all the conditions as stated in the July 1, 2019 Plan and Zoning Commission's recommendation for approval (please note that conditions 1 – 4 have been added to the preliminary plat and/or provided and are not repeated on this resolution).

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

Attest:

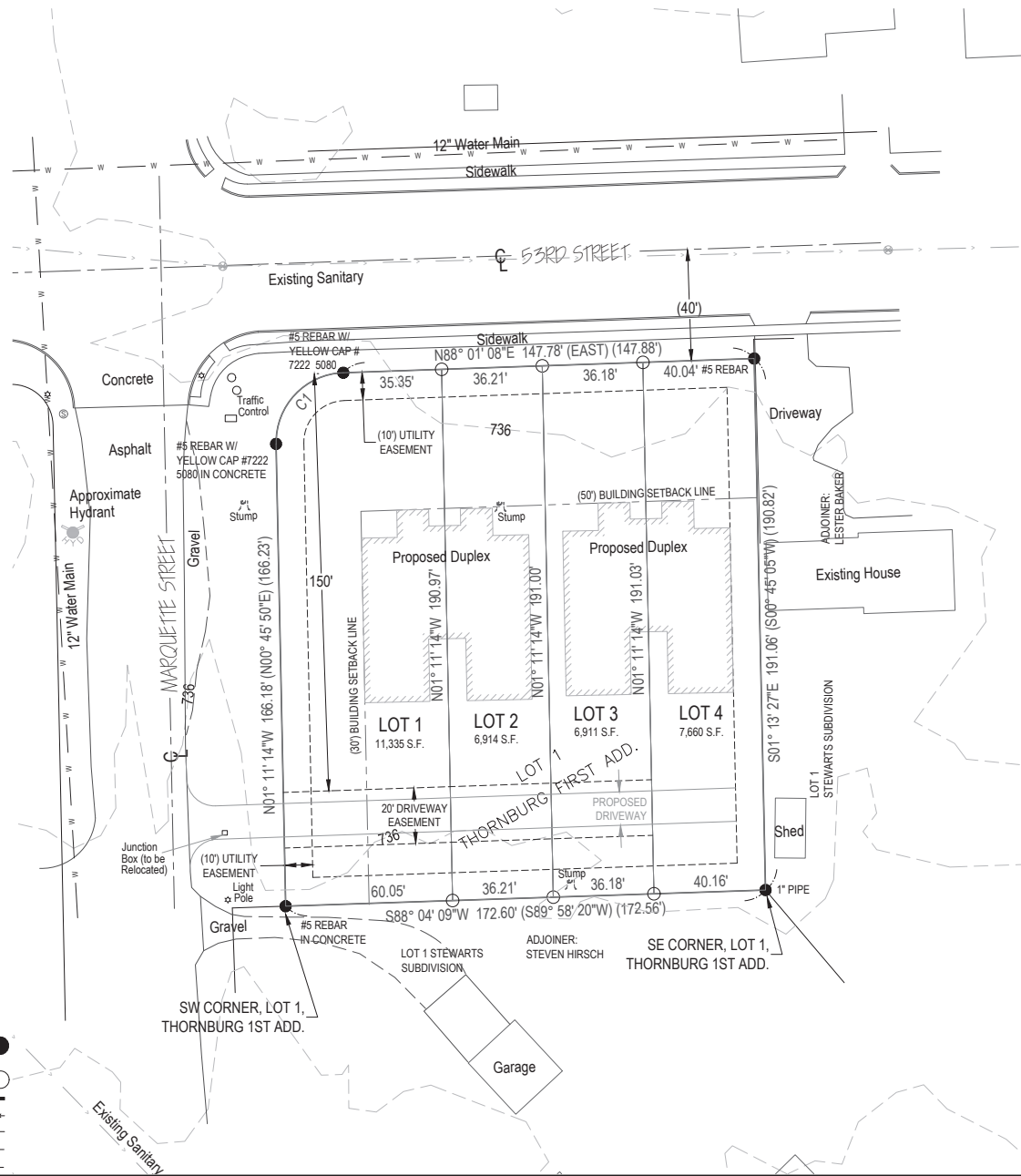
Approved:

\_\_\_\_\_  
Brian Krup, Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch, Mayor

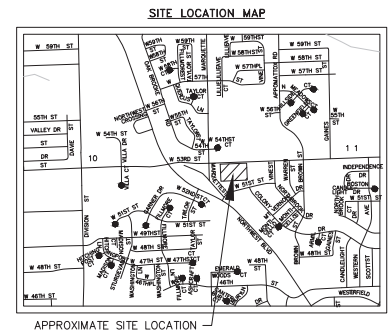


1. Area of Subdivision-  
Total: 32,820 S.F.
2. Surveyor:  
Michael D. Richmond  
2224 East 12th Street  
Davenport, Iowa 52801  
Ph: (563) 286-4236
3. Attorney:  
Curt Oppel  
Stanley, Lande & Hunter  
201 W. 2nd Street  
Davenport, IA 52801  
Ph: (563) 324-1000
4. Owner:  
Riverside Real  
Estate Holdings LLC  
126 S. Cody Road  
LeClaire, Iowa 52753



# PRELIMINARY PLAT OF: THORNBURG SECOND ADDITION

BEING A REPLAT OF LOT 1 OF THORNBURG FIRST ADDITION TO THE CITY OF DAVENPORT, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 3 EAST PF THE 5TH P.M., SCOTT COUNTY, IOWA



NOTES:  
SIDEWALKS SHALL BE CONSTRUCTED ALONG STREET RIGHT OF WAYS WHEN SO ORDERED BY THE CITY.

NO DRIVEWAY ACCESS TO WEST 53RD STREET. DRIVEWAY ACCESS ON MARQUETTE STREET IS TO BE LOCATED A MINIMUM OF 150 FEET SOUTH OF THE INTERSECTION OF WEST 53RD STREET AND MARQUETTE STREET.

DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

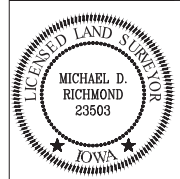
ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND SEAL.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.

THE MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE IOWA REGIONAL COORDINATE SYSTEM, ZONE 11 NAD '83 (2011) EPOCH 2010.00

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	39.04' (38.94')	25.00' (25.00')	89°28'11" (89°14'10")	35.19' (35.12')	N43°22'19"E (N45°22'55"E)



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

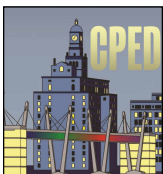
MICHAEL D. RICHMOND  
Iowa License Number: 23503  
My license renewal date is December 31, 2019  
Pages or sheets covered by this seal: 1

**LEGEND:**  
DEED DIMENSION = (0.00')  
FIELD DIMENSION = 0.00'  
MONUMENTS FOUND:  
AS NOTED =  
MONUMENTS SET:  
#5 REBAR W/ YELLOW CAP #23503 =   
BOUNDARY LINE =   
FENCE LINE =   
EASEMENT LINE =   
SETBACK LINE =   
SECTION LINE =

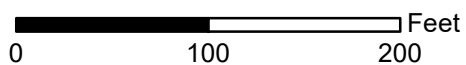
<p><b>TOWNSEND ENGINEERING</b> CIVIL - STRUCTURAL - LAND DEVELOPMENT</p>	DATE: 05/28/2019	TE PROJECT NO: 00000.00	DRAWN BY: KLC	CHECKED BY: MDR	REVISIONS:	DATE	<p><b>PROJECT</b> PRELIMINARY PLAT THORNBURG SECOND ADDITION DAVENPORT, IOWA</p>	<p><b>PREPARED FOR:</b> STREAMLINE ARCHITECTS 318 E. 3RD STREET DAVENPORT, IOWA 52801</p>	<p><b>SHEET NO.</b> 1 OF 1</p>
	563 386.4236 office 386.4231 cell		DRAWING LOCATION						
	2224 East 12th Street, Davenport, IA 52803		S: \STREAMLINE ARCHITECTS\THORNBURG SUBD.						



# Zoning Map



1 inch = 100 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.

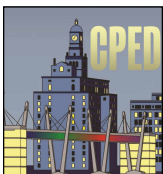
## Legend

 Subject\_Property

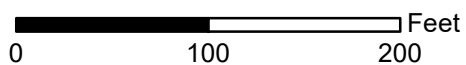




# Future Land Use Map (Davenport +2035)



1 inch = 100 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.

## Legend

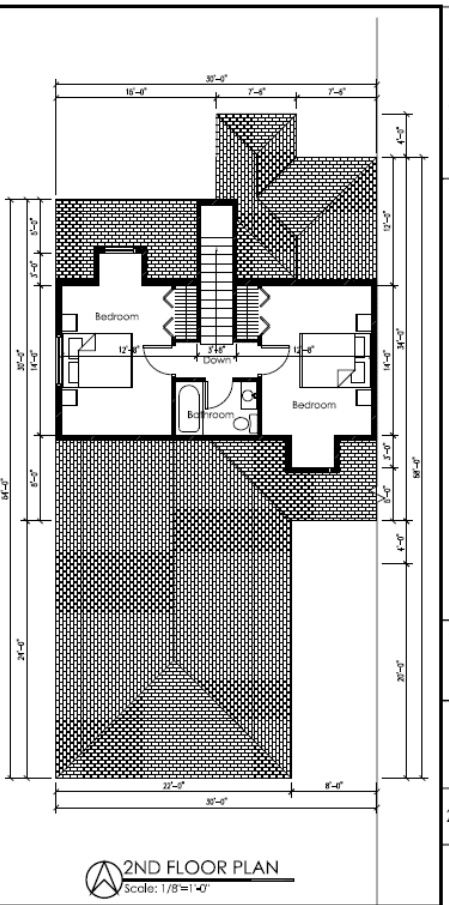
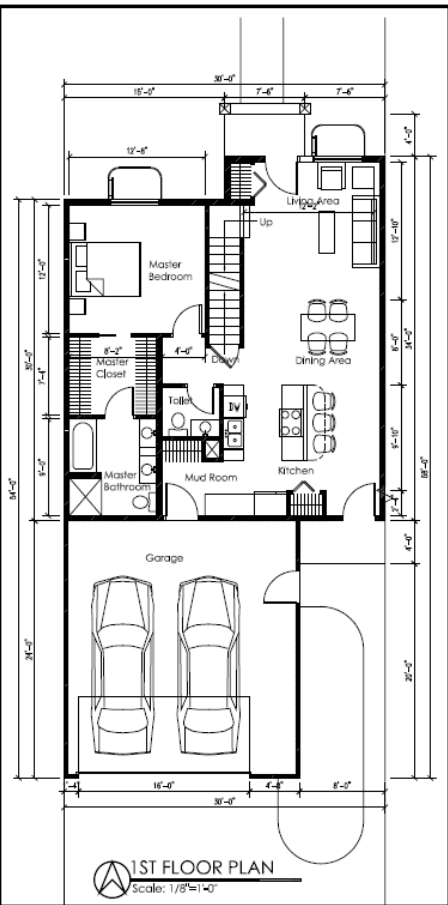
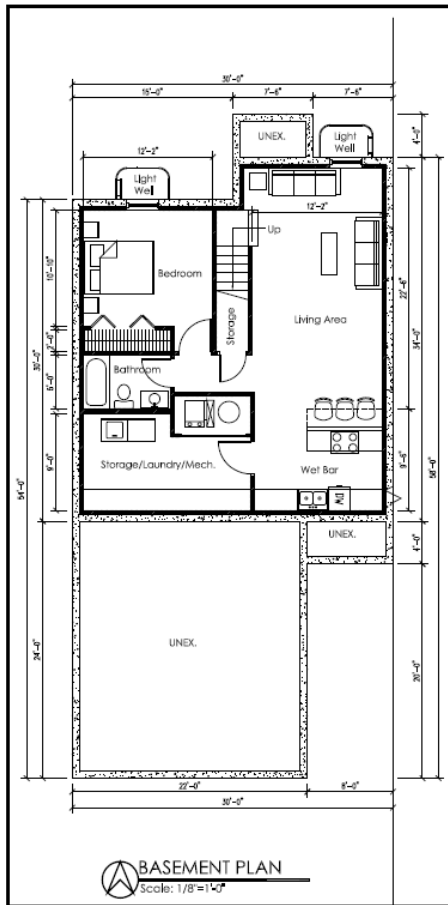
 Subject\_Property













City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn 563-888-2286

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution for Case F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4 lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

**Comprehensive Plan:**

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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 Goals to be considered in this Case: Strengthen the Existing Built Environment.

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

**Zoning:**

The property is currently zoned R-MF Multi-Family Residential Zoning District.

The property was rezoned to R-3 Planned Unit Development (ORD2016-569) in 2017. The concept related to this rezoning was carried forward into the new zoning ordinance.

**Technical Review:**

Streets.

The property would have access via Marquette Street via a common driveway.

Storm Water.

It appears that the development will include more than 5,000 square feet of hard surface. With 4 lots, the average per lot would have to be 1,250 square feet or less. Otherwise, the development will need to comply with the City's stormwater requirements.



Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

**Public Input:**

No public hearing is required for a Final Plat.

**Discussion:**

The request is for a Final Plat for a 4 lot subdivision on .75 acres of property.

The property was rezoned to R-3 Planned Unit Development (ORD2016-569) in 2017. The purpose was allow to allow the construction of two zero lot line single-family attached dwellings.

The concept related to this rezoning was carried forward into the new zoning ordinance.

Planned Unit Development was often utilized in the previous zoning ordinance because it allowed the flexibility of zero lot line developments. The new zoning ordinance allows for single-family semi-detached (zero lot line) as permitted use.

The project would be developed as four single-family semi-detached units on four lots.

**Plan and Zoning Commission Recommendation:**

At its regular meeting of July 1, 2019, the Plan and Zoning Commission considered Case F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4 lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St.

**Findings:**

1. The final plat conforms to the comprehensive plan Davenport+2035; and
2. The final plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Staff recommends the Plan and Zoning Commission accepted the listed findings and forward Case F-19-11 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility providers sign the plat when their easement needs have been met;
3. That the plat is tied to two quarter corners both labeled with description or two previously established lot corners both labeled with description of each corner;
4. That the following note be removed from the final plat: No water detention requirements are proposed with this subdivision;
5. That the following note be added to the final plat: No driveway access to West 53rd Street.
6. That the following note be added to the final plat: The driveway access on Marquette St shall



be located a minimum of 150' south of the intersection of W 53rd St and Marquette St; and  
7. The the final plat depict the cross access easement for the driveway.

Please note that the final plat has been revised to achieve consistency with conditions 1 through 7, and therefore, the conditions are not included in the resolution.

The Commission vote was 9 yes, 0 no and 0 abstention.

**ATTACHMENTS:**

Type	Description
▣ Backup Material	Resolution
▣ Backup Material	Final Plat
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map
▣ Backup Material	ORD2016-569 Concept Plan

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	8/29/2019 - 9:12 AM
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 9:12 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:11 PM



Resolution No. \_\_\_\_\_

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4 lot subdivision on .75 acres more or less of property located at the southeast corner of West 53rd Street and Marquette Street. [Ward 7]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Final Plat of Thornburg Second Addition be the same and is hereby approved and accepted subject to all the conditions as stated in the July 1, 2019 Plan and Zoning Commission's recommendation for approval (please note that conditions 1 – 7 have been added to the final plat and/or provided and are not repeated on this resolution).

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

Attest:

Approved:

\_\_\_\_\_  
Brian Krup, Deputy City Clerk

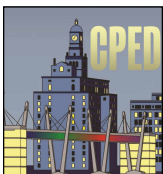
\_\_\_\_\_  
Frank Klipsch, Mayor



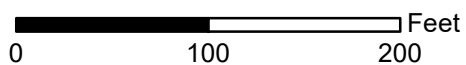




# Zoning Map



1 inch = 100 feet



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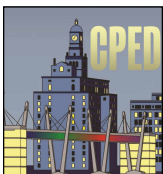
## Legend

 Subject\_Property

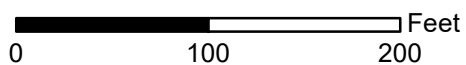




# Future Land Use Map (Davenport +2035)



1 inch = 100 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.

