

# CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, August 28, 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. Approval of Minutes

Approval of the City Council Meeting Minutes for August 14, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on the Committee of the Whole for August 21, 2019

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Prostate Cancer Awareness Month, September 2019

IX. Presentations

A. Swearing In Ceremony - Davenport Police Department  
- Nicholas Berger

B. Southeast Little League 10U State Champions

X. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

XI. Individual Approval of Items on the Discussion Agenda

XII. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance for Case REZ19-08: Request to rezone 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District (Fairmount Cemetery and Crematory Association, Petitioner). [Ward 1]

2. Third Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding 12th Street in front of the residence at 2215 E 12th St. [Ward 5]
3. Second 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 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]
4. Second Consideration: Ordinance vacating the excess right-of-way formerly part of Forest Grove Ct. [Ward 6]
5. Second 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]
6. First Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]
7. Resolution setting forth the policy for notification for certain zoning applications (City of Davenport, Petitioner). [All Wards]
8. Resolution for Case P18-05 being the request of Kerry Condon on behalf of Pine Partners LLC for a Preliminary Plat for a 63 lot subdivision located west of Division St and north of W 55th St. [Ward 8]
9. Resolution for Case F19-06 being the request of Dolans 53rd Street LC for a Final Plat for a 1 lot subdivision on 2.83 acres located north of W 53rd St and east of Villa Dr. [Ward 8]
10. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events.

Bettendorf Presbyterian Church; Praise on the River; LeClaire Park; Sunday, September 1, 2019 4:00 p.m. - 7:00 p.m.; **Closure:** Biederbecke Dr adjacent to LeClaire Park. [Ward 3]

St. Paul the Apostle; Back to School Block Party; Saturday, September 7, 2019 12:00 p.m. - 8:30 p.m.; **Closure:** E Rusholme St between Arlington Ave and Carey Ave. [Ward 5]

St. Ambrose University; Killer Bee 5K Run/Walk; Saturday, September 21, 2019 6:00 a.m. until race finishes; **Closures:** Lombard from Ripley to Lillie, Ripley from High to Dover Ct, Dover Ct from Ripley to Gaines, Scott from Dover Ct to Lombard, Gaines from Dover Ct to Lombard, Rusholme from Gaines to Lillie, Lillie from Rusholme to Pleasant, Pleasant from Lillie to Warren, Warren from Pleasant to Spalding Blvd, Spalding Blvd from Warren to Berg Pl, Berg Pl from Lillie to Spalding Blvd. [Wards 4 & 5]

Jaycees of the Quad Cities; 2019 Brew Ha Ha; LeClaire Park; Saturday, September 21, 2019 12:00 p.m. - 5:00 p.m.; **Closure:** (beginning 9:00 a.m.

Friday, September 20, 2019 for setup) Biederbecke Dr between Ripley St and Harrison St. [Ward 3]

Joshua Sherrod; Quad Cities Marathon; Sunday, September 22, 2019 4:30 a.m. - approximately 12:00 p.m.; **Closures:** Beiderbecke Dr from Marquette St to Gaines St; Gaines St from Beiderbecke Dr to River Dr; River Dr from Brown St to Scott St; Western Ave from 2nd St to River Dr; southernmost traffic lane and parking lane on 2nd St from Gaines to the Arsenal Bridge on-ramp; easternmost northbound lane on Centennial Bridge with 2nd St exit closed; Middle Rd from Pineacre Ave to City limits; Eastmere Dr from Middle Rd to City limits. [Wards 3 & 6]

11. Resolution approving the acceptance for the construction of the Northwest Blvd & Hillandale Rd Intersection Improvement Project completed by Hawkeye Paving Corporation of Bettendorf, IA, CIP #35029. [Ward 8]
12. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the Jersey Ridge Road Patching Project, CIP #35035. [Ward 6]
13. Resolution approving a professional services contract with Veenstra & Kimm, Inc of Rock Island, IL for the survey and design of the 1930's Clean Water SRF Project in the amount of \$142,500, CIP #33041. [Ward 2]
14. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the 2300 block of N Fairmount St Reconstruction Project between W Central Park Ave and W Lombard St, CIP #35035. [Ward 2]
15. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the W 28 ½ St and Gaines St Resurfacing Project from Western Ave to W 30th St, CIP #35036. [Ward 7]
16. Resolution to approve the Caterpillar Engine #2 Overhaul at the Water Pollution Control Plant (WPCP) to Altorfer Inc in the amount of \$196,286. [All Wards]
17. Resolution approving the acceptance for the construction of the 2018 Bridge Maintenance Project completed by Minturn, Inc of Brooklyn, IA, CIP #21001. [Wards 1, 5, 6, & 7]
18. Resolution approving the acceptance for the construction of the FY19 Sidewalk Program completed by Kelly Construction of Davenport, Inc of Davenport, IA, CIP #28020. [All Wards]
19. Resolution approving the purchase of a Pro Patch Truck from Houston Freightliner of Houston, TX in the amount of \$157,796, CIP #24018 [All Wards]
20. Motion to approve change orders 3, 4, & 5 for the Davenport Spur Extension and Interchange Track to Langman Construction, in the amount of \$66,760, CIP #60009. [Ward 8]
21. Motion approving noise variance request(s) for various events on the listed dates and times.

Bettendorf Presbyterian Church; Praise on the River; LeClaire Park; Sunday,

September 1, 2019 4:00 p.m. - 7:00 p.m.; Outdoor music/performances, over 50dBa. [Ward 3]

Kilkenny's Pub; Just Chords Reunion; 300 W 3rd St; Friday, September 6, 2019 7:00 p.m. - 1:00 a.m.; Outdoor band, over 50 dBa. [Ward 3]

Circle Tap; Dani Lynn Howell Band; 1345 W Locust St; Friday, September 6, 2019 6:00 p.m. - 10:00 p.m.; Outdoor band, over 50 dBa. [Ward 4]

St. Paul the Apostle; Back to School Block Party; Saturday, September 7, 2019 12:00 p.m. - 8:30 p.m.; Outdoor music, over 50 dBa. [Ward 5]

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

Jaycees of the Quad Cities; 2019 Brew Ha Ha; LeClaire Park; Saturday, September 21, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music/performances, over 50 dBa. [Ward 3]

22. Motion approving beer and liquor license applications.

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

**Ward 1**

Lulac Club (LULAC Council #10 Inc) - 4224 Ricker Hill Rd - License Type: Class C Liquor - On Premise

**Ward 3**

Bootleg Hill Honey Meads (Bootleg Hill LLC) - 321 E 2nd St, Ste 200 - Outdoor Area License Type: Class C Native Wine

River Center/Adler Theatre (Venuworks Of Davenport, LLC) - 136 East 3rd St. - Outdoor Area License Type: Class C Liquor - On Premise

**Ward 4**

Mc's Happy Hollow (D.M.C Corporation) - 1502 W 14th St - License Type: Class C Liquor - On Premise

Riverside Liquor 2 (Two Brother's Locust, L.L.C.) - 1528 W Locust St - License Type: Class E Liquor /B Wine /C Beer

**Ward 5**

The Outing Club (The Outing Club, Inc) - 2109 Brady St - Outdoor Area License Type: Class C Liquor - On Premise /B Wine

**Ward 6**



Costco Wholesale #1325 (Costco Wholesale Corporation) - 2790 E 53rd St -  
License Type: Class E Liquor - Carry Out/C Beer/B Wine

Texas Roadhouse (Texas Roadhouse Holdings LLC) - 4005 E 53rd St -  
License Type: Class C Liquor - On Premise

### **Ward 7**

Ridhi Rose Mart LLC (Ridhi Rose Mart LLC) - 3417 Harrison St - License Type:  
Class C Beer - Carry Out /B Wine

23. Motion authorizing the City Administrator to sign an automatic aid agreement between the City of Davenport and the City of Bettendorf for fire protection services. [All Wards]
24. Motion approving the purchase of new Adler Theatre Softgoods (Stage Drape Replacement) to Rose Brand Wipers Inc of Secaucus, NJ in the amount of \$60,597, CIP #69024. [Ward 3]
25. Motion awarding a contract for the Housing Needs Assessment to Western Economic Services LLC of Portland, OR in an amount not-to-exceed \$55,000. [All Wards]

### **XIII. Other Ordinances, Resolutions and Motions**

### **XIV. Public with Business**

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

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

### **XV. Reports of City Officials**

### **XVI. Executive Session**

1. To discuss the purchase of particular real estate pursuant to Iowa Code Section 21.5(1)(j).

### **XVII Adjourn**

City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**8/28/2019**

Subject:  
Approval of the City Council Meeting Minutes for August 14, 2019

ATTACHMENTS:

Type	Description
▣ Cover Memo	CC MIN 081419

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/22/2019 - 3:15 PM

**City of Davenport, Iowa**  
**City Council Meeting Minutes**  
**Wednesday, August 14, 2019**

The City Council of Davenport, Iowa met in regular session on Wednesday, August 14, 2019 at 5:30 PM in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Frank Klipsch presiding and all aldermen present (Ald. Ambrose present via telephone).

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

**APPROVED**

Approval of the City Council Meeting Minutes for July 24, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

**APPROVED**

Approval of the Report on the Committee of the Whole for August 7, 2019

*COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, August 7, 2019--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Klipsch presiding and all aldermen present. The following Public Hearings were held: Community Development: for the 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; for the 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. Public Works: to grant an overhead electric easement to MidAmerican Energy; on the plans, specifications, forms of contract, and estimate of cost for the Kimberly Road Patching Project, CIP #35042; on the plans, specifications, forms of contract, and estimate of cost for the FY20 Root Control Program.*

*The following proclamation was issued: Davenport Farmers Market Week, August 4 – 10, 2019, 2019-312.*

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Dickmann item #3 (First 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) moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Rawson all items moved to the Consent Agenda except the two items to be voted on later on the agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Condon, second by Ald.*

*Rawson all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Rawson all items moved to the Consent Agenda. Other Ordinances, Resolutions, and Motions: On motion by Ald. Ambrose, second by Ald. Rawson the rules were suspended (Ald. Matson voting nay) to vote on the following two items: a motion approving the following noise variance request for the listed dates and times: Delta Sigma Chi; Palmer Fraternity Homecoming Events; 1208 N Main St; 8:00 p.m. - 12:00 a.m. Thursday, August 8, 2019 through Saturday, August 10, 2019; Outdoor music/band, over 50 dBA, 2019-313; a motion approving the following temporary outdoor area liquor license: Sippi's Restaurant (Sippis Inc) - 406 W 2nd St - Extended Outdoor Area August 10, 2019 "Gene Price Car Show" - License Type: C Liquor, 2019-314. Council adjourned at 6:30 p.m.*

## VIII. Appointments, Proclamations, Etc.

### A. Proclamations

**ISSUED 2019-315**

1. American Wind Week, August 11 - 17, 2019
2. Water and Wastewater Workers of Iowa Week, August 18 - 24, 2019

## IX. Presentations

## X. Petitions and Communications from Council Members and the Mayor

### A. Community Engagement Update - Alderwoman Meginnis

## XI. Individual Approval of Items on the Discussion Agenda

1. First 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] **MOVED TO SECOND CONSIDERATION**

## XII. Approval of All Items on the Consent Agenda

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

1. Second Consideration: Ordinance for Case REZ19-08: Request to rezone 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District (Fairmount Cemetery and Crematory Association, Petitioner). [Ward 1] **MOVED TO THIRD CONSIDERATION**
2. Second Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding 12th Street in front of the residence at 2215 E 12th St. [Ward 5] **MOVED TO THIRD CONSIDERATION**
3. First Consideration: Ordinance vacating the excess right-of-way formerly part of Forest Grove Ct. [Ward 6] **MOVED TO SECOND CONSIDERATION**

4. First 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 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]

**MOVED TO SECOND CONSIDERATION**

5. Resolution establishing the dates and times for the Halloween Parade and Trick-or-Treating as Saturday, October 26, 2019 2:00 p.m. and Thursday, October 31, 2019 5:30 p.m. to 7:30 p.m., respectively. [All Wards]

**ADOPTED 2019-316**

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

**ADOPTED 2019-317**

Anissa Quinn; Neighborhood block party; 1831 Grand Ave; Saturday, August 17, 2019 12:00 p.m. - 6:00 p.m.; Closure: Grand Ave from E Locust St to Kirkwood Blvd. [Ward 5]

Jimmie O's Saloon; Jimmie O's Streetfest; 2735 Telegraph Rd; Saturday, August 17, 2019 3:00 p.m. - midnight; Closure: S Rolff St from Telegraph Rd south to the alley. [Ward 1]

John De Taeye; AugustFest Neighborhood Block Party; 1000 block of Ash St; Thursday, August 22, 2019 3:00 p.m. - 8:00 p.m.; Closure: Ash St from W 6th St northwest to the alley. [Ward 3]

Bobby Stansberry; Mary's On 2nd 19th Anniversary Party; 832 W 2nd St; Saturday, August 31, 2019 7:00 a.m. - 12:00 a.m.; Closure: 2nd St from Warren St to Brown St, Warren St from the alley south of 2nd St to the alley south of 3rd St. [Ward 3]

7. Resolution approving the contract for the FY20 Threshold Street Resurfacing project to Hawkeye Paving Company of Davenport, IA in the amount of \$746,731, CIP #35037. [All Wards]

**ADOPTED 2019-318**

8. Resolution authorizing the Mayor to execute the necessary documents to grant an overhead electric easement to MidAmerican Energy. [Ward 8]

**ADOPTED 2019-319**

9. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the Kimberly Road Patching Project, CIP #35042. [Ward 6]

**ADOPTED 2019-320**

10. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the FY20 Root Control Program. [All Wards]

**ADOPTED 2019-321**

11. Resolution approving the contract for the Main St and 16th St Streetscaping project to Emery Construction Group Inc of Moline, IL in the amount of \$319,399.10, BG250.

[Ward 5]

**ADOPTED 2019-322**

12. Resolution awarding the Eastern Avenue Reconstruction project to Langman Construction, Inc of Rock Island, IL in the amount of \$466,421.65, CIP #35035. [Wards 6 & 7] **ADOPTED 2019-323**

13. Resolution directing the Parks and Recreation Department to proceed with a State of Iowa REAP (Resource Enhancement and Protection) grant application in the amount of \$300,000 for Veterans Memorial Park. [Ward 3] **ADOPTED 2019-324**

14. Resolution approving and ratifying payment for flood cleanup at Union Station to Perfection Property Restoration Inc of East Dundee, IL in the amount of \$225,000. [Ward 3] **ADOPTED 2019-325**

15. Resolution approving a contract for the purchase of one 100 ft. aerial ladder truck from Sutphen Corp of Amlin, OH in the amount of approximately \$1,225,000, CIP #63006. [All Wards] **ADOPTED 2019-326**

16. Motion approving noise variance request(s) for various events on the listed dates and times. **PASSED 2019-327**

Anissa Quinn; Neighborhood block party; 1831 Grand Ave; Saturday, August 17, 2019 12:00 p.m. - 6:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Amie Berumen; Birthday party; 411 W 8th St; Saturday, August 17, 2019 4:00 p.m. - 11:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Jimmie O's Saloon; Jimmie O's Streetfest; 2735 Telegraph Rd; Saturday, August 17, 2019 3:00 p.m. - 9:00 p.m.; Outdoor music/band, over 50 dBa. [Ward 1]

John De Taeye; AugustFest Neighborhood Block Party; 1000 block of Ash St; Thursday, August 22, 2019 4:00 p.m. - 7:00 p.m.; Outdoor performances, over 50 dBa. [Ward 3]

Bobby Stansberry; Mary's On 2nd 19th Anniversary Party; 832 W 2nd St; Saturday, August 31, 2019 4:00 p.m. - 12:00 a.m.; Outdoor music/performances, over 50 dBa. [Ward 3]

17. Motion approving beer and liquor license applications. **PASSED 2019-328**

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

**Ward 1**

Jimmie O's Saloon (Oldham Enterprizes LLC) - 2735 Telegraph Rd - Extended Outdoor Area August 17, 2019 "Jimmie O's Streetfest" – License Type: C Liquor

**Ward 3**

Mary's on 2nd (Birdland, Inc) - 832 W 2nd St from Brown St to Warren St - Outdoor Area August 31 - September 1, 2019 "19th Anniversary Party" - License Type: C Liquor

Moti's Food (QC Diner LLC) - 1717 W 3rd St - New License - License Type: E Liquor / B Wine / C Beer \*200' notification letters mailed 7/31/19

### **Ward 6**

Flavors of India (Kita LLC) - 2660 E 53rd St, Suite 8 - New License – License Type: Beer / Wine

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

### **Ward 2**

Casey's General Store #2092 (Casey's Marketing Company) - 6278 North Pine St - License Type: C Beer

### **Ward 4**

Hy-Vee Gas (Hy-Vee, Inc) - 2353 W Locust St - License Type: C Beer

Hy-Vee #5 (Hy-Vee, Inc) - 2351 W Locust St - License Type: E Liquor / C Beer / B Wine

18. Motion of acceptance for the construction of brick street repair in various locations, CIP #35027. These repairs were completed by Centennial Contractors of the Quad Cities. [Wards 3, 5, & 7] **PASSED 2019-329**

19. Motion approving a 10-year land lease agreement renewal with Civil Air Patrol for FY20 - FY29 at the Davenport Municipal Airport. [Ward 8] **PASSED 2019-330**

20. Motion to approve change order #1 to Terracon Consultants, Inc in the amount of \$18,896.59 for the Davenport Municipal Airport Runway 15/33 Reconstruction Project, CIP #20010. [Ward 8] **PASSED 2019-331**

21. Motion approving construction for Sterilite drainage improvements to be performed by Legacy Corporation of IL of East Moline, IL in the amount of \$55,580, CIP #33043. [Ward 8] **PASSED 2019-332**

22. Motion approving the payment to Insight Public Sector of Tempe, AZ for Pure Storage support and service in the amount of \$95,820. [All Wards] **PASSED 2019-333**

23. Motion approving a professional services contract for federal grant consultant work with Keller Partners and Company of Washington, DC in the amount of \$78,000, CIP #60015. [All Wards] **PASSED 2019-334**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:22 p.m.**



City of Davenport

Agenda Group:  
Department: City Clerk  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**8/28/2019**

Subject:  
Approval of the Report on the Committee of the Whole for August 21, 2019

ATTACHMENTS:

Type	Description
▣ Cover Memo	COW Report 082119

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/22/2019 - 1:39 PM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, August 21, 2019--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Klipsch presiding and all aldermen present except Ald. Condon. The following Public Hearings were held: Public Works: on the plans, specifications, forms of contract, and estimate of cost for the Jersey Ridge Rd Patching Project, CIP #35035; on the plans, specifications, forms of contract, and estimate of cost for the 2300 Block of N Fairmount St Reconstruction Project between the intersections of W Central Park Ave and W Lombard St, CIP #35035; and on the plans, specifications, forms of contract, and estimate of cost for the Gaines St and W 28 ½ St Resurfacing Project from Western Ave to W 30th St, CIP #35036

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Tompkins all items moved to the Consent Agenda. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Rawson all items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Matson, second by Ald. Rawson all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Dickmann all items moved to the Consent Agenda. Other Ordinances, Resolution, and Motions: On motion by Ald. Ambrose, second by Ald. Rawson the rules were suspended to vote on the following items: Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events: Jason Gilliland; Alternating Currents; 208 E River Dr; 10:00 a.m. Friday, August 23, 2019 - 12:00 a.m. Sunday, August 25, 2019; **Closure**: Emerson Pl from Perry St to Pershing Ave, **2019-335**; Resolution accepting the annual Byrne Justice Assistance Grant (JAG) from the Federal government for 2019-2020 in the amount of \$86,541, **2019-336**; Resolution accepting the 2019-2020 (year three of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$531,434, **2019-337**; and Motion approving the following noise variance request on the listed dates and times: Jason Gilliland; Alternating Currents; 208 E River Dr; Friday, August 23, 2019 5:00 p.m. - 11:30 p.m. and Saturday, August 24, 2019 12:00 p.m. - 11:30 p.m.; Outdoor music/band, over 50 dBA, **2019-338**.

Council adjourned at 6:17 p.m.

City of Davenport

Agenda Group:

Department: City Clerk

Contact Info: Samantha Torres 563-326-7701

Wards:

**Action / Date**

**8/28/2019**

Subject:

Prostate Cancer Awareness Month, September 2019

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Admin, Default

Approved

8/22/2019 - 3:47 PM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 563-888-2066

Wards:

Subject:

Swearing In Ceremony - Davenport Police Department  
- Nicholas Berger

**Action / Date**  
**8/28/2019**

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Thorndike, Tiffany	Approved	8/16/2019 - 9:40 AM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 563-888-2066

Wards:

**Action / Date**

**8/28/2019**

Subject:

Southeast Little League 10U State Champions

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Thorndike, Tiffany

Approved

8/13/2019 - 10:29 AM

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Matt Flynn 563-888-2286

Wards:

**Action / Date**

**8/14/2019**

Subject:

Third Consideration: Ordinance for Case REZ19-08: Request to rezone 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District (Fairmount Cemetery and Crematory Association, Petitioner). [Ward 1]

Recommendation:

Adopt the Ordinance.

Background:

Reason for Request:

Fairmount Cemetery and Crematory Association (Fairmount) acquired this property, adjacent to the existing crematory, in 2018. It seeks to replace the existing maintenance building, currently located on top of the hill, to this location. This site is adjacent to the historic Crematory building, chapel and administrative offices. As an accessory structure to the facility, it cannot be located in the R-4C District, necessitating the rezoning request to S-OS.

Additional Background Information:

Existing Zoning:

Purpose statement for the S-OS District: The S-OS Open Space District is intended to provide and protect larger open space and public recreational facilities, both outdoor and indoor. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses, such as cultural facilities, performance venues, and eating establishments.

The S-OS District is the only one in the City where cemeteries are a permitted use. All other cemeteries in the City are similarly zoned.

See attached current zoning map for adjacent classifications.

Comprehensive Plan:

The property is designated as RG, Residential General, in the Comprehensive Plan. RG is described as follows:

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

See attached Future Land Use Map for additional information.

Technical Review:

No infrastructure deficiencies or unusual service demands have been identified.

Public Input:

A sign was posted on the property on May 30, 2019.

Public hearing notice was published in the Quad City Times on June 7, 2019.

A public meeting was held on June 11 at the Crematory. Ten people attended. Only concern expressed is to site the proposed building to the rear (north) side of the property as much as practical. At the Public Hearing before the Plan and Zoning Commission on June 18, 2019, one person spoke who had questions about the process and stormwater concerns.

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:

Staff's opinion is that the proposed zoning, with conditions, meets the intent of the future land use designation of RG, as it promotes transitional uses along its edges.

b. The compatibility with the zoning of nearby property.

Staff Comments:

The proposed S-OS district allows limited uses and should not impact surrounding properties.

c. The compatibility with established neighborhood character.

Staff Comments:

This neighborhood is transitional in nature and contains a variety of uses. With the suggested conditions, neighborhood character should not be affected by the proposed rezoning.

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

Staff Comments:

Allowing the rezoning and relocation of the maintenance building will increase the efficiency of the cemetery operation and lend to its stability.

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 suited for the proposed development, as it is in close proximity to the existing crematory.

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

Staff Comments:

The property is vacant and has no non-conformities.

Recommendation:

At its July 1, 2019 meeting, the Plan and Zoning Commission recommended the City Council accept the listed findings and approve Case REZ19-08, including the following conditions:

Findings:

1. The rezoning request is consistent with the Comprehensive Plan in that it allows a transitional use on the edge of a RG, Residential General designation.
2. The proposed rezoning will allow for consolidation of cemetery operations, increasing its efficiency.
3. Proposed conditions will negate any potential negative impacts of the facility on surrounding properties.

### Conditions:

1. That an agreement not to sever this property from the existing cemetery property is executed prior to any construction.
2. The proposed maintenance building not exceed 32 feet by 48 feet.
3. The proposed maintenance building be located as far north as possible.
4. The proposed maintenance building shall not be constructed of overly bright or reflective colors.
5. Any security lighting be completely shielded from the property to the east.
6. No long term outdoor storage of materials or equipment is allowed.
7. Site plan approval is required prior to any development on the site.

### ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	P&Z Letter
▣ Backup Material	Appllication
▣ Backup Material	Existing Zoning Map
▣ Backup Material	2035 Future Land Use
▣ Backup Material	Legal Notice
▣ Backup Material	Neighbor List
▣ Backup Material	PH Notice and Map
▣ Backup Material	Proposed Maintenance Building
▣ Backup Material	Public Hearing Notice
▣ Backup Material	P&Z Vote Sheet

### REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	7/11/2019 - 9:41 AM



ORDINANCE NO. 2019 -

ORDINANCE for Case REZ19-08: Request to rezone 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District. Fairmount Cemetery and Crematory Association, petitioner. [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-OS Special Open Space District.

The property has the following legal description:

Part of the Southwest Quarter of Section 10, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particular described as follows:

Commencing at the southwest corner of said Section 10; thence north 0 degrees 41 minutes east 30 feet; thence south 89 degrees 52 minutes east 33 feet to the point of beginning; thence north 0 degrees 41 minutes east 150 feet; thence south 89 degrees 52 minutes east 150 feet; thence south 0 degrees 41 minutes west 150 feet; thence north 89 degrees 52 feet 150 feet to the point of beginning.

Section 2. The Plan and Zoning Commission considered case REZ19-08 at its July 1, 2019 meeting and voted to forward the request to City Council with a recommendation for approval, with the following findings and conditions:.

Findings:

1. The rezoning request is consistent with the Comprehensive Plan in that it allows a transitional use on the edge of a RG, Residential General designation.
2. The proposed rezoning will allow for consolidation of cemetery operations, increasing its efficiency.
3. Proposed conditions will negate any potential negative impacts of the facility on surrounding properties.

Conditions:

1. That an agreement not to sever this property from the existing cemetery property is executed prior to any construction.
2. The proposed maintenance building not exceed 32 feet by 48 feet.
3. The proposed maintenance building be located as far north as possible.
4. The proposed maintenance building shall not be constructed of overly bright or reflective colors.
5. Any security lighting be completely shielded from the property to the east.
6. No long term outdoor storage of materials or equipment is allowed.
7. Site plan approval is required prior to any development on the site.

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 \_\_\_\_\_

July 2, 2019

Honorable Mayor and City Council  
City Hall  
Davenport IA 52801

Subject: Case REZ19-08

Honorable Mayor and City Council:

At its regular meeting of July 1, 2019, the Davenport Plan and Zoning Commission considered the following case:

Case REZ19-08: Request to rezone 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District. Fairmount Cemetery and Crematory Association, petitioner. [Ward 1]

The Plan and Zoning Commission voted to forward the request to City Council with a recommendation for approval, with the following findings and conditions:

Findings:

1. The rezoning request is consistent with the Comprehensive Plan in that it allows a transitional use on the edge of a RG, Residential General designation.
2. The proposed rezoning will allow for consolidation of cemetery operations, increasing its efficiency.
3. Proposed conditions will negate any potential negative impacts of the facility on surrounding properties.

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4. The proposed maintenance building shall not be constructed of overly bright or reflective colors.
5. Any security lighting be completely shielded from the property to the east.
6. No long term outdoor storage of materials or equipment is allowed.
7. Site plan approval is required prior to any development on the site.

On a unanimous vote of 9-0, the Plan and Zoning Commission forwards Case REZ19-08 to the City Council for approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', with a long horizontal flourish extending to the right.

Robert Inghram, Chairperson  
Davenport Plan and Zoning 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
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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
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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

# REZ19-08 Existing Zoning



5/30/2019, 2:35:20 PM

--- Platted Lot Lines

■ Parks

□ Parcels

Street Centerline (Labels only)

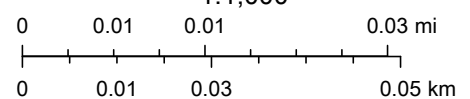
Address Points

Zoning Districts

■ R-1 Single-Family Residential District

■ R-2 Single-Family Residential District

1:1,000



Scott County Iowa, Bi-State Regional Commission

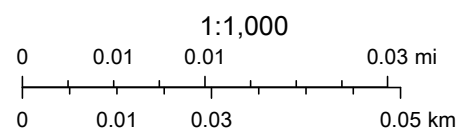


# REZ19-08 2035 Land Use



5/30/2019, 2:32:45 PM

- Platted Lot Lines
- Parks
- Parcels
- Street Centerline (Labels only)
- Address Points
- Land Use+2035
  - Urban Corridor
  - Commercial Node
  - Regional Commercial
  - Commercial Corridor
  - Residential General



Scott County Iowa, Bi-State Regional Commission

Friday, May 31, 2019

Please publish the following public notice in the June 7, 2019 edition of the Quad City Times.

The PO number for this notice is: 1914173

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!