## Legend

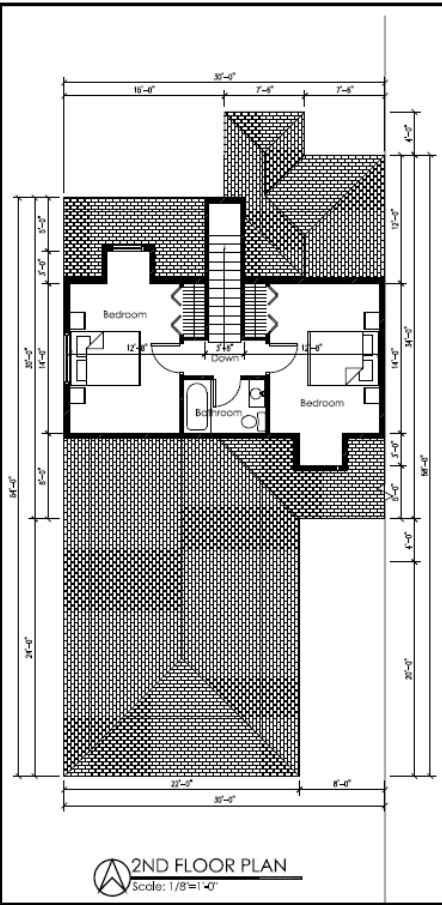
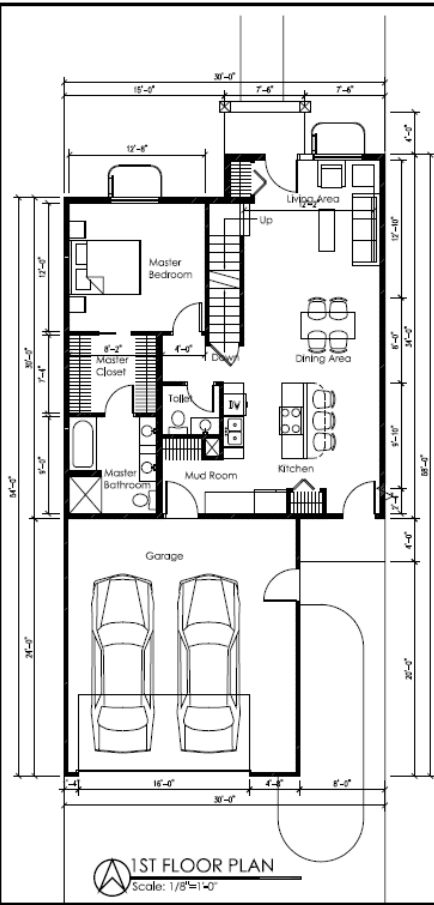
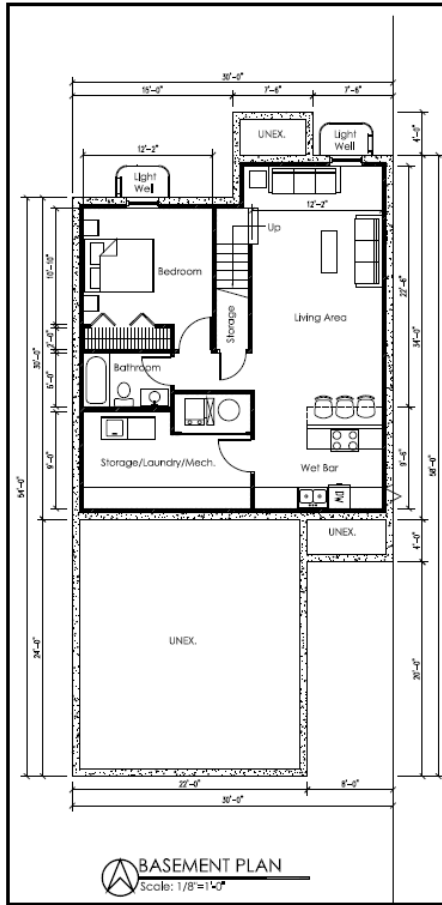
 Subject\_Property











**ITALO MILANI**  
ARCHITECT, L.L.C.  
280 LITZ AND ROCK ISLAND BL.  
DARTMOUTH, MA 01928  
PH: 508.253.1111 FAX: 508.253.1112

**DERRICK NIX**  
W 53RD ST & N MARQUETTE ST  
DAVENPORT, IA

DATE	10-16-16
REVISIONS	
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**2016-8**  
NUMBER  
**A-2**  
SHEET  
NUMBER



City of Davenport

Agenda Group:  
Department: Community Planning & Economic Development  
Contact Info: Matt Flynn 563-888-2286  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution for Case F19-14 being the request of Montgomery LC for a final plat for a 2-lot subdivision on 3.4 acres, more or less, of property located on the north side of E 53rd Street approximately 155 feet east of Belle Ave. [Ward 8]

Recommendation:  
Adopt the Resolution.

Background:

**Discussion:**

The request is for a Final Plat for a 2 lot subdivision on 3.4 acres of property.

Lot 2 is currently developed with a strip commercial development.

City staff is unaware of any development proposals for lot 1.

**Comprehensive Plan:**

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: 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 Goals to be considered in this Case: Strengthen the Existing Built Environment.

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

**Zoning:**

The property is currently zoned C-2 Corridor Commercial Zoning District.

**Technical Review:**

**Streets.**

The property would have access to Belle Avenue.



Storm Water.

The development will need to comply with the City's stormwater requirements.

Sanitary Sewer.

There is sanitary sewer adjacent to the property.

Other Utilities.

Other normal utility services are available.

**Public Input:**

No public hearing is required for a Final Plat.

**Plan and Zoning Commission Recommendation:**

The Plan and Zoning Commission considered Case F19-14 at its August 20, 2019 meeting.

**Findings:**

1. The final plat conforms to the comprehensive plan Davenport+2035; and
2. The final plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

The Plan and Zoning Commission accepted the listed findings and forwards Case F-19-14 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility providers sign the plat when their easement needs have been met;
3. That the zoning district information be removed from the plat; and
4. That a note be added to the plat that sidewalks shall be installed when so ordered by the city.

Please note that the final plat has been revised to achieve consistency with conditions 1 through 5, and therefore, the conditions are not included in the resolution.

The Commission vote was 7 yes, 0 no and 0 abstention.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Final Plat
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	8/29/2019 - 9:02 AM
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 9:02 AM



City Clerk

Admin, Default

Approved

8/29/2019 - 1:44 PM



Resolution No. \_\_\_\_\_

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F19-14 being the request of Montgomery LC for a final plat for a 2 lot subdivision on 3.4 acres more or less of property located on the north side of East 53rd Street approximately 155 feet east of Belle Avenue. [Ward 8]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Final Plat of Crossroads Commercial Park Fifth Addition be the same and is hereby approved and accepted subject to all the conditions as stated in the August 20, 2019 Plan and Zoning Commission's recommendation for approval (please note that conditions 1 – 4 have been added to the plat and/or provided and are not repeated on this resolution).

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

Attest:

Approved:

\_\_\_\_\_  
Brian Krup, Deputy City Clerk

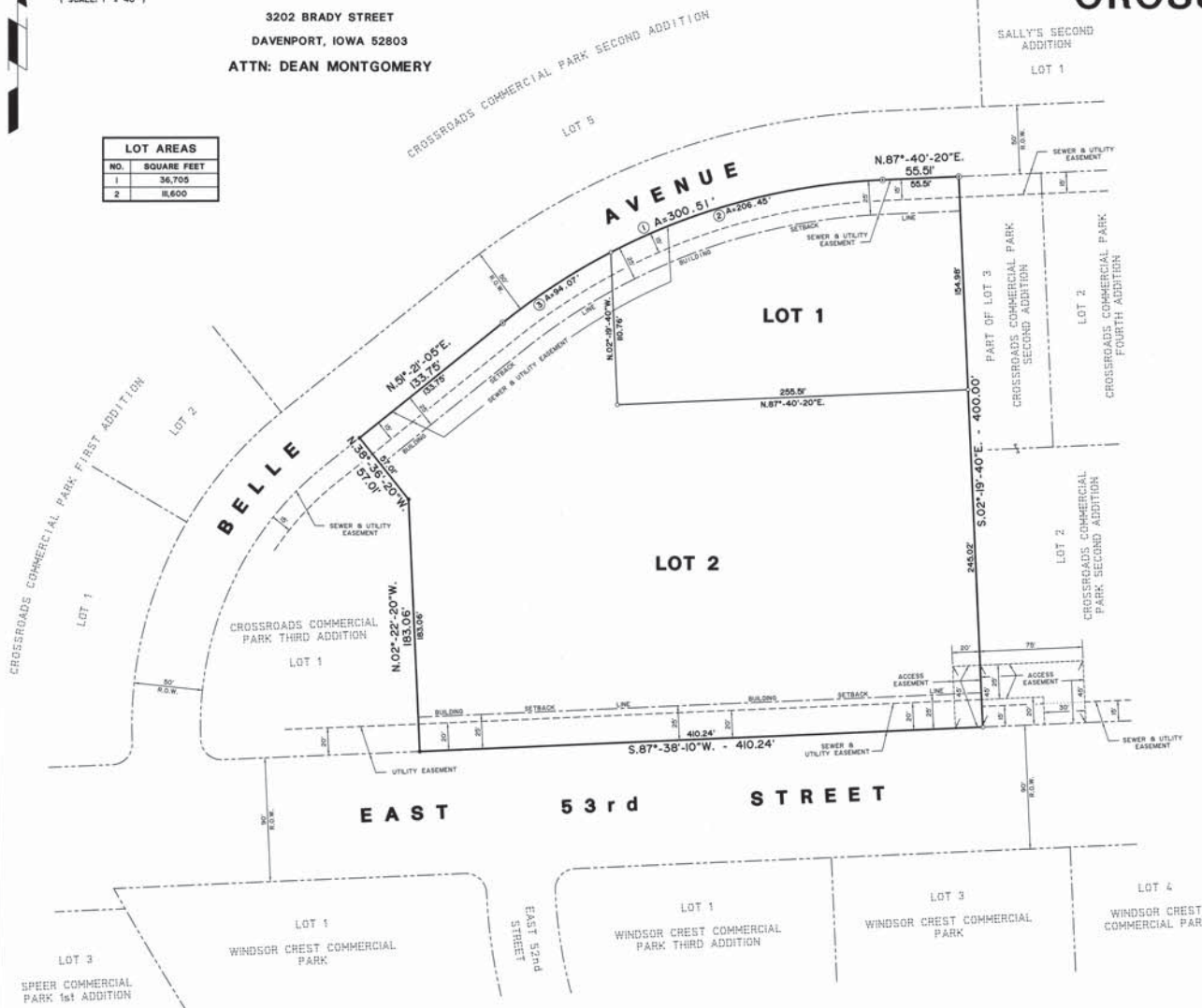
\_\_\_\_\_  
Frank Klipsch, Mayor





OWNER - DEVELOPER  
**MONTGOMERY LANDS LC**  
 3202 BRADY STREET  
 DAVENPORT, IOWA 52803  
 ATTN: DEAN MONTGOMERY

LOT AREAS	
NO.	SQUARE FEET
1	36,705
2	16,600



# FINAL PLAT OF **CROSSROADS COMMERCIAL PARK FIFTH ADDITION**

TO THE CITY OF DAVENPORT, IOWA

BEING PART OF THE NORTHWEST QUARTER OF SECTION 7  
 TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th P.M.  
 AND BEING A REPLAT OF LOTS 2 AND 3  
 CROSSROADS COMMERCIAL PARK THIRD ADDITION

CURVE NUMBER	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT
1	478.00'	36°14'-58"	300.5'	298.53'	N.69°30'-55"E	155.48'
2	478.00'	24°54'-40"	206.45'	204.83'	N.75°12'-05"E	104.88'
3	478.00'	1°20'-48"	94.07'	93.97'	N.57°04'-50"E	47.39'

## GENERAL NOTES

IRON MONUMENTS FOUND SHOWN THUS  ( 5/8" IRON PIN CAP NO. 5080/7222 )  
 IRON MONUMENTS FOUND SHOWN THUS  ( 5/8" IRON PIN CAP NO. 13974 )  
 IRON MONUMENTS SET SHOWN THUS  ( 5/8" IRON PIN CAP NO. 7222 )

ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

SUBDIVISION CONTAINS 3.40 ACRES, MORE OR LESS.

BLANKET UNDERGROUND AND OVERHEAD EASEMENTS GRANTED WITHIN THE MINIMUM WIDTH OF SIDE YARD PROVISIONS OF CHAPTER 17.42 OF THE ZONING ORDINANCE OF THE CITY OF DAVENPORT, IOWA, ALONG THE SIDE LOT LINES OF EACH LOT HEREIN FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS SERVICE, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE, CABLE T.V. AND STREET LIGHTS.

BEARINGS SHOWN HEREON ARE BASED ON THE IOWA STATE PLANE COORDINATE SOUTH ZONE, NAD 83 ( 2011 ).

SIDEWALK SHALL BE INSTALLED ALONG THE BELLE AVENUE FRONTAGE OF LOTS 1 AND 2 WHEN REQUIRED BY THE CITY OF DAVENPORT, IOWA.

ACCESS FROM LOT 2 TO 53rd STREET IS LIMITED TO THE ACCESS EASEMENT AND ENTRANCE THAT CURRENTLY EXISTS. NO NEW ACCESS IS ALLOWED.

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Signature: *David L. Meyer*  
 David L. Meyer, P.E. & L.S., License Number 7222  
 Date: JULY 25, 2019  
 My license renewal date is December 31, 2020

THIS SHEET ONLY  
 Pages or sheets covered by this seal:



PREPARED BY

**VERBEKE - MEYER**  
**CONSULTING ENGINEERS, P.C.**

4111 EAST 60th STREET  
 DAVENPORT, IOWA 52807  
 PHONE NUMBER: ( 563 ) 359 - 1348

VMCE 19193

CENTURYLINK

BY *[Signature]*  
 DATE 8-23-2019

MIDAMERICAN ENERGY COMPANY

BY *[Signature]*  
 DATE 8/23/19  
 APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY  
 MIDAMERICAN ENERGY COMPANY

IOWA-AMERICAN WATER CO.

BY *[Signature]*  
 DATE 8-23-19

MEDIACOM

BY *[Signature]*  
 DATE 8-23-19

PLAN & ZONE COMMISSION

BY  
 DATE

CITY OF DAVENPORT, IOWA

BY  
 ATTEST  
 DATE



**R-3**

**C-2**

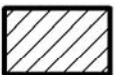
**BELLE AVE**

**E 53RD ST**

**C-T**

**R-MF**

**E 52ND ST**



Subject Property





**Residential General**

**Commercial  
Corridor**

**BELLE AVE**

**E 53RD ST**

**Commercial  
Corridor**

**Residential  
General**

**E 52ND ST**



**Subject Property**

**N**





City of Davenport

Agenda Group:  
Department: Community Development Committee  
Contact Info: Bruce Berger 563-326-7765  
Wards:

**Action / Date**  
**9/4/2019**

**Subject:**

Resolution setting a Public Hearing on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

**Recommendation:**

Adopt the Resolution.

**Background:**

Merge LLC (also known as Merge Urban Development) has offered to acquire the greenspace on the south side of the RiverCenter and is proposing to build a new, five-story, mixed-use building with space for roughly 6,600 square feet of commercial/retail on the first floor and 60 units of market rate rental housing on the four floors above.

Merge recently formed with a specific focus on using Opportunity Zone funding in Mid-West markets. They have similar sized projects currently under construction in Waterloo and Cedar Falls and three larger projects slated to begin this fall through next summer in Des Moines, Oshkosh, and Stevens Point, WI. The development team in Merge has over 10 years of experience as Echo Development which has completed over 600 apartment units, 100 houses, as well as commercial, retail, industrial, and hotel projects in Iowa.

Attached is an elevation concept plan for the site. Similar to a previous development proposal for this site, Merge is offering \$250,000. Approval of this resolution would direct staff to schedule a public hearing on Sept. 18 during the Committee-of-the-Whole meeting.

**ATTACHMENTS:**

Type	Description
▣ Cover Memo	Resolution page
▣ Cover Memo	Elevation Concept Plan
▣ Cover Memo	Concept Site Plan

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Thorndike, Tiffany	Approved	8/30/2019 - 4:30 PM
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 10:50 AM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Rawson

RESOLUTION setting a public hearing on the proposed conveyance of property located on the north side of East 2nd Street in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

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:

The South 122' of Lots 1, 2, and 3, Block 60 of LeClaire's Second Addition to the City of Davenport, Scott County, Iowa, otherwise known as Parcel L0009-28B, located on the north side of East 2<sup>nd</sup> Street in the 200 block.

WHEREAS, the City of Davenport is supportive of projects to grow the community and that increase density in the downtown; and

WHEREAS, the petitioner is proposing to acquire the property and construct 60 market rate rental units and approximately 6,600 feet of commercial/retail space in a new five-story building; and

WHEREAS, a public hearing on this proposed conveyance is required by Iowa law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that a public hearing shall be held on this proposed conveyance at the September 18, 2019 Committee-of-the-Whole meeting which begins at 5:30 pm (local time).

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk



# SECOND STREET CORRIDOR

## SOUTHWEST VIEW

### MIXED-USE MASS

A mixed-use mass, with diverse ground level uses, strengthens the edge of the 2nd Street Corridor and stitches into the vibrant activity of downtown. The dark color massing is in dialogue with the light glass box form of the Figge museum to the west.

### MICRO - RETAIL

Micro retail spaces provide frequent points of entry for pedestrian activity with the opportunity for new retail ventures to start up in smaller footprints.

### URBAN LIVING

Residential units front urban street space and also quieter urban green space for a variety of living options.

### 2ND STREET CONCEPT DAVENPORT, IA





# SECOND STREET CORRIDOR

DAVENPORT, IA

## MIXED-USE MASS

A mixed-use mass, with diverse ground level uses, strengthens the edge of the 2nd Street Corridor and stitches into the vibrant activity of downtown. The dark color massing is in dialogue with the light glass box form of the Figge museum to the west.

## MICRO - RETAIL

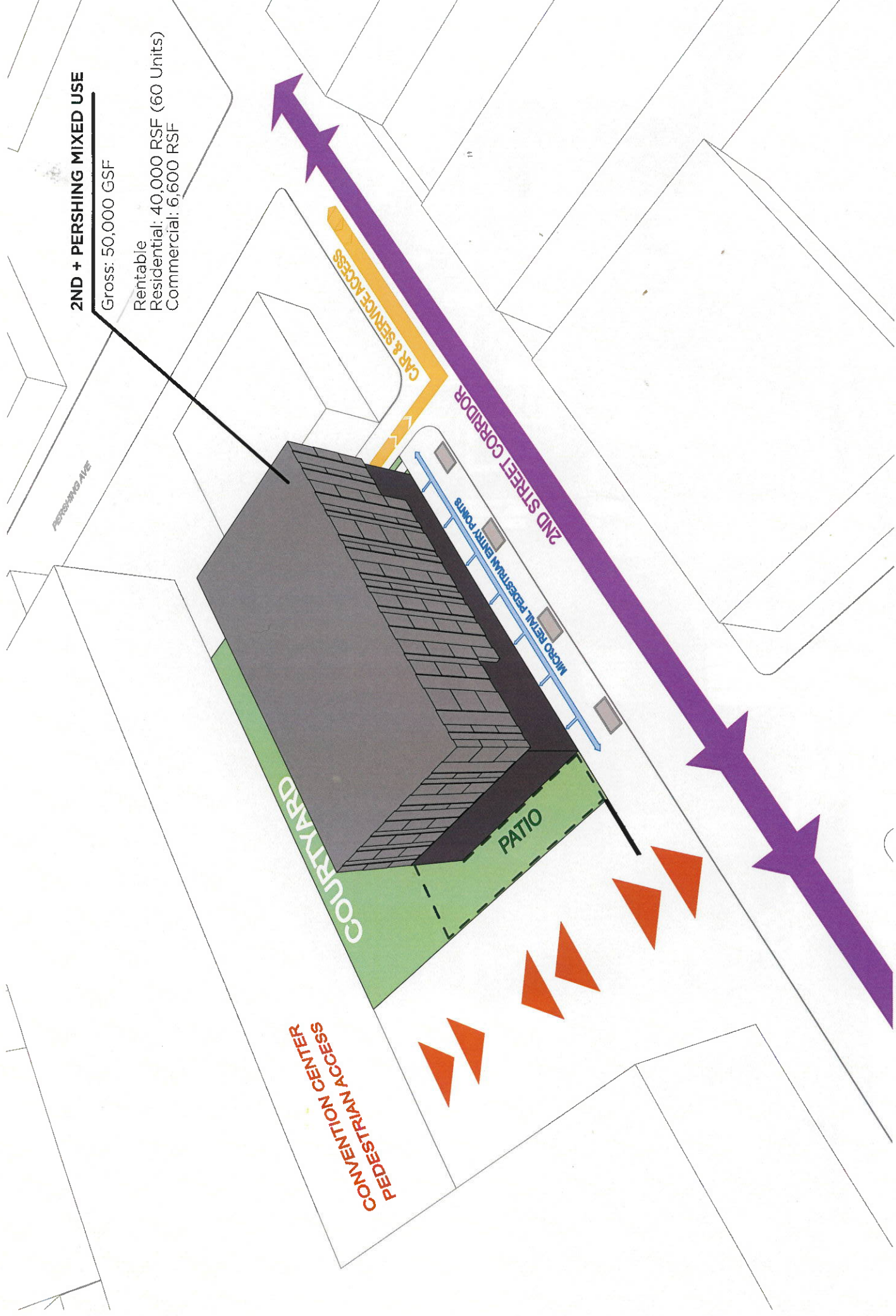
Micro retail spaces provide frequent points of entry for pedestrian activity with the opportunity for new retail ventures to start up in smaller footprints.

## URBAN LIVING

Residential units front urban street space and also quieter urban green space for a variety of living options.

## TOTAL DEVELOPMENT

Gross: 50,000 SF  
Residential: 40,000 RSF (60 Units)  
Commercial: 6,600 RSF





City of Davenport

Agenda Group:  
Department: Public Safety  
Contact Info: Gary Statz 563-326-7754  
Wards:

**Action / Date**  
**8/21/2019**

Subject:  
Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]

Recommendation:  
Adopt the Ordinance.

**Background:**

The railroad bridge on Elm St is closed and the result has been much less traffic on Elm St as it approaches Eastern Ave. Manual counts taken during the morning and afternoon peak times showed the Eastern Ave traffic volume to be 50 times more than the volume on Elm St. The traffic counts on Elm are significantly below the minimum volumes required by the Manual on Uniform Traffic Control Devices for an all-way stop. The all-way stop was warranted while the bridge was open, so this removal will only be temporary. The stop signs will be reinstalled just before the opening of the bridge, which isn't expected for at least 1 1/2 years. The City will install extra signage on Elm to make drivers aware of the change while the stop signs on Eastern are gone.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	PS_Eastern at Elm 4 way stop_pg 2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 11:02 AM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 11:03 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 4:46 PM



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE V FOUR-WAY STOP INTERSECTIONS THERETO BY DELETING EASTERN AVENUE AT ELM STREET.

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

Section 1. That Schedule V Four-Way Stop Intersections of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

Eastern Avenue at Elm 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: \_\_\_\_\_  
Brian Krup  
Deputy City Clerk



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Gary Statz 563-326-7754  
Wards:

**Action / Date**  
**9/4/2019**

Subject:

First Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]

Recommendation:  
Adopt the Ordinance.

Background:

The residents have requested Resident Parking Only on Rusholme Street along the north side from Ripley Street west to the alley to mitigate non-resident owned vehicles from parking on this stretch.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 11:28 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:29 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:50 PM



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XI RESIDENT PARKING ONLY THERETO BY ADDING RUSHOLME STREET ALONG THE NORTH SIDE FROM RIPLEY STREET WEST TO THE ALLEY.

Section 1. That Schedule XI Resident Parking Only of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Rusholme Street along the north side from Ripley Street west 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 \_\_\_\_\_

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

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

Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Gary Statz 563-326-7754  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
First Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Hickory Grove Rd at the northernmost Cobham driveway. [Ward 2]

Recommendation:  
Adopt the Ordinance.

Background:  
With the future addition of a new parking lot at Cobham Mission Systems, traffic engineering recommends installing a traffic signal on Hickory Grove Rd and the northern most driveway of Cobham Mission Systems. Recent traffic counts are at 90% of the volume required to meet the peak hour warrant for signalization in the Manual on Uniform Traffic Control Devices, this new lot will double the parking spaces and will generate additional pedestrian and vehicular traffic .

Cobham will pay the entire cost of signalization. The City of Davenport will design, bid and maintain the signals. The temporary pedestrian signals toward the other end of the Cobham property will be removed next year.

ATTACHMENTS:

Type	Description
Ordinance	PS_ORD_Hickory Grove at Cobham signal_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 11:27 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:28 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:54 PM



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 HICKORY GROVE ROAD AT THE NORTHERNMOST COBHAM DRIVEWAY.

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:

Hickory Grove Road at the northernmost Cobham driveway.

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: \_\_\_\_\_  
Brian Krup  
Deputy City Clerk



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Gary Statz 563-326-7754  
Wards:

**Action / Date**  
**9/4/2019**

Subject:

First Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]

Recommendation:  
Adopt the Ordinance.

Background:

To improve visitor parking at City Hall, it is being recommended to remove the two hour parking limit on the east side of Harrison St between 4th and 5th Streets and designate it as "City Hall Business Only."

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_Harrison St 2 hour parking removal_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 1:10 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 1:11 PM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:59 PM



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE X TWO HOUR PARKING THERETO BY DELETING HARRISON STREET ALONG THE EAST SIDE FROM 4TH STREET TO 5TH STREET.

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

Section 1. That Schedule X Two Hour Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

Harrison Street along the east side from 4<sup>th</sup> Street to 5<sup>th</sup> Street.

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

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

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

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Frank Klipsch  
Mayor

Attest: \_\_\_\_\_  
Brian Krup  
Deputy City Clerk



City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

Action / Date  
9/11/2019

Subject:

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

Beaux Arts Fund Committee; Beaux Arts Fall Fair; Friday, September 6, 2019 12:00 p.m. - 9:00 p.m.; Saturday, September 7, 2019 10:00 a.m. - 5:00 p.m.; Sunday, September 8, 2019 10:00 a.m. - 4:00 p.m.; **Closure:** W 2nd St from Harrison to Main with access to US Bank (see attached map). [Ward 3] **\*\*TO BE VOTED ON LATER ON THIS AGENDA\*\***

Ralph Kelly; Hilltop Urban Garden Taste; Saturday, September 7, 2019 6:00 a.m. - 5:00 p.m.; **Closure:** Scott St between W 14th St and W 15th St. [Ward 4] **\*\*TO BE VOTED ON LATER ON THIS AGENDA\*\***

Davenport Schools; North High School Homecoming Parade; Thursday, September 19, 2019 6:00 p.m. - 7:30 p.m.; **Closures:** (Police controlled intersections) Starting at Wood Intermediate, easternmost northbound lane on Division St to Northwest Blvd, Northwest Blvd south to W 56th St, W 56th St to Oakbrook Rd, Oakbrook Rd to W 57th St, W 57th St to Marquette St, Marquette St to W 60th St, W 60th St to Myrtle St, Myrtle St to W 59th St, W 59th St to Vine St, Vine St to W 58th St, W 58th St to Gaines St, Gaines St to finish at North High School. [Wards 7 & 8]

Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 7:00 a.m. - Sunday, September 22, 2019 3:00 p.m.; **Closure:** W 2nd St east of the Post Office lot to west of 802 W 2nd St, Warren St from the alley south of 3rd St to the alley north of River Dr. [Ward 3]

City of Davenport; Halloween Parade; Saturday, October 26, 2019 10:00 a.m. - conclusion of parade; **Closures:** Staging: 10:00 a.m. - conclusion of parade, 3rd St from Brady to LeClaire, Pershing from 2nd to 4th, and Iowa from 2nd to 4th; Parade Route: 12:00 p.m. - conclusion of parade, 3rd St from Western to Brady, Western from 2nd to 5th, Scott & Ripley from 2nd to 4th, Main St from alley north of The Current to 4th St; 2:00 p.m. - conclusion of parade, Harrison from 2nd to 6th, Brady from 2nd to 4th. [Ward 3]

Recommendation:  
Adopt the Resolution.

Background:

Per the City's Special Events Policy, City Council will approve street/lane/public grounds closures based on the recommendation of the Special Events Committee.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution
□ Backup Material	Beau Arts Fair Map
□ Backup Material	Hilltop Urban Garden Taste Map



▣ Backup Material

▣ Backup Material

North High School Homecoming Parade Map

Halloween Parade Map

**REVIEWERS:**

**Department**

**Reviewer**

**Action**

**Date**

City Clerk

Admin, Default

Approved

8/26/2019 - 9:38 AM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Gripp

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 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 on the date(s) 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):

*Davenport Schools; North High School Homecoming Parade; Thursday, September 19, 2019 6:00 p.m. - 7:30 p.m.; **Closures:** (Police controlled intersections) Starting at Wood Intermediate, Division St to Northwest Blvd, Northwest Blvd south to W 56th St, W 56th St to Oakbrook Rd, Oakbrook Rd to W 57th St, W 57th St to Marquette St, Marquette St to W 60th St, W 60th St to Myrtle St, Myrtle St to W 59th St, W 59th St to Vine St, Vine St to W 58th St, W 58th St to Gaines St, Gaines St to finish at North High School. [Wards 7 & 8]*

*Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 7:00 a.m. - Sunday, September 22, 2019 3:00 p.m.; **Closures:** W 2nd St east of the Post Office lot to west of 802 W 2nd St, Warren St from the alley south of 3rd St to the alley north of River Dr. [Ward 3]*

*City of Davenport; Halloween Parade; Saturday, October 26, 2019 10:00 a.m. - conclusion of parade; **Closures:** Staging: 10:00 a.m. - conclusion of parade, 3rd St from Brady to LeClaire, Pershing from 2nd to 4th, and Iowa from 2nd to 4th; Parade Route: 12:00 p.m. - conclusion of parade, 3rd St from Western to Brady, Western from 2nd to 5th, Scott & Ripley from 2nd to 4th, Main St from alley north of The Current to 4th St; 2:00 p.m. - conclusion of parade, Harrison from 2nd to 6th, Brady from 2nd to 4th. [Ward 3]*

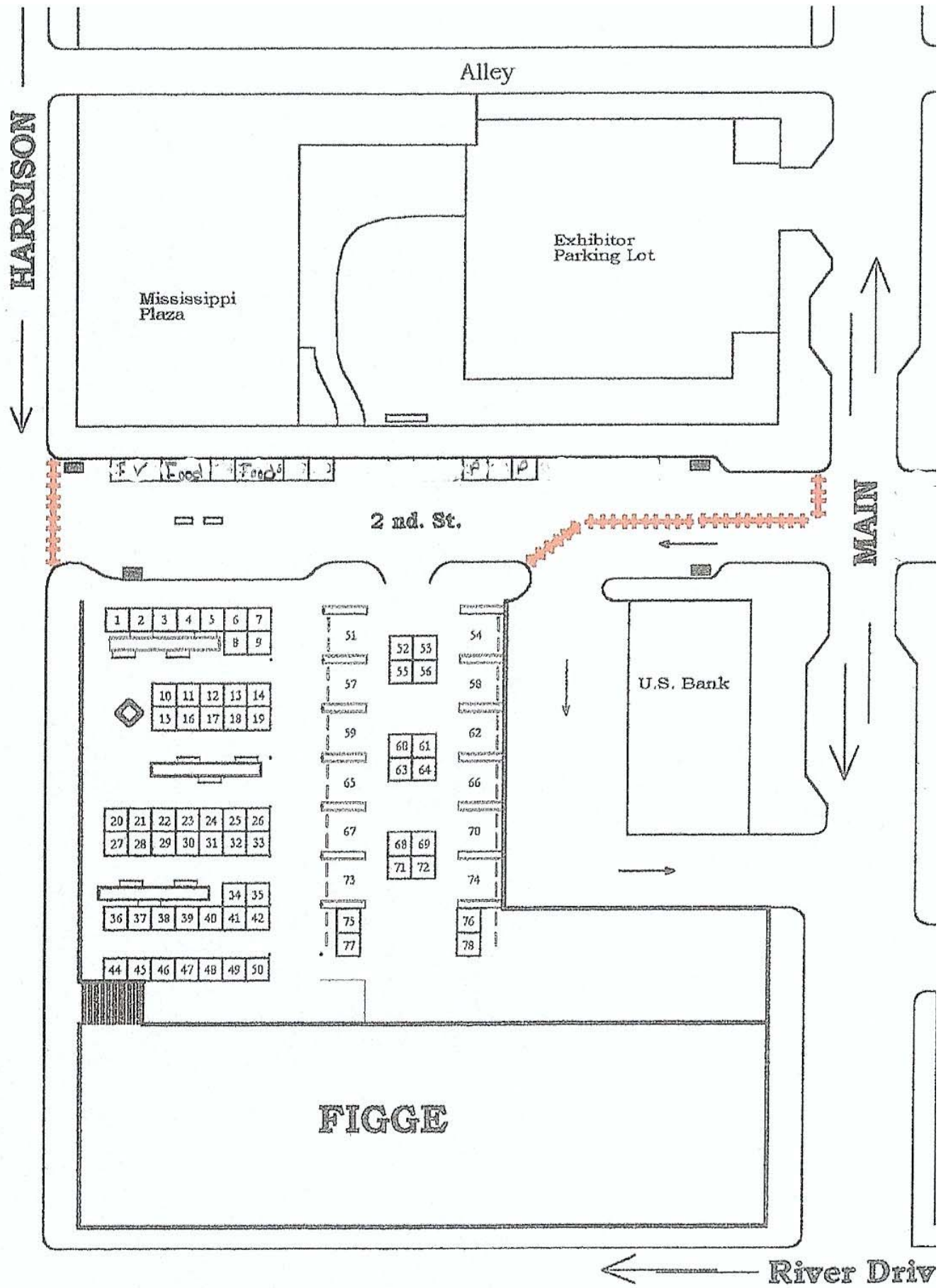
Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk