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**NOTICE  
PUBLIC HEARING  
TUESDAY, JUNE 18, 2019 - 5:00 P.M.  
CITY OF DAVENPORT PLAN AND ZONING COMMISSION  
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 request:

Case REZ19-08: Request of Fairmount Cemetery and Crematory for a zoning map amendment of the property located at 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District. [Ward 1]

The public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, April 30, 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. 1914173

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

## Davenport.14628.1.Neighborhood\_Meeting\_and\_Adjacent\_Owner\_Notice\_List.xlsx

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	3870 ROCKINGHAM RD	FAIRMOUNT CEMETERY ASSN	3902 ROCKINGHAM RD	DAVENPORT IA 52802
P&Z Chair:	Bob Inghram		<a href="mailto:bingham@activethermal.net">bingham@activethermal.net</a>	
Mayor's Clerk:	Nevada Lemke		<a href="mailto:nlemke@ci.davenport.ia.us">nlemke@ci.davenport.ia.us</a>	
Council Clerk:	Tiffany Thorndike		<a href="mailto:tthorndike@ci.davenport.ia.us">tthorndike@ci.davenport.ia.us</a>	
Neighborhood:	none			
Ward/Ald:	1st Ward	Alderman Dunn	<a href="mailto:rdunn@ci.davenport.ia.us">rdunn@ci.davenport.ia.us</a>	7 Notices Sent
Ward/Ald:	At-Large	Alderman Condon	<a href="mailto:jcondon@ci.davenport.ia.us">jcondon@ci.davenport.ia.us</a>	
Ward/Ald:	At-Large	Alderman Gripp	<a href="mailto:kgripp@ci.davenport.ia.us">kgripp@ci.davenport.ia.us</a>	
R3242-01	3902 ROCKINGHAM RD	FAIRMOUNT CEMETERY ASSN	3902 ROCKINGHAM RD	DAVENPORT IA 52802
R3255-01A	3858 ROCKINGHAM RD	DAVID M BROWN	3858 ROCKINGHAM RD	DAVENPORT IA 52802
R0507-30A	3855 ROCKINGHAM RD	PIGGOTT PROPERTIES LLC	2228 ELM ST	DAVENPORT IA 52803
R0507-28	3865 ROCKINGHAM RD	MICHAEL L SERSIG	3865 ROCKINGHAM RD	DAVENPORT IA 52802
R0507-27A	3869 ROCKINGHAM RD	RIPPLE & FRENELL AUTO SALES	3911 ROCKINGHAM RD	DAVENPORT IA 52802
R3258-03	3862 ROCKINGHAM RD	DAVID BROWN	3862 ROCKINGHAM RD	DAVENPORT IA 52802
R3258-01	3902 ROCKINGHAM RD	NORTHWESTERN CREMATION SOCIETY	3902 ROCKINGHAM RD	DAVENPORT IA 52802
R0507-01A	3911 ROCKINGHAM RD	QCA CAR CREDIT	103 W 1ST ST	COAL VALLEY IL 61240

**NOTICE  
PUBLIC HEARING  
DAVENPORT PLAN AND ZONING COMMISSION  
TUESDAY, JUNE 18, 2019, 5:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
226 WEST FOURTH STREET, DAVENPORT, IOWA 52801**

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

**Case No. REZ19-08: Request of Fairmount Cemetery and Crematory (Fairmount) for a rezoning (map amendment) of the property located at 3870 Rockingham Road from R-4C, Single and Two Family Central Residence District to S-OS, Special Open Space District. [Ward 1] (See map of the affected property on reverse side of this notice).**

**The proposed rezoning, if approved, would allow for construction of a maintenance building for Fairmount.**

**A public hearing will be held at the time and place listed above. As a property owner within 200 feet of the subject property, you have the opportunity to formally protest this request. To do so, please contact the Community Planning Office at the email or mailing address below.**

**Any written protest must be received no later than the close of the public hearing before the Committee of the Whole, tentatively scheduled for July 17, 2019.**

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

**Case No. REZ19-08**

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

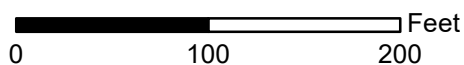
**PHONE: (563) 326-7765**

**MAILING ADDRESS: CPED, Community Planning  
City Hall, 226 West Fourth Street  
Davenport, IA 52801**



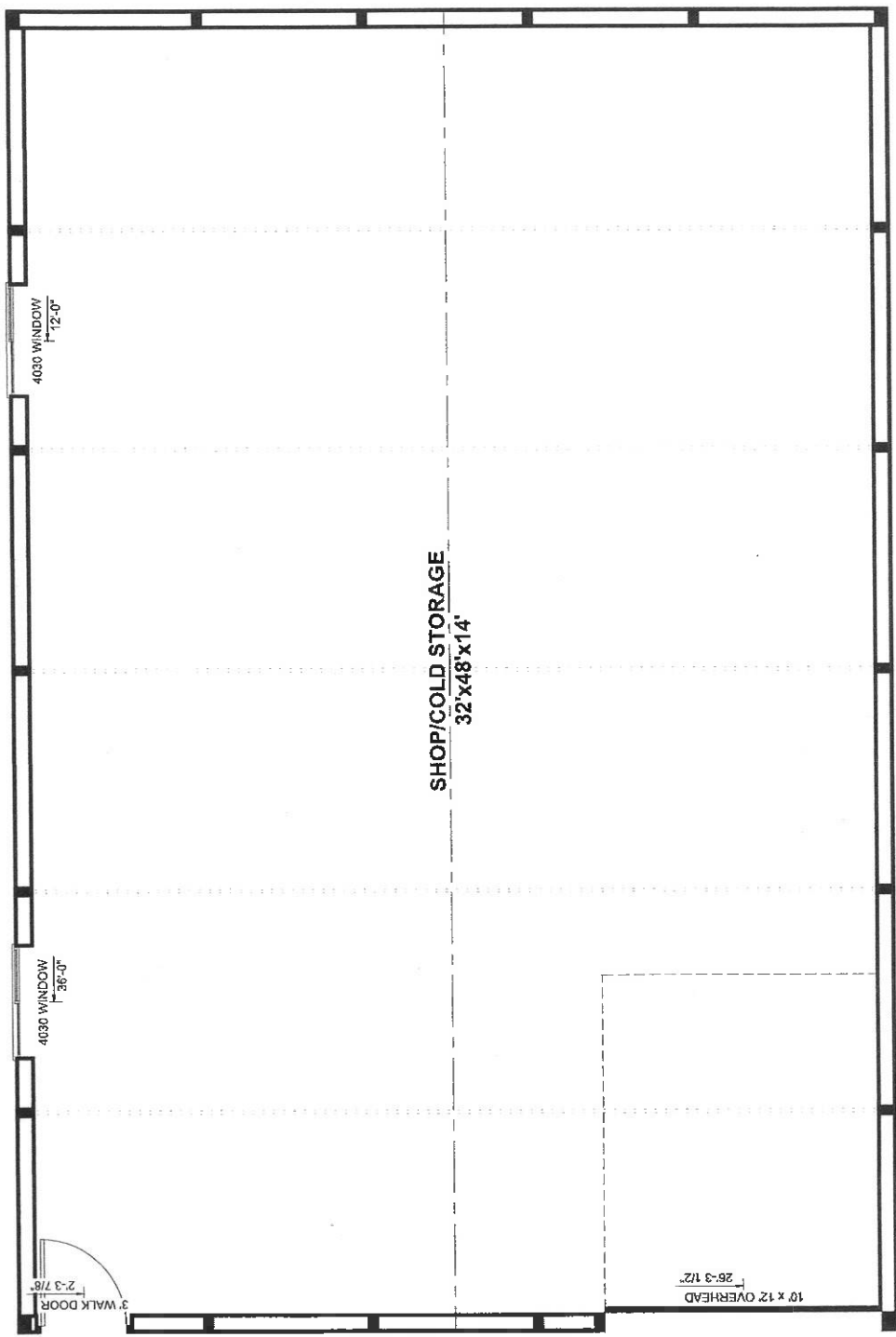
# Request for a Zoning Map Amendment (Rezoning)

## Adjacent Property Owner Notice Area



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





Bay Spacing - 6 @ 8'-0"



**Raun Construction**  
 William Raun  
 3905 5th Ave  
 Moline, IL 61265

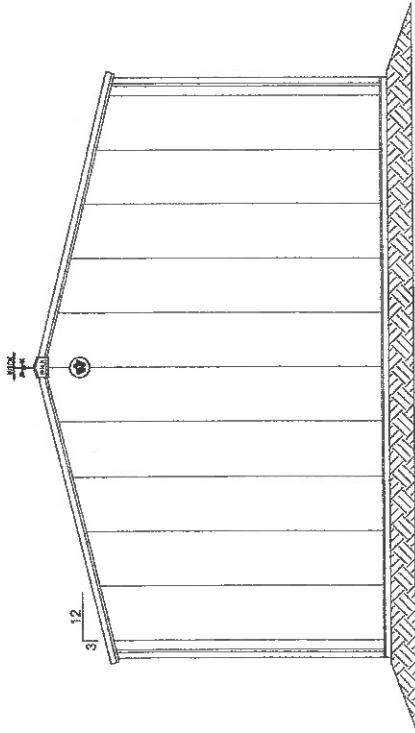
WickBuildings.com  
 Date: 5-2-2019  
 Time: 1:12 PM  
 DO NOT SCALE

**CarvelMorgan32x48**  
 32'-0" x 48'-0" x 14'-4" ICH

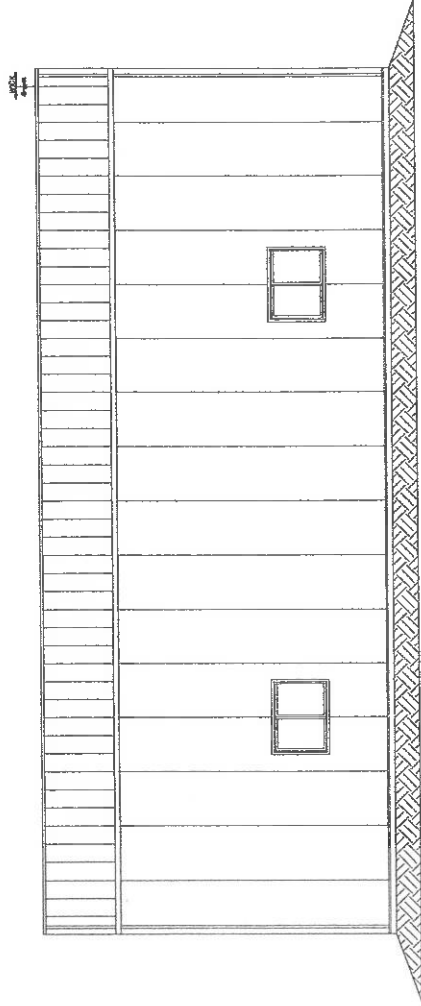
Customer Signature

**Fairmount Cemetery And Crematory Association**  
 Carvel Morgan  
 3902 Rockingham Road  
 Davenport, IA 52802

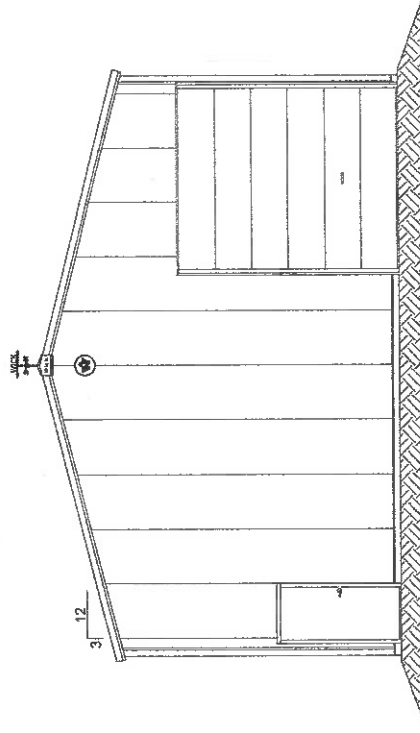




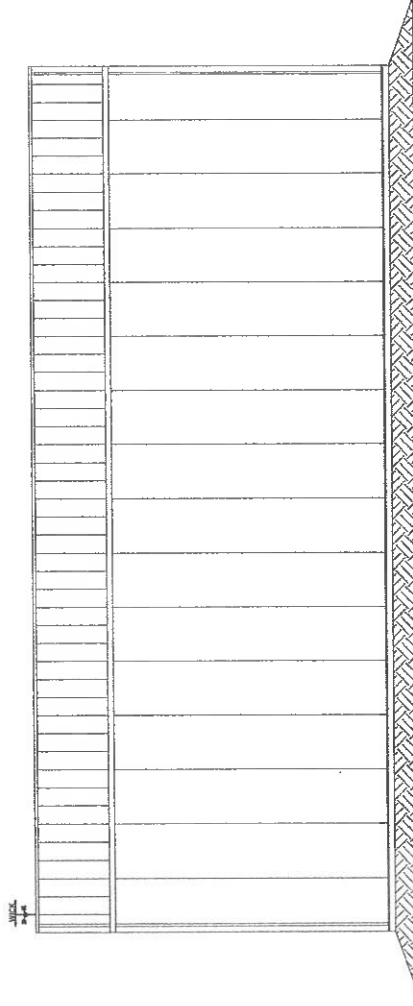
Right Elevation



Top Elevation



Left Elevation



Bottom Elevation



**Raun Construction**  
 William Raun  
 3905 5th Ave  
 Moline, IL 61265

WickBuildings.com

Date: 5-2-2019

Time: 1:12 PM

DO NOT SCALE

**CarvelMorgan32x48**  
 32'-0" x 48'-0" x 14'-4" ICH

Customer Signature

**Fairmount Cemetery And Crematory Association**  
 Carvel Morgan  
 3902 Rockingham Road  
 Davenport, IA 52802

Tuesday, July 2, 2019

Please publish the following public notice in the July 8, 2019 edition of the Quad City Times.

The PO number for this notice is: 2000101

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!

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**NOTICE  
PUBLIC HEARING  
WEDNESDAY, JULY 17, 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 request:

Case REZ19-08: Request of Fairmount Cemetery and Crematory for a zoning map amendment of the property located at 3870 Rockingham Road from R-4C, Single and Two Family Central Residential District to S-OS, Special Open Space District. [Ward 1]

The Legal Description is as follows:

Part of the Southeast Quarter of Section 32, Township 78 North Range 3 East of the 5<sup>th</sup> P.M., more particularly described as follows: Commencing at a point in the South line of said Section 32, 1089.66 feet West of the Southeast corner of said Section 32, being the Southeast corner of said Section 32, being the Southeast corner of land heretofore conveyed to West Davenport Cemetery Association; thence North on the East line of Cemetery land 140 feet; thence East 45 feet; thence South 140 feet; thence West 45 feet to the place of beginning.

At its Monday, July 1, 2019 meeting, the Plan and Zoning Commission recommended approval of this request.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, July 17, 2019, 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. 2000101

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

City Plan & Zoning Commission Voting Record

Hearing/Meeting Date: 1-Jul-19

Meeting Location: Council Chambers

	Name:	Public Hearing Roll Call	Regular Meeting Roll Call	Minutes	REZ19-08	P19-02	F19-11	
	Motion			11	4	6	6	
	Second			8	11	7	8	
1	Connell	EXC	EXC					
2	Hepner	✓	✓	✓	✓	✓	✓	
3	Inghram	✓	✓					
4	Johnson	✓	✓	✓	✓	✓	✓	
5	<del>BRANDSCHWAB</del> SCHNEIDER	✓	✓	✓	✓	✓	✓	
6	Lammers	✓	✓	✓	✓	✓	✓	
7	Maness	✓	✓	✓	✓	✓	✓	
8	Medd	✓	✓	✓	✓	✓	✓	
9	<del>Quinn</del> BRANDSCHWAB	✓	✓	✓	✓	✓	✓	
10	Reinartz	✓	✓	✓	✓	✓	✓	
11	Tallman	✓	✓	✓	✓	✓	✓	

10 10 9-0 9-0 9-0 9-0

City of Davenport

Agenda Group:  
Department: Public Safety  
Contact Info: Gary Statz 563-326-7754  
Wards:

**Action / Date**  
**8/14/2019**

Subject:

Third Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding 12th Street in front of the residence at 2215 E 12th St. [Ward 5]

Recommendation:

Adopt the Ordinance.

Background:

Linda Van Fossen of 2215 E 12th has requested one resident parking only space in front of her home. Business traffic from the East Village often parks there and she has no off-street parking. The new zone will be 25 feet long.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	7/12/2019 - 11:26 AM

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 12<sup>TH</sup> STREET IN FRONT OF THE RESIDENCE AT 2215 E 12<sup>TH</sup> STREET.

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:

12<sup>th</sup> Street in front of the residence at 2215 E 12<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 \_\_\_\_\_

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

Brian Krup  
Deputy City Clerk

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

Published in the *QC Times* \_\_\_\_\_

City of Davenport

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

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

Subject:

Second 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 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]

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.

*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

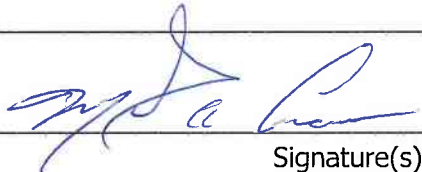
Date:

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
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	05/24/19	06/04/19	06/18/19	06/21/19	07/03/19	07/10/19
05/24/19	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	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**

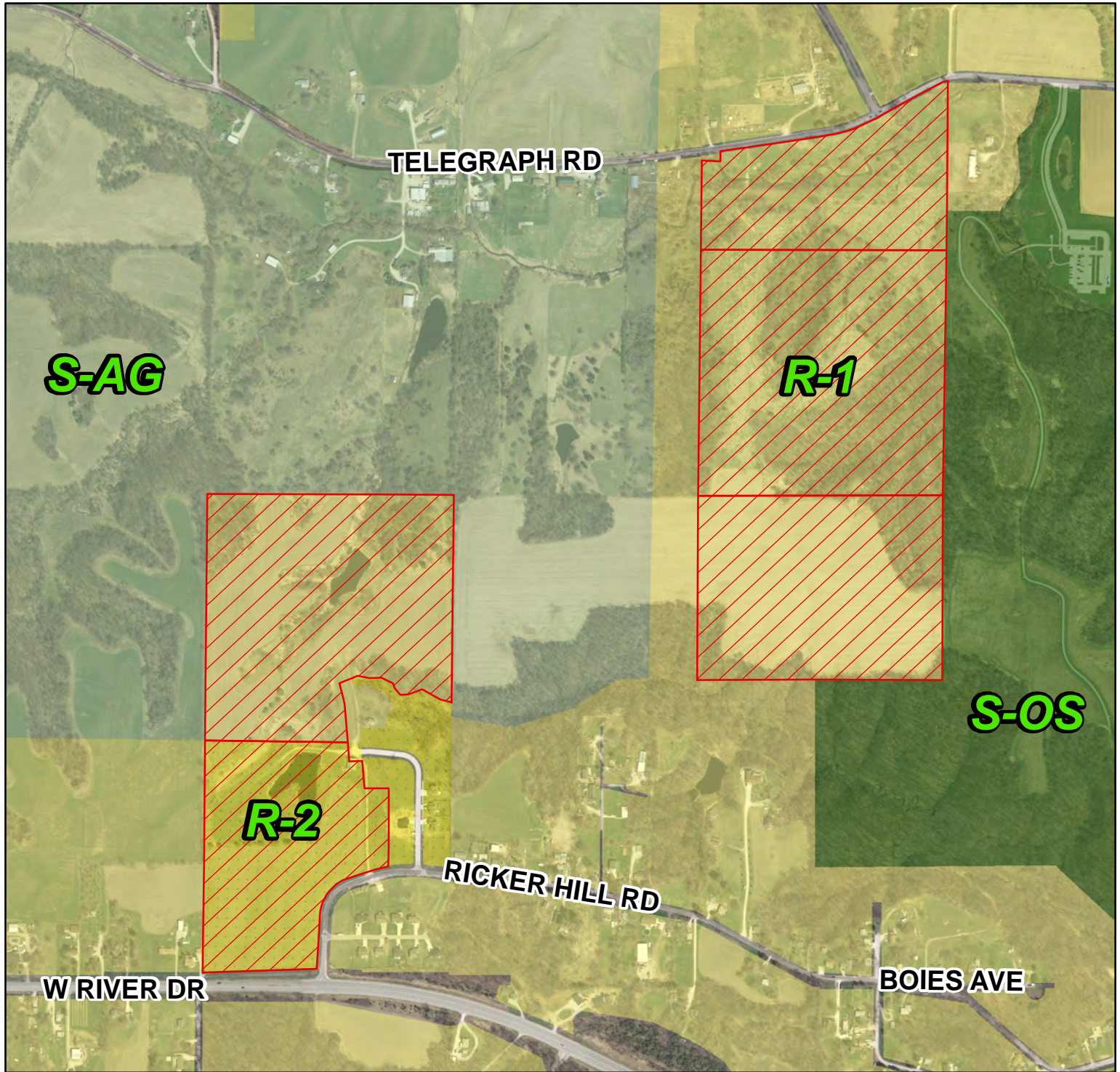
**Meeting Location: Council Chambers-City Hall**

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



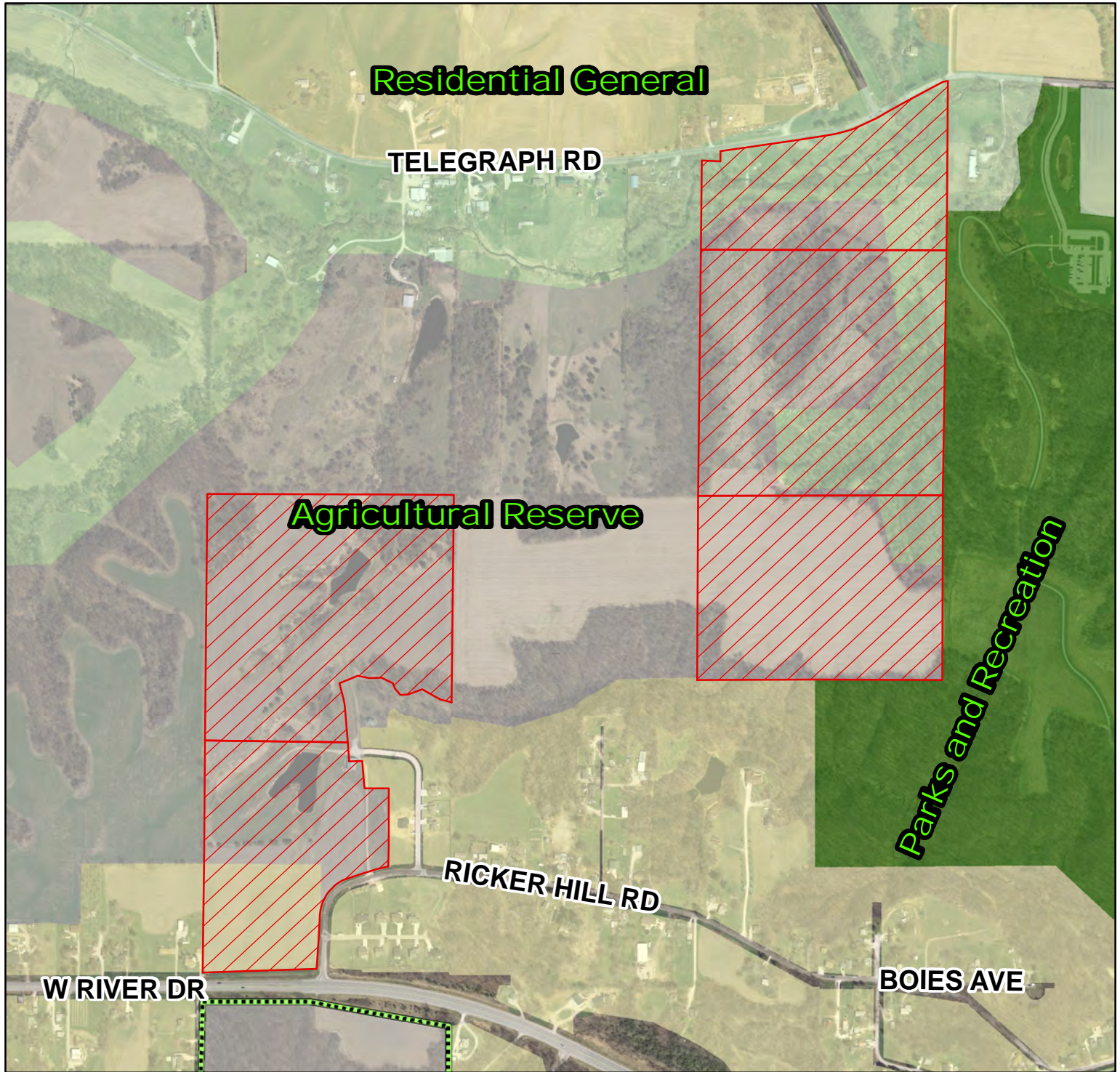
Private parties utilizing City GIS data do so at their own risk.  
The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.




# Request for a Zoning Map Amendment (Rezoning)

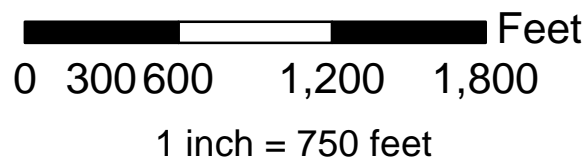
## REZ19-09 - Mark Cross Stables R-1(2) - S-AG

### 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!

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**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)

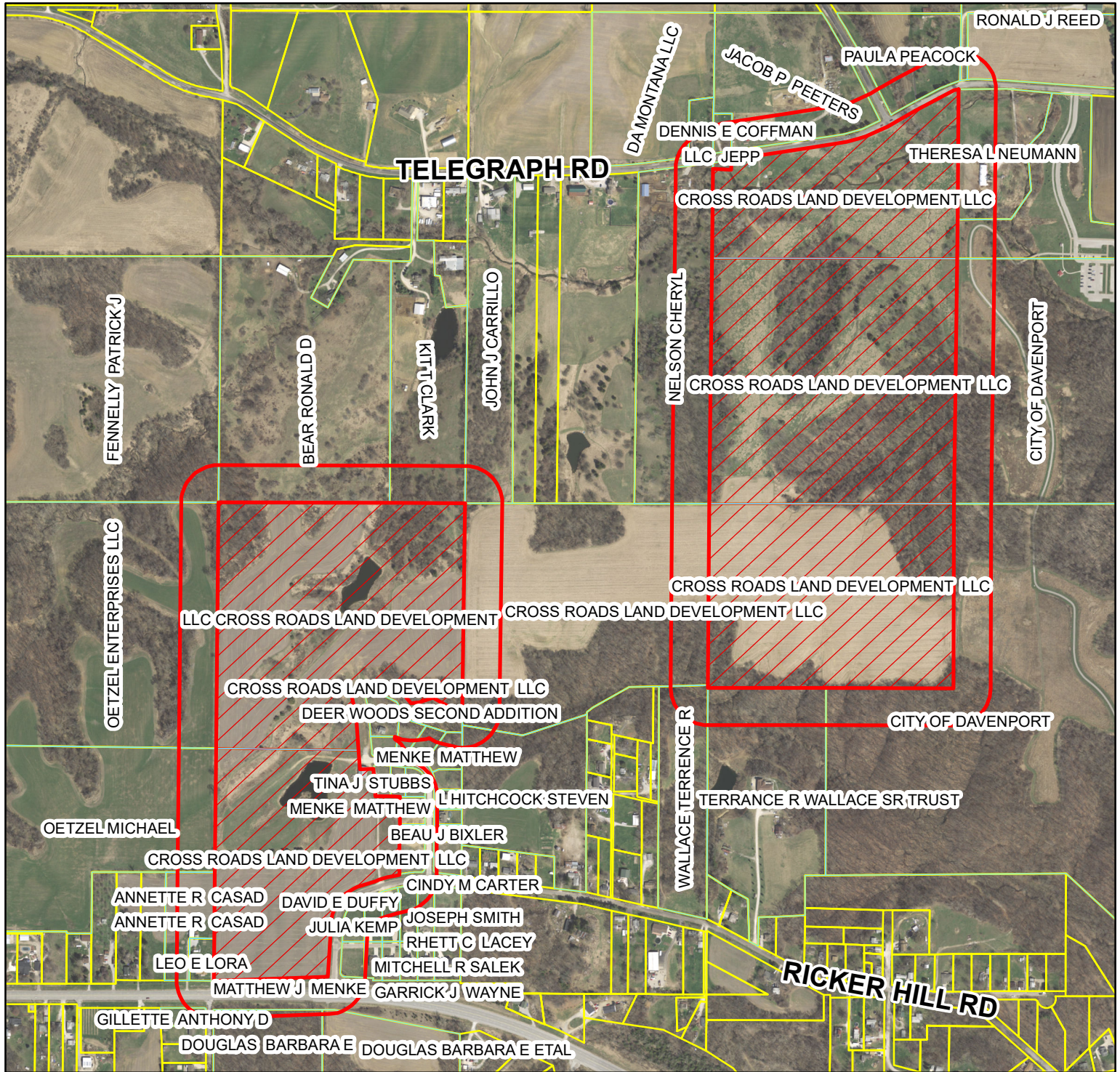
Phone: (563) 326-7765



# 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	CAMANACHE 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:  
Second 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 Planning & Economic Development  
Contact Info: Ryan Rusnak 563-888-2022  
Wards:

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

Subject:

Second 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
□ Cover Memo	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

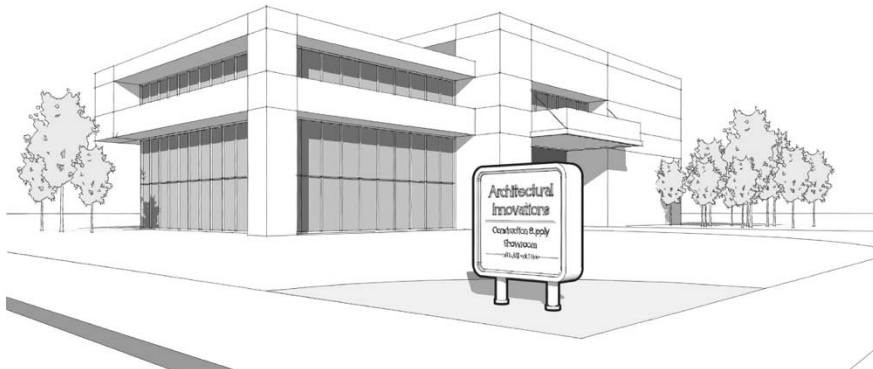
**Adjacent.** Close to or near something.

**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.
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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.