W 15th St

W 15th St

close off  
H/O 25017

Scott St

tent

tent

restroom

tent

restroom

tent

close off  
Scott St

tent

tent

tent

W 14th St

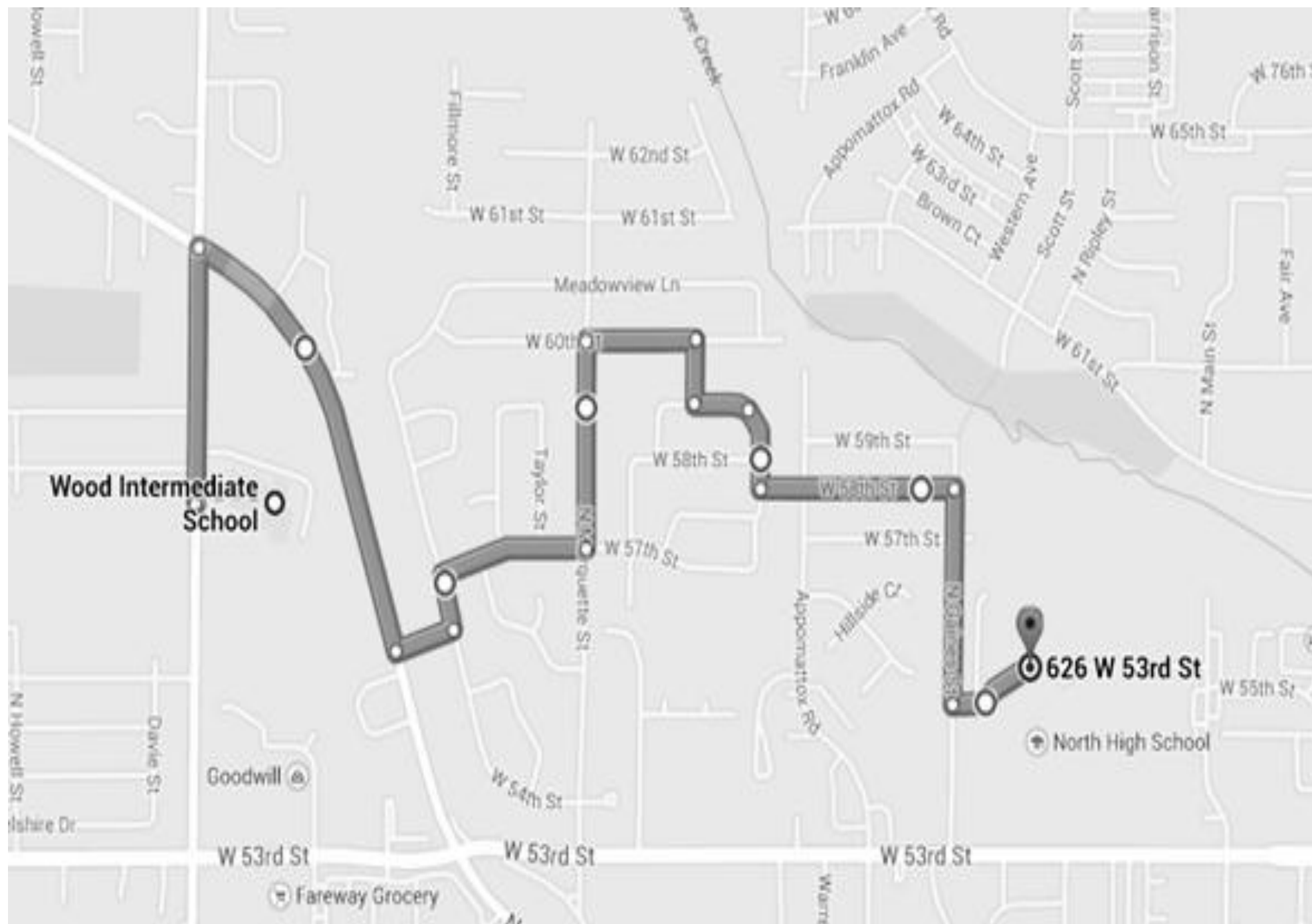
W 14th St

close off

Scott St



## HOMECOMING PARADE ROUTE 2019

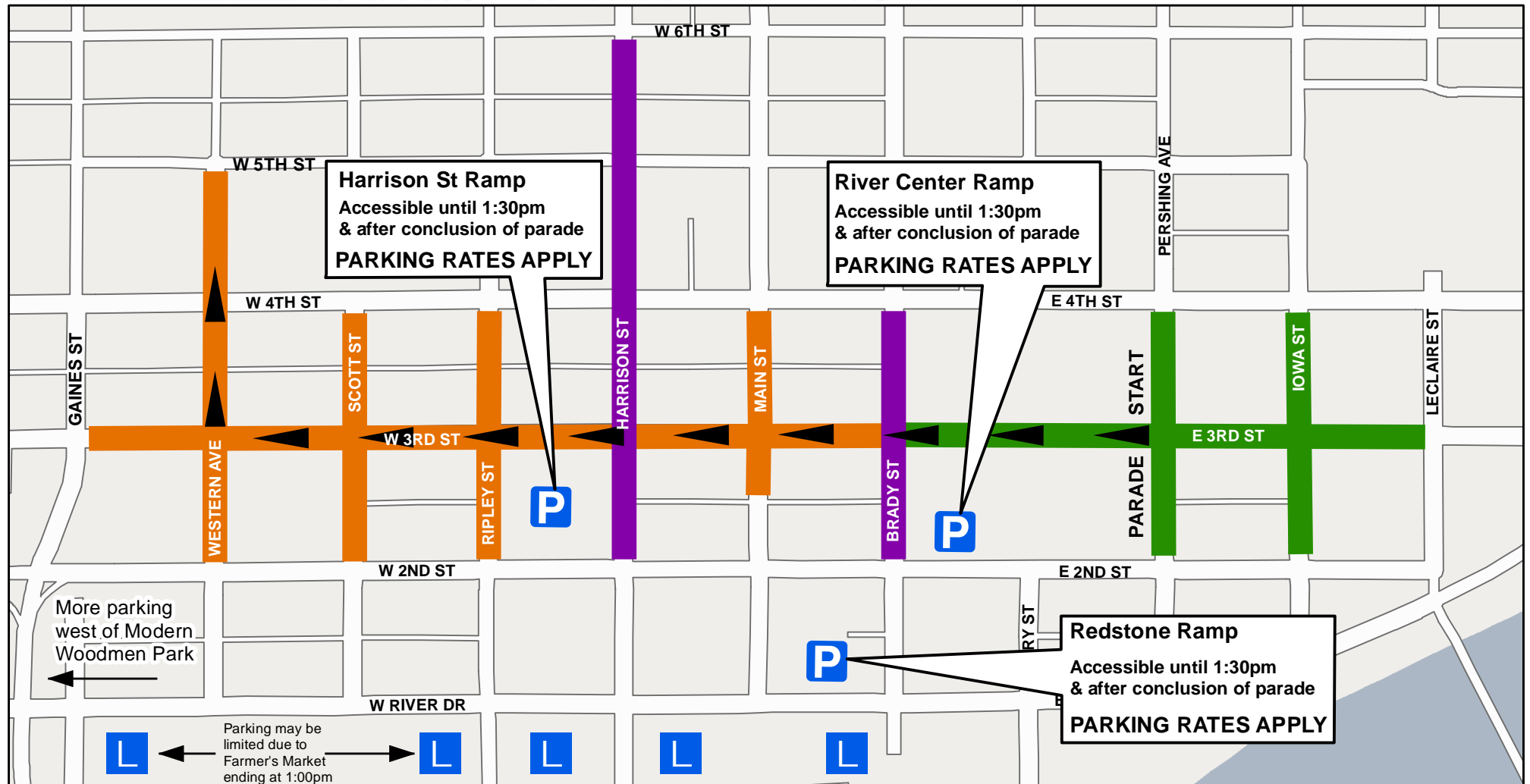







— OCTOBER 26TH, 2019 —  
2:00 PM



**NO PARKING on Parade Route beginning 6AM, October 26 until parade conclusion. Vehicles parked on the Parade Route WILL BE TOWED**

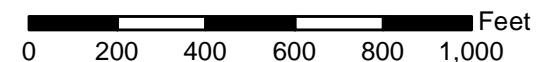


ROAD CLOSURES	COLOR	CLOSURE BEGINS		CLOSURE ENDS	
		Saturday 10/26	10:00 AM	Saturday 10/26	End of Parade
		Saturday 10/26	12:00 PM	Saturday 10/26	End of Parade
		Saturday 10/26	2:00 PM	Saturday 10/26	End of Parade

**P** Parking Ramp (Pay)

**L** Parking Lot (Free)

◀ ▶ ▶ Parade Route





City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**9/4/2018**

**Subject:**

Motion approving a special occurrence permit for River Music Experience, 129 N Main St, to allow food trucks to operate outside the business along Main St during the Experience Deaf QC event from 9:00 a.m. - 10:00 p.m. on Saturday, November 2, 2019. [Ward 3]

**Recommendation:**

Pass the Motion.

**Background:**

Ten (10) notices were mailed on 8/5/19 (see attached list) to property owners within a 200' radius of this location with addresses generated using the GIS system. No responses of opposition were received.

**ATTACHMENTS:**

Type	Description
▢ Backup Material	Application
▢ Backup Material	200' Notice Recipients
▢ Backup Material	200' Notice Mailed 8/5/19

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/6/2019 - 1:30 PM





City of Davenport

City of Davenport  
Revenue Department  
226 West 4<sup>th</sup> Street  
Davenport, Iowa 52801  
Phone (563) 326-7715

APPLICATION FOR MOBILE FOOD UNIT SPECIAL OCCURRENCE PERMIT (PREMISE ONLY)  
City Ordinance: Chapter 5.19

To have an on-street mobile food vendor in front of a business, the business must obtain a special occurrence permit from the City of Davenport. Only one special occurrence permit may be issued for a particular date.

This is a "special permit" and is required in addition to any other city business license the applicant or licensee may hold or be required to hold. **Special occurrence permits are subject to City Council approval at a regularly scheduled City Council meeting. All vendors operating under special occurrence permits must have valid Mobile Food Unit Public Permits.**

Application Date 7-30-19 Dates of Operation 11-2-19 Times of Operation 9am-10pm  
Business Name R.M.E. Owner / Operator Kate Dale  
Mailing Address: Street 129 - N. Main St City Davenport State IA Zip \_\_\_\_\_  
Phone Number 563 326-1333 (ext. 101) Emergency Contact and Phone # Susan Sacco (309) 796-5900  
Email Address saccos@bhc.edu

Exact Location of Request:

"Deaf Event" is inside RME and Food Trucks (4 or 5) - parked outside RME, on main street

Is this request connected to an event at your business? ☒ YES ☐ NO

I agree to abide by all regulations of the Mobile Food Unit policy as outlined in Chapter 5.19 of the Davenport Municipal Code. I understand that only one vendor may occupy the on-street space at a time, and I will ensure that no mobile food vendors are occupying space that is not outlined in this application package.

I hereby swear (or affirm) under penalty of perjury that the representations made by me in this application are complete, true and accurate, to the best of my knowledge and belief, and that I am authorized to execute this application.

Signature of Applicant [Signature] Date 7-30-19

\_\_\_\_\_  
Witness (Clerk's Office Representative)

Return to City Clerk's office

Service Period: Dates as Outlined in Application Above

Permit Fee \$100 / Payment per Application

Attachments: Diagram of Proposed Vendor Location

\*\*\*\*\*

For Office Use Only

Administration Application Review ☐ Approved ☐ Disapproved

Protest Rate ☐ Recommendation ☐ Approved ☐ Disapproved

Date of City Council Approval \_\_\_\_\_

Date of Permit Issuance \_\_\_\_\_



**“Experience Deaf QC” Event**  
**Attachment for Food Truck Permit**  
**November 2, 2019**

Greetings! My name is Susan Sacco and I am a part of a committee that has been working hard to plan our 1<sup>st</sup> ever Deaf Event on 11/2/2019. The theme for this event is “Experience Deaf QC” and we are working with River Music Experience (RME) to host this unique, all-day event.

In case you are wondering, our committee consists of the following agencies/people: Black Hawk College Disability Office, Scott Community College (Interpreter Training Program), Illinois/Iowa Center for Independent Living, the former TheASLSource (Interpreter Agency), Iowa Registry for Interpreter, QC Deaf Seniors Club, QC Deaf Club and both Illinois and Iowa’s Deaf/HOH Programs (K-12 with Mississippi Bend AEA and Black Hawk Area of Special Education).

This event will start at 8am with a Sign Language Interpreter Workshop. Followed by a free Expo that will have Deaf/Hard of Hearing/Deaf-Blind Artists and Vendors who provide services for us. We also will have vendors who have agreed to be Sponsors for our event. The expo will be from 10am till 3pm and also will include a Kids Activity Area. Finally, for our evening performer, RME has hired Deaf Musician, Aaron Loggins, to perform 2 shows there. The evening should end about 9 or 10pm with his final performance.

Our committee has decided to set up about 4 or 5 Food Trucks, as a means to serve food/beverages (no alcohol) for our artists, vendors, volunteers, and community visitors. We would like to have parking spots reserved for these trucks on Main Street, right outside of the building of RME. This would be an easy access for those mentioned above.

We are thrilled about this event and hoping it becomes an annual happening for our QC area. We also are encouraging folks to come support the Davenport downtown areas, recovering from the Spring floods. We are posting on our FB Page to use the hotel discount on the RME website and sharing information packets from the QC Visitor’s Bureau of what to do in the QC.

If you have any questions or need more information, please do email me at [saccos@bhc.edu](mailto:saccos@bhc.edu). We are also more than happy to attend the City Council Meeting, should we be invited. Enclosed you will also find a check for the \$100 fee. Thank you so much and look forward to working with you on this exciting event!!





## THE RIVER MUSIC EXPERIENCE (RME) CLIENT CONTRACT

By Signing this agreement, the undersigned agrees to follow all of the rental policies and payment schedules as outlined in the RME Rental Informational Packet. If you have not received a copy of this document please contact your Special Events Coordinator.

### Liability

RME shall not be liable for non-performance of this agreement when such performance is attributable to labor disputes, strikes, governmental (Federal, State or Municipal) regulations or restrictions to travel or transportation, non-availability of food, beverages or supplies, riots, national emergencies, acts of God, natural disasters and other causes whether enumerated herein or not, which are beyond the reasonable control of RME, preventing or interfering with RME's performance.

Terms of this agreement shall be governed by and construed in accordance with the laws of the State of Iowa, and is subject to all applicable federal, state and municipal laws, including, but not limited to, health and safety codes, alcoholic beverage control laws, etc. This document contains the full and complete agreement between the parties and supersedes all prior discussions, oral or written.

Contact Name: Experience Deaf QC

Contact Email: Sacco, Susan <saccos@iuhc.edu>

Contact Phone Number: 309-716-3310

Event Date/Time: Saturday November 2nd 2019, 9:00am to 10:00pm

Guest Count: 300

Event Format: Expo with Workshops and Live Entertainment

Event Room: RME Second Floor

Rental Fee: \$1900

Deposit: \$1250 payment toward rent

Contact Signature: *Mike Connelley*

RME Coordinator Signature: *Will*

### River Music Experience

#00-520	3/25/19, 1:49 PM
Sale	Served by Dian
Transaction #1329570703251912516	
1 x 2nd Floor Deposit	1,250.00
Subtotal	1,250.0
Total	1,250.0
Check	1,250.0

129 North Main Street  
Davenport, IA 52801  
United States  
563-326-1333

mkoenig@rivermusicexperience.org

www.rivermusicexperience.org

Thank you for supporting music education at the RM  
with your purchase!



ParcelId	OwnerName	OwnerAddress1	OwnerCityStZip
L0010-33	NAPAM INVESTMENTS, INC.	7200 JERSEY RIDGE RD	DAVENPORT IA 52807
L0010-10B	PUTNAM LANDLORD LLC	4240 MANCHESTER AVE	SAINT LOUIS MO 63110
L0010-28D	MUSEUM OF ART FOUNDATION	225 W 2ND ST	DAVENPORT IA 52801
L0010-14	BANKS OF IOWA CAPITAL CORPORAT	520 WALNUT ST	DES MOINES IA 50309
L0010-15	BANKS OF IOWA CAPITAL CORPORAT	520 WALNUT ST	DES MOINES IA 50309
L0010-15	US BANK CORPORATE REAL ESTATE	2800 EAST LAKE ST	MINNEAPOLIS MN 55406
L0010-33B	KPRE LLC	131 W 2ND ST SUITE 400	DAVENPORT IA 52801
L0010-33C	RIVER RENAISSANCE REAL ESTATE	129 N MAIN ST	DAVENPORT IA 52801
L0010-34	KAIZEN COMPANY OF AMERICA	5111 UTICA RIDGE RD	DAVENPORT IA 52807
L0010-34B	CBI BANK & TRUST	301 IOWA AVE	MUSCATINE IA 52761
L0010-34C	BANK BUILDING INVESTORS LTD	101 W 2ND ST	DAVENPORT IA 52801





## NOTICE OF APPLICATION FOR SPECIAL OCCURRENCE LICENSE



TO ALL PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PROPERTY LOCATED AT:  
**129 N Main St**

The City Council, at its Committee of the Whole meeting on September 4, 2019 at 5:30 p.m., will consider the request of RME to have a food truck present outside their premise on public right-of-way. As a neighboring property owner, you have the opportunity to submit written comments, and/or to appear at the meeting, to express your views on the request described below. If you intend to send in written comments, it is appreciated if those comments could be received by the City Clerk no later than **12:00 PM, 8/28/19**.

**The Request is described as follows:**

**Request of RME, 129 N Main Street, at the corner of Main and 2<sup>nd</sup> Streets, to allow food trucks to operate outside this business on Saturday, November 2, 2019 9:00 a.m. – 10:00 p.m. on Main St for Quad Cities Deaf Expo 2019.**

*Please feel free to comment on this request. Comments to the City Clerk must be presented in writing/email.*

To submit written comments send email to **bkrup@ci.davenport.ia.us** or mail a letter to:  
City Clerk/City Hall, 226 West Fourth Street, Davenport, IA 52801

**Contact the City Clerk:**

Email: [bkrup@ci.davenport.ia.us](mailto:bkrup@ci.davenport.ia.us) • Phone: 563-326-6163



City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**9/11/2019**

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

Dwayne Hodges; Westend Park Party; Herington Park 935 Brown St; Saturday, September 14, 2019 1:00 p.m. - 7:00 p.m., Outdoor music, over 50 dBa. [Ward 3]

Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 4:00 p.m. - 12:00 a.m. and Saturday, September 21, 2019 12:00 p.m. - 12:00 a.m.; Outdoor music/performances, over 50 dBa. [Ward 3]

City of Davenport; Halloween Parade; Downtown; Saturday, October 26, 2019 12:00 p.m. - conclusion of parade; Outdoor music/performances, over 50 dBa. [Ward 3]

Recommendation:  
Pass the Motion.

Background:  
The following requests for noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/26/2019 - 12:18 PM



City of Davenport

Agenda Group:  
Department: Finance  
Contact Info: Sherry Eastman 563-326-7795  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Motion approving beer and liquor license applications.

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

**Ward 3**

Jaycees of the Quad Cities Brew Ha Ha (Davenport Jaycees) - 400 W Beiderbecke Dr - Outdoor Area  
September 20 - 21, 2019 - License Type: B Beer

Mary's on 2nd (Birdland, Inc) - 832 W 2nd St - Outdoor Area September 20 - 21, 2019 "Fall Pride Fest"  
- License Type: C Liquor

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

**Ward 2**

Probstei Inn Bar & Grill (Mayberry Homestead Inc) - 6315 W Kimberly Rd - License Type: Class  
C Liquor - On Premise

**Ward 3**

Fresh Deli By Nostalgia Farms (Nostalgia Farms Market Inc) - 421 W River Dr Suite 2- Outdoor  
Area License Type: Class C Liquor- On Premise/T

Shenanigans (Here We Go Again, Inc) - 303 W 3rd St - License Type: Class C Liquor - On  
Premise

Van's Pizza Pub And Grill (TJM QC LLC) - 217 Brady Street - License Type: Class C Liquor - On  
Premise

**Ward 4**

QC Mart (Bethany Enterprises, Inc) - 1556 W Locust St - License Type: Class C Beer - Carry  
Out

The Putnam (Putnam Museum And Science Center) - 1717 West 12th St - Outdoor Area License  
Type: Class C Liquor - On Premise

**Ward 5**

QC Marts (Bethany Enterprises, Inc.) - 1313 E River Dr - License Type: Class C Beer - Carry



Out

**Ward 6**

The Mound (Mound QC, LLC) - 1029 Mound St - License Type: Class C Liquor - On Premise

**Ward 7**

Theisen's Of Davenport (Theisen's Inc) - 3808 Brady St - License Type: Class C Beer - Carry Out/WB

**Ward 8**

Harold's Jack & Jill (Slagle Foods, Inc) - 6723 NW Blvd Unit 1 - License Type: Class C Beer - Carry Out/WB

Harold's Jack N Jill (Slagle Foods, Inc) - 6723 NW Blvd Unit 2 - License Type: Class E Liquor - Carry Out

Leisure Lanes (Four Bros, LLC) - 2802 W 73rd St - Outdoor Area License Type: Class C Liquor - On Premise

Recommendation:  
Pass the Motion.

**Background:**

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

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	8/29/2019 - 5:37 PM
Finance Committee	Wright, Brandon	Approved	8/29/2019 - 5:37 PM
City Clerk	Thorndike, Tiffany	Approved	8/30/2019 - 10:45 AM



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Nichole Kriz 563-326-7784  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the plans, specifications, forms of contract, and estimate of cost for the River Dr Median Removal Project, CIP #35044. [Ward 3]

Recommendation:  
Adopt the Resolution.

Background:  
This project will include the removal of medians on River Dr from Perry St to Iowa St and the construction of left turn lanes at these locations to help facilitate flood protection at this location. Funding is available through CIP #35044.

The project is anticipated to be constructed during fall of 2019. The estimated cost is \$260,000 for the base bid plus alternate.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 11:41 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:41 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 4:46 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn

Resolution approving the plans, specifications, forms of contract and estimated cost for the River Dr. Median Removal project, CIP #35044.

WHEREAS, on the 27<sup>th</sup> day of March, 2019, plans, specifications, forms of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the River Dr. Median Removal project, CIP #35044.

WHEREAS, Notice of Hearing on plans, specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, forms of contract and estimated cost are hereby approved as the plans, specifications, form of contract and estimate of cost for said River Dr. Median Removal project.

Passed and approved this 11<sup>th</sup> day of September, 2019.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk



City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Jeff Holle 563-327-7756  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the replacement of the tank membrane within Digester #3 at the Water Pollution Control Plant (WPCP). The work is to be performed by General Constructors, Inc of Bettendorf, IA in the amount of \$320,000, CIP #39008. [Ward 1]

Recommendation:  
Adopt the Resolution.

Background:  
An Invitation to Bid was issued on July 17, 2019 and was sent to 409 vendors. On August 7, 2019, the Purchasing Division received and unsealed one responsive and responsible bid.

The current membrane of Digester #3 has failed and is unable to process solids in the tank due to methane gas escaping into the atmosphere. As one of the two large digesters, a replacement membrane is crucial to return the WPCP to full-running efficiency.

Funding for this project will be transferred from the following accounts into CIP #39008:

51151975 530319 - WPCP building improvements  
51151975 520226 - WPCP maintenance fund  
51151975 520201 - WPCP office supplies

CIPs #39003, #39005, and #39006

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_Digester #3 Membrane Replacement
▣ Backup Material	Digester #3 Membrane Replacement bid tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2019 - 4:56 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:06 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 4:48 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Digester #3 Membrane Replacement project to General Constructors, Inc. of Bettendorf, IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Digester #3 Membrane Replacement project; and

WHEREAS, General Constructors, Inc. of Bettendorf, IA, was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Digester #3 Membrane Replacement project to General Constructors, Inc. of Bettendorf, IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: DIGESTER #3 MEMBRANE REPLACEMENT

BID NUMBER: 20-7

OPENING DATE: JULY 17, 2019

GL ACCOUNT NUMBER: 71604675 530350 39003, 71606675 530350 39006,  
71605675 530350 39005, 51151975 530319, 51151975 520226, 51151975 520201

RECOMMENDATION: AWARD THE CONTRACT TO GENERAL  
CONSTRUCTORS, INC. OF BETTENDORF, IA

<u>VENDOR NAME</u>	<u>PRICE</u>
General Constructors, Inc. of Bettendorf, IA	\$320,000.00

Approved By Caitlyn Warner 8/26/19  
Purchasing Date

Approved By Nicole Wleasen 8/27/19  
PW Director Date

Approved By Brandi Gouge 8-27-19  
Budget/CIP Date

Approved By BR 8-27-2019  
Chief Financial Officer Date



City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Nick Schmuecker 563-327-5162  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the contract for the Kimberly Road Patching Project to Langman Construction, Inc of Rock Island, IL in the amount of \$794,295.50, CIP #35042. [Ward 6]

Recommendation:  
Adopt the Resolution.

Background:  
An Invitation to Bid was issued on August 2, 2019 and was sent to 545 vendors. On August 15, 2019, the Purchasing Division received and opened two responsive and responsible bids. See attached Bid Tab.

This is a project to repair concrete and composite pavement on Kimberly Road from E 32nd St to the bridge over Duck Creek.

Funding for this project is from CIP 70066680 530350 35042, the High Volume Street Repair program.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_Kimberly Road Patching Project
▣ Backup Material	PW_Kimberly Road Patching Project Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2019 - 4:59 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:11 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 4:51 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Kimberly Road Patching project to Langman Construction, Inc. of Rock Island, IL, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Kimberly Road Patching project; and

WHEREAS, Langman Construction, Inc. of Rock Island, IL, was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Kimberly Road Patching project to Langman Construction, Inc. of Rock Island, IL; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: KIMBERLY ROAD PATCHING PROJECT

BID NUMBER: 20-17

OPENING DATE: AUGUST 2, 2019

GL ACCOUNT NUMBER: 70066680 530350 35042

RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN  
CONSTRUCTION, INC. OF ROCK ISLAND, IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction, Inc. of Rock Island, IL	\$794,295.50
Hawkeye Paving Corporation of Bettendorf, IA	\$854,773.00

Approved By <u>Caitlyn Janner</u>	<u>8/26/19</u>
Purchasing	Date
Approved By <u>Nicole Gleason</u>	<u>8/27/19</u>
PW Director	Date
Approved By <u>Brauli Coen</u>	<u>8-27-19</u>
Budget/CIP	Date
Approved By <u>[Signature]</u>	<u>8-27-2019</u>
Chief Financial Officer	Date



City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Mike Atchley 563-327-5149  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the FY19 Street Finance Report from July 1, 2018 to June 30, 2019 to be submitted to the Iowa Department of Transportation. [All Wards]

Recommendation:  
Adopt the Resolution.

Background:  
In accordance with Iowa Code, section 312.15 the Street Finance Report must be submitted annually to the Iowa Department of Transportation.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW Pg 2
▣ Backup Material	Street Finance Report

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2019 - 5:01 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:02 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 4:54 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the FY2019 Street Finance Report from July 1, 2018 to June 30, 2019 to be submitted to the Iowa Department of Transportation.

WHEREAS, the Code of Iowa requires submission of a City Street Financial Report; and

WHEREAS, such report has been prepared in accordance with instructions from the Iowa Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Fiscal Year 2019 Street Finance Report is hereby approved and ordered submitted to the Iowa Department of Transportation.

BE IT FURTHER RESOLVED THAT the Mayor is hereby authorized and directed to sign said City Street Financial Report on behalf of the City of Davenport.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk





Form 517007 {5-2019}  
Office of Local Systems  
Ames, IA 50010

City Name
DAVENPORT
City Number
1827

# City Street Financial Report

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## Cover Sheet

Now therefore let it be resolved that the city council DAVENPORT, Iowa  
(City Name)

On 09/11/2019 did hereby approve and adopt the annual  
(month/day/year)

City Street Financial Report from July 1, 2018 to June 30, 2019  
(Year) (Year)

### Contact Information

Name	E-mail Address	Street Address	city	ZIP Code
Brian Krup	bkrup@ci.davenport.ia.us	226 W 4th Street	Davenport	52801-0000
Hours	Phone	Extension	Phone(Altenative)	
8-5	563-328-6789		563-328-6789	

### Preparer Information

Name	E-mail Address	Phone	Extension
Linda S. Folland	lsf@ci.davenport.ia.us	563-328-6789	

### Mayor Information

Name	E-mail Address	Street Address	city	ZIP Code
Frank J. Klipsch	fklipsch@ci.davenport.ia.us	226 W 4th Street	Davenport	52801-0000
Phone	Extension			
563-326-7701				

Resolution Number \_\_\_\_\_

\_\_\_\_\_  
Signature Mayor

\_\_\_\_\_  
Signature City Clerk





Form 517007 {5-2019}  
Office of Local Systems  
Ames, IA 50010

City Name
DAVENPORT
City Number
1827

# City Street Financial Report

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## Summary Statement Sheet

Column 1  
Road use  
Tax Fund

Column 2  
Other Street  
Monies

Column 3  
Street Debt

Column 4  
Totals

Round Figures to Nearest Dollars

A.BEGINNING BALANCE				
1. July 1 Balance	\$1,850,730	\$0	\$2	\$1,850,732
2. Adjustments (Note on Explanation Sheet)	\$0	\$0	\$0	\$0
3. Adjusted Balance	\$1,850,730	\$0	\$2	\$1,850,732
B. REVENUES				
1. Road Use Tax	\$12,877,879			\$12,877,879
2. Property Taxes		\$1,593,936	\$259,120	\$1,853,056
3. Special Assessments		\$0	\$7,520	\$7,520
4. Miscellaneous		\$0	\$11,191,973	\$11,191,973
5. Proceeds from Bonds,Notes, and Loans		\$0	\$3,810,000	\$3,810,000
6. Interest Earned		\$0	\$0	\$0
7. Total Revenues (Lines B1 thru B6)	\$12,877,879	\$1,593,936	\$15,268,613	\$29,740,428
C. Total Funds Available (Line A3 + Line B7)	\$14,728,609	\$1,593,936	\$15,268,615	\$31,591,160

Column 1  
Road use  
Tax Fund

Column 2  
Other Street  
Monies

Column 3  
Street Debt

Column 4  
Totals

Round Figures to Nearest Dollars

EXPENSES				
D. Maintenance				
1. RoadWay Maintenance	\$7,449,541	\$1,059,797	\$886,470	\$9,395,808
2. Snow and Ice Removal	\$0	\$0	\$0	\$0
E.Construction, Reconstruction and Improvements				
1. Engineering	\$1,839,183	\$176,392	\$0	\$2,015,575
2. Right of Way Purchased	\$0	\$0	\$0	\$0
3. Street/Bridge Construction	\$1,797,091	\$0	\$3,628,034	\$5,425,125
4.Traffic Services	\$892,532	\$357,747	\$3,789,814	\$5,040,093
F. Administration	\$921,774	\$0	\$0	\$921,774
G. Equipment	\$385,600	\$0	\$794,721	\$1,180,321
H. Miscellaneous		\$0	\$0	\$0
J. street Debt				
1. Bonds, Notes and Loans -Principal Paid	\$0	\$0	\$4,616,796	\$4,616,796
2. Bonds, Notes and Loans - Interest Paid	\$0	\$0	\$1,552,780	\$1,552,780
TOTALS				
K. Total Expenses (Lines D thru J)	\$13,285,721	\$1,593,936	\$15,268,615	\$30,148,272
L. Ending Balance (Line C-K)	\$1,442,888	\$0	\$0	\$1,442,888
M. Total Funds Accounted For (K + L = C)	\$14,728,609	\$1,593,936	\$15,268,615	\$31,591,160





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Office of Local Systems  
Ames, IA 50010

City Name
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# City Street Financial Report

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## Miscellaneous Revenues and Expenses Sheet

Code Number and Itemization of Miscellaneous Revenues (Line B4 on the Summary Statement Sheet)(See Instructions)	Column 2 Other Street Monies	Column 3 Street Debt
192---Donations	\$0.00	\$1,279,705.00
123---Various State Grants	\$0.00	\$3,545,172.00
174---Sales Tax / Local Option	\$0.00	\$548,757.00
144---FHWA Participation (Fed. Hwy. Admin.)	\$0.00	\$5,818,339.00
Line B4 Totals	\$0.00	\$11,191,973.00

Code Number and Itemization of Miscellaneous Expenses (Line H on the Summary Statement Sheet) "On street" parking expenses, street maintenance, buildings, insurance, administrative costs for printing, legal fees,bond fees etc. (See Instructions)	Column 2 Other Street Monies	Column 3 Street Debt
Line H Totals		





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Bonds, Notes and Loans Sheet

New Bond ?	Debt Type	Debt Purpose	DOT Use Only	Issue Date	Issue Amount	% Related to Street	Year Due	Principal Balance as of 7/1	Total Principal Paid	Total Interest Paid	Principal Roads	Interest Roads	Principal Balance as of 6/30
<input type="checkbox"/>	General Obligation	Street Improvements	101	03/21/2017	\$4,551,000	100	2032	\$4,355,070	\$236,982	\$155,219	\$236,982	\$155,219	\$4,118,088
<input type="checkbox"/>	General Obligation	Street Improvements	102	03/21/2017	\$2,470,385	100	2025	\$2,470,385	\$310,408	\$112,326	\$310,408	\$112,326	\$2,159,977
<input type="checkbox"/>	General Obligation	Street Improvements	103	04/03/2018	\$6,382,000	100	2033	\$6,382,000	\$260,003	\$300,088	\$260,003	\$300,088	\$6,121,997
<input type="checkbox"/>	General Obligation	Paving & Construction	310	03/07/2012	\$3,816,000	100	2031	\$2,633,626	\$162,216	\$105,350	\$162,216	\$105,350	\$2,471,410
<input type="checkbox"/>	General Obligation	Paving & Construction	311	05/07/2012	\$2,866,552	100	2019	\$260,124	\$260,124	\$10,405	\$260,124	\$10,405	\$0
<input type="checkbox"/>	General Obligation	Paving & Construction	312	05/07/2012	\$10,635,961	100	2024	\$4,842,250	\$1,254,833	\$145,267	\$1,254,833	\$145,267	\$3,587,417
<input type="checkbox"/>	General Obligation	Paving & Construction	322	03/05/2013	\$5,690,000	100	2032	\$4,479,434	\$267,308	\$136,319	\$267,308	\$136,319	\$4,212,126
<input type="checkbox"/>	General Obligation	Paving & Construction	324	02/12/2014	\$3,559,000	100	2029	\$3,061,163	\$228,735	\$118,626	\$228,735	\$118,626	\$2,832,428
<input type="checkbox"/>	General Obligation	Paving & Construction	325	02/12/2014	\$5,047,811	100	2023	\$3,017,547	\$746,793	\$137,410	\$746,793	\$137,410	\$2,270,754
<input type="checkbox"/>	General Obligation	Paving & Construction	326	03/10/2015	\$3,514,000	100	2030	\$2,968,704	\$203,304	\$114,762	\$203,304	\$114,762	\$2,765,400
<input type="checkbox"/>	General Obligation	Paving & Construction	327	03/23/2016	\$3,185,000	100	2031	\$2,853,176	\$172,593	\$98,478	\$172,593	\$98,478	\$2,680,583
<input type="checkbox"/>	General Obligation	Paving & Construction	328	03/23/2016	\$3,968,963	100	2024	\$3,483,836	\$513,497	\$118,530	\$513,497	\$118,530	\$2,970,339
<input checked="" type="checkbox"/>	General Obligation	Paving & Construction	329	03/19/2019	\$3,810,000	100	2034	\$3,810,000	\$0	\$0	\$0	\$0	\$3,810,000
		New Bond Totals		\$3,810,000		\$3,810,000	Totals	\$44,617,315	\$4,616,796	\$1,552,780	\$4,616,796	\$1,552,780	\$40,000,519





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Ames, IA 50010

City Name
DAVENPORT
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## City Street Financial Report

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### Project Final Costs Sheet

For construction, reconstruction, and improvement projects with costs equal to or greater than 90% of the bid threshold in effect as the beginning of the fiscal year.

Check here if there are no entities for this year ☐

### Project Final Costs Sheet (Section A)

1. Project Number	2. Estimated Cost	3. Project Type	4. Public Letting?	5. Location/Project Description (limits, length, size of structure)
35027	\$75,000	RDWY	Yes	VARIOUS BRICK STREET PATCHING
10548	\$500,000	RDWY	Yes	WEST 5TH STREET AND WESTERN AVENUE
64044	\$175,000	RDWY	Yes	DUCK CREEK BIKE PATH AT JUNGE PARK
35018	\$2,300,000	RDWY	Yes	ROCKINGHAM FROM SCHMIDT TO BIRCHWOOD
35026	\$900,000	RDWY	Yes	FY18 CONCRETE FULL DEPTH PATCHING
35026	\$475,000	RDWY	Yes	2018 MICROSURFACING AND CAPE SEAL PROGRAM
35000	\$450,000	RDWY	Yes	JERSEY RIDGE CENTER TURN LANE AT CROMWELL
28002	\$150,000	RDWY	Yes	TRAIL/SIDEWALK PRAIRIE HEIGHTS TO 54TH
28017	\$350,000	RDWY	Yes	FY18 SIDEWALK REPAIR PROGRAM
28016	\$225,000	RDWY	Yes	FY18 ADA SIDEWALK RAMP
28011	\$75,000	RDWY	Yes	UTICA RIDGE SIDEWALK KATHLEEN WAY TO VMP
INTERNAL PROJ	\$53,561	SURF	No	PINE STREET 4TH TO TELEGRAPH

### Project Final Costs Sheet (Section B)

1. Project Number	6. Contractor Name	7. Contract Price	8. Additions/ Deductions	9. Labor	10. Equipment	11. Materials	12. Overhead	13. Total
35027	CENTENNIAL CONTRACTORS	\$88,710	-\$31,086	\$0	\$0	\$0	\$0	\$57,624
10548	HAWKEYE PAVING CORP	\$478,265	\$32,282	\$0	\$0	\$0	\$0	\$510,547
64044	LANGMAN CONSTRUCTION	\$151,799	\$21,796	\$0	\$0	\$0	\$0	\$173,595
35018	LANGMAN CONST	\$2,447,694	-\$159,104	\$0	\$0	\$0	\$0	\$2,288,590
35026	LANGMAN CONST	\$975,516	-\$49,209	\$0	\$0	\$0	\$0	\$926,307





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Project Final Costs Sheet (Section B)

1. Project Number	6. Contractor Name	7. Contract Price	8. Additions/ Deductions	9. Labor	10. Equipment	11. Materials	12. Overhead	13. Total
35026	LIONMARK CONSTRUCTION	\$490,201	-\$31,281	\$0	\$0	\$0	\$0	\$458,920
35000	N J MILLER INC	\$441,450	\$16,042	\$0	\$0	\$0	\$0	\$457,492
28002	ARDO SCHMIDT	\$157,347	-\$2,882	\$0	\$0	\$0	\$0	\$154,465
28017	KELLY CONSTRUCTION	\$350,000	\$2,852	\$0	\$0	\$0	\$0	\$352,852
28016	MCDERMOTT CONCRETE	\$248,391	-\$2,466	\$0	\$0	\$0	\$0	\$245,925
28011	SMITH SEEDING	\$97,818	-\$8,097	\$0	\$0	\$0	\$0	\$89,721
INTERNAL PROJ	CITY CREWS	\$0	\$0	\$18,728	\$12,457	\$37,344	\$996	\$69,525





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## Road/Street Equipment Inventory Sheet