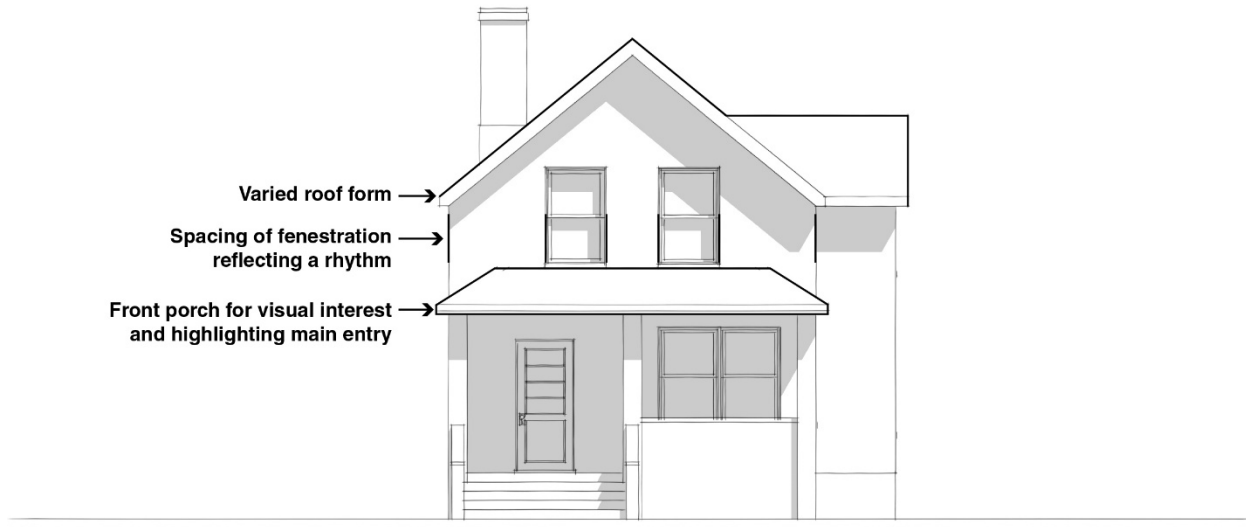
b. Visual balance should be maintained on each face of a structure. For both new construction and additions to existing homes, if multiple primary building materials are used on the overall structure, those that appear heavier, or that carry more visual weight should be placed toward the bottom of a 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.					•

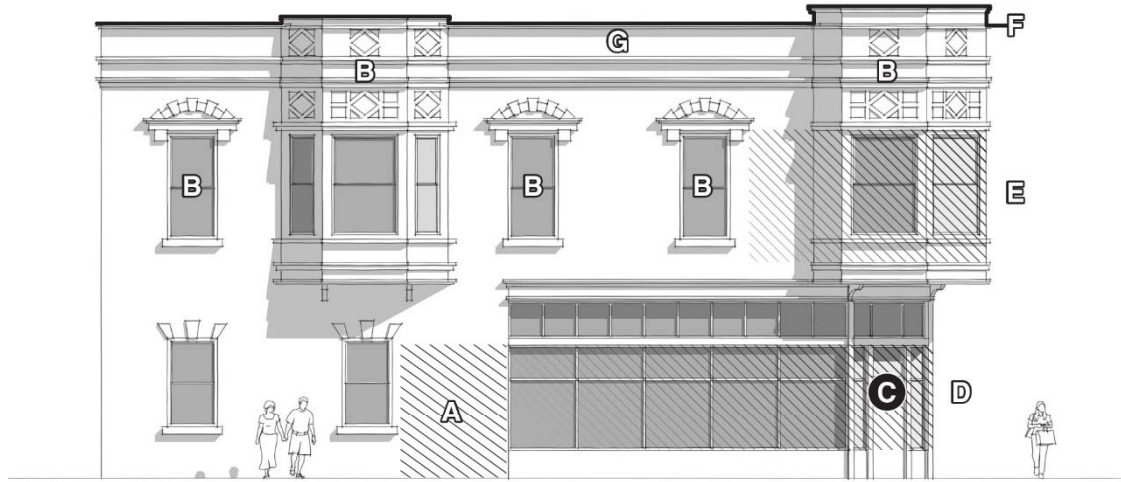
## B. Building Material Restrictions

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



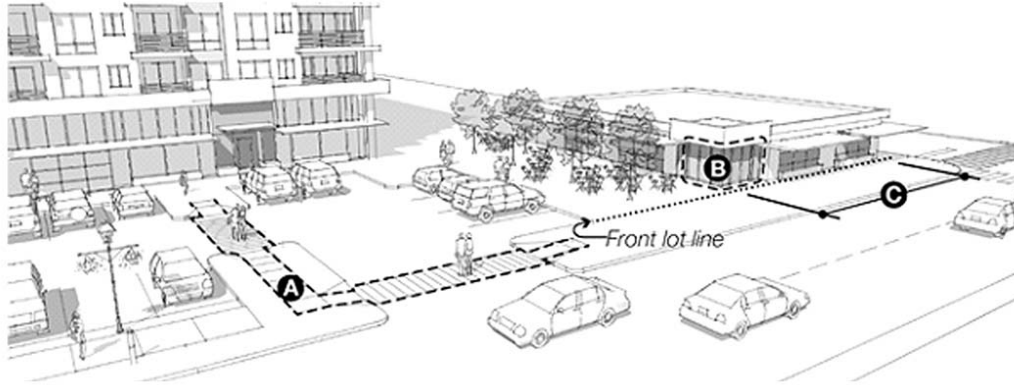
- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 50% measured 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



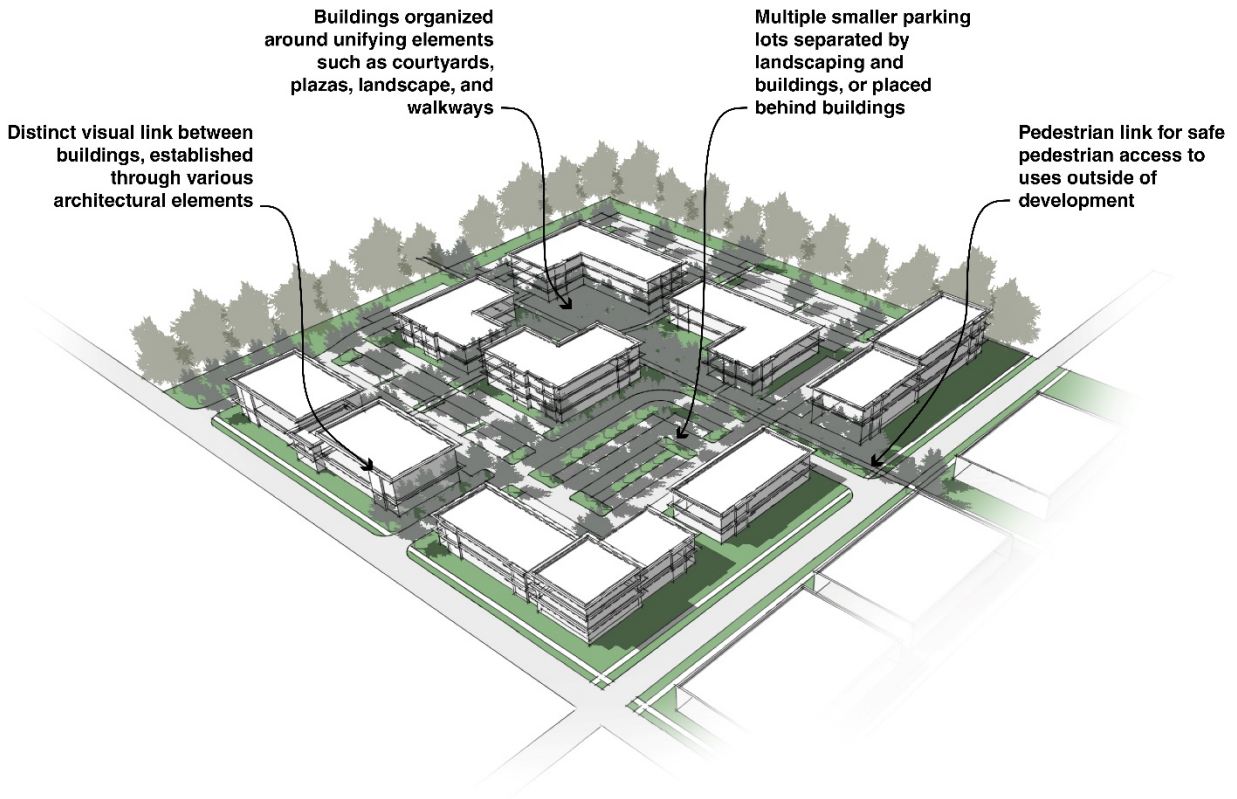
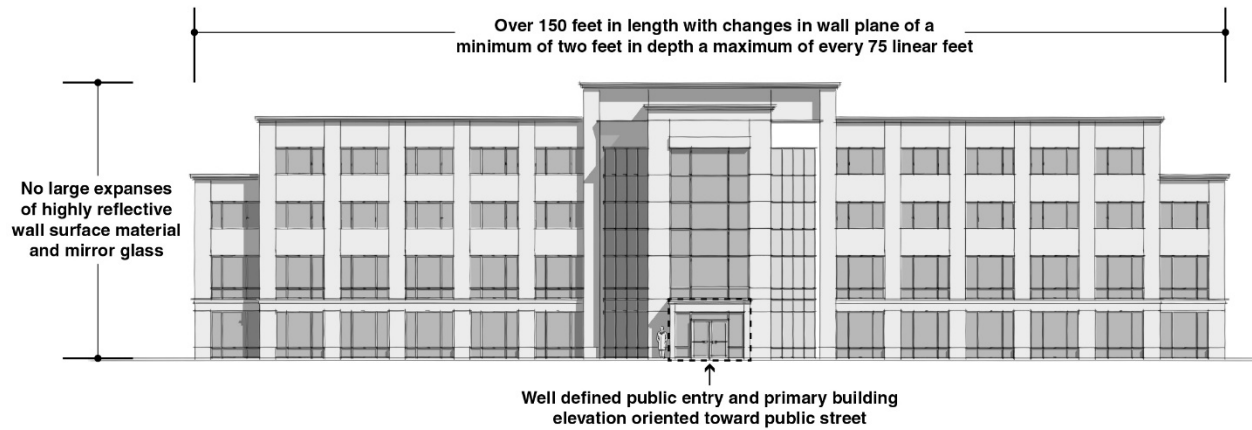
- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 35% measured 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).

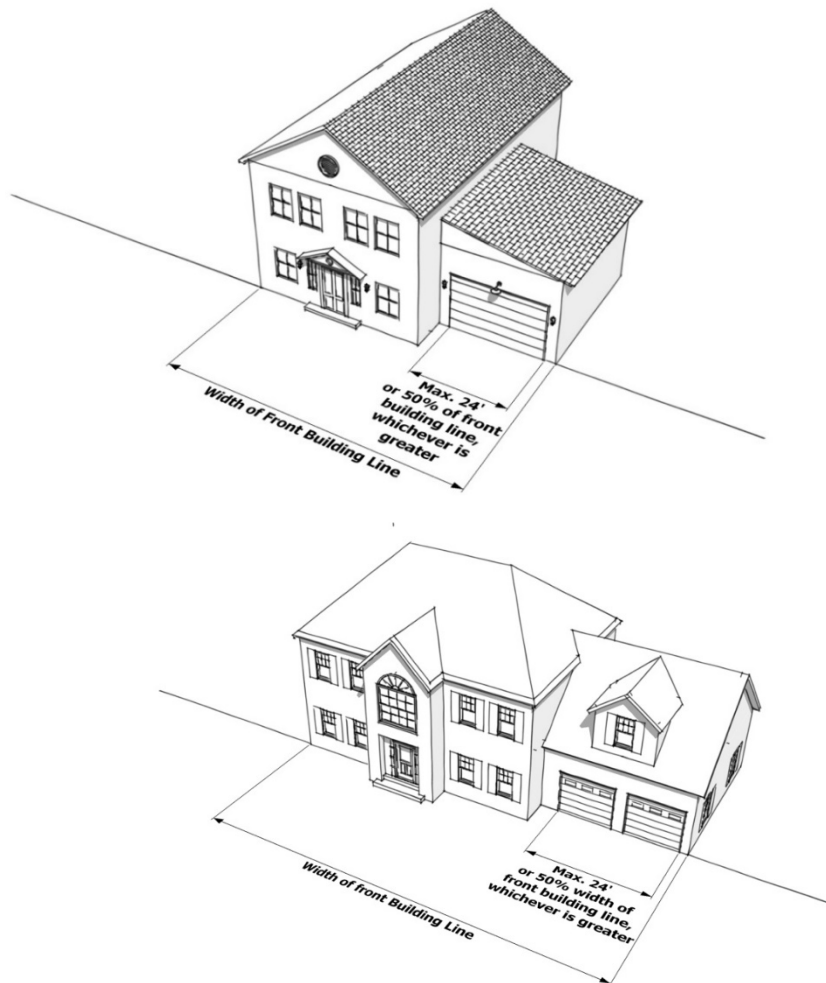
viii. 3 points – all front facing carriage style garage door(s). Carriage style garage doors may include decorative, simulated woodwork, decorative handles and brackets and window inserts.

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

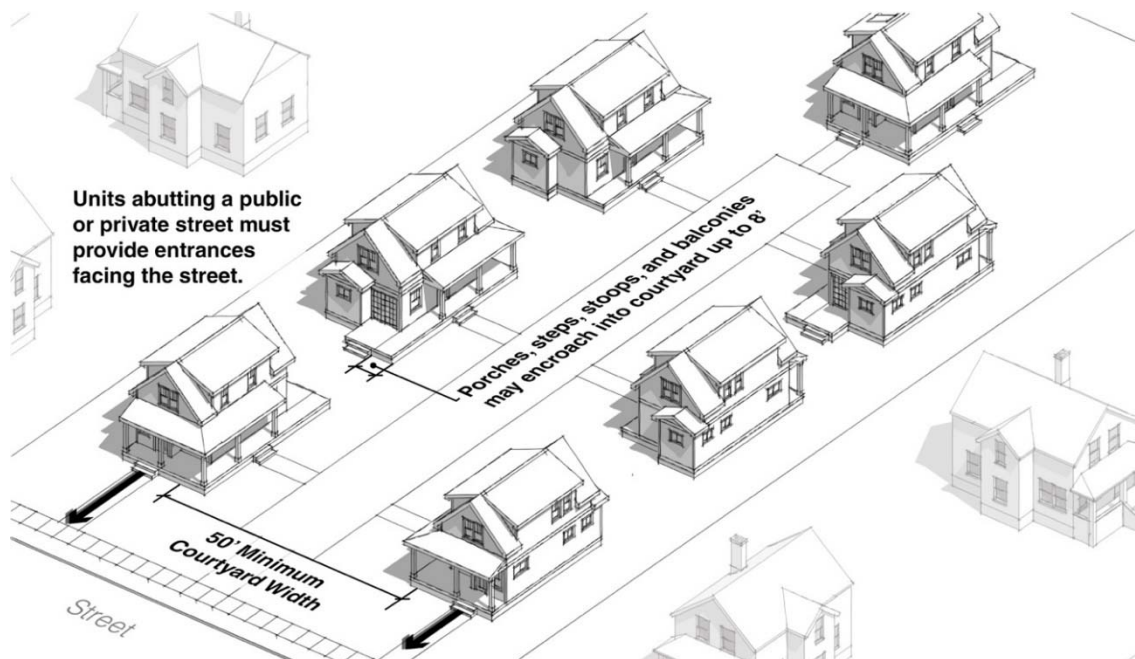


5. When a single-family and/or two-family development is designed as a house court, the following standards apply. A house court is a group of single-family and/or two-family dwellings arranged around a common courtyard or open space. Front facades of dwellings and primary pedestrian entrances are oriented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

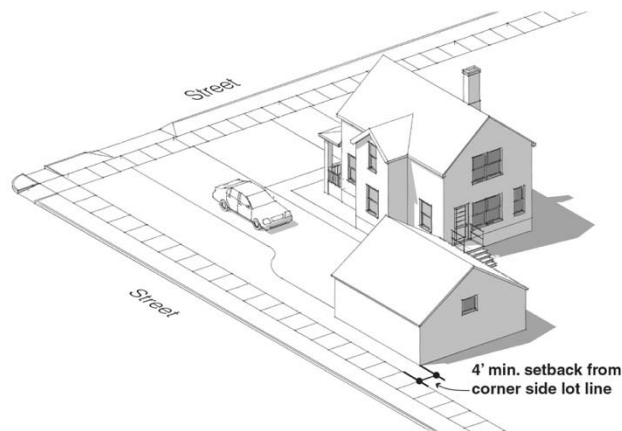
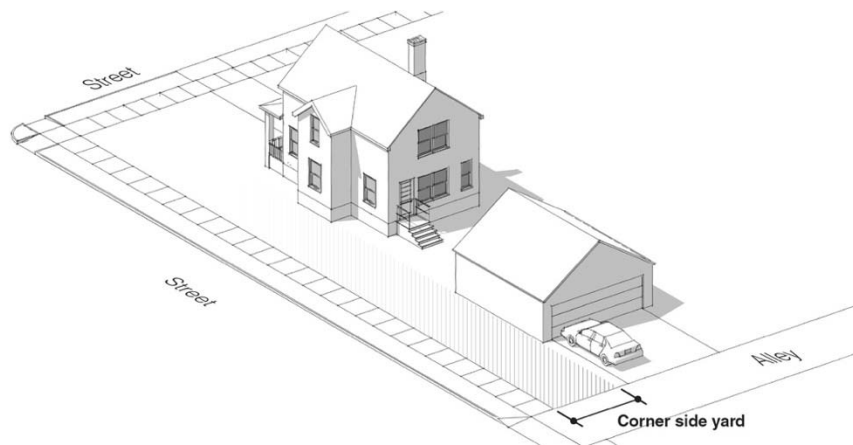
- b.** When only one side of a fence is finished, the finished side of all fences must face away from the lot on which it is located.
- c.** Fence height is measured from the adjacent ground to the highest point, except that decorative posts/pillars of a fence may exceed the maximum height by nine inches.
- 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

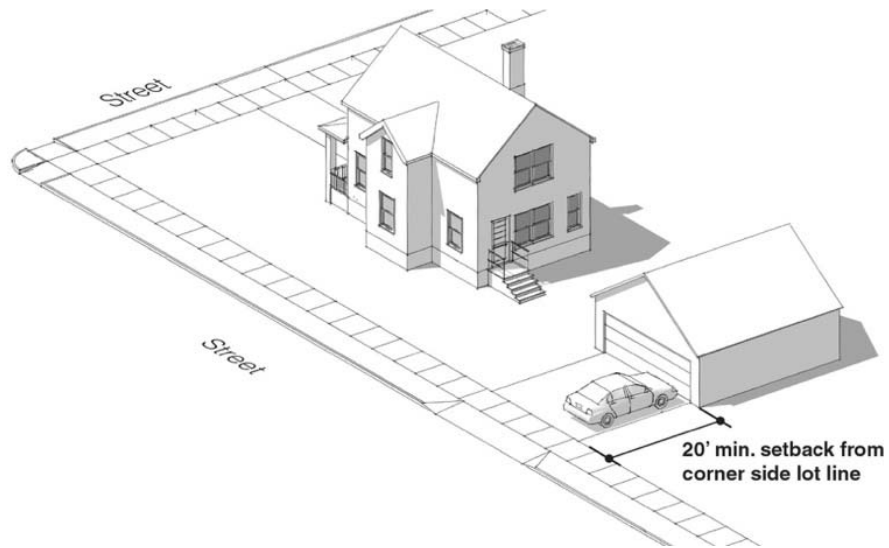
#### **K. Garages, Detached and Carports**

- 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.
-

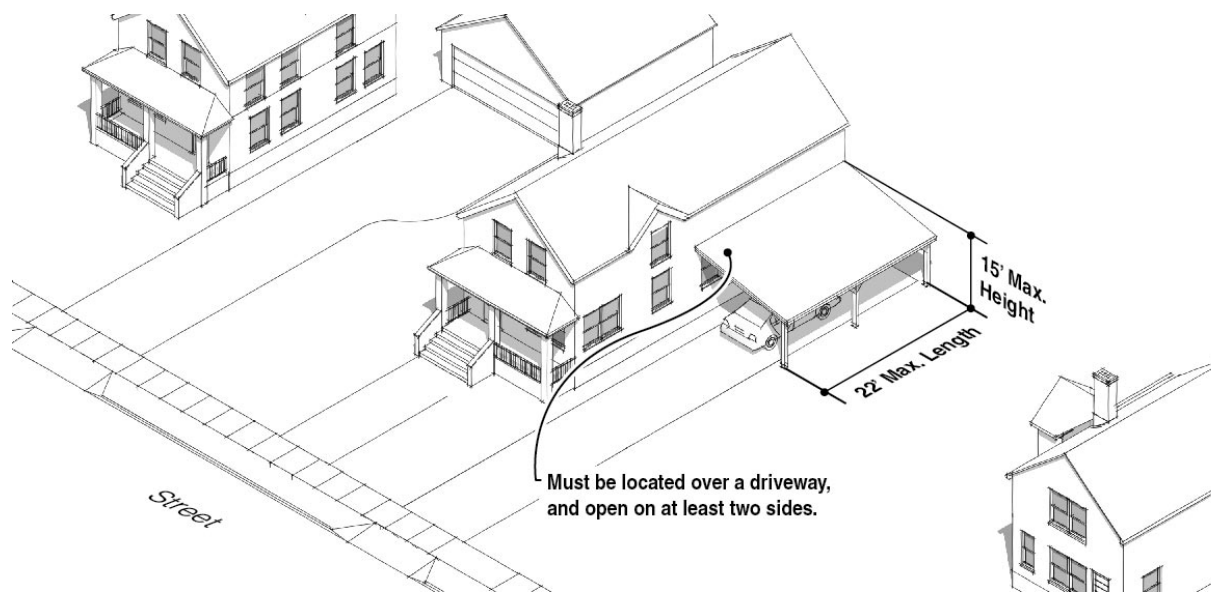
- c. Detached garages are encouraged to match the pitch of the roof of the principal dwelling.
  - d. Detached garages utilizing metal siding and/or roofing shall not have highly reflective surfaces.
  - e. Detached garages shall not contain cooking facilities or plumbing. This does not apply if an accessory 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

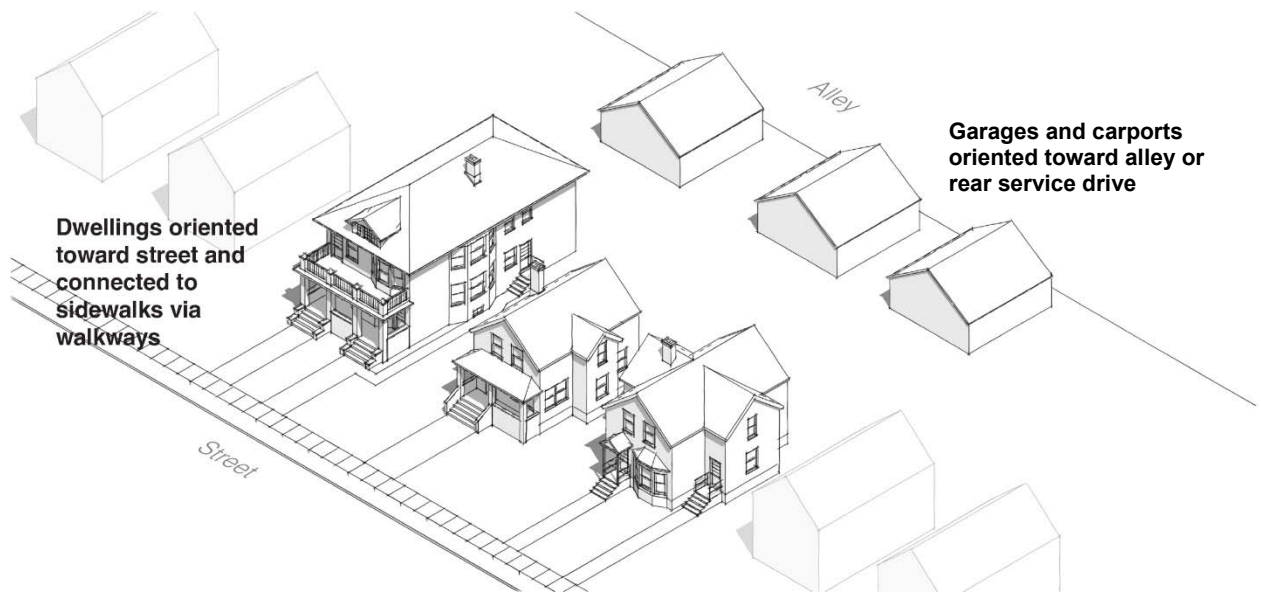


Table 17.09-1: Permitted Encroachments Into Required Setbacks

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
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**	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

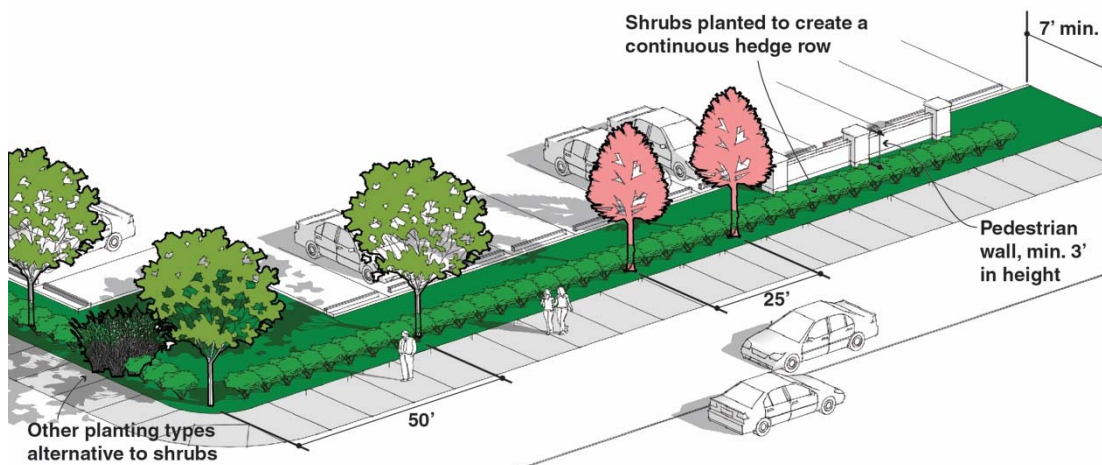
TABLE 17.10-4: OFF-STREET LOADING REQUIREMENTS	
Use Type	Number of Spaces Required
200,001sf and above GFA	3 loading spaces
<b>Industrial Use</b>	
10,000 - 40,000sf GFA	1 loading spaces
40,001 - 100,000sf GFA	2 loading spaces
100,001 and above GFA	3 loading spaces

**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**





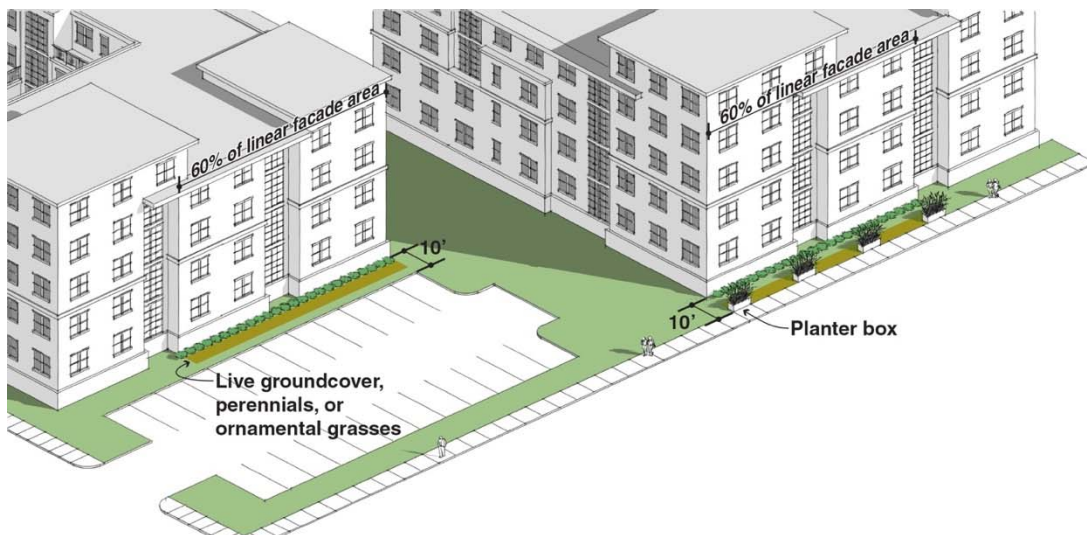
**Section 21.** Section 17.11.070 of the Davenport Municipal Code, entitled "Site Landscape" is hereby amended to read as follows:

**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.

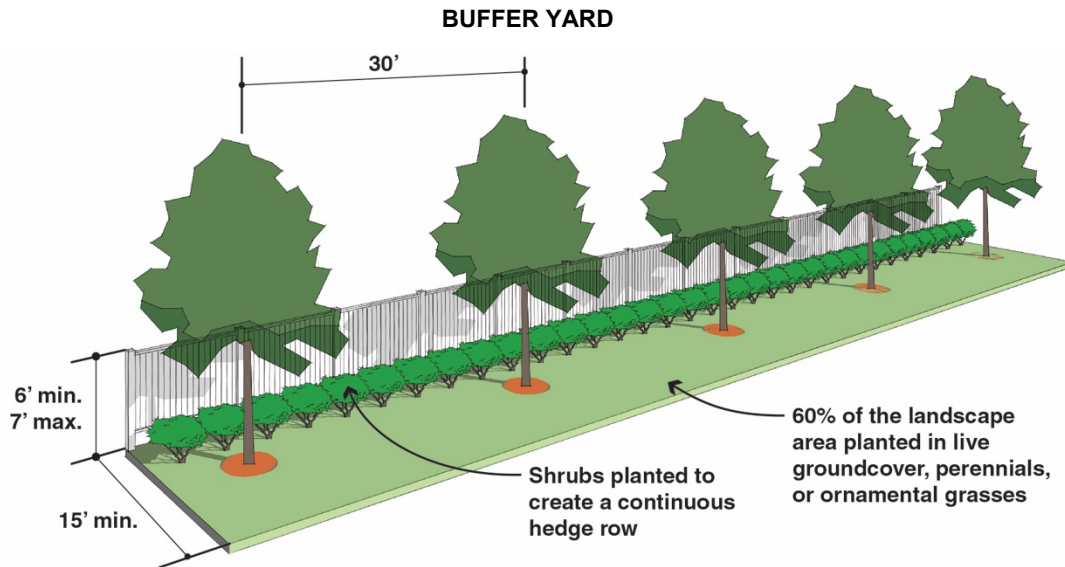
**SITE LANDSCAPE**



**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.

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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

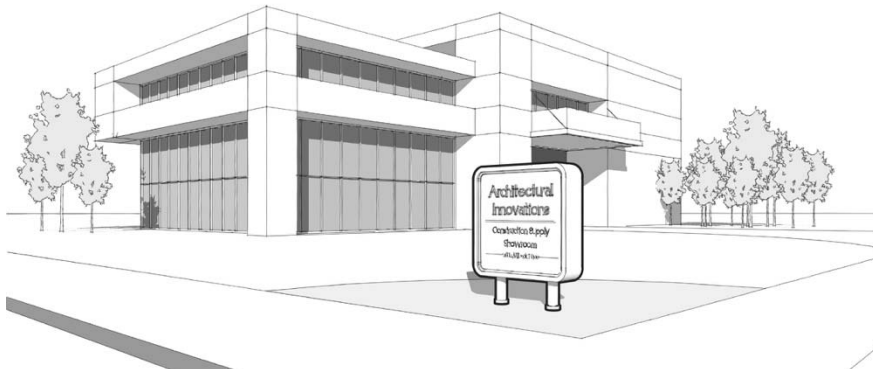
**Adjacent.** Close to or near something.

**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 **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
-

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.

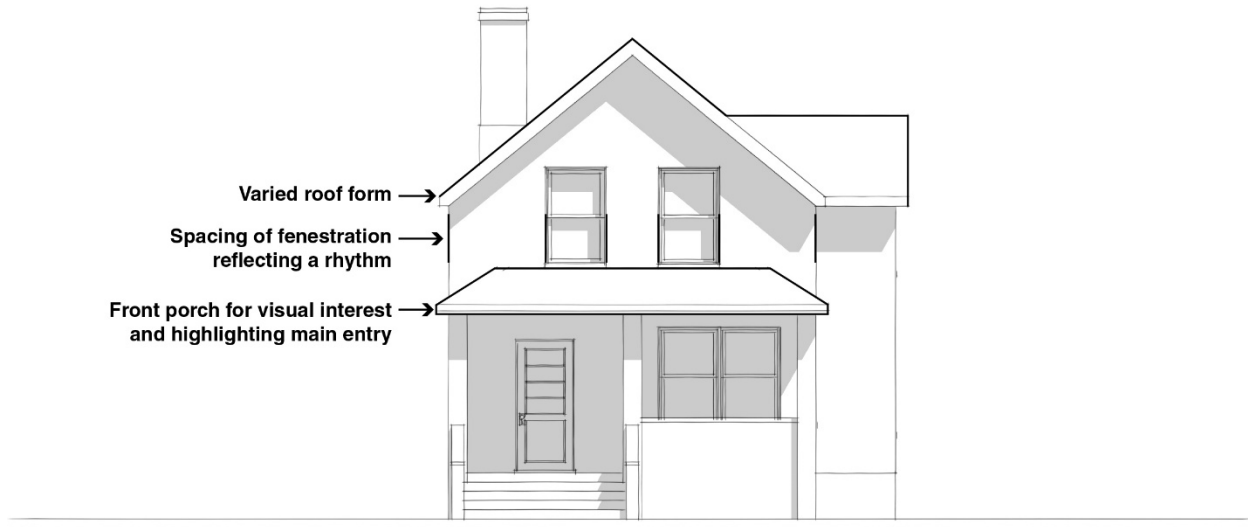
c. Frequent or irrational changes in building materials should be avoided. Change of materials should occur with prominent architectural features or changes in wall plane.

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 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.				•	
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



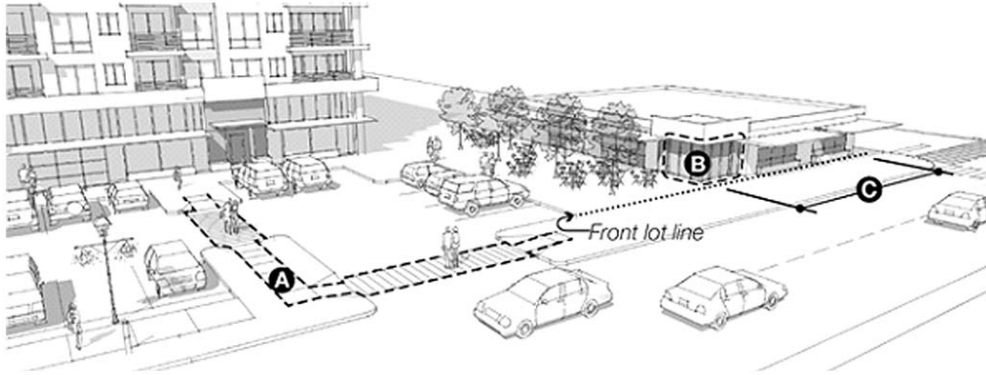
- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 50% measured 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

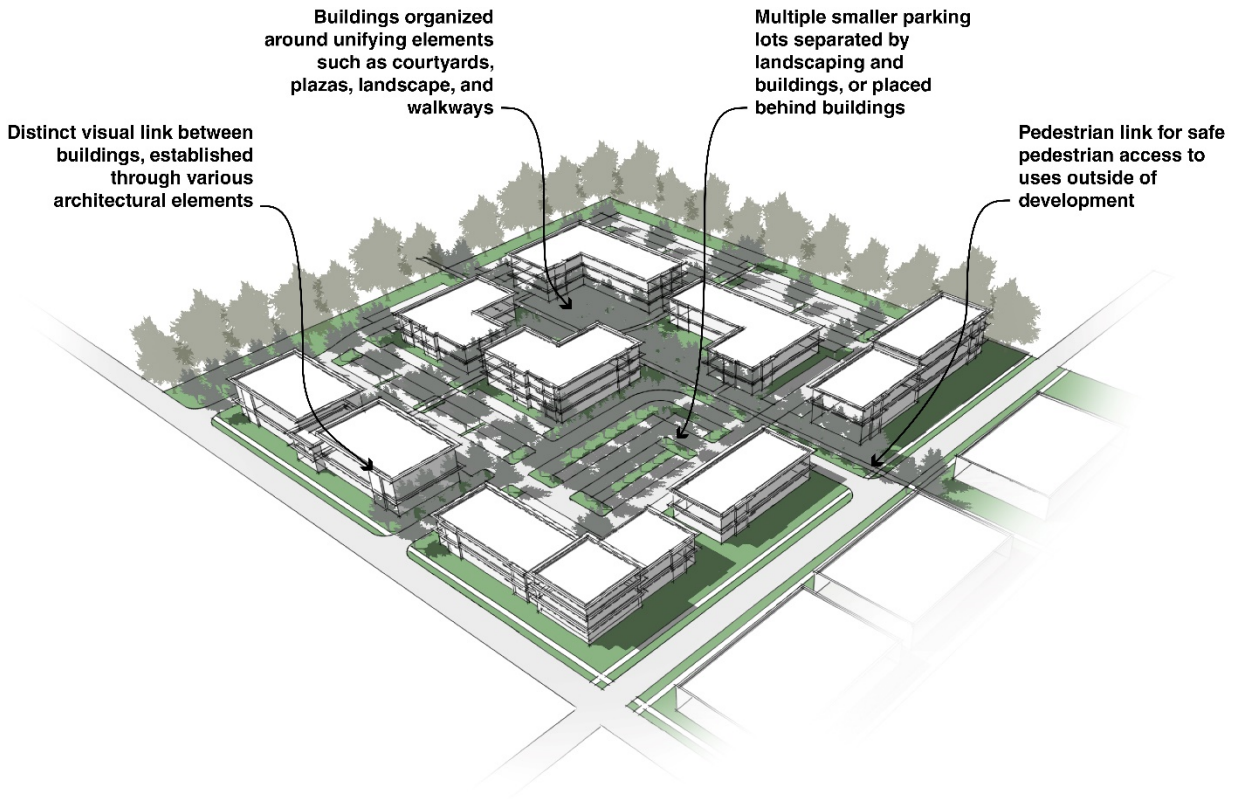
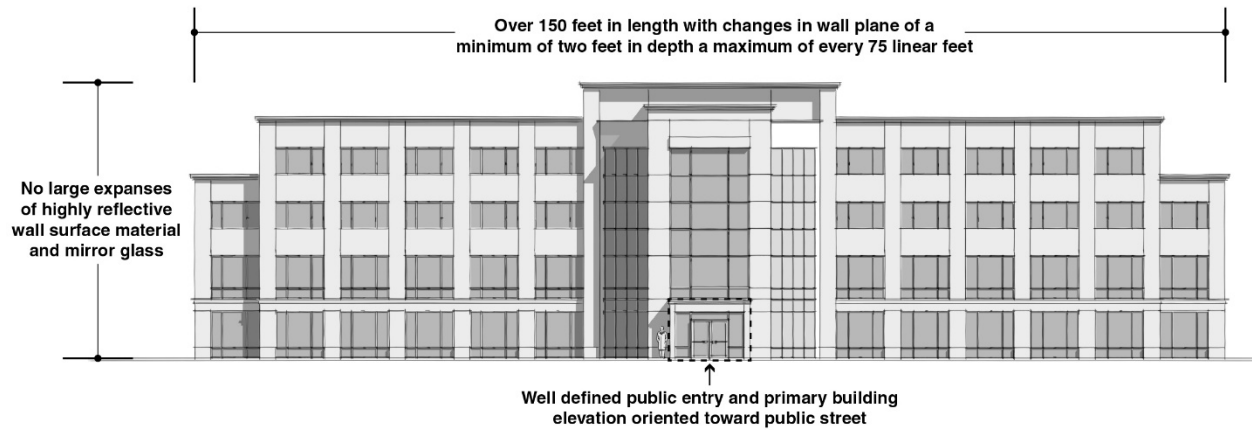
## MULTI-TENANT COMMERCIAL CENTER SITE DESIGN STANDARDS



- 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).

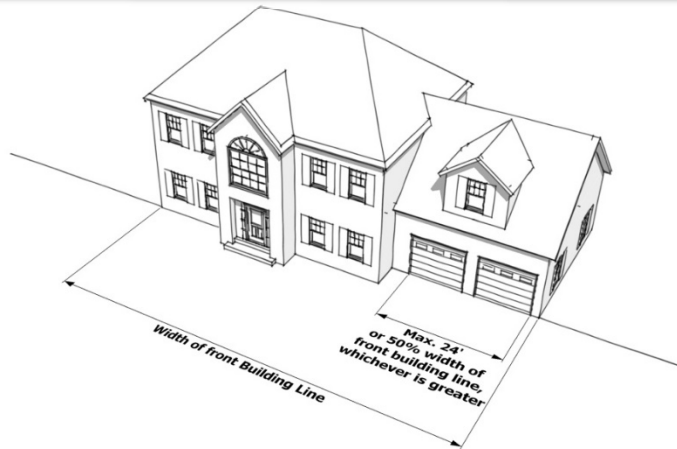
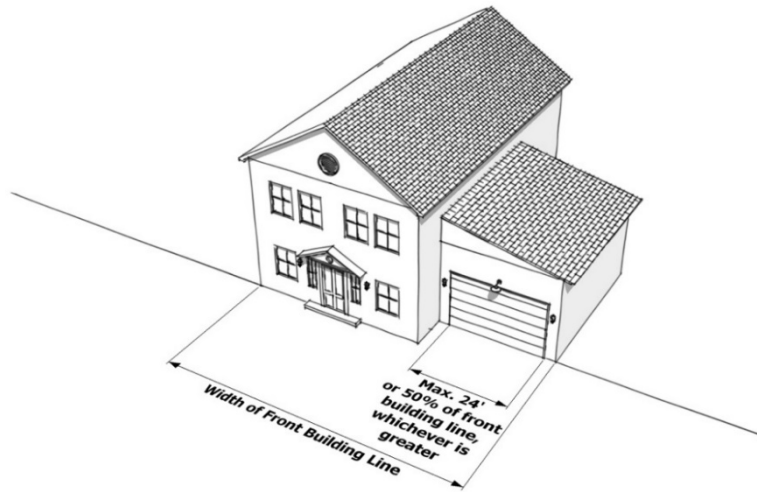
**xiv.** 1 point – window shutters.

**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).

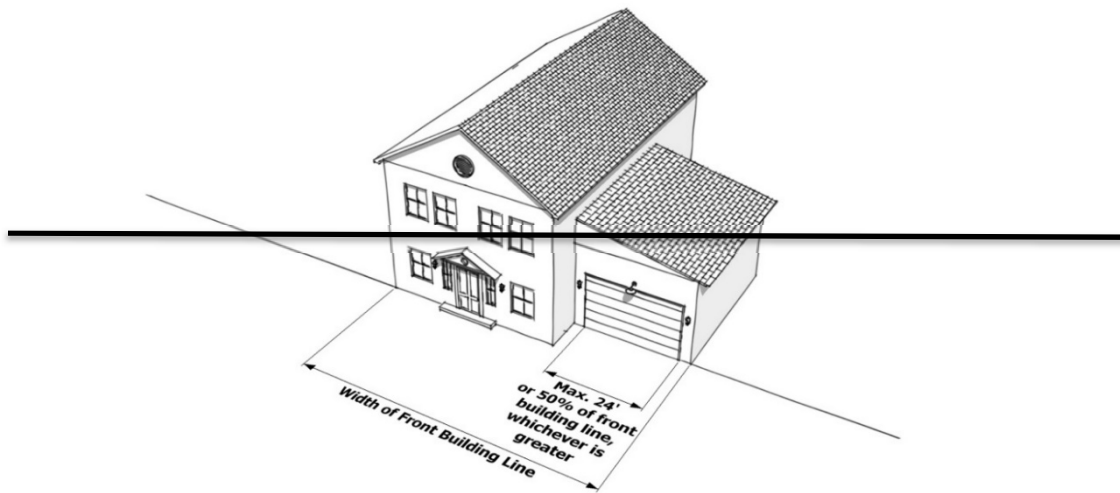
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## **ATTACHED GARAGE WIDTH**





## ATTACHED GARAGE WIDTH



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

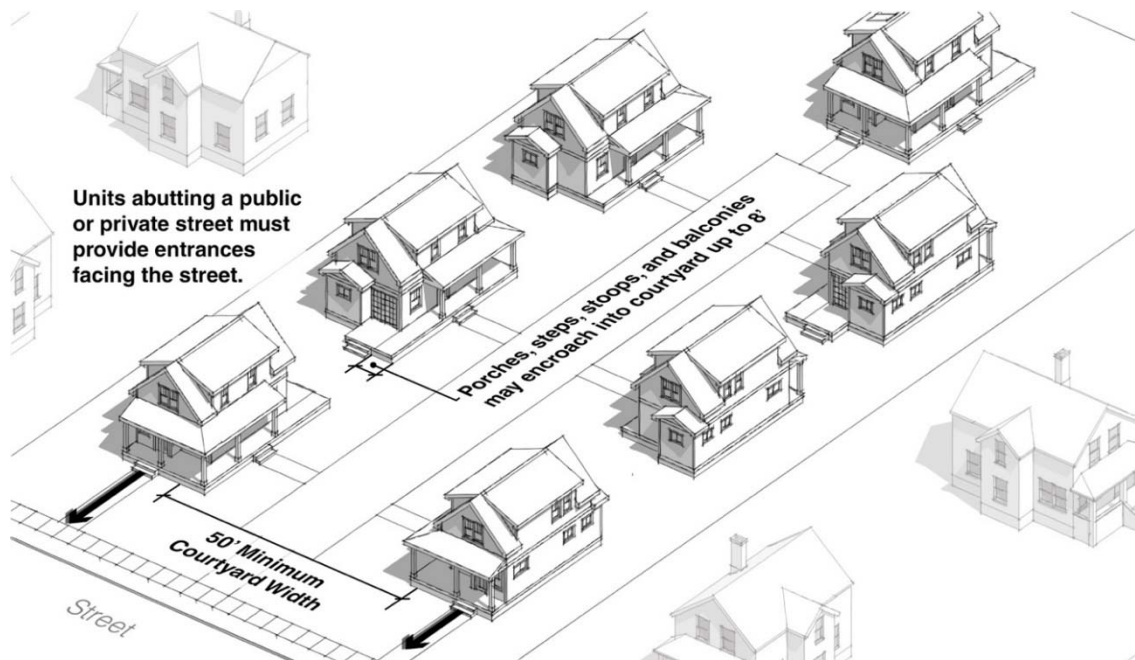
The changes below are considered part of a transition rule. As such, any previously permitted plans must be followed as approved.

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.
-

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.
-

## **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.

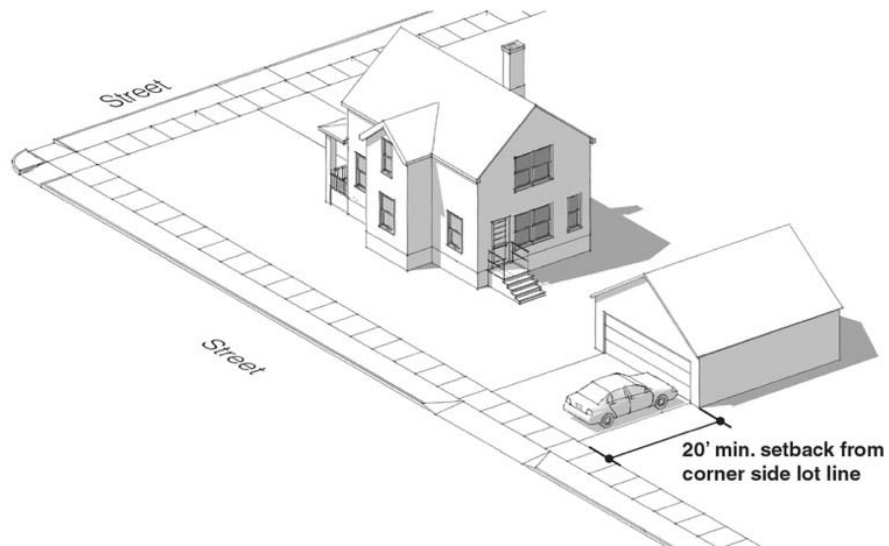
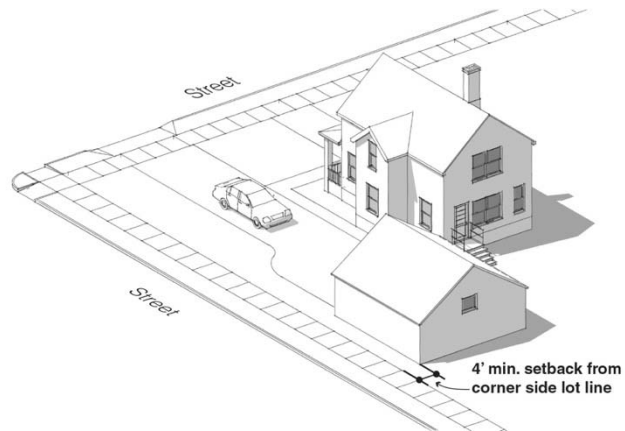
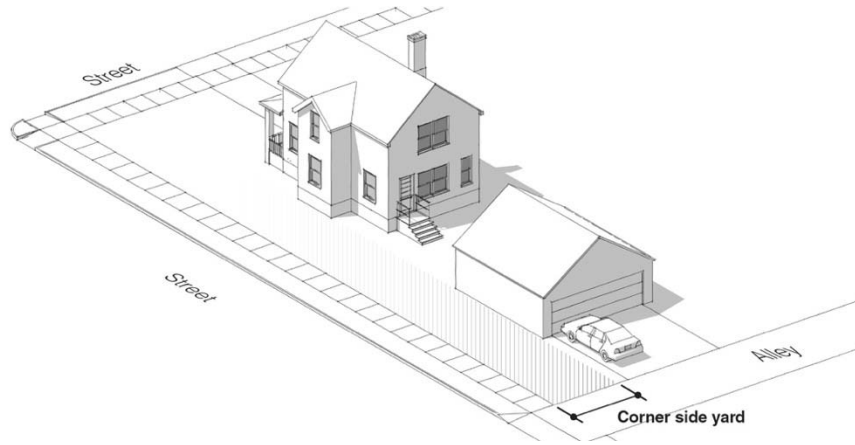
c. A carport must be entirely open on at least two sides, with the exception of necessary support structures.

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

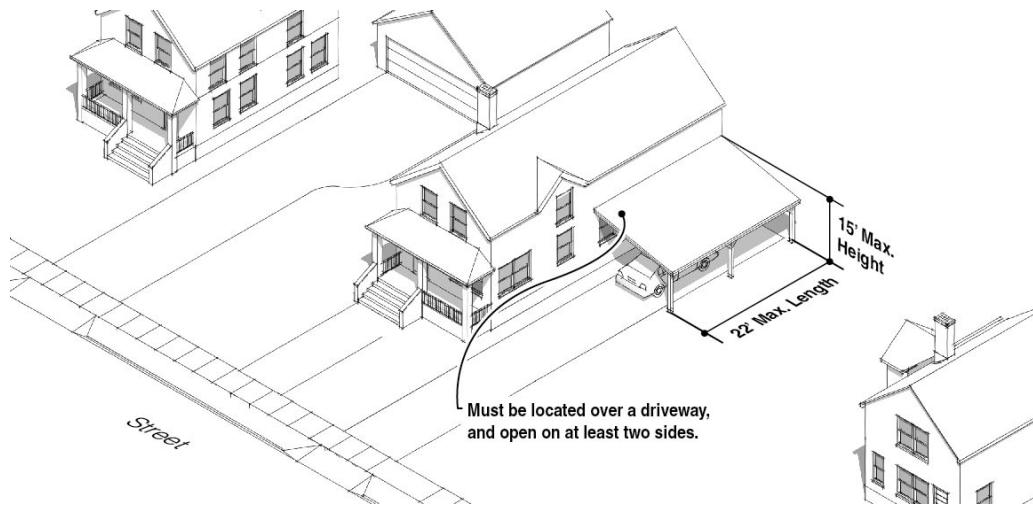
~~e.d.~~ Only carports located in the rear yard may be used as recreational vehicles storage.

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## DETACHED GARAGE ACCESS



## CARPORT



## GARAGES AND CARPORTS

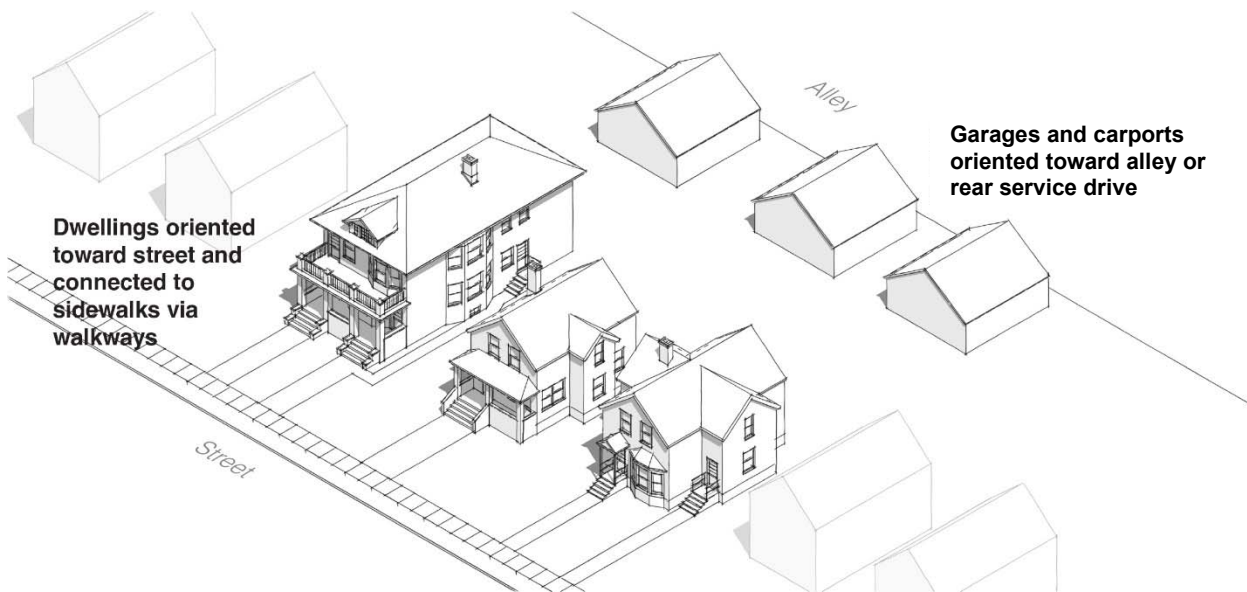


Table 17.09-1: Permitted Encroachments Into Required Setbacks  
Y= Permitted // N= Prohibited  
Max. = Maximum // Min. = Minimum

	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.

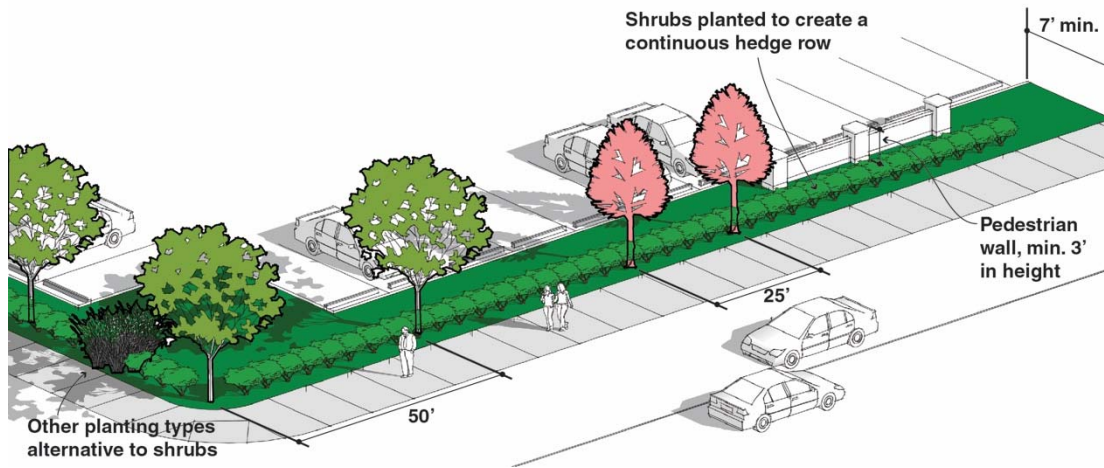
**B.** Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height may be used.

**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



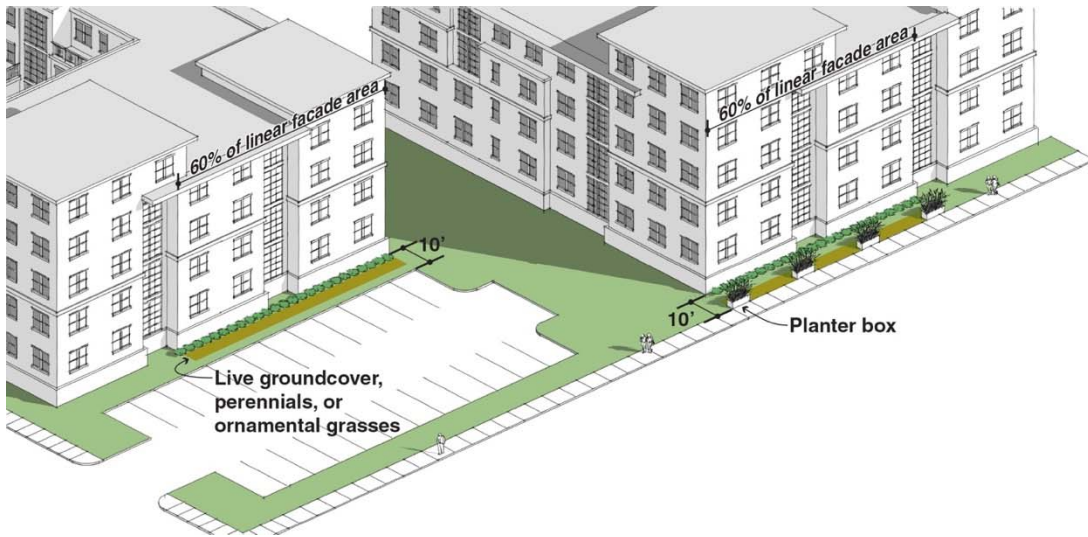
**Section 21.** Section 17.11.070 of the Davenport Municipal Code, entitled "Site Landscape" is hereby amended to read as follows:

**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.

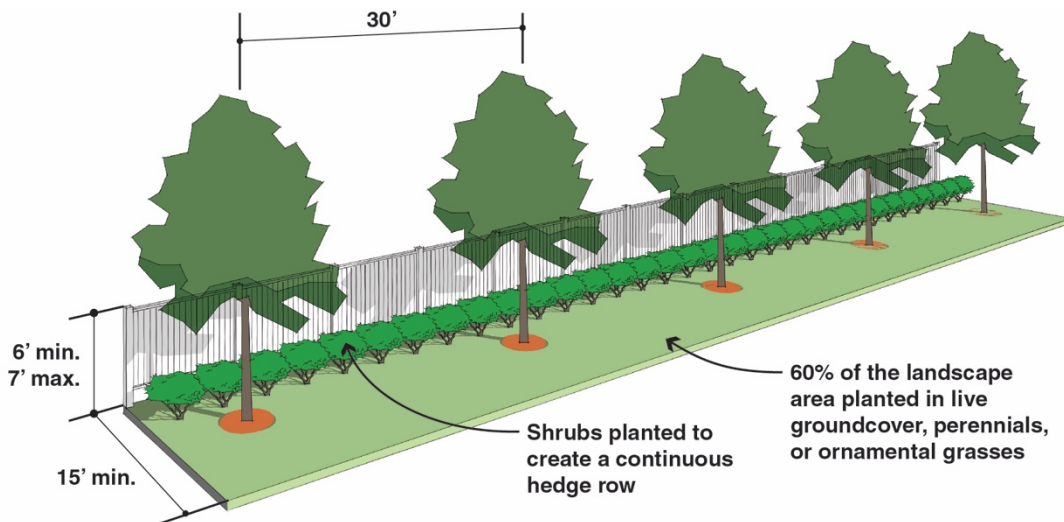
## SITE LANDSCAPE



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 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.

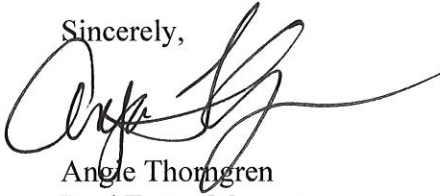
We are curious when and how this change took place? And if it was with the new ordinance updates, why we were not made aware of during the review process prior to the adoption of the ordinance? Was the change inadvertent and/or mistakenly transposed somehow? And, if

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: Public Safety  
Contact Info: Gary Statz 563-326-7754  
Wards:

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

Subject:

First 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: Community Planning & Economic Development

Contact Info: Matt Flynn 563-888-2286

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution setting forth the policy for notification for certain zoning applications (City of Davenport, Petitioner). [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This resolution was prepared in order to address concerns about the public notification processes articulated within the Zoning Ordinance. Some of the notice requirements in the Zoning Ordinance became permissive to protect the city from legal liability beyond what is required by State Law. This notice policy will direct public notification for zoning applications.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	8/15/2019 - 12:17 PM

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

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting forth the city's notice policy for certain zoning applications

WHEREAS, the City of Davenport always strives to maximize transparency, communication and citizen engagement;

WHEREAS, the public's methods and sources of acquiring and consuming information continue to evolve and some of the traditional means and outlets are losing their reach;

WHEREAS, issues of land use are of high importance to our neighbors and businesses; and

WHEREAS, public participation and the diversity of thought often improves the decision-making process;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the Community Planning and Economic Development Department provide notice in the following ways:

<b>Zoning Application</b>	<b>Published Notice</b>	<b>Mailed Notice</b>	<b>Posted Notice</b>	<b>Neighborhood Meeting</b>
<b>Zoning Map Amendment</b>	•	•	•	•
<b>Planned Unit Development</b>	•	•	•	•
<b>Right-of-Way or Easement Vacation</b>	•	•		
<b>Special Use</b>	•	•	•	
<b>Hardship Variance</b>	•	•	•	

#### **Published Notice**

The city will publish notice in a newspaper of general circulation within the City. The notice will 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 will 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.

**Mailed Notice**

The city will mail notice. The notice will 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. Notices will be mailed as follows:

1. To all property owners within 200 feet of the lot line of the subject property.
2. No less than seven days and no more than 20 days in advance of the Plan and Zoning Commission and/or Zoning of Adjustment public hearing.
3. No less than seven days and no more than 20 days in advance of the City Council public hearing.
4. Prior to the committee of the whole meeting at which an item returns for council discussion and consideration, city will mail notice if an item is tabled by more than one cycle.