1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
A/T321/040 0029	2004	Freightliner Single Axle Dump Truck	\$77,877	\$0		\$0		No	JUNK
A411/04000 28	2004	Pit Boss Dump Trailer	\$30,980	\$0		\$0		Yes	NOCH
T414/01000 64	2001	Freightliner Single Axle w/Propatch Body	\$46,202	\$0		\$0		Yes	NOCH
T413/01000 63	2001	Freightliner Single Axle w/Propatch Body	\$46,202	\$0		\$0		Yes	NOCH
T412/00002 88	1999	Sterling Concrete Truck w/9 yard mixer	\$81,000	\$0		\$0		Yes	NOCH
T410/98000 61	1997	International Cab & Chassis	\$50,862	\$0		\$0		Yes	NOCH
T359/01000 05	2000	IH tandem Axle Dump w/Hook Lift	\$59,365	\$0		\$0		Yes	TRAD
T358/01000 06	2000	IH Tandem Axle Dump w/Hook Lift	\$59,365	\$0		\$0		Yes	TRAD
A354/03000 09	2003	Eliptical Dump Body	\$24,679	\$0		\$0		Yes	NOCH
T354/03000 38	2003	Freightliner Tandem Dump	\$51,552	\$0		\$0		Yes	NOCH
A345/98000 50/22	1998	Drag Hook & Hook Lift System	\$28,592	\$0		\$0		Yes	NOCH
T345/98000 70	1998	International Cab & Chassis	\$52,687	\$0		\$0		No	JUNK
T344/03000 46	2003	Freightliner Tandem Dump Truck	\$72,625	\$0		\$0		Yes	NOCH
T343/03000 45	2003	Freightliner Tandem Dump Truck	\$72,625	\$0		\$0		Yes	NOCH
T342/03000 44	2003	Freightliner Tandem Dump Truck	\$72,625	\$0		\$0		Yes	NOCH
T341/03000 43	2003	Freightliner Tandem Dump Truck	\$72,625	\$0		\$0		Yes	NOCH
T340/03000 42	2003	Freightliner Tandem Dump Truck	\$72,625	\$0		\$0		Yes	NOCH
T314/03000 90	2003	Ford 12,000 GVW Stake Bed Truck	\$13,109	\$0		\$0		Yes	NOCH
E478	1995	Metal Forms Corp Speed Screed	\$0	\$0		\$0		Yes	NOCH





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1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
E477	2001	Razor Bk Pwr Scred Power Screed	\$0	\$0		\$0		Yes	NOCH
E476	1986	Stepp Bottom Fired Kettle	\$0	\$0		\$0		Yes	NOCH
E474/02000 47	2001	Crafco Super Shot Crack Sealer	\$26,749	\$0		\$0		Yes	NOCH
E449/02001 13	2001	Asphalt Drum Asphalt Plant	\$353,600	\$0		\$0		Yes	NOCH
E422	1997	Ingram Self Propelled Roller	\$0	\$0		\$0		Yes	NOCH
E421/03000 32	2002	Ingersoll Rand Vibratory Roller	\$0	\$0		\$0		Yes	NOCH
E420/02000 48	2002	Hypac Roller Compactor	\$45,900	\$0		\$0		Yes	NOCH
E419/96000 21	1995	Rosco Roller, Self Propelled	\$45,385	\$0		\$0		Yes	NOCH
E416/92000 02	1991	Rosco Flaherty Chip Spreader	\$74,705	\$0		\$0		Yes	NOCH
E410/98001 06	1998	Etnyre Blacktopper 2000	\$48,410	\$0		\$0		Yes	NOCH
E403/02000 58	2002	John Deere Maintainer 12' Balde	\$140,800	\$0		\$0		Yes	NOCH
E402/02000 57	2002	John Deere Maintainer	\$140,800	\$0		\$0		Yes	NOCH
E401/98000 64	1997	John Deere Maintainer	\$141,500	\$0		\$0		Yes	NOCH
E387/02000 56	2002	John Deere Backhoe	\$57,925	\$0		\$0		Yes	NOCH
E380/02000 55	2002	John Deere Backhoe w/4-in-1 Bucket	\$60,225	\$0		\$0		Yes	NOCH
E071	1994	Honda Tamper	\$0	\$0		\$0		Yes	NOCH
A461	1995	Trailer, Single Axle	\$0	\$0		\$0		Yes	NOCH
A414/01000 74	2001	U-Tech Pro Patch Body	\$48,780	\$0		\$0		Yes	NOCH
A413/01000 73	2001	U-Tech Pro Patch Body	\$48,780	\$0		\$0		Yes	NOCH
A412	2001	McNeilusMixer - 9 cu yards	\$0	\$0		\$0		Yes	NOCH





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## Road/Street Equipment Inventory Sheet

1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
E399/03000 39	2003	Mack Flusher Cab-Over Chassis	\$47,265	\$0		\$0		Yes	NOCH
A399/03000 71	2003	Rosco A Lee Bay Co Flusher Body	\$23,927	\$0		\$0		Yes	NOCH
A387	1996	Werk Brau Grapple	\$0	\$0		\$0		Yes	NOCH
E404/05000 38	2005	John Deere Maintainer	\$156,500	\$0		\$0		Yes	NOCH
E405/05000 39	2005	John Deere Maintainer	\$156,500	\$0		\$0		Yes	NOCH
E417/05000 15	2005	Arrpw Hydraulic Breaker	\$65,330	\$0		\$0		Yes	NOCH
E461/05000 46	2005	Target Concrete Saw	\$12,778	\$0		\$0		Yes	NOCH
T322/05001 04	2004	Freightliner Single Axle Dump Truck	\$79,823	\$0		\$0		No	JUNK
t328/06000 88	2005	International	\$96,156	\$0		\$0		Yes	TRAD
T329/06000 87	2005	International	\$96,156	\$0		\$0		Yes	TRAD
T324/06000 85	2005	International	\$90,253	\$0		\$0		Yes	NOCH
T323/06000 89	2005	International	\$96,156	\$0		\$0		No	JUNK
T300/06000 83	2005	International	\$96,266	\$0		\$0		Yes	NOCH
T301/06000 94	2005	International	\$96,266	\$0		\$0		Yes	NOCH
T302/06000 91	2005	International	\$96,266	\$0		\$0		Yes	NOCH
T303/06000 92	2005	International	\$96,266	\$0		\$0		Yes	NOCH
T304/06000 93	2005	International	\$96,266	\$0		\$0		Yes	NOCH
E372/07000 40	2006	John Deere Wheel Loader	\$106,129	\$0		\$0		Yes	NOCH
E375/07000 41	2006	John Deere Wheel Loader	\$106,129	\$0		\$0		Yes	NOCH
E480/07000 36	2007	Crafco Pavement Cutter	\$6,785	\$0		\$0		Yes	NOCH





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1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
E376/0700053	2006	John Deere Wheel Loader	\$104,300	\$0		\$0		Yes	NOCH
E070	2006	Stihl Concrete Saw	\$775	\$0		\$0		Yes	NOCH
T325/0600090	2005	International single axle dump truck	\$90,536	\$0		\$0		Yes	NOCH
T415/0700033	2007	International Pro-patch single axle chassis	\$110,725	\$0		\$0		Yes	NOCH
E475/0700037	2007	Crafco Pavement Cutter	\$6,785	\$0		\$0		Yes	NOCH
T302/0600091	2005	International	\$96,266	\$0		\$0		No	NA
T303/0600092	2005	International	\$96,266	\$0		\$0		No	NA
T304/0600093	2005	International	\$96,266	\$0		\$0		No	NA
T362/0800069	2008	1 Ton fletebed with air compressor	\$30,662	\$0		\$0		Yes	NOCH
T363/0800068	2008	1 Ton flatbed with air compress & toolboxes	\$42,225	\$0		\$0		Yes	NOCH
T361/0800065	2008	4 X 2 flatbed with toolboxes	\$20,303	\$0		\$0		Yes	NOCH
T360/0800066	2008	4 X 2 flatbed with toolboxes	\$20,303	\$0		\$0		Yes	NOCH
T365/0800070	2008	F350 4 X 2 dump	\$24,147	\$0		\$0		Yes	NOCH
T310/0800056	2008	Single Axle dump	\$110,275	\$0		\$0		Yes	NOCH
T311/0800059	2008	Single Axle dump	\$110,275	\$0		\$0		Yes	NOCH
T306/0800060	2008	Single Axle w/dump body	\$110,275	\$0		\$0		Yes	NOCH
T307/0800057	2008	Single Axle w/dump body	\$110,275	\$0		\$0		Yes	NOCH
T305/0800058	2008	Single Axle w/dump body	\$110,275	\$0		\$0		Yes	NOCH
T308/0800054	2008	Single Axle w/dump body	\$110,275	\$0		\$0		Yes	NOCH
T309/0800055	2008	Single Axle w/dump body	\$110,275	\$0		\$0		Yes	NOCH





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## Road/Street Equipment Inventory Sheet

1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
E373/08000 71	2008	Skid Steer Loader	\$47,032	\$0		\$0		Yes	NOCH
T352/08000 61	2008	Tandem Axle w/dump body	\$133,519	\$0		\$0		Yes	TRAD
T351/08000 62	2008	Tandem Axle w/dump body	\$133,519	\$0		\$0		Yes	TRAD
T353/08000 63	2008	Tandem Axle w/dump body	\$124,756	\$0		\$0		Yes	NOCH
T350/08000 64	2008	Tandem Axle w/dump body	\$124,756	\$0		\$0		Yes	NOCH
E409/09000 15	2009	John Deere 700J Dozer	\$133,000	\$0		\$0		Yes	NOCH
E371/09000 16	2009	John Deere Loader w/plow	\$151,471	\$0		\$0		Yes	NOCH
T044/20100 039	2010	Ford F350 Truck	\$27,316	\$0		\$0		Yes	NOCH
T043/20100 040	2010	Ford F350 Truck	\$27,316	\$0		\$0		Yes	NOCH
A395/20100 046	2010	Street Sweeper	\$80,867	\$0		\$0		Yes	NOCH
E392/20100 048	2010	Street Sweeper Chassis	\$63,600	\$0		\$0		Yes	NOCH
T411/20100 051	2010	International 7600	\$89,680	\$0		\$0		Yes	NOCH
T336/20100 052	2010	International dump truck body	\$52,337	\$0		\$0		Yes	NOCH
T337/20100 053	2010	International dump truck body	\$52,337	\$0		\$0		Yes	NOCH
T338/20100 054	2010	International dump truck body	\$52,337	\$0		\$0		Yes	NOCH
T339/20100 055	2010	International dump truck body	\$52,337	\$0		\$0		Yes	NOCH
T338/20100 077	2010	International 7300 chassis	\$61,263	\$0		\$0		Yes	NOCH
T336/20100 078	2010	International 7300 chassis	\$61,263	\$0		\$0		Yes	NOCH
T339/20100 079	2010	International 7300 chassis	\$61,263	\$0		\$0		Yes	NOCH
T337/20100 080	2010	International 7300 chassis	\$61,263	\$0		\$0		Yes	NOCH





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## Road/Street Equipment Inventory Sheet

1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
E406/20110 206	2010	John Deere 770G Motor Grader	\$200,072	\$0		\$0		Yes	NOCH
A421/20120 001	2011	Drop Deck trailer	\$13,854	\$0		\$0		Yes	NOCH
A423/20120 002	2011	Drop Deck trailer	\$13,854	\$0		\$0		Yes	NOCH
A489/20120 030	2011	Leeboy Asphalt paver	\$98,641	\$0		\$0		Yes	NOCH
eb485/2001 20024	2011	skid with 2 buckets and broom	\$39,823	\$0		\$0		Yes	NOCH
eb486/2012 0025	2011	skid with 2 buckets and broom	\$49,896	\$0		\$0		Yes	NOCH
eb487/2012 0026	2011	skid with 2 buckets and broom	\$39,823	\$0		\$0		Yes	NOCH
ta041/2013 0043	2013	Pick up 4X4 with plow and spreader	\$40,385	\$0		\$0		Yes	NOCH
ta040/2013 0042	2013	pick up 4X4 with plow and spreader	\$40,385	\$0		\$0		Yes	NOCH
a450	2012	vibco, roller 2 ton pro-heat minute man	\$71,260	\$0		\$0		Yes	NOCH
a462	2013	trailer 6.5X10, tilt	\$2,994	\$0		\$0		Yes	NOCH
e462	2012	concrete saw self propelled	\$22,240	\$0		\$0		Yes	NOCH
e481/20140 006	2013	crack sealer	\$31,315	\$0		\$0		Yes	NOCH
e482/20140 007	2013	crack sealer	\$31,315	\$0		\$0		Yes	NOCH
20140008	2014	salt brine tank	\$14,138	\$0		\$0		Yes	NOCH
e056	2010	concrete spray pump	\$0	\$0		\$0		Yes	NOCH
E489/20150 001	2014	AZ 480 Mill	\$33,000	\$0		\$0		Yes	NOCH
F414/20150 002	2014	Bomag Single Drum roller	\$5,865	\$0		\$0		Yes	NOCH
E432/20150 003	2015	Single on-grade dowell drill	\$7,275	\$0		\$0		Yes	NOCH
T366/20150 004	2015	F-550 Ford Truck	\$63,007	\$0		\$0		Yes	NOCH





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1. Local Class I.D. #	2. Model Year	3. Description	4. Purchase Cost	5. Lease Cost	/Unit	6. Rental Cost	/Unit	7. Used On Project this FY?	8. Status
E426/20150 005	2015	Mitsubishi Pneumatic Cat Fork lift	\$25,240	\$0		\$0		Yes	NOCH
A448/20150 006	2014	Mudjack trailer/pump MMT	\$13,750	\$0		\$0		Yes	NOCH
E448/20150 007	2014	Mudjacking buggy	\$14,450	\$0		\$0		Yes	NOCH
A420/20150 008	2007	TrailKing Hydraulic tail drop deck trailer	\$35,080	\$0		\$0		Yes	NOCH
T045/20160 009	2016	FORD F150-WHITE	\$27,769	\$0		\$0		Yes	NOCH
20160010	1978	Tanker Trailer	\$14,000	\$0		\$0		Yes	NOCH
E731/20160 011	2015	Message Board SMC-4000	\$11,786	\$0		\$0		Yes	NOCH
E732/20160 012	2015	Message Board SMC-4000	\$11,786	\$0		\$0		Yes	NOCH
E730/20160 013	2015	Message Board SMC-1000HE	\$14,994	\$0		\$0		Yes	NOCH
B374/20160 014	2003	Tencon snowblower	\$33,500	\$0		\$0		Yes	NOCH
E447/20160 021	2015	Leeboy paver	\$10,000	\$0		\$0		Yes	NOCH
A416/20160 024	2016	Peterbilt spray patcher	\$220,409	\$0		\$0		Yes	NOCH
20160025	2016	HB1380 breaker w/ nail point	\$9,747	\$0		\$0		Yes	NOCH
A418/20160 026	2015	22' trailer w/ ramps	\$20,100	\$0		\$0		Yes	NOCH
T367/20160 027	2015	F550 dump truck	\$49,500	\$0		\$0		Yes	NOCH
A491/20170 005	2016	22 foot split tilt trailer	\$6,250	\$0		\$0		Yes	NOCH
20170006	2016	5500 gallon HDLPE Storage Tank	\$15,981	\$0		\$0		Yes	NOCH
20170007	2016	5500 Gallon HDLPE storage tank	\$15,981	\$0		\$0		Yes	NOCH
20170026/T 355	2015	Dump truck with Plow	\$141,900	\$0		\$0		Yes	NOCH
20170027/E 468	2016	70' Stainless Salt Conveyor with hopper	\$93,342	\$0		\$0		Yes	NOCH





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20170029/A 417	2017	Leeby RA400 patcher	\$224,295	\$0		\$0		Yes	NOCH
20170031/T 729	2017	White RAM 1500 ST Truck	\$23,909	\$0		\$0		Yes	NOCH
20170030/T 019	2017	White RAM 1500 ST Truck	\$23,909	\$0		\$0		Yes	NOCH
20180013/E 484	2018	Bobcat Skid Loader	\$55,156	\$0		\$0		Yes	NOCH
20180014/A E390	2018	Tymco 600 Street Sweeper	\$229,000	\$0		\$0		Yes	NOCH
20180021/B 363	2018	EZ Drill and dust collection system	\$13,340	\$0		\$0		Yes	NOCH
20180230/T 319	2018	DUMP BODY/ MID MOUNT	\$58,478	\$0		\$0		Yes	NOCH
20180231/T 323	2018	DUMP BODY	\$60,653	\$0		\$0		Yes	NOCH
20180232/T 320	2018	DUMP BODY	\$60,653	\$0		\$0		Yes	NOCH
20180233/T 321	2018	DUMP BODY WITH SALT SPREADER	\$77,128	\$0		\$0		Yes	NOCH
20180234/T 322	2018	DUMP BODY WITH SALT SPREADER	\$77,128	\$0		\$0		Yes	NOCH
200190200/T327	2020	FREIGHTLINER 108SD/DUMP BODY	\$135,547	\$0		\$0		No	NEW
20190201/T 328	2020	FREIGHTLINER 108SD/DUMP BODY	\$120,352	\$0		\$0		No	NEW
20190202/T 357	2020	FREIGHTLINER 108SD/DUMP BODY	\$118,244	\$0		\$0		No	NEW
20190203/T 351	2020	FREIGHTLINER 108SD/DUMP BODY	\$149,494	\$0		\$0		No	NEW
20190204/T 352	2020	FREIGHTLINER 108SD/DUMP BODY	\$145,339	\$0		\$0		No	NEW
20190205/T 356	2020	FREIGHTLINER 108SD/DUMP BODY	\$125,744	\$0		\$0		No	NEW





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## Explanation Sheet

Comments
City project explanation will be send under separate cover.