**Posted Notice**

The city will post notice. The sign will 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 will be posted with one sign visible on each street frontage. Notices will be posted as follows:

1. No less than seven days and no more than 20 days in advance of the public hearing.

**Neighborhood Meeting**

The city will facilitate and mail notice of a neighborhood meeting. The notice will include the date, time, and location of the neighborhood meeting, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property. Notices will be mailed as follows:

1. To all property owners within 200 feet of the lot line of the subject property.
2. No less than seven days and no more than 20 days in advance of the neighborhood meeting.

**Exception for City Initiated Zoning Map Amendment**

The city reserves the authority to forego the mailed notice, posted notice and neighborhood meeting when the city is initiating a zoning map amendment on a parcel to a less intense zoning district. The city will mail notice to the affected property owner(s). If the zoning district is not listed below, it requires special consideration and the normal procedure outlined in this policy will be followed.

**Category 1 – Residential Districts**

The following are listed in order from least intense to most intense:

1. R-1 Single-Family Residential Zoning District
2. R-2 Single-Family Residential Zoning District
3. R-3 Single-Family and Two-Family Residential Zoning District
4. R-3C Single-Family and Two-Family Central Residential Zoning District
5. R-4 Single-Family and Two-Family Residential Zoning District
6. R-4C Single-Family and Two-Family Central Residential Zoning District
7. R-MF Multi-Family Residential Zoning District

#### Category 2 – Commercial Districts

The following are listed in order from least intense to most intense:

1. C-T Commercial Transitional Zoning District
2. C-1 Neighborhood Commercial Zoning District
3. C-2 Corridor Commercial Zoning District
4. C-3 General Commercial Zoning District

With the exception of R-MF Multi-Family Residential Zoning District, any district listed in category 1 is less intense than any district listed in category 2.

#### Category 3 – Industrial Districts

The following are listed in order from least intense to most intense:

1. I-1 Light Industrial Zoning District
2. I-2 Heavy Industrial Zoning District

Any district listed in category 1 or 2 is less intense than any district listed in category 3.

#### Category 4 – Special Purpose Districts

The S-OS Open Space Zoning District is less intense than any district listed in category 1, 2 or 3.

BE IT FURTHER RESOLVED that staff will continue to explore and utilize new channels of communication that strengthen the reach of our public notifications and that this policy be periodically updated to incorporate advances.

BE IT FURTHER RESOLVED that compliance with this policy while serving as a basis for performance evaluation and discipline, shall not add to the legal notice requirements set forth in state law or otherwise effect the legal validity of the land use action itself.

Attest:

Approved:

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Brian Krup  
Deputy City Clerk

---

Frank Klipsch  
Mayor



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 P18-05 being the request of Kerry Condon on behalf of Pine Partners LLC for a Preliminary Plat for a 63 lot subdivision located west of Division St and north of W 55th St. [Ward 8]

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

**Zoning:**

The property is currently zoned "R-4" Single-Family and Two-Family Residential Zoning District.

**Technical Review:**

Streets.

The subdivision is located west of N Division St and north of W 55th St.

Storm Water.

The development would need to achieve consistency with the City's storm water ordinance. Considering storm sewer infrastructure will be extended throughout the development, easement widths will be verified during consideration of future Final Plats.

Sanitary Sewer.

An 8 inch sanitary sewer line extends through the development. Considering sanitary sewer

infrastructure will be extended throughout the development, easements widths will be verified during consideration of future Final Plats.

Other Utilities.

Other utilities are located in the area.

Parks/Open Space.

The proposed development has no impact on parks/open space.

**Public Input:**

No public hearing is required for a Preliminary Plat.

**Discussion:**

The request is for a Preliminary Plat for a 63 lot subdivision located west of N Division St and north of W 55th St.

**Plan and Zoning Commission Recommendation:**

At its regular meeting of September 24, 2018, the Plan and Zoning Commission considered Case No.P18-05 being the request of Kerry Condon on behalf of Pine Partners LLC for a Preliminary Plat for a 63 lot subdivision located west of N Division St and north of W 55th St.

Findings:

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

The Plan and Zoning Commission accepted the listed findings and forwards Case No. P18-05 to the City Council with a recommendation for approval subject to the following conditions:

1. That (Quarter) Section Lines be shown on the preliminary plat;
2. That the word “proposed” be removed from 5 under Notes on the preliminary plat; and
3. That the roundabout be removed on Howell Street.

Please note that the preliminary plat has been revised to achieve consistency with conditions 1, 2 and 3, and therefore, the conditions are not included in the resolution.

The Commission vote was 8 yes, 0 no and 0 abstention.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Preliminary Plat
▣ Backup Material	Zoning Map
▣ Backup Material	Land Use Map

REVIEWERS:

Department	Reviewer	Action	Date
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Community Planning & Economic Development	Berger, Bruce	Approved	8/15/2019 - 8:52 AM
Community Development Committee	Berger, Bruce	Approved	8/15/2019 - 8:53 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 3:54 PM

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

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. P18-05 being the request of Kerry Condon on behalf of Pine Partners LLC for a Preliminary Plat for a 63 lot subdivision located west of Division Street and north of West 55th Street. [Ward 8]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Preliminary Plat of Pine Grove Subdivision be the same and is hereby approved and accepted subject to all the conditions as stated in the September 4, 2018 Plan and Zoning Commission's recommendation for approval (please note that conditions 1 – 3 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

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PRELIMINARY PLAT  
PINE GROVE SUBDIVISION  
Davenport, Iowa  
Pine Partners LLC

proj no. 18-004  
drawn by: lsa | lsa  
checked by: cam | lsa  
date: 01.11.2019

PRELIMINARY  
PLAT

C-1

revision	date	no.
1	07.12.2019	1
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proj no. 18-004  
drawn by: lsa | lsa  
checked by: cam | lsa  
date: 01.11.2019

PRELIMINARY  
PLAT

C-1

NOTES

1. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS AND DETAIL DRAWINGS, LATEST EDITION.
2. ALL LOT DIMENSIONS ARE APPROXIMATE.
3. TOPOGRAPHY AND SEWER LOCATIONS ARE PER CITY OF DAVENPORT G.I.S.
4. FRONT YARDS WHERE SANITARY IS SHOWN SHALL HAVE A 15 FOOT SANITARY SEWER & UTILITY EASEMENT. FRONT YARDS WITHOUT SANITARY SEWER SHALL HAVE A 15 FOOT WATERMAIN & UTILITY EASEMENT. SIDE LOT LINES WITH SANITARY SEWER AND STORM SEWER SHALL HAVE A 30 FOOT SEWER & DRAINAGE EASEMENT. SIDE YARD WITH SUMP PUMP SEWER SHALL HAVE A 10 FOOT DRAINAGE EASEMENT CENTERED ON LOT LINE.
5. ZONING IS R-4 (MODERATE DENSITY DWELLING DISTRICT).
6. ALL SANITARY SEWER SHALL BE 8-INCH DIAMETER.
7. ALL WATERMAIN SHALL BE 8-INCH DIAMETER.
8. ALL STORM WATER DETENTION AND WATER QUALITY TREATMENT SHALL BE DESIGNED AT THE TIME OF FINAL PLATTING.
9. STORM WATER DETENTION AREA OUTLOTS (A-G) SHALL ALSO SERVE AS DRAINAGE EASEMENTS.

OWNER | DEVELOPER

PINE PARTNERS LLC  
P.O. BOX 2852  
DAVENPORT, IA 52809  
563.570.3995

SURVEYOR

VERBEKE-MEYER CONSULTING  
ENGINEERS, P.C.  
4111 E. 60TH STREET  
DAVENPORT, IA 52807  
563.359.1348

LEGEND

PROPOSED	EXISTING	
•	○	STORM MANHOLE
■	□	STORM INLET
•	◊	FLARED END SECTION
•	•	SANITARY MANHOLE
—	—	STORM SEWER
—	—	SANITARY SEWER
—	—	WATER LINE
—	—	SECTION LINE

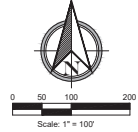
SITE LOCATION MAP



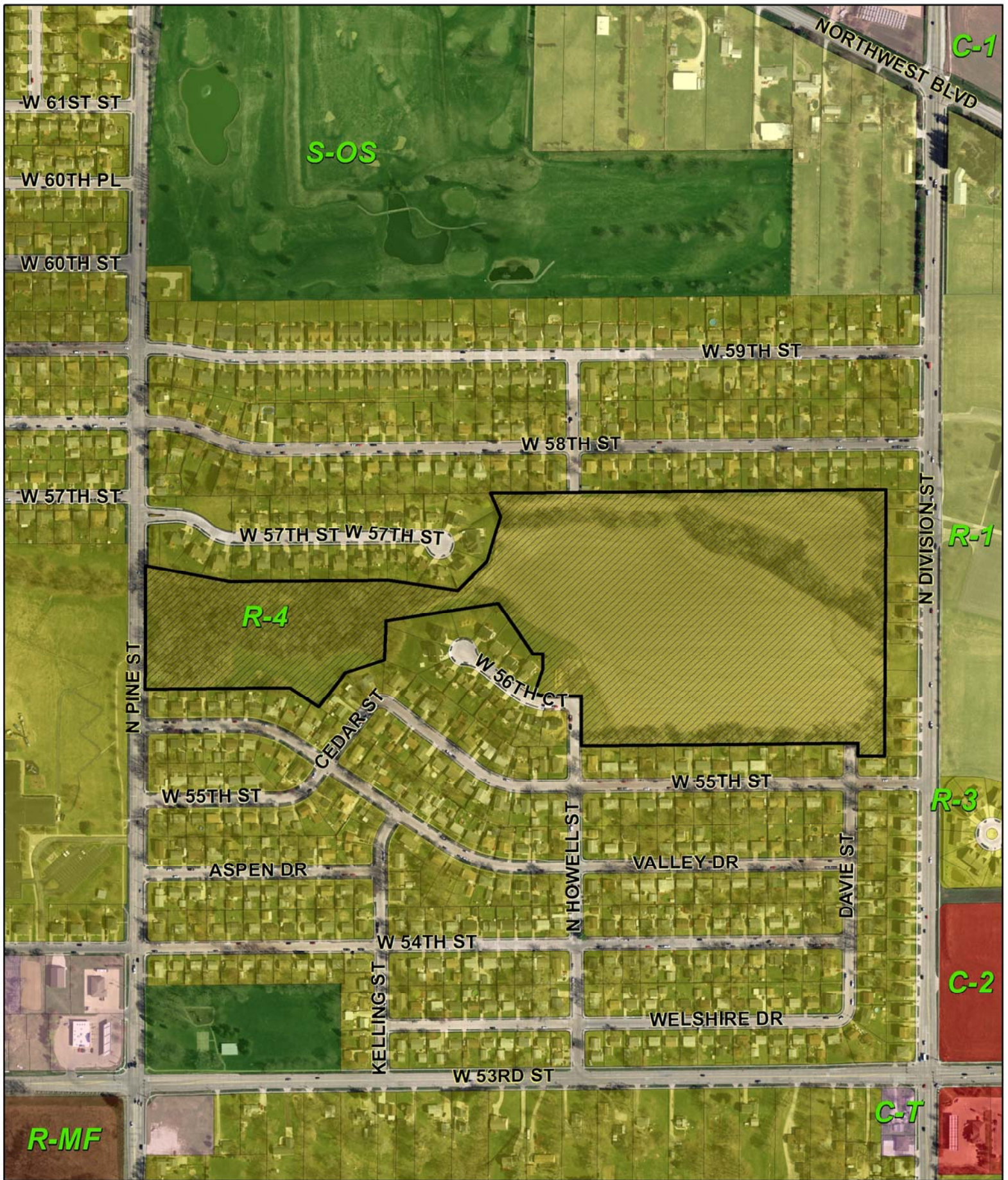
PRELIMINARY PLAT OF

PINE GROVE SUBDIVISION

AN ADDITION TO THE CITY OF DAVENPORT, IOWA  
BEING PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4  
OF THE SOUTHEAST 1/2 OF THE NORTHWEST 1/4  
SECTION 7 AND PART OF THE WEST 1/2 OF THE  
SECTION 10, TOWNSHIP 78 NORTH, RANGE 3 EAST OF  
THE 5TH P.M. IN SCOTT COUNTY, IOWA





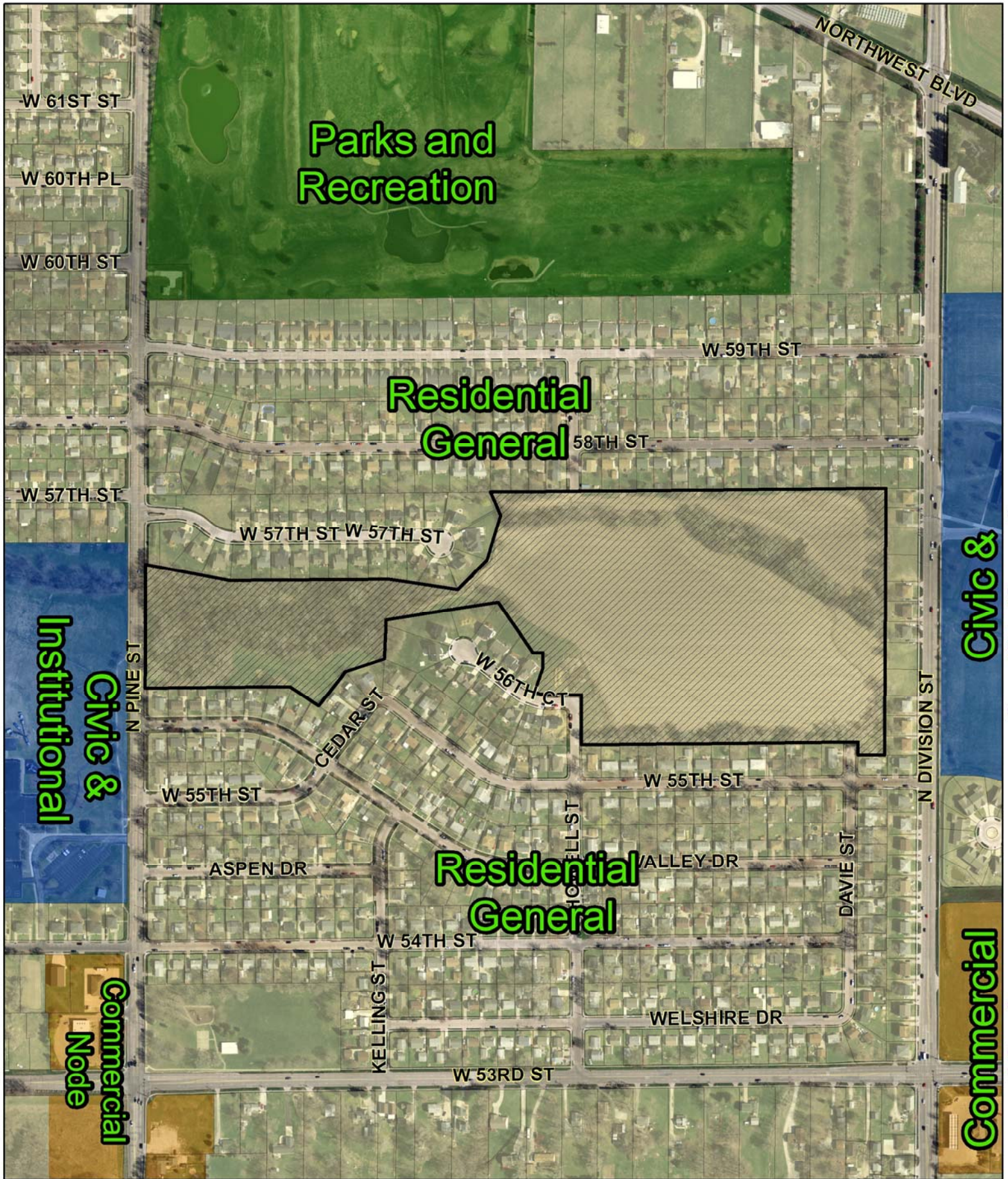


Subject Property

N







 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 F19-06 being the request of Dolans 53rd Street LC for a Final Plat for a 1 lot subdivision on 2.83 acres located north of W 53rd St and east of Villa Dr. [Ward 8]

Recommendation:  
Adopt the Resolution.

Background:  
**Comprehensive Plan:**

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Commercial Node (CN) – Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN should serve a population of about 5000 people within 1/2 mile. Ideally, CN areas should be architecturally integrated, and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.

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 via Villa Dr and a private drive that provides access to W 53rd St.

Storm Water.

Development of the property 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 1 lot subdivision on 2.83 acres of property, which is a combination of Lot 2 of Dolan's 53rd St First Addition and Lot 3 of Dolan's 53rd St Second Addition.

The final plat would facilitate a townhouse development in four buildings.

**Plan and Zoning Commission Recommendation:**

At its regular meeting of April 2, 2019, the Plan and Zoning Commission considered Case F19-06 being the request of Dolans 53rd Street LC for a Final Plat for a 1 lot subdivision on 2.83 acres located north of W 53rd St and east of Villa Dr.

**Findings:**

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The 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 F19-06 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 a note be added to the plat stating that sidewalks shall be installed along street frontages when so ordered by the City; and
5. That the building setback lines depicted on the plat be amended to reflect the dimensional standards of the C-2 Corridor Commercial Zoning District.

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 8 yes, 0 no and 0 abstention.

**ATTACHMENTS:**

Type	Description
▣ Backup Material	Resolution
▣ Backup Material	Final Plat

- ▢ Backup Material
- ▢ Backup Material

Zoning Map  
2035 Land Use Map

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	8/15/2019 - 8:50 AM
Community Development Committee	Berger, Bruce	Approved	8/15/2019 - 8:50 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 3:56 PM

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

Resolution offered by Rita Rawson, Chairperson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F19-06 being the request of Dolans 53rd Street LC for a Final Plat for a 1 lot subdivision on 2.83 acres located north of West 53rd Street and east of Villa Drive. [Ward 8]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Final Plat of Dolan's 53<sup>rd</sup> Street 7th Addition be the same and is hereby approved and accepted subject to all the conditions as stated in the April 2, 2019 Plan and Zoning Commission's recommendation for approval (please note that conditions 1 – 5 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.

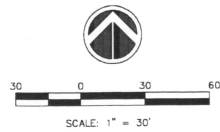
BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record the attached assessment waiver.

Attest:

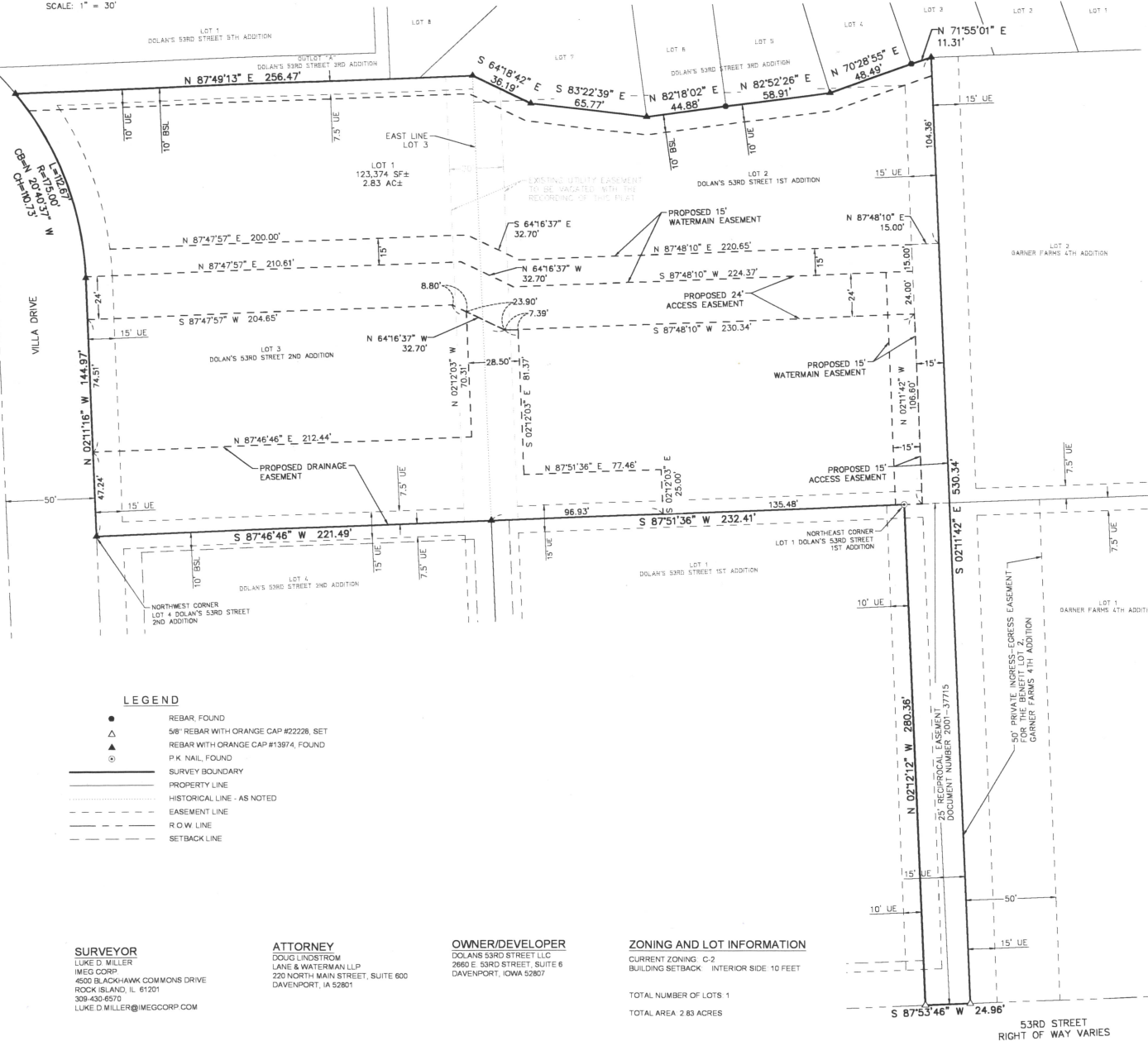
Approved:

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

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



**SUBDIVISION PLAT**  
OF  
**DOLAN'S 53RD STREET 7TH ADDITION**  
BEING A RE-PLAT OF LOT 2, DOLAN'S 53RD STREET 1ST ADDITION (DOCUMENT NUMBER 2001-28516),  
AND LOT 3, DOLAN'S 53RD STREET 2ND ADDITION (DOCUMENT NUMBER 2003-17705),  
PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10,  
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., CITY OF DAVENPORT, SCOTT COUNTY IOWA.  
2.83 ACRES±



MIDAMERICAN ENERGY COMPANY  
DATE: 5/17/19  
Approved subject to the compliance of record by Mid-American Energy Co.

MEDACOM  
BY: Anna McKinney  
DATE: 5/17/19

CENTURY LINK QWEST  
BY: [Signature]  
DATE: 5-16-19

IOWA-AMERICAN WATER COMPANY  
BY: [Signature]  
DATE: 5-16-19

PLANNING AND ZONING COMMISSION  
BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

DAVENPORT CITY COUNCIL  
BY: \_\_\_\_\_  
DATE: \_\_\_\_\_  
ATTEST: \_\_\_\_\_

**GENERAL NOTES**

THIS FINAL PLAT WAS PREPARED AT THE REQUEST OF, AND FOR THE EXCLUSIVE USE OF DOLAN'S 53RD STREET LLC.

IT SHOULD BE NOTED THAT IN THE PERFORMANCE OF THIS RE-SURVEY, THE COURSES AND DISTANCES OF THE RE-SURVEY MAY VARY FROM RECORDED CALLS, BASED ON THE EXISTENCE OF FOUND MONUMENTATION, OCCUPATION, OR OTHER CONTROLLING CALLS OR CONDITIONS THAT HAVE OCCURRED IN THE RE-SURVEY OF THIS PROPERTY.

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND ROADWAYS OF RECORD.

NO INVESTIGATION CONCERNING ENVIRONMENTAL AND SUBSURFACE CONDITIONS, OR FOR THE EXISTENCE OF UNDERGROUND CONTAINERS, STRUCTURES OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.

NO INVESTIGATION WAS MADE AS A PART OF THIS SURVEY TO DETERMINE OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITIES OR MUNICIPAL FACILITIES, EXCEPT AS NOTED. CALL IOWA ONE-CALL AT 1-800-292-8989 FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES.

NO PART OF THIS SUBDIVISION IS SUBJECT TO A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY FEMA ON COMMUNITY FIRM MAP NO. 19163C0355P WITH AN EFFECTIVE DATE FEBRUARY 18, 2011.

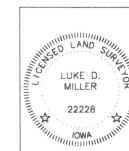
DISTANCES ARE LISTED IN FEET AND DECIMAL PART OF A FOOT.

ALL MONUMENTS HAVE BEEN FOUND OR WILL BE SET AS SHOWN ON THIS PLAT BY JANUARY 1ST 2020.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLE, GAS MAIN & SERVICES, WATER SERVICE, SEWER LATERALS, TELEPHONE SERVICE AND CABLE TV TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.

EASEMENTS DESIGNATED AS "UTILITY EASEMENTS" INCLUDE ALL UTILITIES THAT ARE PROVIDED BY EITHER THE CITY OF DAVENPORT OR THOSE COMPANIES AUTHORIZED TO PROVIDE PUBLIC UTILITIES WITHIN THE CITY OF DAVENPORT.

SIDEWALKS SHALL BE INSTALLED ALONG STREET FRONTAGES WHEN SO ORDERED BY THE CITY.

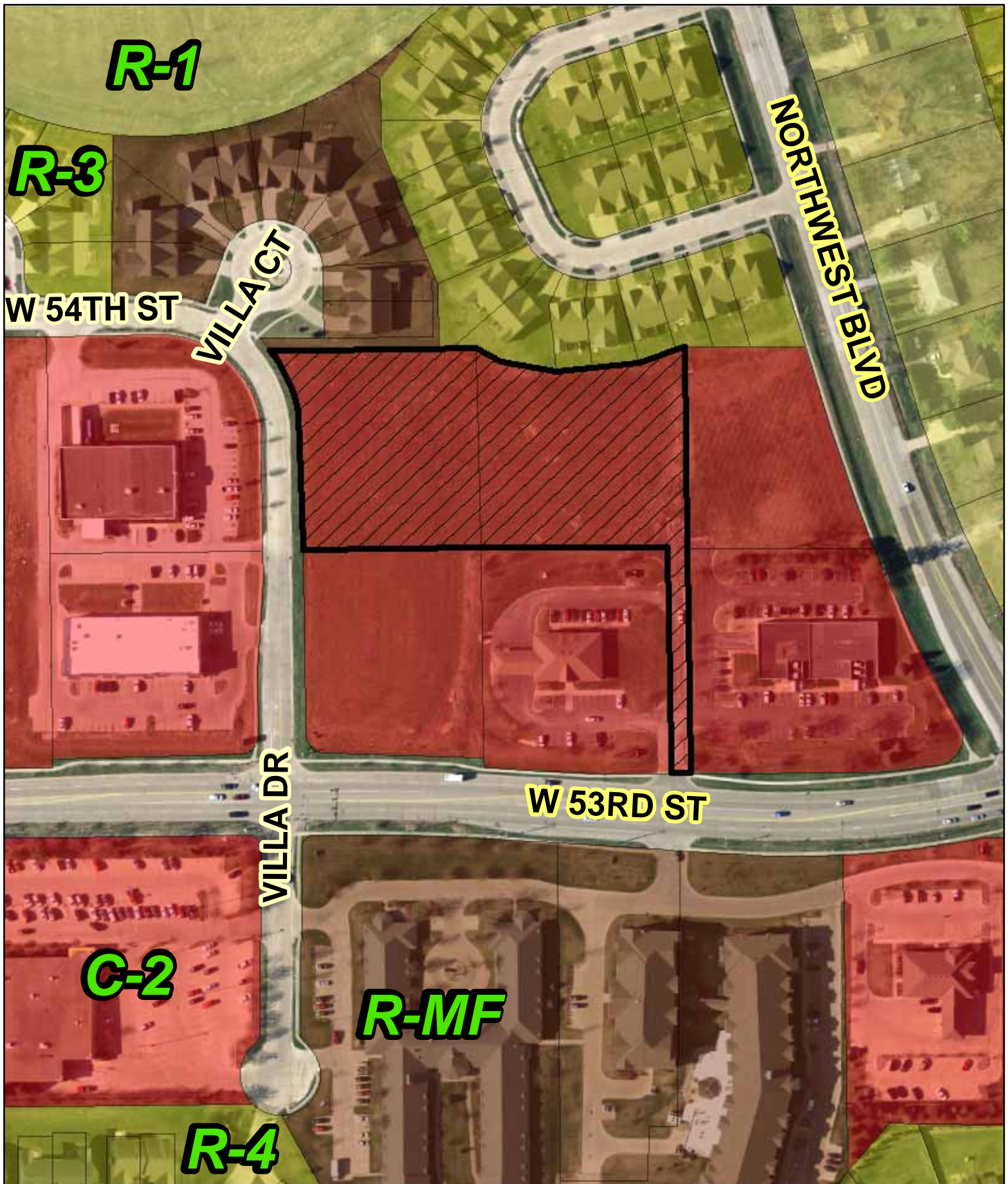


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.  
Signature: Luke D. Miller  
Date: \_\_\_\_\_ Reg. No. 22226  
My license renewal date is December 31, 2019.  
Pages or sheets covered by this seal:  
THIS SHEET ONLY.

REVISIONS		DATE
No.	DESCRIPTION	

DOLAN'S 53RD STREET 7TH ADDITION DAVENPORT, IOWA	
SUBDIVISION PLAT	
IMEG Project No: 19000286	
File Name: 19000286 PLAT.dwg	
© COPYRIGHT 2019 ALL RIGHTS RESERVED	
Field Book No:####	
Drawn By: JLR	
Checked By: LDM	
Date: 02/26/2019	
PLAT-1	
Sheet 1 of 1	





Subject Property





Subject Property

City of Davenport

Agenda Group:  
Department: Public Safety  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**8/28/2019**

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

Bettendorf Presbyterian Church; Praise on the River; LeClaire Park; Sunday, September 1, 2019 4:00 p.m. - 7:00 p.m.; **Closure:** Biederbecke Dr adjacent to LeClaire Park. [Ward 3]

St. Paul the Apostle; Back to School Block Party; Saturday, September 7, 2019 12:00 p.m. - 8:30 p.m.; **Closure:** E Rusholme St between Arlington Ave and Carey Ave. [Ward 5]

St. Ambrose University; Killer Bee 5K Run/Walk; Saturday, September 21, 2019 6:00 a.m. until race finishes; **Closures:** Lombard from Ripley to Lillie, Ripley from High to Dover Ct, Dover Ct from Ripley to Gaines, Scott from Dover Ct to Lombard, Gaines from Dover Ct to Lombard, Rusholme from Gaines to Lillie, Lillie from Rusholme to Pleasant, Pleasant from Lillie to Warren, Warren from Pleasant to Spalding Blvd, Spalding Blvd from Warren to Berg Pl, Berg Pl from Lillie to Spalding Blvd. [Wards 4 & 5]

Jaycees of the Quad Cities; 2019 Brew Ha Ha; LeClaire Park; Saturday, September 21, 2019 12:00 p.m. - 5:00 p.m.; **Closure:** (beginning 9:00 a.m. Friday, September 20, 2019 for setup) Biederbecke Dr between Ripley St and Harrison St. [Ward 3]

Joshua Sherrod; Quad Cities Marathon; Sunday, September 22, 2019 4:30 a.m. - approximately 12:00 p.m.; **Closures:** Beiderbecke Dr from Marquette St to Gaines St; Gaines St from Beiderbecke Dr to River Dr; River Dr from Brown St to Scott St; Western Ave from 2nd St to River Dr; southernmost traffic lane and parking lane on 2nd St from Gaines to the Arsenal Bridge on-ramp; easternmost northbound lane on Centennial Bridge with 2nd St exit closed; Middle Rd from Pineacre Ave to City limits; Eastmere Dr from Middle Rd to City limits. [Wards 3 & 6]

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	Praise on the River Map
□ Backup Material	Killer Bee Flyer
□ Backup Material	Brew Ha Ha Map
□ Backup Material	QC Marathon Map

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Admin, Default

Approved

8/15/2019 - 3:52 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):

*Bettendorf Presbyterian Church; Praise on the River; LeClaire Park; Sunday, September 1, 2019 4:00 p.m. - 7:00 p.m.; **Closure:** Biederbecke Dr adjacent to LeClaire Park. [Ward 3]*

*St. Paul the Apostle; Back to School Block Party; Saturday, September 7, 2019 12:00 p.m. - 8:30 p.m.; **Closure:** E Rusholme St between Arlington Ave and Carey Ave. [Ward 5]*

*St. Ambrose University; Killer Bee 5K Run/Walk; Saturday, September 21, 2019 6:00 a.m. until race finishes; **Closures:** Lombard from Ripley to Lillie, Ripley from High to Dover Ct, Dover Ct from Ripley to Gaines, Scott from Dover Ct to Lombard, Gaines from Dover Ct to Lombard, Rusholme from Gaines to Lillie, Lillie from Rusholme to Pleasant, Pleasant from Lillie to Warren, Warren from Pleasant to Spalding Blvd, Spalding Blvd from Warren to Berg Pl, Berg Pl from Spalding Blvd to Lillie. [Wards 4 & 5]*

*Jaycees of the Quad Cities; 2019 Brew Ha Ha; LeClaire Park; Saturday, September 21, 2019 12:00 p.m. - 5:00 p.m.; **Closure:** (beginning 9:00 a.m. Friday, September 20, 2019 for setup) Biederbecke Dr between Ripley St and Harrison St. [Ward 3]*

*Joshua Sherrod; Quad Cities Marathon; Sunday, September 22, 2019 4:30 a.m. - approximately 12:00 p.m.; **Closures:** Beiderbecke Dr from Marquette St to Gaines St; Gaines St from Beiderbecke Dr to River Dr; River Dr from Brown St to Scott St; Western Ave from 2nd St to River Dr; southernmost traffic lane and parking lane on 2nd St from Gaines to the Arsenal Bridge on-ramp; easternmost northbound lane on Centennial Bridge with 2nd St exit closed; Middle Rd from Pineacre Ave to City limits; Eastmere Dr from Middle Rd to City limits. [Wards 3 & 6]*

Approved:

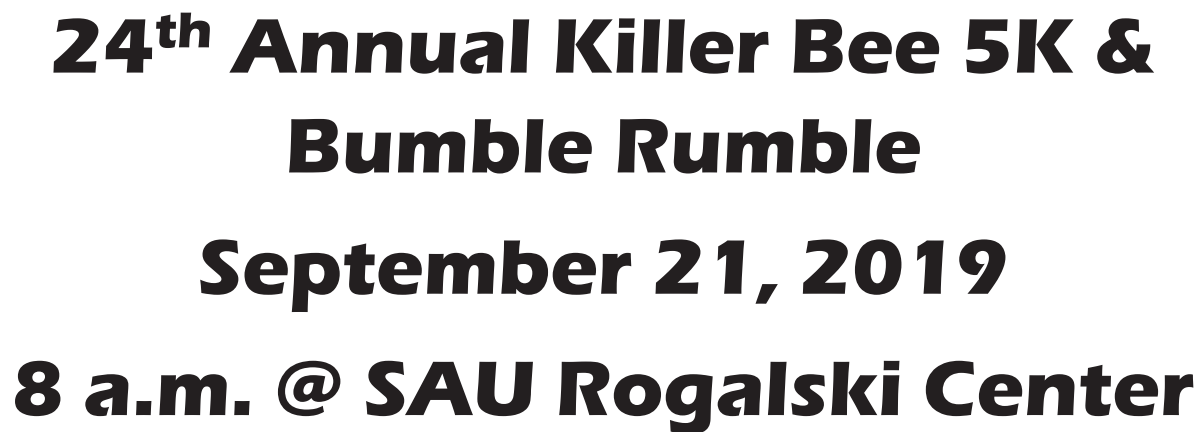
Attest:

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

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

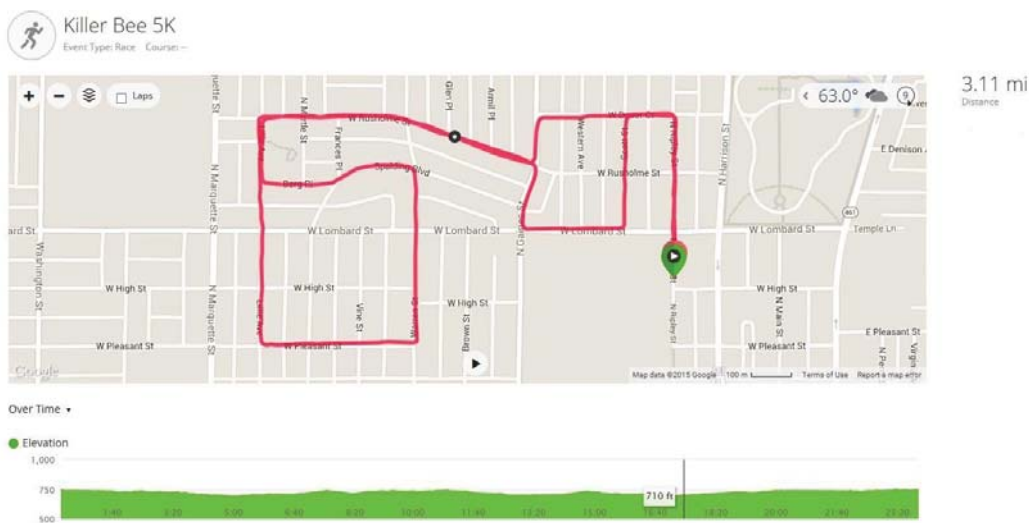






**Sign up: <http://bit.ly/KillerBee5K>**

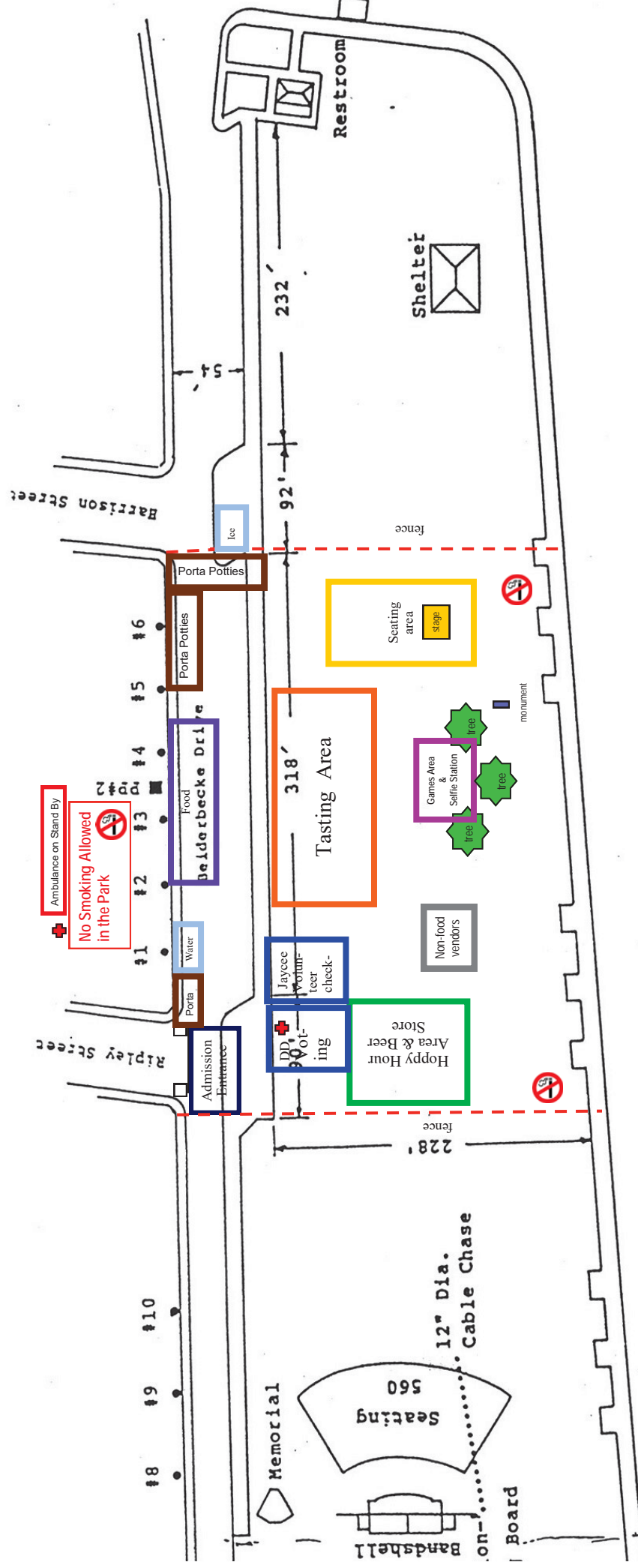
**\$5 discount for using promo code: "Neighbor"**





SEPTEMBER 21, 2019

# LE CLAIRE PARK City of Davenport

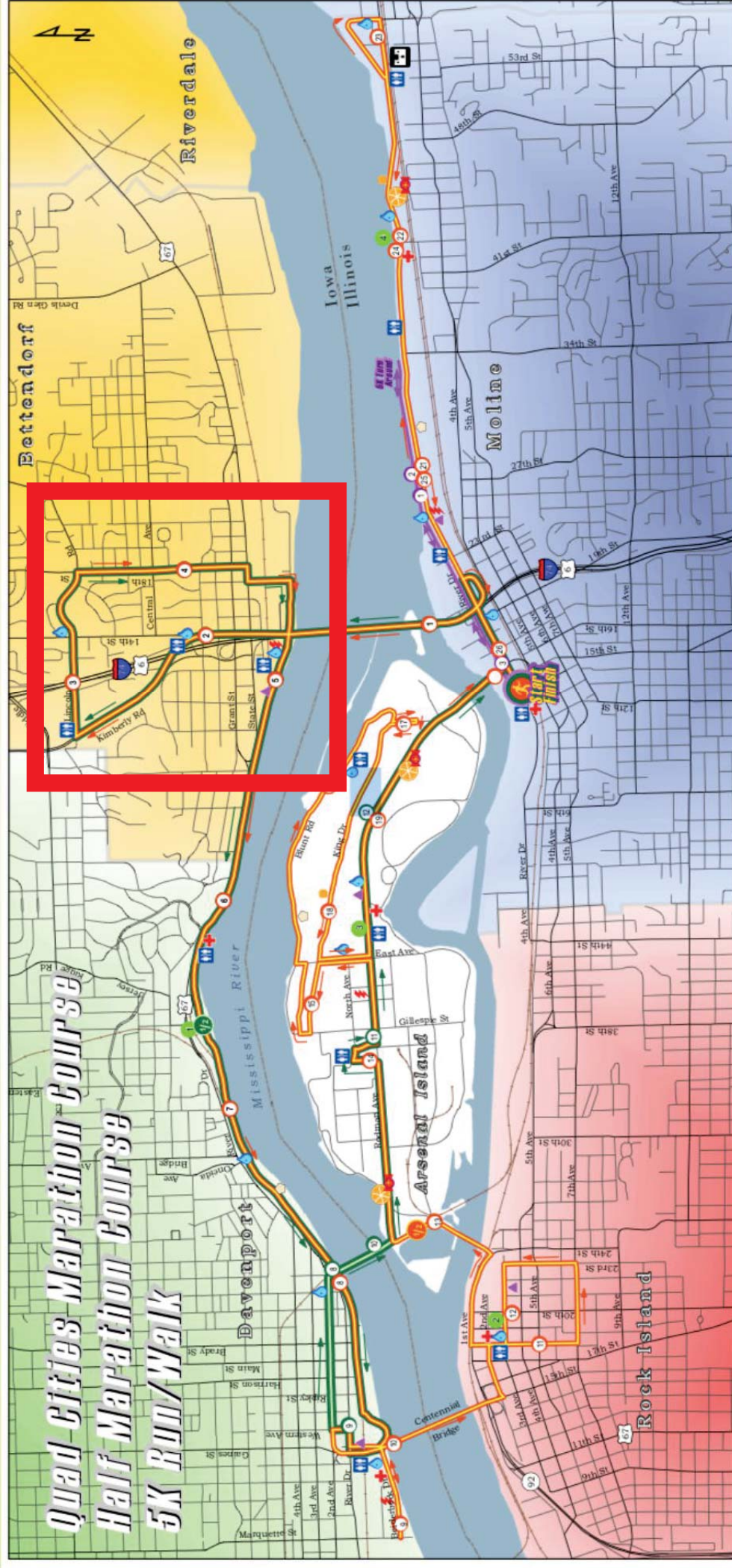


Orange Rectangle Beer Distributors  
 Yellow Rectangle Stage for the band and seating area & bar top tables  
 Dark Blue Rectangles are Jaycee Information Booth, Voting and Nurses Station  
 Green Rectangle is for the Hoppy Hour and beer sales with seating & bar top tables  
 Purple Rectangle is for the food truck area.  
 Brown Rectangles are the porta-potties  
 Light Blue rectangles are water fountain and Ice truck  
 Grey are for Non-Food Vendors

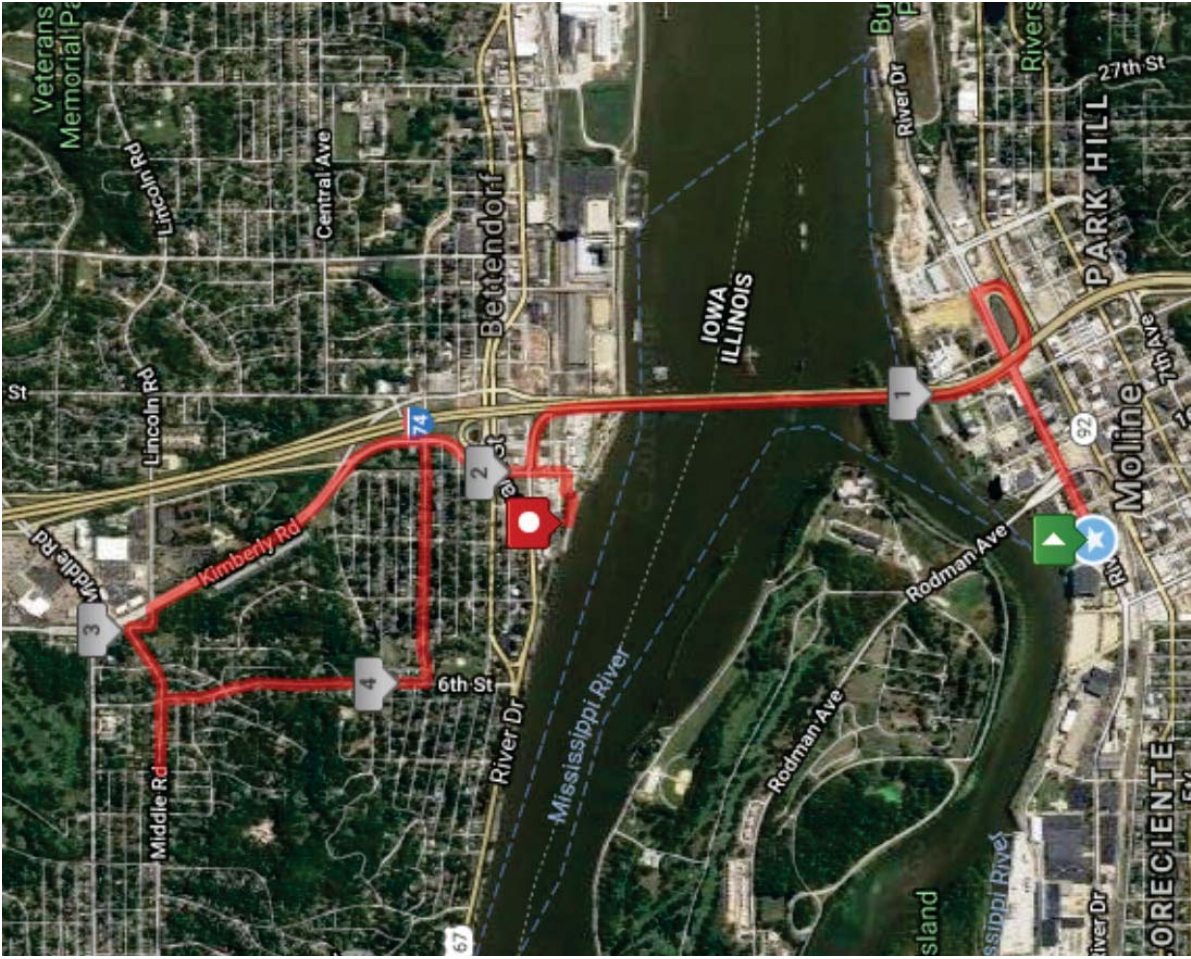




This is the first 5 miles of the 2018 course. The first 5 miles will be different for 2019 but after mile 5, the remainder of the Davenport course will remain the same.  
Please see next slides







First 5 miles of the 2019 Course. Overhead View



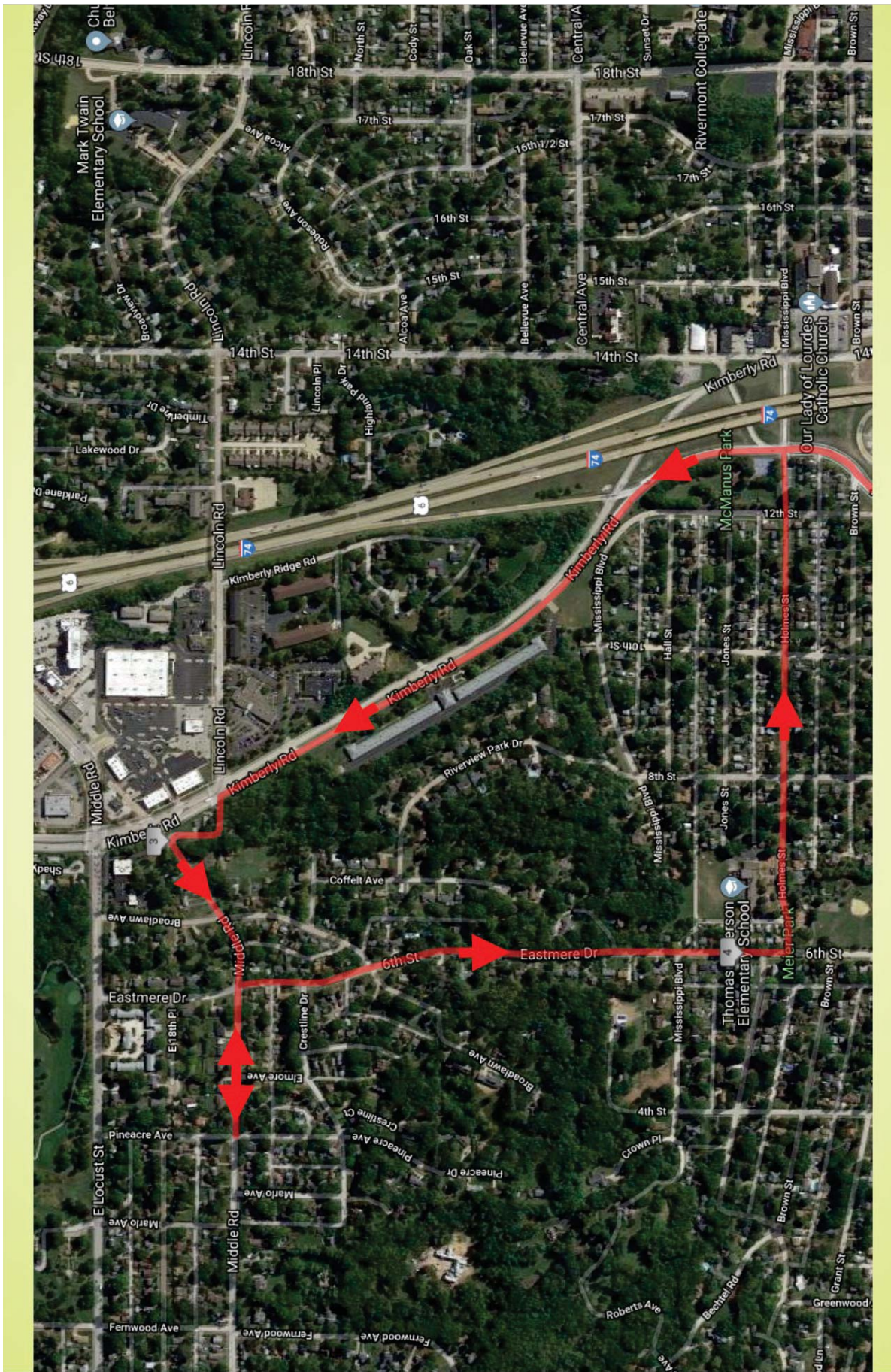
# Utilize River Drive Off-Ramp & I-74 South-Bound











City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Eric Gravert 563-327-5125

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the acceptance for the construction of the Northwest Blvd & Hillandale Rd Intersection Improvement Project completed by Hawkeye Paving Corporation of Bettendorf, IA, CIP #35029. [Ward 8]

Recommendation:

Adopt the Resolution

Background:

These street intersection improvements are required by the Sterilite development agreement. Improvements are needed for the additional traffic. This work includes furnishing of all labor, materials, equipment, and services necessary for the construction of the intersection of Northwest Blvd & Hillandale.

Funding for this project is from the RISE PROJECT NO. RMX-1827(682)-9E-82. The City applied for assistance through the RISE grants, and was awarded \$1.75M to assist with three intersection improvements. This is one of those intersections.

The contract amount of \$376,258.94 was budgeted in CIP #35029.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 11:15 AM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 11:16 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:17 PM

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

Resolution offered by Alderman Dunn

Resolution of acceptance for the construction of the Northwest Blvd & Hillandale Intersection Project completed by Hawkeye Paving Corporation of Bettendorf, IA.

Whereas, the City of Davenport entered into a contract with Hawkeye Paving Corporation of Bettendorf, IA 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 updated intersection is hereby accepted.

Passed and approved this 28<sup>th</sup> day of August, 2019.

Approved:

Attest:

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

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

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Nick Schmuecker 563-327-5162

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the plans, specifications, forms of contract, and estimate of cost for the Jersey Ridge Road Patching Project, CIP #35035. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

The stretch of Jersey Ridge Road between E 41st St and E 46th St was selected for full depth patching by the city's pavement management program due to good panel structure but deteriorating joints along with a relatively high traffic count. This project will rehabilitate the joints and add pavement life before the pavement deteriorates to the point of needing full reconstruction.

Funding for the Jersey Ridge Road Patching Project is established within CIP #35035. The current estimate is \$500,000.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution Letter

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 11:29 AM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 11:30 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:20 PM

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

Resolution offered by Alderman Dunn

Resolution approving the plans, specifications, forms of contract, and estimate of cost for the Jersey Ridge Road Patching Project, CIP #35035. [Ward 6]

WHEREAS, on the 9<sup>th</sup> day of August, 2019, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Jersey Ridge Road Patching Project, CIP Project #35035.

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 estimate of cost are hereby approved as the plans, specifications, forms of contract, and estimate of cost for said Jersey Ridge Road Patching Project.

Passed and approved this 28<sup>th</sup> day of August, 2019.

Approved:

Attest:

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

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



City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Amy Kay 563-327-5160

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving a professional services contract with Veenstra & Kimm, Inc of Rock Island, IL for the survey and design of the 1930's Clean Water SRF Project in the amount of \$142,500, CIP #33041. [Ward 2]

Recommendation:

Adopt the Resolution.

Background:

In conjunction with the 1930s Interceptor Diversion Project, which is eligible to utilize grant funding from the State Revolving Fund (SRF), the City's application for a Clean Water SRF Water Restoration Sponsored Project was approved. The Clean Water SRF project associated with these dollars will be a stormwater wetland located west of Wisconsin Avenue, north of Kimberly Road, which will provide water quality improvements for Silver Creek and Duck Creek. This project will be a partnership between the City, the City of Davenport Schools, and the Iowa Department of Natural Resources.

The scope of this professional services contract is to provide all survey and design, a complete set of digital and paper plans and specifications for this project and compile and file all necessary permit applications with the Iowa DNR and the Iowa Department of Transportation.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	RES_1930s Clean Water SRF Project
▣ Backup Material	1930's Clean Water SRF Project Design Contract

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 11:32 AM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 11:32 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:21 PM

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

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a professional services contract with Veenstra & Kimm, Inc. of Rock Island, IL in the amount of \$142,500, CIP #33041.

WHEREAS, V&K is providing all survey, design and plans for the 1930's Interceptor Diversion related Clean Water SRF Water Restoration Sponsored Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa: that the professional services contract for the above-said work be awarded to Veenstra & Kimm, Inc. of Rock Island, IL.

BE IT FURTHER RESOLVED that the City of Davenport is entering into a professional services contract with V&K Inc. for the survey, design and plans for the 1930's Interceptor Diversion related Clean Water SRF Water Restoration Sponsored Project and that the total contract amount is not to exceed \$142,500.

Passed and approved this 28th day of August, 2019.

Approved:

Attest:

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

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

## AGREEMENT FOR PROFESSIONAL SERVICES

### CITY OF DAVENPORT, IOWA SPONSORED PROJECT WATER QUALITY IMPROVEMENTS ASSOCIATED WITH THE 1930'S INTERCEPTOR DIVERSION PROJECT – REVISION 2

WHEREAS, the CITY OF DAVENPORT, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa, hereinafter referred to as the "CITY," is desirous of obtaining professional engineering services in connection with the Sponsored Project Water Quality Improvements Associated with the 1930's Interceptor Diversion Project, hereinafter referred to as the "Project," and

WHEREAS, VEENSTRA & KIMM, INC., hereinafter referred to as the "CONSULTANT," being a corporation organized and existing under the laws of the State of Iowa; and

WHEREAS, the CONSULTANT is desirous of performing professional services for the CITY in connection with the Sponsored Project Water Quality Improvements Associated with the 1930's Interceptor Diversion project.

NOW, THEREFORE, it is mutually agreed as follows:

#### SECTION I - GENERAL

##### A. PERFORMANCE

The performance of the CONSULTANT shall be limited to the scope of services outlined as hereinafter set forth.

##### B. CONFERENCES

Conferences shall be held from time to time as the performance of this Agreement progresses at a mutually convenient location at the request of the CITY. The CONSULTANT shall prepare and present such information as may be pertinent or necessary to enable the CITY to pass critical judgment on the features and progress of services under this Agreement. The CONSULTANT shall make such changes, amendments, or revisions in the detail of any phase of services under this Agreement as may be required by the CITY. If alternates or alternatives are to be considered, the CITY shall have the right of selection. The CONSULTANT shall, at the request of the CITY, appear personally, prepare and present such documents and/or explanations to the Davenport City Council as may be requested.

C. INDEMNIFICATION

The CONSULTANT shall and hereby agrees to hold and save the CITY harmless from any and all claims, settlements, and judgments, to include all reasonable investigative fees, attorneys' fees, suit and court costs for personal injury, property damage, and/or death arising out of the CONSULTANT's or any of its agents', servants', and employees' errors, omissions or negligent acts for services under this Agreement, and for all injury and/or death to any and all of the CONSULTANT's personnel, agents, servants, and employees occurring under the Worker's Compensation Act of the State of Iowa.

D. INSURANCE

The CONSULTANT shall furnish the CITY with a certificate or certificates of insurance by an insurance company licensed to do business in the State of Iowa, in compliance with Attachment II, "Insurance and Indemnification Contractors".

E. PROGRESS REPORTS

The CONSULTANT shall furnish the CITY with monthly progress reports which shall indicate the percentage of engineering services completed on the project to the date of the report, together with a description of the status of services in progress during the CONSULTANT's performance under this Agreement. The CONSULTANT shall also, upon request of the CITY, furnish the necessary documentation to verify the reported progress in the performance of said services.

F. ACCESS TO CONSULTANT'S RECORDS

The CONSULTANT shall maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred in performing work covered by this contract. The CITY or any of its duly authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. All such books, records, and documents shall be retained for three years from the date of final payment under the contract.

G. OWNERSHIP OF DOCUMENTS

All survey notes, reports, design plans, specifications, special studies, records and other data prepared under this Agreement shall become the property of the CITY upon completion or termination of the services of the CONSULTANT.

H. FEDERAL REQUIREMENTS

Not applicable.

## I. TERMINATION

If the CITY should desire to suspend or terminate the services to be rendered by the CONSULTANT under this Agreement, such suspension or termination may be effected by the CITY giving the CONSULTANT written notice. Payment shall be made by the CITY for services rendered by the CONSULTANT to date of termination.

## J. CHANGES IN SCOPE OF SERVICES

### 1. Extra Work

Authorization for extra work shall be evidenced by the CITY in writing, in the form of a Supplemental Agreement. Extra work will usually be of limited extent and may consist of, but is not necessarily limited to, the introduction of new items of work beyond the stated or implied scope of the Agreement.

At the option of the CITY, payment for extra work may be made on a fixed price; a cost plus a fixed fee, time and materials; or other mutually agreed basis.