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## Monthly Payment Sheet

Month	Road Use tax Payments
July	\$950,674.18
August	\$1,507,258.14
September	\$1,446,243.70
October	\$893,522.06
November	\$1,117,630.74
December	\$1,131,523.20
January	\$1,087,633.27
February	\$1,077,842.59
March	\$877,906.95
April	\$542,529.51
May	\$1,201,774.93
June	\$1,043,339.48
Totals	\$12,877,878.75



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Mike Kramer 563-327-5141  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution of acceptance for the construction of E Locust St Pavement Improvements (Kenwood Ave to Broadlawn Ave), CIP #35032, completed by Langman Construction, Inc of Rock Island, IL. [Ward 6]

Recommendation:  
Adopt the Resolution.

Background:  
This project replaced and upgraded the storm sewer system, repaired known sanitary sewer lateral compromises, improved sidewalks at ADA ramps, and a complete mill and HMA overlay was done on Locust St from Kenwood Ave to Broadlawn Ave.

Langman Construction Inc performed the work at a total cost of \$1,412,004.47.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/28/2019 - 11:13 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:31 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 4:55 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn

Resolution of acceptance for the construction of East Locust Street Pavement Improvements (Kenwood Avenue to Broadlawn Avenue), CIP #35032, completed by Langman Construction, Inc. of Rock Island, IL

Whereas, the City of Davenport entered into a contract with Langman Construction, Inc. of Rock Island, Illinois for construction work; and

Whereas, work on the project has been satisfactorily completed

Now, Therefore, Be It Resolved, by the City Council of the City of Davenport, Iowa: that the East Locust Street Pavement Improvements (Kenwood Avenue to Broadlawn Avenue), CIP #35032 is hereby accepted.

Passed and approved this 11<sup>th</sup> day of September, 2019.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Mike Kramer 563-327-5141  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving change order #1 to the N Lincoln Ave Reconstruction Project (W Locust St to Central Park Ave) with McCarthy Improvement Company in the amount of \$114,670, CIP #35035. [Ward 4]

Recommendation:  
Adopt the Resolution.

Background:

During construction, excavation activities yielded excessive poor structural soil for the roadway's sub-base. Public Works staff and the City's contractor have agreed to include a new item into the contract, Geotextile Fabric, along with increasing the line item quantities for crushed rock stabilization. These materials will provide a stronger sub-base prior to a new concrete surface being installed. The proposed change order also includes the replacement of a traffic signal loop at the south end of the intersection of Lincoln and Locust.

CONTRACT SUMMARY:

Original Contract Amount	\$789,213.35
Change Order # 1	\$114,670.00
Total Amended Contract	\$903,883.35

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Lincoln Ave Change Order 1

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 10:45 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:45 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 4:59 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn

RESOLUTION approving change order #1 to the N Lincoln Ave Reconstruction Project (W Locust St to Central Park Ave), with McCarthy Improvement Company in the amount of \$114,670, CIP #35035.

WHEREAS, the City of Davenport entered into a contract with McCarthy Improvement Company of Davenport, Iowa for the construction of the N Lincoln Ave Reconstruction Project; and

WHEREAS, on-site excavation yielded wet soils condition for the subbase of the proposed roadway. This condition incited a need for Geotextile Fabric, not a bid item, and the addition of quantity to Crushed Rock Stabilization, a bid item engineered as an estimated contingency. In addition, Traffic Loop Replacement is necessary at the south end of Lincoln near Locust St due to pavement removal operations planned and performed in that area.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa, that change order #1 to the N Lincoln Ave Reconstruction Project with McCarthy Improvement Company in the amount of \$114,670 is hereby approved, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to sign said change order #1 for and on behalf of the City of Davenport, Iowa.

Passed and approved this 11<sup>th</sup> day of September, 2019.

Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk





## City of Davenport

Public Works Department

1200 East 46<sup>th</sup> Street • Davenport, Iowa 52807

Telephone: 563-326-7923 Fax: 563-327-5182

### APPROVALS

ENGINEERING ADMIN MNG  
(Work is Needed)

CHIEF OF DESIGN/CONSTR  
(Work is Necessary)

CAPITAL MANAGER  
(Funds are Available)

CITY ENGINEER  
(Approval)

McCarthy Improvement  
Attn: Aaron Lubitz  
5401 Victoria Avenue  
Davenport, Iowa 52807

PROJECT TITLE: N. Lincoln Ave. Reconstruction Project – Change Order #1 (three items)  
CIP #35035

Description to Contractor: McCarthy Improvement is providing construction service associated with the Construction of N. Lincoln Ave. Reconstruction Project CIP 35035.

### Change Order #1 DESCRIPTION:

#### Traffic Loop Replacement

Add Item

Traffic Loop Replacement is necessary north of Locust Street for the southbound traffic on Lincoln and was not included in the plan set. The contractor has proposed doing the work for \$8,500.00 plus one working day added to the project.

#### Item 15 Crushed Rock Stabilization

Add quantity to Item 15 Crushed Rock Stabilization

Crushed Rock Stabilization was included in the plan set as a contingency item of 590 Tons. Existing subgrade conditions yielded a need for an estimated additional 2,540 Tons of Crushed Rock Stabilization.

The contractor has proposed installing the additional Stabilization at plan unit price of \$40.50 per Ton or an estimated \$102,870.00

#### Geotextile Fabric

Add Item

Geotextile Fabric is necessary at the north end of the Lincoln Avenue Reconstruction Project. Wet, non-supportive soils were encountered and require a geotextile fabric layer to supply additional weight distribution to the geo-grid already being placed and to segregate the stabilization rock from the wet soils.

The contractor has proposed installing the Geotextile Fabric for \$3.00 per Square Yard over an estimated area of 1,100 Square Yards for a price of \$3,300.00

This change order approves the additional contract amount to be used for construction installation services requested and to be performed by McCarthy Improvement.





## City of Davenport

Public Works Department

1200 East 46<sup>th</sup> Street • Davenport, Iowa 52807  
Telephone: 563-326-7923 Fax: 563-327-5182

### SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$	789,213.35	
Change Order #1			
	\$	8,500.00	Traffic Loop
	\$	102,870.00	Additional Rock Stabilization
	\$	<u>3,300.00</u>	Geotextile Fabric
Amended Contract Amount:	\$	903,883.35	

Recommend/Approved: \_\_\_\_\_  
(Up to \$5,000) Project Manager

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

Recommend/Approved: \_\_\_\_\_  
Contractor

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

Recommend/Approved: \_\_\_\_\_  
(Up to \$15,000) Nicole Gleason, Public Works Director

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

Recommend/Approved: \_\_\_\_\_  
(Up to \$50,000) Corrin Spiegel, City Administrator

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

Recommend/Approved: \_\_\_\_\_  
(Over \$50,000) City Clerk, City of Davenport

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

Required: Green Sheet Resolution to Approve Council Meeting Date: \_\_\_\_\_



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Jen Walker 563-326-6168  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the plans, specifications, forms of contract, and estimate of cost for Phase II of the Downtown Decorative Streetlight LED Retrofit Project, CIP #60020. [Ward 3]

Recommendation:  
Adopt the Resolution.

Background:  
The second phase of the project will replace and upgrade all non-Holophane brand ornamental streetlights in the downtown with LED Holophane brand fixtures. Currently, Phase I of the project is underway. Phase II is estimated at \$84,150.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Exhibit	sample Holophane fixture

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 10:02 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:02 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 5:12 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

Resolved by the City Council of the City of Davenport.

Resolution approving the plans, specifications, forms of contract, and estimated cost for Phase II of the Downtown Decorative Streetlight LED Retrofit project, CIP #60020.

Whereas, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Downtown Ornamental Streetlight Upgrade for Non-Holophane Lights project; and

Whereas, Notice of Hearing on plans, specifications, and forms of contract was published as required by law:

Now, Therefore, Be It Resolved, by the City Council of the City of Davenport, that said plans, specifications, forms of contract, and estimated cost are hereby approved for Phase II of the Downtown Decorative Streetlight LED Retrofit project.

Passed and approved this 11<sup>th</sup> day of September, 2019.

Approved:

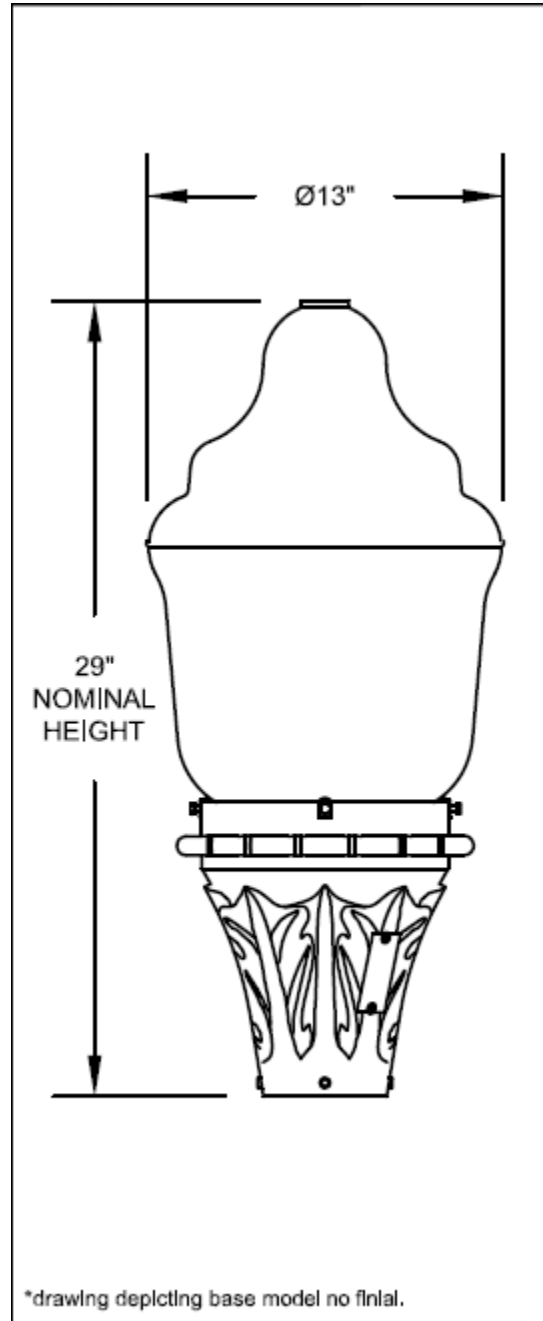
Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk



Holophane Granville LED Complete Head Assembly





City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Nicole Gleason 563-327-5150  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the contract for West 28 1/2 St and Gaines St Resurfacing project to McCarthy Improvement Company of Davenport, IA in the amount of \$148,702.50, CIP #35036.  
[Ward 7]

Recommendation:  
Adopt the Resolution.

Background:

An Invitation to Bid was issued on August 16, 2019 and send to contractors. On August 28, 2019, the Purchasing Division opened and read one responsive and responsible bid. See bid tab attached.

This work is for the resurfacing of W 28th 1/2 St and Gaines St between Western Ave and W 30th St, including: full depth HMA patching, new 2" HMA resurfacing, granular shoulders, and topsoil/seeding.

McCarthy Improvement Company has successfully performed similar work for the City in the past.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_W 28 1/2 ST and Gaines St Resurfacing
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/29/2019 - 11:14 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:33 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 5:17 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the West 28 ½ St and Gaines St Resurfacing project to McCarthy Improvement Company of Davenport IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the West 28 ½ St and Gaines St Resurfacing project; and

WHEREAS, McCarthy Improvement Company of Davenport IA was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the West 28 ½ St and Gaines St Resurfacing project to McCarthy Improvement Company of Davenport IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: WEST 28 ½ ST & GAINES ST RESURFACING

BID NUMBER: BID #20-29

OPENING DATE: AUGUST 28, 2019

GL ACCOUNT NUMBER: CIP 35036

RECOMMENDATION: AWARD THE CONTRACT TO MCCARTHY  
IMPROVEMENT COMPANY OF DAVENPORT

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
McCarthy Improvement Company of Davenport	\$148,702.50

Approved By Kristi Keller 8-28-19  
Purchasing

Approved By Nicole Gleason 8/28/19  
PW Director

Approved By Brenda Coy 8-28-19  
Budget/CIP

Approved By [Signature] 8-28-2019  
Chief Financial Officer



City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Nicole Gleason 563-327-5150/Chief Sikorski 563-888-3558  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the contract for the Police Department parking garage deck/joint repairs to Western Specialty Contractors of West Des Moines, IA in the amount of \$249,709, CIP #23027. [Ward 3]

Recommendation:  
Adopt the Resolution

Background:  
On August 12, 2019, an Invitation to Bid was issued and sent to contractors. On August 27, 2019, the Purchasing Division opened and read two responsive and responsible bids. Western Specialty Contractors of West Des Moines IA was the lowest responsive and responsible bidder. See bid tab attached.

These repairs are necessary due to structural wear. There is daylight shining through the joints. This project will fill and seal the holes and repair the joints.

Funding for this project is from the CIP #23027 Police Station Parking Deck Repair.

ATTACHMENTS:

Type	Description
▢ Cover Memo	PW_RES_Police Dept Parking Garage Joint-Deck Repairs
▢ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/30/2019 - 10:36 AM
Public Works Committee	Lechvar, Gina	Approved	8/30/2019 - 10:36 AM
City Clerk	Thorndike, Tiffany	Approved	8/30/2019 - 4:09 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Police Dept. Parking Garage Deck/Joint Repairs project Western Specialty Contractors of West Des Moines IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Police Dept. Parking Garage Deck/Joint Repairs project; and

WHEREAS, Wester Specialty Contractors of West Des Moines IA was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Police Dept. Parking Garage Deck/Joint Repairs project to Western Specialty Contractors of West Des Moines IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: POLICE DEPT PARKING GARAGE DECK/JOINT REPAIRS

BID NUMBER: BID #20-25

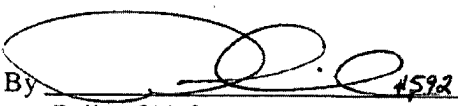
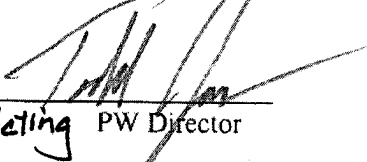
OPENING DATE: AUGUST 27, 2019

GL ACCOUNT NUMBER: CIP 23027

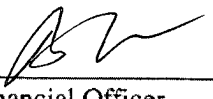
RECOMMENDATION: AWARD THE CONTRACT TO WESTERN SPECIALTY  
CONTRACTORS OF WEST DES MOINES IA

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Western Specialty Contractors of West Des Moines IA	\$249,709
Bi-State Masonry Inc. of Rock Island IL	\$274,905

Approved By   
Purchasing

Approved By  #592   
Police Chief Acting PW Director

Approved By  8-30-19  
Budget/CIP

Approved By  8-29-2019  
Chief Financial Officer



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Nicole Gleason 563-326-7734  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the contract for the 2300 block of N Fairmount St Reconstruction project to Langman Construction Inc. of Rock Island, in the amount of \$344,960.46. CIP #35035. [Ward 2]

Recommendation:  
Adopt the Resolution.

Background:  
On August 19, 2019 an Invitation to Bid was issued and sent to contractors. On August 30, 2019, the Purchasing Division opened with five (5) responsive and responsible bids. The approved bid tab is attached.

Langman Construction Inc. of Rock Island Inc. was the lowest responsive and responsible bidder.

This project will include removal of roadway pavers and base materials and replacement with a PCC pavement section, storm sewer work, curb and gutter and driveway replacement.

Funding for this project is from the CIP 70066675 530350 35042 High Volume Street Repair Program, funds in this account come from Road Use Tax and the sale of bonds.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_Fairmount Reconstruction
▣ Cover Memo	Fairmount Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 12:25 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 12:26 PM
City Clerk	Thorndike, Tiffany	Approved	8/30/2019 - 4:55 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Fairmount St Reconstruction Central Park Ave to Lombard project to Langman Construction Inc. of Rock Island IL, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Fairmount St Reconstruction Central Park Ave to Lombard project; and

WHEREAS, Langman Construction Inc. of Rock Island IL, was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Fairmount St Reconstruction Central Park Ave to Lombard project to Langman Constsruction Inc of Rock Island IL; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: FAIRMOUNT ST RECONSTRUCTION CENTRAL PARK  
TO LOMBARD

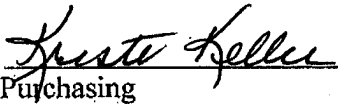
BID NUMBER: BID #20-31

OPENING DATE: AUGUST 30, 2019


GL ACCOUNT NUMBER: CIP 35042 HIGH VOLUME ST REPAIR PROG


RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN  
CONSTRUCTION INC OF ROCK ISLAND IL

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Langman Construction Inc of Rock Island IL	\$344,960.46
Valley Construction Company of Rock Island IL	\$381,609.01
Centennial Constructors of the Quad Cities of Moline IL	\$409,997.50
Hawkeye Paving Corporation of Bettendorf IA	\$427,980.00
Treiber Construction Company of Davenport	\$429,912.25

Approved By  8-30-19  
Purchasing

Approved By  8/30/19  
PW Director

Approved By  8-30-19  
Budget/CIP

Approved By  8-30-2019  
Chief Financial Officer



City of Davenport

Agenda Group:  
Department: Public Works - Engineering  
Contact Info: Nicole Gleason 563-327-5150  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the contract for the Jersey Ridge Road Patching project to Hawkeye Paving Corporation in the amount of \$509,055, CIP #35035. [Ward 6]

Recommendation:  
Adopt the Resolution

Background:  
On August 18, 2019 an Invitation to Bid was issued and sent to contractors. On August 30, 2019, the Purchasing Division opened with three responsive and responsible bids. See Bid Tab attached.

Hawkeye Paving Corporation was the lowest responsive and responsible bidder.

This patching project to repair Jersey Ridge Road between E. 41<sup>st</sup> and E. 46<sup>th</sup>.