If the CONSULTANT is of the opinion that any work the CONSULTANT has been directed to perform is beyond the scope of this Agreement and constitutes extra work, the CONSULTANT shall promptly notify the CITY in writing of that fact. In the event the CITY determines that such work does constitute extra work, the CITY shall provide extra compensation to the CONSULTANT as provided for above. No extra work shall be performed by the CONSULTANT without receiving a written agreement from the CITY in advance.

### 2. Deletion of Work

Authorization for deletion of work shall be evidenced by the CITY in writing.

At the discretion of the CITY, work items listed in Section 2 - Scope of Work, or parts thereof, may be deleted from the project.

Reduction to the CONSULTANT's compensation as a result of deletion of work shall be based on the cost estimate of the work deleted. In the event that the CONSULTANT had performed authorized work on the items deleted prior to deletion, the cost of such work shall be retained in the CONSULTANT's compensation.

## K. NONDISCRIMINATION

Attachment I "Special Provisions Section III Nondiscrimination In Employment by Contractors/Subcontractors and Suppliers" shall be signed by the CONSULTANT and shall become a part of this Agreement. In Attachment I the contractor/supplier is the CONSULTANT for terms of this Agreement.

L. CONTRACT COMPLIANCE PROGRAM

The CONSULTANT agrees to comply with the City of Davenport Special Provisions which is attached.

M. SUBLETTING OR ASSIGNMENT

The CONSULTANT shall not sublet, assign or otherwise dispose of any portion of the services to be provided by this Agreement without a written permission to sublet signed by the City Engineer and approved by the City Council. Requests for permission to sublet shall be in writing and shall name the organization which will perform the work, the work to be performed, and the dollar amount of the work to be performed. Subconsultants which are shown as part of this Agreement shall be deemed to be approved when this Agreement is executed.

A "City of Davenport Consultant Cost Summary for Subagreements" or equal shall be provided on each organization showing Hourly rates and Overhead and Fringe Benefit rates that will be applied to services to be sublet.

When requested by the City Engineer, the CONSULTANT shall provide a written report showing that the organization which will perform the work is particularly experienced and equipped for such work. Consent by the CITY for the CONSULTANT to sublet, assign or otherwise dispose of any portion of this Agreement shall not relieve the CONSULTANT of any responsibility for fulfillment of this Agreement, nor shall it in any way create a contractual relationship between the CITY and the SUBCONSULTANT. The CONSULTANT agrees to include in and make a part of all subagreements all portions of this Agreement which relate to the subconsultants' work including the Nondiscrimination portions of this Agreement.

N. CLOSE-OUT OF AGREEMENT

Upon completion or termination of services under this Agreement, the CONSULTANT shall provide the CITY the following documents:

1. Documents as stated in Section 1.G of the Agreement.
2. Statement of Final Billing.
3. Written report showing the actual amounts paid by the CONSULTANT for services under this Agreement to MBE/WBE Firms.

O. LAWS, REGULATIONS AND CODES

The CONSULTANT hereby agrees that all work done as part of this Agreement which is subject to current Federal, State or Local Laws, Regulations and/or Codes shall comply with such applicable Laws, Regulations and/or Codes.

P. CITY POLICY AND PROCEDURES

The CONSULTANT hereby agrees to conform to CITY policy and procedures as they relate to this Agreement. Such policy and procedure shall include but is not limited to the following:

1. Invoice and billings for service.
2. Engineering Department Design Standards.
3. Engineering Department standard format for reports, plans, and/or specifications.
4. Plan-review process including site-plan and architectural review.
5. Include CITY Work Order Number and Contract Number on all documents related to this Agreement if appropriate.

Q. NOTICE TO PROCEED

The CONSULTANT shall not begin work until a written notice to proceed is issued by the City Engineering Department. If Section 2 of this Agreement provides for the work to be completed in phases, a notice to proceed shall be issued for each phase.

SECTION 2 - SCOPE OF SERVICES

**SPONSORED PROJECT WATER QUALITY IMPROVEMENTS ASSOCIATED WITH THE 1930'S INTERCEPTOR DIVERSION**

A. SERVICES PROVIDED BY CONSULTANT

The scope of the services for which construction services are to be performed under this Agreement shall include:

1. The services by the CONSULTANT under this Agreement shall include, but not necessarily be limited to, the following:

Prepare plans and specifications for construction of a wetland on the Davenport School property located near Wisconsin Avenue and Kimberly Road.



Provide contract administration and construction review of the wetland construction project.

Engineering support to the City to ensure that additional water quality practices are designed per the September 4, 2018, application with the intent to provide the entire \$656,000 construction improvements to the City. See Attachment III which is the Sponsored Project Application with a breakdown of projects and associated costs. Tasks included would be project development and prioritizing based on additional funding sources and maximizing water quality benefits. Additional support design and construction services would require written Notice to Proceed from the City. Topographic survey with boundary and easement documents will be provided under separate contract.

It is understood by the CITY and CONSULTANT that the Project must be flexible during the course of implementation. As data is collected, it is often necessary to refine and change the scope and focus of the Project. The CITY and CONSULTANT agree the scope of the Project may be adjusted during the course of performance by adding or subtracting work from the specific work tasks. Work may be added, shifted or deleted provided the total cost of the Project does not increase.

#### B. OBLIGATIONS OF CITY TO CONSULTANT

1. Provide available information, such as topography, site plans, building plans, mapping, and other information that mutually is agreed upon as pertinent to the project.
2. Designate a liaison officer from the CITY who will work directly with the CONSULTANT to coordinate the collection of CITY-supplied data, arrange for meetings, and be responsible for the general coordination between the CITY and the CONSULTANT.
3. Provide the services of the City Solicitor experienced in legal matters pertaining to this type of project. The CONSULTANT shall cooperate with the City Solicitor and comply with the requirements of the City Solicitor as to form of contract documents and procedures relative to them.
4. Provide access to all manholes and intakes in the area.
5. If soil borings are required, Veenstra & Kimm, Inc. will provide locations and the City will obtain borings.

#### C. DELIVERABLES

The scope of the services shall be considered to be complete upon delivery of the following items to the satisfaction of the CITY.

The documents provided to the CITY by the CONSULTANT shall include but may not be limited to the following in accordance with each project type:

- 4 copies of plan sheets with specifications
- Electronic copies of plans and specifications
- Permit applications for IDNR and IDOT

### SECTION 3 - COMPENSATION AND PAYMENT

#### A. COMPENSATION

1. Design and investigation not-to-exceed fee of \$104,500 based on approximately \$656,000 in improvements.
2. Construction contract management and on site inspection during construction not-to-exceed fee of \$38,000.
3. Total Compensation Not-to-Exceed One Hundred Forty Two Thousand Five Hundred Dollars (\$142,500).
4. Attachment IV shows a work breakdown structure of tasks and associated costs.

### SECTION 4 - COMPLETION OF WORK

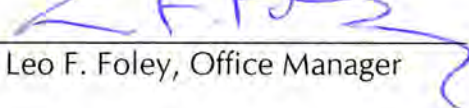
The CONSULTANT shall complete all services outlined in this Agreement to allow a fall 2019 construction award, providing no unforeseen delays are experienced beyond the control of the CONSULTANT.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF DAVENPORT, IOWA

VEENSTRA & KIMM, INC.


By \_\_\_\_\_

By   
Leo F. Foley, Office Manager

ATTEST:

WITNESS:

By \_\_\_\_\_

By   
Gayle Davis

Title \_\_\_\_\_

Title   
Admin Assistant

## **SPECIAL PROVISIONS**

### **SECTION III -**

#### **Nondiscrimination in Employment by Contractors/Subcontractors and Suppliers**

##### **Contractor's Agreement**

During the performance of this contract, the Contractor agrees as follows:

- (1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
- (2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations.
- (3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers' representative of the Contractor's commitments under the Davenport Affirmative Action Plan, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The Contractor will comply with all provisions of the Davenport Affirmative Action Plan and procedures developed by the City's Compliance Officer in pursuit of that plan.
- (5) The Contractor will furnish all information and reports required by the Davenport Affirmative Action Plan and procedures developed by the City's Compliance Officer in pursuit of that plan, and will permit access to his/her books and accounts by the contracting department and the Compliance Officer for purposes of investigation to ascertain compliance with the City's Affirmative Action Plan.
- (6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any implementing procedures or orders, this contract may be cancelled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further City contracts in accordance with procedures authorized in The Davenport Affirmative Action Plan and such other sanctions may be imposed and remedies invoked as provided in the Davenport Affirmative Action Plan, or as otherwise provided by law.

(7) The Contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order in the amount of \$5,000 or more, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor may request the City of Davenport to enter into such litigation to protect the interests of the City of Davenport.

## **INSURANCE AND INDEMNIFICATION CONTRACTORS**

### **CONTRACTOR'S INSURANCE**

The Contractor shall secure and maintain such primary insurance policies as will protect himself or his Subcontractors from claims for bodily injuries, death or property damage which may arise from operations under this contract whether such operations be by himself or by any Subcontractor or anyone employed by them directly or indirectly.

The following insurance policies are required unless other limits are specified in the "Advertisement for Bids" or "Special Provisions." The City is to be named as an additional insured under Commercial General Liability.

#### **(1) Commercial General Liability**

Each Occurrence	\$1,000,000
General Aggregate	\$2,000,000
Products Completed	\$1,000,000

#### **(2) Commercial Automobile Liability**

Any Auto, Hired & Non-Owned Combined Single Limit	\$1,000,000
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#### **(3) Excess Liability Umbrella** \$2,000,000

#### **(4) Statutory Worker's Compensation** with waiver of subrogation in favor of the City.

#### **(5) Professional Services (Errors & Omissions) Insurance** \$1,000,000

### **INSURANCE INCLUSIONS**

The comprehensive general liability insurance shall include independent Contractors protective liability, products and completed operations broad form property damage coverage. The completed operations and products liability shall be maintained for two years after final payment. Property damage shall include coverage for explosion, collapse, and underground damage.

## **CONTRACTUAL LIABILITY**

The insurance required above under “CONTRACTOR’S INSURANCE” on page 1, shall:

- (1) be Primary insurance and non-contributory.**
- (2) include contractual liability insurance coverage for the Contractor's obligations under the INDEMNIFICATION paragraph on page 3.

## **CERTIFICATES OF INSURANCE**

Certificates of Insurance, acceptable to the City indicating insurance required by the Contract is in force, shall be filed with the City prior to approval of the Contract by the City. The Contractor shall insure that coverages afforded under the policies will not be cancelled until at least thirty (30) days prior written notice has been given to the City. The Contractor will accept responsibility for damages and the City’s defense in the event no insurance is in place and the City has not been notified.

## **PROPERTY INSURANCE**

Unless otherwise provided, the Contractor shall purchase and maintain property insurance upon the contractor’s entire work, supplies and materials at the site to the full insurable value thereof. This insurance shall include the interests of the City, the Contractor, Subcontractors and Sub-subcontractors in the work and shall insure against the perils of fire and extended coverage and shall include insurance for physical loss or damage including, without duplication of coverage, theft, vandalism, malicious mischief and equipment breakdown. The Contractor shall effect and maintain similar property insurance on portions of the work stored off the site or in transit when such portions of the work are to be included in an Application for Payment. If the City is damaged by failure of the Contractor to purchase or maintain such insurance, then the Contractor shall bear all reasonable costs properly attributable thereto.

## **BUILDER’S RISK INSURANCE**

The City of Davenport reserves the right to require “Builder’s Risk” coverage dependent upon the scope of the project. If required, “Builder’s Risk” policies and limits will be specified in the "Advertisement for Bids" or "Special Provisions."

## **LOSS ADJUSTMENTS**

Any loss that is insured under the PROPERTY INSURANCE paragraph above, is to be adjusted with the Contractor and made payable to the Contractor as trustee for the insured, as their interests may appear. The Contractor shall pay each Subcontractor a just share of any insurance moneys received by the Contractor and, by appropriate agreement written where legally required for validity, shall require each Subcontractor to make payments to his Sub-subcontractors in similar manner.

## **INDEMNIFICATION**

To the fullest extent permitted by the law, the Contractor shall defend, indemnify, and hold harmless the City, its officials and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to, all attorneys' fees arising out of or resulting from the performance of the work, provided that any such claim, damage, loss or expense

(1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom; and

(2) is caused in whole or in part by any negligent act or omission of the Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.



**VEENSTRA & KIMM, INC.**
 860 22nd Avenue - Suite 4 • Coralville, Iowa 52241-1565  
 319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)
**LETTER OF TRANSMITTAL**

TO Iowa DNR

SRF Nonpoint Source Program

502 East 9th Street

Des Moines, IA 50319

DATE 9/4/18

JOB 22283

RE: Davenport September 2018 Sponsored

Project Application

ATTENTION Lee Wagner

WE ARE SENDING YOU

- ☐ Copy of Letter      ☐ Prints      ☐ Plans      ☐ Specifications  
☐ Pay Estimate      ☐ Change Order      ☒ Davenport 9/2018 Sponsored Project App.

Quantity	Description
1	Signed Sponsored Project Application w/ appendices, letters of support, council motion, and bond council letter of support

THESE ARE TRANSMITTED as checked below:

- ☐ For Approval      ☐ As Requested      ☐ For Review and Comment  
☒ For Your Use      ☒ For Your Files      ☐ \_\_\_\_\_

REMARKS

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SIGNED

COPY TO 22283 file



**Clean Water SRF  
WATER RESOURCE RESTORATION  
Sponsored Projects**

**APPLICATION COMPLETENESS CHECKLIST**

- ☒ Pre-application consultation held 11/29/2017 (date – must be prior to June 30, 2018)
- ☐ Hard copy and CD containing electronic files postmarked by September 4, 2018
- ☐ Application signed by authorized official
- ☐ If electronic files submitted via e-mail, sent by 4:00 p.m. on September 4, 2018
- ☒ CWSRF wastewater project is eligible
- ☐ Acquisition of Property Form signed by authorized official
- ☒ Authorizing resolution passed by the wastewater utility's governing board for the sponsored project application
- ☒ Identification of any third-party entity involved and the potential need for a 28E agreement between the utility and the qualified entity
- ☒ Identification of water quality organization or organizations involved in the project, with a discussion of the organization's participation in project design, selection, and implementation
- ☒ Letters of support from project partners
- ☒ Letter from the wastewater utility's bond counsel indicating concurrence with the sponsored project concept
- ☒ Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
- ☒ Discussion of project goals and objectives
- ☒ Evaluation of possible water quality practices that could be implemented, considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area
- ☒ Description of potential practices to be implemented with the expected water quality outcomes
- ☒ Discussion of project locations, land ownership, and any plans for acquiring properties or easements
- ☒ Identification of any other organizations or resources to be involved in the project and their expected contributions
- ☒ Proposed project schedule with major milestones, along with a discussion of how the sponsored project construction schedule coordinates with the infrastructure project schedule
- ☒ Proposed evaluation procedures and measures
- ☒ Explanation of the proposed budget, including other planned funding sources and flexibility to adjust budget according to final amount available through sponsored project mechanism
- ☒ Preliminary communication plan indicating how information about the proposed project will be communicated to and from key audiences, such as community residents, neighbors, city council or other decision-makers, and other stakeholder groups

## Clean Water SRF

# WATER RESOURCE RESTORATION

## Sponsored Project Application



### Application Instructions:

- Please print or type the information on the form.
- Sign the application.
- Attach supporting documentation.
- Submit ONE original hard copy, with original signatures, to the following address:  
State Revolving Fund  
Iowa Department of Natural Resources  
Wallace State Office Building, 502 E. 9<sup>th</sup> Street  
Des Moines, IA 50319-0034

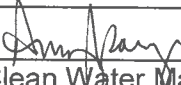
***Must be postmarked by September 4, 2018***

- Scan and submit the entire application, with attachments, in PDF form to [lee.wagner@dnr.iowa.gov](mailto:lee.wagner@dnr.iowa.gov). OR, if attachments are too large to transmit, e-mail the application only and include the attachments on a CD with the hard copy.

***Application must be e-mailed by 4:00 p.m. on September 4, 2018***

### Section 1: Applicant Information

(This information relates to the wastewater utility that will be the Clean Water SRF borrower.)

<b>Applicant Name:</b>	City of Davenport
<b>Mailing Address:</b>	1200 East 46 <sup>th</sup> Street
<b>City, State, Zip + 4</b>	Davenport, IA 52807
<b>Authorized Representative:</b>	Amy Kay
<b>Signature:</b>	
<b>Title:</b>	Clean Water Manager
<b>Telephone Number:</b>	563-326-7923
<b>E-mail:</b>	akay@ci.davenport.ia.us

### Section 2: SRF Project Status

<b>Choose One</b>	<input checked="" type="checkbox"/> The project is on the CWSRF Intended Use Plan and is in the "Planning" phase, SRF Number CS1920 <b>88801</b>
	<input type="checkbox"/> We are submitting this sponsored project application in conjunction with our CWSRF Intended Use Plan application for DNR Project Number S

**Section 3: Information on the Identified Watershed and Water Quality Issues**

(Summarize the information here and expand or add documentation, maps, monitoring data, and other data in the project conceptual plan attached to this application as shown in Section 7.)

<b>Name of Waterbody:</b>	Duck Creek
<b>HUC Number and Name</b> (where both wastewater utility and waterbody are located):	0708010103 Duck Creek
<b>Uses for the Waterbody</b> (e.g. recreation, drinking water, other):	Primary contact (recreation), children's contact (recreation), secondary contact (recreation), aquatic life.
<b>Water Quality Concerns</b> (e.g. sediment, bacteria, nutrients):	Urban runoff, bacteria, nutrients
<b>Sources of Water Quality Data</b> (e.g. DNR water monitoring, IOWATER, US Geological Survey, utilities, other):	DNR Duck Creek Watershed Management Plan, DNR Water Quality Assessment Database, Iowa Nutrient Reduction Strategy.
<b>Nonpoint Source Contributions to Water Quality Concerns</b> (e.g. urban stormwater, soil erosion, livestock operations, other):	Urban runoff, agricultural runoff
<b>Primary Water Quality Goal of the Sponsored Project:</b>	Reduce urban runoff and bacteria loads

**Section 4: Brief Summary of Proposed Water Resource Restoration Sponsored Project**

Describe the scope of the proposed project (i.e., specific solution to the water quality problem). Summarize the process of analyzing and selecting the most appropriate nonpoint source practices relating to the unique issues and characteristics of the identified waterbody and planning area. Provide additional detail in the attachments to this application.

The City has determined several priority Duck Creek sub-watersheds where sponsored project money could be spent. The following projects were recommended for one or more of the sub-watersheds: 1) wetlands where drainage, topography and soils allow, 2) prairie reconstruction where soils and willing landowners allow, 3) partnering with institutions to install bioretention cells to collect urban runoff from parking lots (i.e. mall, school district, etc.), 4) residential BMP cost-share program (SQR, raingardens, etc.), 5) commercial BMP cost-share program targeting impervious surface runoff, 6) BMPs in City owned parks targeting impervious surface runoff, 7) septic system repair cost-share program. These projects will help reduce bacteria, nitrogen, phosphorus, sediment and hydrocarbons from urban and agricultural sources. Specific project selection will depend on available funding.

**Section 5: Water Quality Organization(s) Involved in Project Planning**

Organization	Contact Person	Email Address
NRCS	Amy Bouska and Justin Bisinger	Amy.Bouska@ia.nacdn.net
IDALS	James Martin	James.Martin@iowaagriculture.gov
Soil & Water Conservation District	Scott Boose	Scott.Boose@ia.nacdn.net

**Section 6: Qualified Entity Information**

Is the applicant proposing to enter into an agreement with a qualified third party entity to implement the sponsored project?

<input type="checkbox"/> No		
<input checked="" type="checkbox"/> Yes	Organization:	Potential – School District, John Deere

**Section 7: Sponsored Project Cost**

Cost Category	Total Estimated Project Costs	Costs to be Covered from Other Funds	Costs to be Allocated from Up to 1% of SRF Loan Interest
Land and Easements			
Relocation Expenses			
Professional Planning Fees			
Professional Design Fees	\$126,000		\$126,000
Professional Construction Fees	\$42,000		\$42,000
Construction	\$725,000		\$725,000
Equipment			
Miscellaneous			
Bond Counsel Fees			
Contingencies	\$109,000		\$109,000
		<b>TOTAL</b>	<b>\$1,002,000</b>

## **Section 8: Attachments**

Attachments must be submitted with the application. Applications will not be considered complete unless all required attachments are submitted.

- Authorizing resolution passed by the wastewater utility's governing board for the sponsored project application;
- Letters of support from project partners;
- Letter from the wastewater utility's bond counsel indicating concurrence with the sponsored project concept;
- Project conceptual plans, including:
  - Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
  - Discussion of project goals and objectives
  - Evaluation of possible water quality practices that could be implemented, considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area
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- Preliminary communication plan indicating how information about the proposed project will be communicated to and from key audiences, such as community residents, neighbors, city council or other decision-makers, and other stakeholder groups

## **Section 9: Acquisition of Property – Required Form**

U.S. ENVIRONMENTAL PROTECTION AGENCY  
ASSURANCE WITH RESPECT TO REAL PROPERTY ACQUISITION  
OF TITLE III OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY  
ACQUISITION POLICIES ACT OF 1970 AS AMENDED

The City of Davenport (Applicant) hereby assures that it has authority under applicable State and local law to comply with Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Public Law 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note) and 49 CFR 1.48(cc); and certifies, assures and agrees that, notwithstanding any other provision set forth in the application.

1. For projects resulting in the displacement of any person:



- a. It will adequately inform the public of the relocation payments and services which will be available as set forth in Subparts A, C, D and E of 49 CFR 24.
- b. It will provide fair and reasonable relocation payments to displaced persons as required by Subparts D and E of 49 CFR 24.
- c. It will provide a relocation assistance program for displaced persons offering services described in Subpart C of 49 CFR 24.
- d. Comparable replacement dwellings will be available pursuant to Subpart F of 49 CFR 24, or provided if necessary, a reasonable period in advance of the time any person is displaced.
- e. In acquiring real property, it will provide at least 90 days written notice to each lawful occupant of real property acquired, stating the date such occupant is required to move from a dwelling or to move his business or farm operation.


2. For projects resulting in the acquisition of real property:

- a. It will fully comply with the requirements of Subpart B of 49 CFR 24.
- b. It will adequately inform the public of the acquisition policies, requirements and payments which apply to the project.
- c. It will make every effort to acquire real property expeditiously through negotiation.
- d. Before the initiation of negotiations it will have the real property appraised and give the owner or his representative an opportunity to accompany the appraiser during inspection of the property, except as provided in 49 CFR 24.102(c)(2).
- e. Before the initiation of negotiations it will establish an amount which it believes to be just compensation for the real property, and make a prompt offer to acquire the property for that amount; and at the same time it will provide the owner a written statement of the basis for such amount in accordance with 49 CFR 24.102.
- f. Before requiring any owner to surrender possession of real property it will pay the agreed purchase price; or deposit with the court, for the benefit of the owner, an amount not less than the approved appraisal of the fair market value of the property; or pay the amount of the award of compensation in a condemnation proceeding for the property.
- g. If interest in real property is to be acquired by exercise of the power of eminent domain, it will institute formal condemnation proceedings and not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of this real property; and
- h. It will offer to acquire the entire property, if acquisition of only part of a property would leave its owner with an uneconomic remnant.

References to 49 CFR are citations to Title 49, Code of Federal Regulations, Part 24, published in the Federal Register Vol. 54, No. 40, March 2, 1989.

This document is hereby made part of and incorporated in any contract or agreement, or any supplements and amendments thereto, relating to the above-identified application and shall be deemed to supersede any provision therein to the extent that such provisions conflict with the assurances or agreements provided therein.

Brian Schadt  
(Legal Name of Applicant)

By   
(Signature of Authorized Representative)

2/31/18  
(Date)





**Clean Water SRF  
WATER RESOURCE RESTORATION  
Sponsored Projects**

**APPLICATION COMPLETENESS CHECKLIST**

- ☒ Pre-application consultation held 11/29/2017 (date – must be prior to June 30, 2018)
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## Clean Water SRF

# WATER RESOURCE RESTORATION

## Sponsored Project Application



### Application Instructions:

- Please print or type the information on the form.
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State Revolving Fund  
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Des Moines, IA 50319-0034


***Must be postmarked by September 4, 2018***

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<b>Mailing Address:</b>	1200 East 46 <sup>th</sup> Street
<b>City, State, Zip + 4</b>	Davenport, IA 52807
<b>Authorized Representative:</b>	Amy Kay
<b>Signature:</b>	
<b>Title:</b>	Clean Water Manager
<b>Telephone Number:</b>	563-326-7923
<b>E-mail:</b>	akay@ci.davenport.ia.us

### Section 2: SRF Project Status

<b>Choose One</b>	<input type="checkbox"/> The project is on the CWSRF Intended Use Plan and is in the "Planning" phase, SRF Number CS1920
	<input checked="" type="checkbox"/> We are submitting this sponsored project application in conjunction with our CWSRF Intended Use Plan application for DNR Project Number SW2018-0145A

**Section 3: Information on the Identified Watershed and Water Quality Issues**

(Summarize the information here and expand or add documentation, maps, monitoring data, and other data in the project conceptual plan attached to this application as shown in Section 7.)

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<b>Water Quality Concerns</b> (e.g. sediment, bacteria, nutrients):	Urban runoff, bacteria, nutrients
<b>Sources of Water Quality Data</b> (e.g. DNR water monitoring, IOWATER, US Geological Survey, utilities, other):	DNR Duck Creek Watershed Management Plan, DNR Water Quality Assessment Database, Iowa Nutrient Reduction Strategy.
<b>Nonpoint Source Contributions to Water Quality Concerns</b> (e.g. urban stormwater, soil erosion, livestock operations, other):	Urban runoff, agricultural runoff
<b>Primary Water Quality Goal of the Sponsored Project:</b>	Reduce urban runoff and bacteria loads

**Section 4: Brief Summary of Proposed Water Resource Restoration Sponsored Project**

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Is the applicant proposing to enter into an agreement with a qualified third party entity to implement the sponsored project?

<input type="checkbox"/> No		
<input checked="" type="checkbox"/> Yes	Organization:	Potential – School District, John Deere

**Section 7: Sponsored Project Cost**

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Relocation Expenses			
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Equipment			
Miscellaneous			
Bond Counsel Fees			
Contingencies	\$109,000		\$109,000
<b>TOTAL</b>			<b>\$1,002,000</b>

## **Section 8: Attachments**

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  - Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
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## **Section 9: Acquisition of Property – Required Form**

U.S. ENVIRONMENTAL PROTECTION AGENCY  
ASSURANCE WITH RESPECT TO REAL PROPERTY ACQUISITION  
OF TITLE III OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY  
ACQUISITION POLICIES ACT OF 1970 AS AMENDED

The City of Davenport (Applicant) hereby assures that it has authority under applicable State and local law to comply with Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Public Law 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note) and 49 CFR 1.48(cc); and certifies, assures and agrees that, notwithstanding any other provision set forth in the application.

1. For projects resulting in the displacement of any person:

- a. It will adequately inform the public of the relocation payments and services which will be available as set forth in Subparts A, C, D and E of 49 CFR 24.
- b. It will provide fair and reasonable relocation payments to displaced persons as required by Subparts D and E of 49 CFR 24.
- c. It will provide a relocation assistance program for displaced persons offering services described in Subpart C of 49 CFR 24.
- d. Comparable replacement dwellings will be available pursuant to Subpart F of 49 CFR 24, or provided if necessary, a reasonable period in advance of the time any person is displaced.
- e. In acquiring real property, it will provide at least 90 days written notice to each lawful occupant of real property acquired, stating the date such occupant is required to move from a dwelling or to move his business or farm operation.

2. For projects resulting in the acquisition of real property:

- a. It will fully comply with the requirements of Subpart B of 49 CFR 24.
- b. It will adequately inform the public of the acquisition policies, requirements and payments which apply to the project.
- c. It will make every effort to acquire real property expeditiously through negotiation.
- d. Before the initiation of negotiations it will have the real property appraised and give the owner or his representative an opportunity to accompany the appraiser during inspection of the property, except as provided in 49 CFR 24.102(c)(2).
- e. Before the initiation of negotiations it will establish an amount which it believes to be just compensation for the real property, and make a prompt offer to acquire the property for that amount; and at the same time it will provide the owner a written statement of the basis for such amount in accordance with 49 CFR 24.102.
- f. Before requiring any owner to surrender possession of real property it will pay the agreed purchase price; or deposit with the court, for the benefit of the owner, an amount not less than the approved appraisal of the fair market value of the property; or pay the amount of the award of compensation in a condemnation proceeding for the property.
- g. If interest in real property is to be acquired by exercise of the power of eminent domain, it will institute formal condemnation proceedings and not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of this real property; and
- h. It will offer to acquire the entire property, if acquisition of only part of a property would leave its owner with an uneconomic remnant.

References to 49 CFR are citations to Title 49, Code of Federal Regulations, Part 24, published in the Federal Register Vol. 54, No. 40, March 2, 1989.

This document is hereby made part of and incorporated in any contract or agreement, or any supplements and amendments thereto, relating to the above-identified application and shall be deemed to supersede any provision therein to the extent that such provisions conflict with the assurances or agreements provided therein.

\_\_\_\_\_  
Brian Schadt  
(Legal Name of Applicant)

By   
(Signature of Authorized Representative)

8/31/18  
(Date)



# Davenport Sponsored Project Application Concept

## DUCK CREEK WATERSHED ASSESSMENT SUMMARY

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This sponsored project application focuses on the Duck Creek watershed and urban runoff and bacterial impairment issues being experienced therein. A watershed assessment, called the Duck Creek Watershed Management Plan (DCWMP), was completed for Duck Creek in 2011 (Appendix A). The DCWMP illustrates a correlation between impervious surface and bacterial loads. The sub-watersheds with the highest bacterial loads are the ones with the most impervious surface area. Therefore, addressing urban runoff from impervious surfaces is a key focus of this application.