Funding for this project is from the CIP 70066675 530350 35042 High Volume Street Repair Program, funds in this account come from Road Use Tax and the sale of bonds.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	PW Pg 2
▣ Backup Material	Bid Tab

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/30/2019 - 12:26 PM
Public Works Committee	Lechvar, Gina	Approved	8/30/2019 - 12:26 PM
City Clerk	Thorndike, Tiffany	Approved	8/30/2019 - 4:08 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Jersey Ridge Rd. Patching project to Hawkeye Paving Corporation of Bettendorf IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Jersey Ridge Rd Patching project; and

WHEREAS, Hawkeye Paving Corporation of Bettendorf IA was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Jersey Ridge Rd Patching project to Haweye Paving Corporation of Bettendorf IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: JERSEY RIDGE RD PATCHING

BID NUMBER: BID #20-32

OPENING DATE: AUGUST 30, 2019

GL ACCOUNT NUMBER: CIP 35035 HIGH VOLUME ST REPAIR PROG

RECOMMENDATION: AWARD THE CONTRACT TO HAWKEYE  
PAVING CORP. OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Hawkeye Paving Corp. of Bettendorf	\$509,055.00
Langman Construction Inc. of Rock Island IL	\$549,538.00
Treiber Construction Company Inc. of Davenport	\$595,583.75

Approved By Kristi Keller 8-30-19  
Purchasing

Approved By Nicole McLean 8/30/19  
PW-Director

Approved By Breli Cox 8-30-19  
Budget/CIP

Approved By [Signature] 8-30-2019  
Chief Financial Officer



City of Davenport

Agenda Group:  
Department: Public Works - Admin  
Contact Info: Tom Vesalga 563-326-7783  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Motion awarding the Underground Storage Tank Removal project at the Davenport Municipal Airport to Impact7G, Inc of Clive, IA in the amount of \$67,194.12, CIP #20011. [Ward 8]

Recommendation:  
Pass the Motion.

Background:  
An Invitation to Bid was issued on July 23, 2019 and was sent to 28 vendors. On August 22, 2019, the Purchasing Division received and opened four responsive and responsible bids.

The Davenport Municipal Airport has four non-operational 10,000 gallon underground fuel storage tanks needing to be removed per Iowa DNR mandates. Only licensed underground storage tank removal professionals can be hired for this project.

Funding for this project is from 73524675 530350 20011 and 73524680 530350 20011, both of which are accounts for construction costs related to underground fuel tank removal.

ATTACHMENTS:

Type	Description
Backup Material	PW_Underground Storage Tank Removal Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/27/2019 - 4:54 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 10:06 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 5:18 PM



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: UNDERGROUND STORAGE TANK REMOVAL & RECOVERY

BID NUMBER: 20-10

OPENING DATE: JULY 23, 2019

GL ACCOUNT NUMBER: 73524675 530350 20011  
73524680 530350 20011

RECOMMENDATION: AWARD THE CONTRACT TO IMPACT7G, INC. OF  
CLIVE, IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Impact7G, Inc. of Clive, IA	\$67,194.12
J. Pettiecord, Inc. of Bondurant, IA	\$69,892.00
Seneca Companies, Inc. of Des Moines, IA	\$144,846.60
CPEC of Blue Grass, IA	\$174,150.45

Approved By Caithlyn Warner 8/26/19  
Purchasing Date

Approved By Nicole Gleason 8/27/19  
PW Director Date

Approved By Brandi Coyn 8-27-19  
Budget/CIP Date

Approved By [Signature] 8-27-2019  
Chief Financial Officer Date



City of Davenport

Agenda Group:  
Department: Finance  
Contact Info: Ryan Devlin 563-888-3108  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Resolution approving the purchase of a battery-electric ice resurfacer for The River's Edge from CTM Services, Inc of Lonsdale, MN in the amount of \$167,650, CIP #24016. [Ward 3]

Recommendation:  
Adopt the Resolution

Background:  
An Invitation to Bid was issued on August, 2, 2019 and was sent to 32 vendors. On August 16, 2019, the Purchasing Division received and unsealed two responsive and responsible bids.

The River's Edge operates an Olympic-sized ice rink that requires daily maintenance using an ice resurfacer. The current machine in use has rusted over time and is fueled by propane. A battery-electric resurfacer with stainless steel comprising the chassis/bin will not only run more efficiently, but will remove the risk of exhaust being released into the rink and prevent rust from forming even after years of use.

The older ice resurfacer will be traded in as part of the transaction of purchasing the new unit.

Funding for this purchase is from CIP #24016.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	FIN_RES_Battery Electric Ice Resurfacer
▣ Backup Material	FIN_Battery Electric Ice Resurfacer Bid Tab

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	8/29/2019 - 11:48 AM
Finance Committee	Wright, Brandon	Approved	8/29/2019 - 11:48 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 5:19 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Matson.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of a battery-electric ice resurfacer for The River's Edge from CTM Services, Inc. of Lonsdale, MN in the amount of \$167,650, CIP #24016.

WHEREAS, the Parks Department needs to replace the older ice resurfacer; and

WHEREAS, CTM Services, Inc. of Lonsdale, MN was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the purchase of a battery-electric ice resurfacer from CTM Services, Inc. of Lonsdale, MN; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

\_\_\_\_\_  
Frank Klipsch  
Mayor



CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: BATTERY ELECTRIC ICE RESURFACER

BID NUMBER: 20-18

OPENING DATE: AUGUST 2, 2019

GL ACCOUNT NUMBER: 76510680 530350 24016

RECOMMENDATION: AWARD THE BID TO CTM SERVICES, INC. OF  
LONSDALE, MN

<u>VENDOR NAME</u>	<u>PRICE</u>
CTM Services, Inc. of Lonsdale, MN	\$167,650.00
Zamboni Company of Paramount, CA	\$171,361.20

Approved By Christy Warner 8/26/19  
Purchasing Date

Approved By Nicole McLeason 8/27/19 Charles Lypn 8/27/19  
PW Director Date

Approved By Brandi Coyle 8-27-19  
Budget/CIP Date

Approved By [Signature] 8-27-2019  
Chief Financial Officer Date



City of Davenport

Agenda Group:  
Department: Finance  
Contact Info: Alderman Mike Matson & Alderman Ray Ambrose  
Wards:

**Action / Date**  
**9/4/2019**

**Subject:**

Motion waiving the remaining annual lease payment of \$53,245.24 by Main Street Iowa, LLC for the use of Modern Woodmen Park due to 2019 Mississippi River flooding and restricted access caused by Canadian Pacific's rail raising project. [Ward 3]

**Recommendation:**

Pass the Motion.

**Background:**

Davenport's municipally-owned ballpark, Modern Woodmen Park, has received several awards, including best minor league ballpark in America, as a great venue for guests and fans to enjoy baseball. The ballpark is leased by Main Street Iowa, LLC which pays an annual rent amount of \$273,000 to the City.

The 2019 season brought multiple challenges for use of the ballpark. The largest impacts were caused by Mississippi River flooding and Canadian Pacific's unannounced project that raised the tracks on Gaines Street in front of the stadium by approximately three feet. The Ballpark Lease Agreement between the City and the team provides a specific lease abatement amount for each home game that is cancelled due to flooding. The 2019 rent abatement amount totals \$219,754.76 for 19 cancelled home games.

While the Ballpark Lease Agreement addresses financial impact to the team due to river flooding, it did not contemplate the operational and financial impact to Main Street Iowa, LLC due to Canadian Pacific's rail raising project. Due to the tracks being raised, the team lost complete access to the ballpark for employees, players, and scheduled event attendees. The team also incurred financial costs related to finding temporary work space and temporary technology equipment to continue their work.

This Motion recognizes the ongoing positive and beneficial relationship between the City and the team that, over time, has resulted in the best minor league ballpark in America. With \$219,754.76 of the team's \$273,000 lease payment already being abated due to river flooding, this motion waives the remaining \$53,245.24 to more specifically address the real financial impact of the rail raising project that limited Main Street Iowa's use of the ballpark.

**ATTACHMENTS:**

Type	Description
Backup Material	2019 Rent Abatement for River Flooding

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	8/14/2019 - 10:19 AM
Finance Committee	Wright, Brandon	Approved	8/14/2019 - 10:20 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 5:24 PM









## City of Davenport

Finance Administration  
226 West Fourth Street • Davenport, Iowa 52801  
Telephone: 563-326-7750 • Fax: 563-888-2079  
[www.cityofdavenportiowa.com](http://www.cityofdavenportiowa.com)

August 5, 2019

Main Street Iowa, LLC  
ATTN: David Heller  
Modern Woodmen Park  
209 South Gaines Street  
Davenport, IA 52802

**RE: \$219,754.76 LEASE PAYMENT ABATEMENT FOR MISSISSIPPI RIVER FLOODING PER SECTION 12 OF THE STADIUM LEASE AGREEMENT**

Dear Dave,

As described in Section 12 of the Stadium Lease Agreement ("Agreement"), the City will abate the 2019 lease payment by Main Street Iowa, LLC ("Team") in the amount of \$11,566.04 per home game cancelled due to river flooding. The purpose of this letter is to memorialize and confirm the 2019 lease abatement amount.

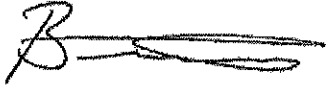
Mississippi River flooding in 2019 resulted in the cancellation of nineteen (19) home games by the Team. The total 2019 lease abatement for this season is \$219,754.76. I have prepared a schedule below showing the lease abatement schedule and future lease payments. The City acknowledges that Payment #1 for 2019 (received February 25, 2019) was made in full. Therefore, the abatement schedule begins with Payment #2 for 2019 according to the schedule below. Your signature at the bottom of this letter confirms that the City and Team agree as to the amount of the lease abatement and the schedule presented below.

PAYMENT	INVOICE DATE	LATE BY DATE	ABATEMENT AMOUNT	AMOUNT DUE
2019   #2	May 15, 2019	July 31, 2019	\$68,250.00	\$0.00
2019   #3	July 15, 2019	September 30, 2019	\$68,250.00	\$0.00
2019   #4	September 15, 2019	November 30, 2019	\$68,250.00	\$0.00
2020   #1	December 31, 2019	March 2, 2020	\$15,004.76	\$53,245.24



As always, the City remains committed to the success of Modern Woodmen Park. Thank you for demonstrating Davenport's resilience as you and the team made numerous changes and endured financial hardships due to river flooding. I am happy to see the ballpark bouncing back as strong as ever now the flooding is over. Please let me know if you have any questions.

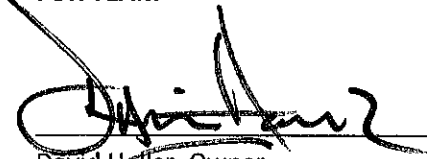
Sincerely,




Brandon Wright  
CFO/ Assistant City Administrator

*Main Street Iowa, LLC agrees with and confirms that the lease abatement amount and abatement schedule presented above are consistent with the Stadium Lease Agreement, as witnessed below.*

FOR TEAM

  
\_\_\_\_\_  
David Heller, Owner

AS WITNESSED BY

  
\_\_\_\_\_  
Name: RAE MITTAN



City of Davenport

Agenda Group:

Department: City Clerk

Contact Info: Kris Keller 563-888-2077

Wards:

**Action / Date**

**9/4/2019**

Subject:

1. Main Street Iowa LLP - Summer Kids Pass program - Amount: \$12,380.80
2. Kronos SAASHR Inc - Kronos annual DPD renewal - Amount: \$13,734.41
3. MTI Distributing - Toro Lynx irrigation upgrade (Emeis Golf) - Amount: \$15,098.24
4. Bracke Hayes Miller Architects - Roosevelt window replacement design - Amount: \$16,087.50
5. Trane US Inc - HVAC system annual contract - Amount: \$21,390
6. Off Course Production Inc - Cosmic golf equipment - Amount: \$31,020.50
7. GovConnection Inc - HP t630 thin clients - Amount: \$39,000

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/26/2019 - 4:23 PM



City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**9/4/2019**

Subject:  
Motion for suspension of the rules to vote on the following items:

REVIEWERS:			
Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/26/2019 - 12:47 PM



City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**9/4/2019**

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

Beaux Arts Fund Committee; Beaux Arts Fall Fair; Friday, September 6, 2019 12:00 p.m. - 9:00 p.m.; Saturday, September 7, 2019 10:00 a.m. - 5:00 p.m.; Sunday, September 8, 2019 10:00 a.m. - 4:00 p.m.; **Closure:** W 2nd St from Harrison to Main with access to US Bank (see attached map). [Ward 3]

Ralph Kelly; Hilltop Urban Garden Taste; Saturday, September 7, 2019 6:00 a.m. - 5:00 p.m.; **Closure:** Scott St between W 14th St and W 15th St. [Ward 4]

Recommendation:  
Adopt the Resolution.

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

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Beaux Arts Fall Fair Map
▣ Backup Material	Hilltop Urban Garden Taste Map
▣ Backup Material	Hilltop Urban Garden Taste Neighborhood Flyer

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/26/2019 - 12:29 PM



Resolution No. \_\_\_\_\_

Resolution offered by Alderman Gripp

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 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 on the date(s) 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):

*Beaux Arts Fund Committee; Beaux Arts Fall Fair; Friday, September 6, 2019 12:00 p.m. - 9:00 p.m.; Saturday, September 7, 2019 10:00 a.m. - 5:00 p.m.; Sunday, September 8, 2019 10:00 a.m. - 4:00 p.m.; **Closure:** W 2nd St from Harrison to Main with access to US Bank (see attached map). [Ward 3]*

*Ralph Kelly; Hilltop Urban Garden Taste; Saturday, September 7, 2019 6:00 a.m. - 5:00 p.m.; **Closure:** Scott St between W 14th St and W 15th St. [Ward 4]*

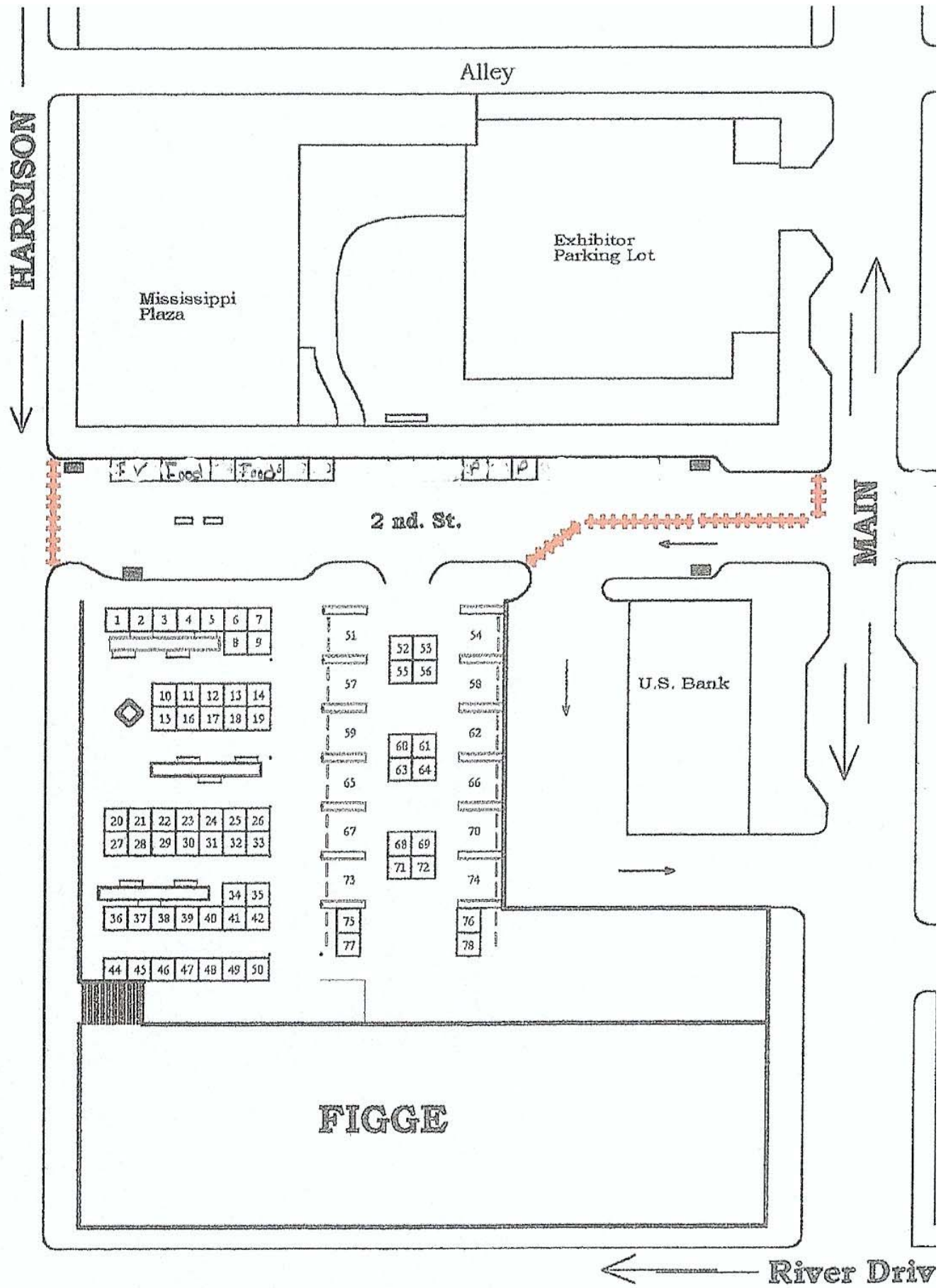
Approved:

Attest:

\_\_\_\_\_  
Frank Klipsch, Mayor

\_\_\_\_\_  
Brian Krup, Deputy City Clerk











W 15th St

W 15th St

close off  
H/O 25017

Scott St

tent

tent

restroom

tent

restroom

tent

close off  
Scott St

tent

tent

tent

W 14th St

W 14th St

close off

Scott St



# **SPONSORS and DONORS**

**P.U.N.C.H**

**HillTop Campus Village**

**Genesis Marketing and Communications**

**Hyvee (Rockingham Rd.)**

**Iowa State University Extension Services**

*If you have a  
concern please  
call Brian Krup  
At 563-326-6163*

**KWQC-TV6**

**River Bend Food Bank**

**Theisen's**





# HILLTOP URBAN GARDEN WASTE EVENT

Join us for a Taste of Fun, Health and Nutrition

Food Tasting - Giveaways  
Cooking Demos and Sampling  
Food Preservation - Recipes

Sept. 7, 2019 10AM- 4PM  
Hilltop Parking Lot  
Ripley & Scott Off 15th St.