### **Duck Creek Watershed – Bacterial Impairment**

The Duck Creek Watershed is located entirely in Scott County, Iowa. The watershed encompasses the urban sectors of the city of Davenport, the city of Bettendorf and rural Scott County (see Figure 1). Duck Creek is not supporting two of the intended uses of the stream: primary contact recreation (Class A1 use) and children's recreation, (Class A3 use). Primary contact recreation includes activities that involve direct contact with the water such as swimming and wading. Children's recreation is similar, but specific to activities or locations where children contact the water. Neither designated use is currently supported in Duck Creek due to high levels of indicator bacteria called *Escherichia coli* (*E. coli*) measured in the stream. High *E. coli* levels in a waterbody can indicate the presence of potentially harmful bacteria and viruses (also called pathogens). Humans can become ill if they come into contact with and/or ingest water that contains pathogens. Sources of bacteria in the Duck Creek Watershed are as follows:

1. During high flows – pet waste
2. During medium flows – cattle
3. During low flows – cattle and septic
4. Spring "moist" conditions – manure application
5. Summer "dry" conditions – cattle and septic

### **Duck Creek Watershed – Urban Runoff**

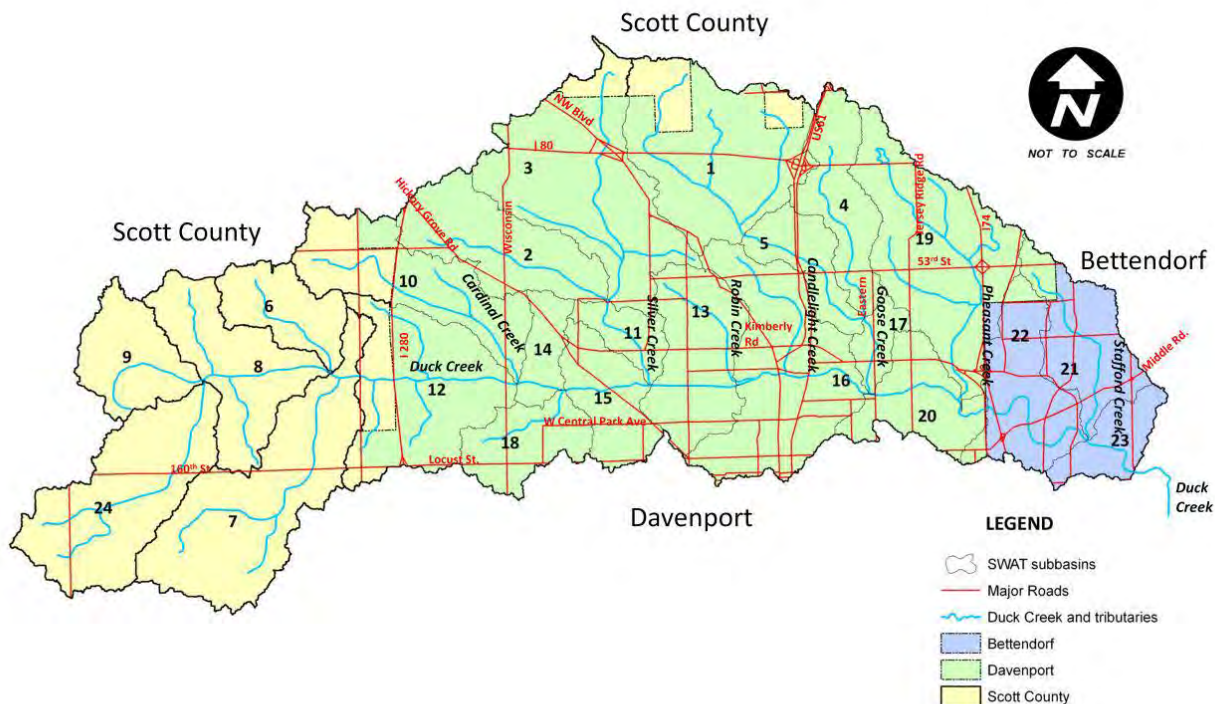
Although urban runoff is not listed on the 303d list of impairments, it and its associated pollutants are an area of concern for Duck Creek. Urban runoff is a key concern in the Duck Creek Watershed because urbanized areas accumulate pollutants on streets, rooftops and other surfaces. During rainfall or snowmelt, these pollutants are mobilized and transported to Duck Creek.

Key pollutants commonly found in urban runoff are bacteria, nitrogen, phosphorus, pesticides, sediment and hydrocarbons. Sub-watersheds with the largest percent impervious surface in Duck Creek experience the greatest bacterial loads. Therefore, addressing urban runoff from impervious surfaces is a key component of this sponsored



project application. Within Duck Creek urban areas, another pollutant of concern is high nitrate concentration from lawn runoff. The Iowa Nutrient Reduction Strategy (INRS) estimates that the Major Land Resource Area (MLRA) including the city of Davenport is the third largest contributor of nitrogen from lawn fertilization in the state.<sup>1</sup>

Collecting and treating runoff from urban areas using water filtration and infiltration practices will reduce pollutant loadings. By treating urban stormwater runoff, the city of Davenport will address a major source of Duck Creek's bacterial impairment. In addition, practices to reduce nutrient loads will also be helping the State of Iowa achieve its INRS goal of reducing the State's nutrient loads to the Mississippi River.



**Figure 1: Duck Creek Watershed Jurisdictional Map**

<sup>1</sup> Iowa Nutrient Reduction Strategy, Revised Version (October 1, 2014), section 2, p. 20.

## **PROJECT GOALS AND OBJECTIVES**

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### **Goals**

The main goals of this sponsored project application are to reduce bacteria loads in Duck Creek, reduce urban runoff from the city of Davenport, and reduce nutrient loads to the Mississippi River.

### **Objectives**

The main objective of this application is to implement large and small scale best management practices (BMPs) throughout the Duck Creek Watershed to help reduce bacteria, nitrogen, phosphorus, pesticides, sediment and hydrocarbons from urban and agricultural sources. Another objective of this application is to implement best management practice recommendations from the DCWMP in targeted areas of the watershed to help address the bacterial impairment in Duck Creek.

## **BEST MANAGEMENT PRACTICES**

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Per the Iowa Stormwater Management Manual (ISMM), BMPs that reduce urban runoff, bacteria, nitrogen, phosphorus, pesticides, sediment and hydrocarbons include: 1) Bioretention Cells, 2) SQR and 3) Wetlands. Prairie reconstruction can be utilized as an agricultural BMP to reduce runoff, bacteria, nutrient and sediment loads. Other projects recommended in the DCWMP to address Duck Creek's bacterial impairment are as follows: 1) Urban BMP Cost-Share Program, 2) Septic System Repairs and 3) a Pet Waste Campaign. Below are descriptions of each BMP.

### **Bioretention Cells**

Bioretention systems incorporate shallow landscaped level depressions that temporarily store and readily infiltrate runoff. They include both rain gardens and bioretention cells. Bioretention cells typically include a rock chamber, subdrain, and modified soil mix. In bioretention cells, stormwater runoff collected in the upper layer of the system is filtered through the surface vegetation, mulch layer, pervious soil layer, and then stored temporarily in a stone aggregate base layer. Typically, bioretention cells are planted with native prairie species.

### **Soil Quality Restoration**

Healthy soil is the key to preventing polluted runoff. As buildings and houses are built topsoil is removed and the remaining subsoil is compacted by the grading and construction activity. The owner is left with heavily compacted subsoil, usually with a high clay content and little organic matter after construction is complete. Yards with poor, compacted soil contribute to water quality problems due to their inability to absorb water or infiltrate it to the roots of turfgrass. Compacted soil also requires more fertilizers and pesticides, both of which could end up in runoff and contribute to pollution in our local creek and streams.

Soil quality restoration (SQR) is the process of improving soil health on new or existing lawns. SQR reduces compaction, increases pore space, improves organic matter content, and re-establishes populations of soil dwelling organisms (microbes, worms, insects, etc.) on soils disturbed during construction. On existing turf grass, SQR is accomplished using deep tine aeration and a blanket of compost to restore organic matter to the soil profile. Ultimately, SQR leads to healthier, more functional soils and to landscapes that can absorb more rainfall.

### **Wetlands**

Wetlands are a management practice designed and constructed to address the quality and quantity of stormwater runoff. Stormwater rates and volumes are decreased by absorption, evapotranspiration and outlet restrictions. Pollutant removal is accomplished by settling, biochemical reactions and plant uptake. They are most appropriate in locations where a continuous base flow or high-water table can assist in sustaining a permanent pool of water to support aquatic vegetation to the soil profile.

### **Prairie Reconstruction**

Converting land use from row crops to native prairie eliminates nutrient application to the converted area while increasing rainwater infiltration and soil water holding capacity resulting in less water runoff. With less runoff, sediment, nutrients, and bacteria from manure applications are less likely to be transported to associated water bodies. In addition, native prairies enhance habitat for wildlife and insects including pollinators.

### **Other BMPs Recommended in DCWMP**

#### *Urban BMP Cost-Share Program*

The DCWMP identified a city-sponsored urban BMP cost-share program as a key component in addressing Duck Creek's bacterial impairment. A Stormwater BMP Cost-Share Program provides property owners financial and technical assistance in implementing stormwater BMPs for improving water quality and reducing the amount of stormwater runoff from their property. Financial assistance helps cover the cost of materials and/or contractor labor for completing the projects. Projects can range from rain gardens and bioretention cells to pervious pavement and soil quality restoration. The city of Davenport could provide cost-share for both residential and commercial property owners for as part of this application.

#### *Septic System Repairs Cost-Share Program*

The DCWMP identified septic system repairs as a key component in addressing Duck Creek's bacterial impairment. A potential opportunity to improve water quality in Duck Creek using sponsored Project funds would be for the City to cost-share septic system repairs with interested land owners whose septic systems are not functioning correctly.

#### *Pet Waste Campaign*

The DCWMP identified a Pet Waste Campaign as a key component in addressing Duck Creek's bacterial impairment. A Pet Waste Campaign is an outreach activity conducted to educate pet owners how their animal's waste contributes to water quality problems. Pet

Waste Campaign activities can include any or all of the following: passing out pet waste bags and dispensers, posters, magnets, press releases, bill stuffers, pet waste management survey cards, pet guide to neighborhood pollution prevention. **Although recommended in the DCWMP, a Pet Waste Campaign is not eligible for Sponsored Project dollars and therefore is not being considered as a potential project for this application.**

## **PRIORITY AREAS IN DUCK CREEK WATERSHED**

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Based on information shown in Figures 2 and 3, the following information was gathered for each of the priority sub-watersheds.

### **DCWMP Sub-Watershed 15**

Sub-Watershed 15 is located in Davenport and drains to Duck Creek. The DCWMP estimates a total impervious surface area of approximately 27,500,000 square feet and an average bacterial load of  $280-380 \times 10^9$  organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 15, mostly along the Duck Creek stream corridor. Land use characteristics for Sub-Watershed 15 are as follows: 5% agriculture; 95% urban (50% residential, 20% commercial, 20% industrial and 5% parks and recreation).

### **DCWMP Sub-Watershed 17**

Sub-Watershed 17 is located in Davenport and drains to Goose Creek. The DCWMP estimates a total impervious surface area of approximately 9,000,000 square feet and an average bacterial load of  $280-380 \times 10^9$  organisms/acre/day from this sub-watershed. The City does own property in Sub-Watershed 17, but it is minimal. Land use characteristics for Sub-Watershed 17 are as follows: 100% urban (60% Residential, 30% Commercial/Industrial and 10% Parks & Recreation).

### **DCWMP Sub-Watershed 16**

Sub-Watershed 16 is located in Davenport and drains to Candlelight Creek. The DCWMP estimates a total impervious surface area of approximately 70,500,000 square feet and an average bacterial load of  $63-120 \times 10^9$  organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 16, mostly along the Duck Creek stream corridor. Land use characteristics for Sub-Watershed 16 are as follows: 100% urban (55% Residential, 40% Commercial/Industrial and 5% Parks & Recreation).

**DCWMP Sub-Watershed 5**

Sub-Watershed 5 is located in Davenport and drains to Goose Creek. The DCWMP estimates a total impervious surface area of approximately 21,000,000 square feet and an average bacterial load of 63-120 x10<sup>9</sup> organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 5 (Goose Creek Park). Land use characteristics for Sub-Watershed 5 are as follows: 100% urban (30% Residential, 50% Commercial/Industrial and 20% Parks & Recreation).

**DCWMP Sub-Watershed 11**

Sub-Watershed 11 is located in Davenport and drains to Silver Creek. The DCWMP estimates a total impervious surface area of approximately 11,500,000 square feet and an average bacterial load of 63-120 x10<sup>9</sup> organisms/acre/day from this sub-watershed. The City does not own any property in Sub-Watershed 11. Land use characteristics for Sub-Watershed 11 are as follows: 5% agriculture; 95% urban (90% Residential, 5% Commercial/Industrial and 0% Parks & Recreation).

**DCWMP Sub-Watershed 20**

Sub-Watershed 20 is located in Davenport and drains to Duck Creek. The DCWMP estimates a total impervious surface area of approximately 21,000,000 square feet and an average bacterial load of 280-380 x10<sup>9</sup> organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 20, mostly along Duck Creek stream corridor. Land use characteristics for Sub-Watershed 20 are as follows: 100% urban (70% Residential, 10% Commercial/Industrial and 20% Parks & Recreation).

**DCWMP Sub-Watershed 19**

Sub-Watershed 19 is located in Davenport and drains to Pheasant Creek. The DCWMP estimates a total impervious surface area of approximately 81,000,000 square feet and an average bacterial load of 280-380 x10<sup>9</sup> organisms/acre/day from this sub-watershed. The City does not own any property in this area. Land use characteristics for Sub-Watershed 19 are as follows: 100% urban (40% Residential, 60% Commercial/Industrial and 0% Parks & Recreation).

**DCWMP Sub-Watershed 13**

Sub-Watershed 13 is located in Davenport and drains to Robin Creek. The DCWMP estimates a total impervious surface area of approximately 40,500,000 square feet and an average bacterial load of 14-63 x10<sup>9</sup> organisms/acre/day from this sub-watershed. The City owns property in this area (Marquette Park, Northwest Park and N. Marquette Dog Park). Land use characteristics for Sub-Watershed 13 are as follows: 100% urban (85% Residential, 10% Commercial/Industrial and 5% Parks & Recreation).



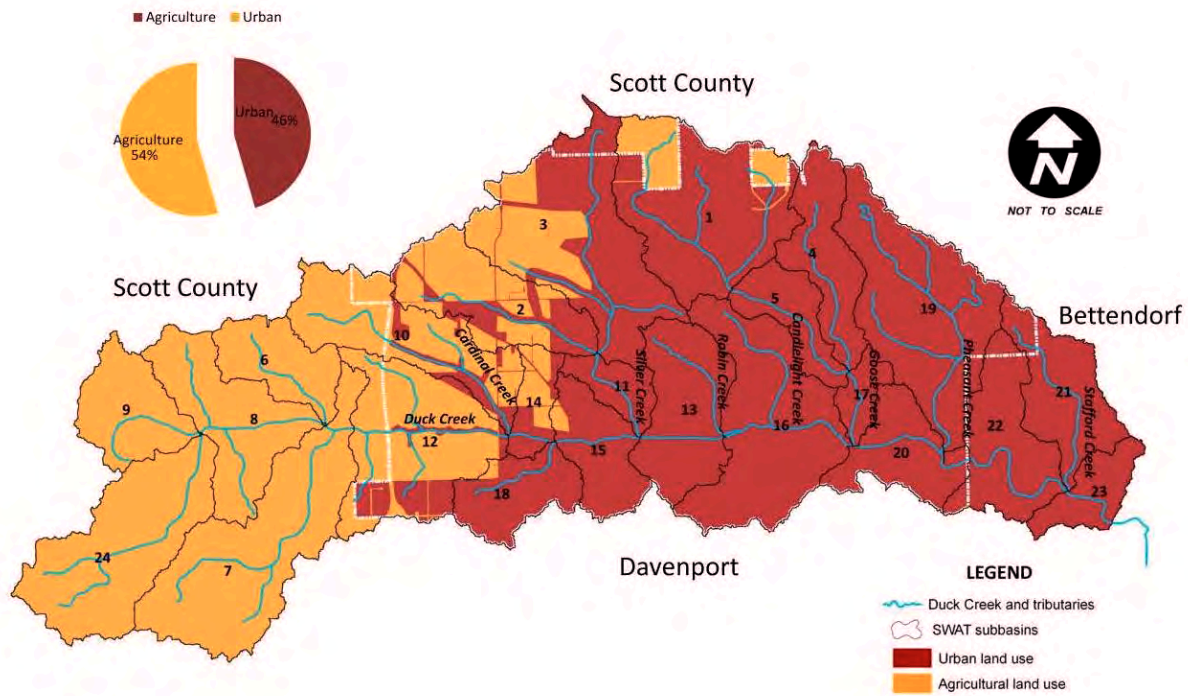


Figure 2: Duck Creek Watershed Urban and Agricultural Land Use Map

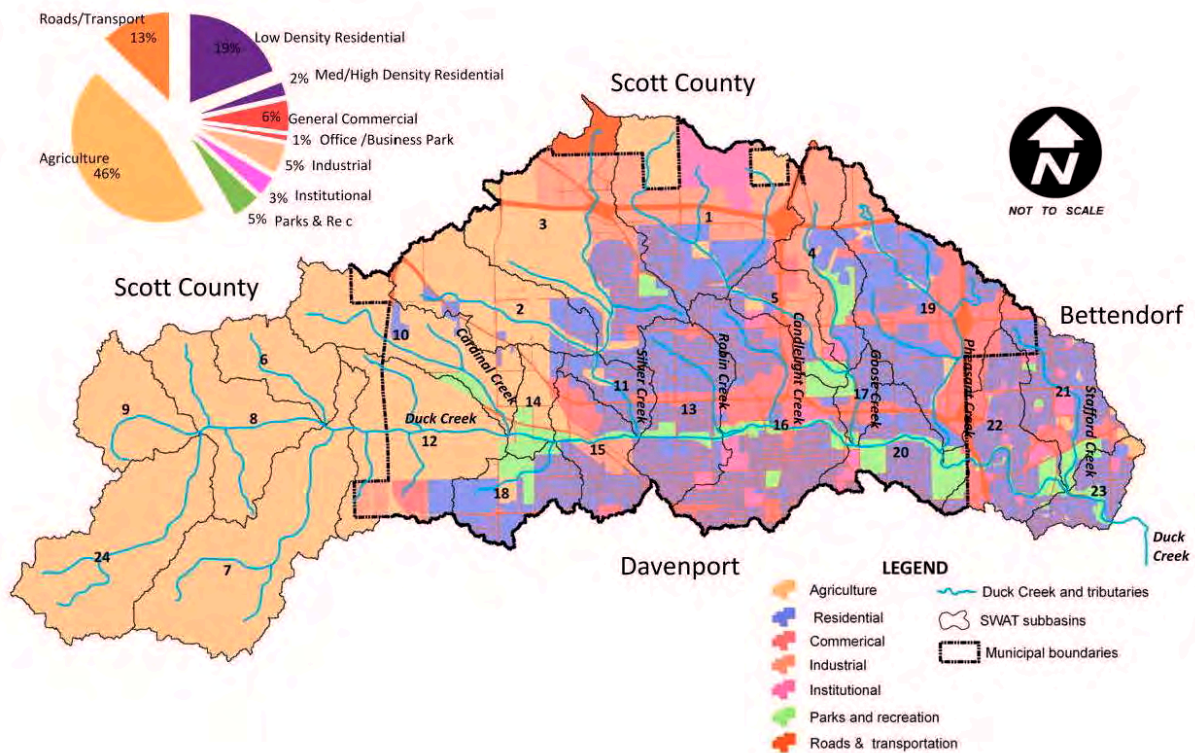


Figure 3: Duck Creek Watershed Detailed Land Use Map

### **DCWMP Sub-Watershed 18**

Sub-Watershed 18 is located in Davenport and drains to Crystal Creek. The DCWMP estimates a total impervious surface area of approximately 19,000,000 square feet and an average bacterial load of  $280-380 \times 10^9$  organisms/acre/day from this sub-watershed. The City does not own property in this sub-watershed. Land use characteristics for Sub-Watershed 18 are as follows: 5% agriculture; 95% urban (80% Residential, 0% Commercial/Industrial and 15% Parks & Recreation).

### **DCWMP Sub-Watershed 4**

Sub-Watershed 4 is located in Davenport and drains to Deere Creek. The DCWMP estimates a total impervious surface area of approximately 36,000,000 square feet and an average bacterial load of  $14-63 \times 10^9$  organisms/acre/day from this sub-watershed. The City does not own property in this Sub-Watershed 4. Land use characteristics for Sub-Watershed 4 are as follows: 100% urban (20% Residential, 60% Commercial/Industrial and 20% Parks & Recreation).

### **DCWMP Sub-Watershed 3**

Sub-Watershed 3 is located in Davenport and drains to Silver Creek. The DCWMP estimates a total impervious surface area of approximately 48,400,000 square feet and an average bacterial load of  $63-120 \times 10^9$  organisms/acre/day from this sub-watershed. There is a large piece of City owned property near the confluence of "Middle Branch of Silver Creek" and "Silver Creek" in Sub-Watershed 3. Land use characteristics for Sub-Watershed 3 are as follows: 40% agriculture; 60% urban (20% Residential, 35% Commercial/Industrial and 5% Parks & Recreation).

### **DCWMP Sub-Watershed 1**

Sub-Watershed 1 is located in Davenport and drains to Goose Creek. The DCWMP estimates a total impervious surface area of approximately 70,300,000 square feet and an average bacterial load of  $14-63 \times 10^9$  organisms/acre/day from this sub-watershed. The City owns property in this sub-watershed (Ridgeview Park). The Davenport Municipal Airport is also located in this sub-watershed. Land use characteristics for Sub-Watershed 1 are as follows: 25% agriculture; 75% urban (25% Residential, 25% Commercial/Industrial and 25% Institutional).

### **DCWMP Sub-Watershed 2**

Sub-Watershed 2 is located in Davenport and drains to West Branch of Silver Creek. The DCWMP estimates a total impervious surface area of approximately 3,800,000 square feet and an average bacterial load of  $0-14 \times 10^9$  organisms/acre/day from this sub-watershed. The City does not own property in this sub-watershed. Land use characteristics for Sub-Watershed 2 are as follows: 85% agriculture; 15% urban (15% Residential, 0% Commercial/Industrial and 0% Parks & Recreation).

### **DCWMP Sub-Watersheds 21, 22 & 23**

Sub-Watershed 21, 22 and 23 are located in Bettendorf. Because these sub-watersheds are



located downstream of Davenport, implementing a water quality practice in this location would not benefit upstream Davenport users who are funding the project. Therefore, these sub-watersheds are not considered for potential projects.

## **POTENTIAL WATER QUALITY PROJECTS IDENTIFIED**

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Based on their unique demographic, topographic, hydrologic and institutional characteristics, potential projects for all priority sub-watersheds were identified. The following general projects were recommended for one or more of the sub-watersheds. Table 1 shows which projects were identified in each sub-watersheds.

1. Wetlands where drainage, topography and soils allow.
2. Prairie reconstruction where soils and willing land owners allow.
3. Partnering with institutions to install bioretention cells on parking lots (e.g. Mall, school district, etc).
4. Residential BMP Cost-Share Program (SQR, raingardens, etc).
5. Commercial BMP Cost-Share Program targeting impervious surface runoff.
6. BMPs in city owned parks targeting impervious surface runoff.
7. Septic system repair cost-share program.

Table 1: Potential Projects in Each Priority Sub-Watershed

Sub-Watershed	Priority #	Wetlands	Prairie Restoration	Parking Lot Bioretention Cells	Residential BMP Cost-Share	Commercial BMP Cost-Share	BMPs in City Parks	Septic System Repair Cost-Share
15	1				X	X	Petersen Park	X
17	2				X	X	Eastern Ave Park	X
16	3			Mall, Brady Street Stadium	X	X	Vander Veer Park	X
5	4			North High School	X	X	Goose Creek Park	X
11	5				X	X		X
20	6				X	X		X
19	7				X	X		X
13	8				X	X	Marquette, Northwest	X
18	9				X	X		X
4	10	John Deere	John Deere		X	X		X
3	11	City Property			X	X	Whalen Park	X
1	12				X	X	Ridgeview Park	X
2	13	School District			X	X		X

## **PROJECT SELECTION, JUSTIFICATION AND EXPECTED OUTCOMES**

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Sub-watersheds where large scale BMPs could be implemented to capture and treat large volumes of water are highest priority for the city. Projects and programs that could implement smaller BMPs throughout all sub-watersheds are also a high priority for the city. With this in mind, the following projects were selected as the highest priority for this application.

### **Wetland on City Owned Property**

Constructing a wetland on city owned property on Silver Creek near Hillandale Rd. & West 49<sup>th</sup> St is being considered (Figure 4). This project is located in sub-watershed 3. Initial analysis showed the site to be a good candidate for wetlands with soils in the area being Hydrologic Soil Group (HSG) C and a search on the National Wetlands Inventory (NWI) showing the current site as a non-wetland area. Further analysis showed the tributary basin for this proposed wetland to be roughly 5 square miles. Using the ISMM 3% rule of thumb, a wetland in this area would need to be 90+ acres to treat the water quality volume of the drainage basin. The City only owns 54 acres.

Although the City's current land area does not meet the general 3% rule-of-thumb, V&K believes that upon a more detailed look at design calculations, an appropriately sized wetland in this location may still be possible due to the fact that approximately 40% of the tributary area is agricultural land that will generate significantly less runoff than an urban setting. It is estimated this wetland would treat nearly 120,000,000 gallons of stormwater per year and remove  $9.1 \times 10^{16}$  organisms from the watershed per year. Land use for this drainage basin is as follows: 40% row crop; 20% Residential, 35% Commercial/Industrial and 5% Parks & Recreation. Based on information provided in the INRS, this wetland could potentially remove up to 118,000 pounds of nitrogen from Silver Creek, Duck Creek and the Mississippi River.

### **Wetland on School District Property**

The city has briefed the school district on this potential project and the school district has shown interest in partnering on the wetland to improve water quality in the area and as an educational opportunity for their students. The wetland would be located near Wisconsin Ave & Kimberly Rd on school district property in sub-watershed 2 (Figure 5). Initial analysis showed the site to be a good candidate for wetlands with soils in the area being HSG C/D and a search on the NWI showing the current site as a non-wetland area. The drainage area for this wetland is estimated to be approximately 600 acres. Using the ISMM 3% rule of thumb, the wetland would need to be approximately 18 acres to treat the water quality volume of the drainage basin. It is estimated the wetland would treat nearly 14,000,000 gallons of stormwater per year and remove  $2.0 \times 10^{15}$  organisms from the watershed per year. Land use for this drainage basin is as follows: 85% row crop; 15% residential. Based on information provided in the INRS, this wetland could potentially remove up to 47,000 pounds of nitrogen from Silver Creek, Duck Creek and the Mississippi River.



Figure 4: Proposed wetland on City owner property near Hillandale Road and West 53<sup>rd</sup> Street



Figure 5: Proposed wetland on school district property near Wisconsin Ave. and Kimberly Rd.

### Wetland on John Deere Property

There is potential for the city to partner with John Deere to install a wetland on John Deere property near I-80 & Hwy 61 (Figure 7). The city has reached out and continues to reach out to John Deere in an attempt to gauge their interest in collaborating on this potential

project. John Deere has shown willingness in the past to partner with the city and the city believes there is potential for collaboration between the two entities. Initial analysis showed the site to be a good candidate for wetlands with soils in the area being HSG C/D and a search on the NWI showing the current site as a non-wetland area. The drainage area for this wetland is estimated to be approximately 600 acres. Using the ISMM 3% rule of thumb, the wetland would need to be approximately 18 acres to treat the water quality volume of the drainage basin. It is estimated the wetland would treat nearly 16,000,000 gallons of stormwater per year and remove  $9.0 \times 10^{15}$  organisms from the watershed per year. Land use for this drainage basin is as follows: 90% row crop, 10% industrial. Based on information provided in the INRS, this wetland could potentially remove up to 50,000 pounds of nitrogen from Deere Creek, Duck Creek and the Mississippi River.



**Figure 6: Area map showing location of potential wetland and prairie projects in collaboration with John Deere Corporation.**

### **Prairie Restoration of John Deere Property**

There is potential for the city to partner with John Deere to restore native prairie on John Deere property near I-80 & Hwy 61 (Figure 7). The city has reached out and continues to reach out to John Deere in an attempt to gauge their interest in collaborating on this potential project. John Deere has shown willingness in the past to partner with the city and the city believes there is potential for collaboration between the two entities. The prairie restoration project could be as big or small as the city and John Deere would like. However, in this application, it was assumed that 66 acres of crop land could potentially be restored to native prairie. This change in land use would decrease the curve number (CN) of the tributary drainage area from 82.9 to 81.2 and would allow the soils to absorb and retain an additional 3,000,000 gallons of stormwater that otherwise would be shed to



Deere Creek carrying with it nutrients, pesticides and potentially bacteria from manure fertilizer. Based on information provided in the INRS, converting 66 acres of row crop to prairie would keep up to 11,750 pounds (or 5.9 tons) of nitrogen out of Deere Creek, Duck Creek and the Mississippi River.

### **Bioretention Cell at Brady Street Stadium**

The city briefed the school district on this potential project and the school district has shown interest in partnering on a bioretention cell to collect runoff from their new Brady Street Stadium parking lot (Figure 6). There is potential for this bioretention cell to be an educational piece for the school district as well. The parking lot is approximately 17,400 square feet. A bioretention cell, or series of bioretention cells, would need to total 800 square feet in order to treat the water quality volume generated by the new parking lot. It is estimated this BMP, or series of BMPs, would treat 320,000 gallons of stormwater per year and keep 250 pounds of sediment out of nearby Duck Creek.



**Figure 7: Potential Brady Street Stadium bioretention cell**

### **BMP Cost-Share Program**

A BMP cost-share program for residential and commercial property owners is recommended for the city of Davenport. With this cost-share program, the city could promote SQR, raingardens and bioretention cells for homeowners and homeowner's associations and cost-share a full 100% up to \$1,500 dollars. For commercial property owners, the city could promote cost-share for bioretention cells, SQR, raingardens and other applicable urban BMPs to collect runoff from large and small commercial impervious surfaces.

If the city set aside \$100,000 for residential raingardens (as an example BMP) and \$300,000 for commercial bioretention cells (as an example BMP), they could construct approximately 3,333 square feet of raingardens and 10,000 square feet of bioretention cells. The raingardens would treat runoff from roughly 33,333 square feet of impervious roofs, and the bioretention cells would treat runoff from roughly 220,000 square feet of impervious parking lots. In total, these practices would capture and treat approximately 4,700,000 gallons of runoff per year.

### **BMPs in City Parks**

The city could implement BMPs (i.e. raingardens, bioretention cells, SQR, etc.) in the following parks to address impervious surface runoff: Petersen, Eastern Ave., Vander Veer, Goose Creek, Marquette, Northwestern, Whalen and Ridgeview Park. The impervious surface in these parks amounts to approximately 140,000 square feet. Implementing BMPs in these areas would capture and treat 2,600,000 gallons of stormwater per year. It is the City's intent to manage the WQv from these impervious surfaces with a combination of rain gardens, bioretention cells and SQR (SQR in strategic locations) pending further design analysis.

### **Septic System Repair Cost-Share Program**

The DCWMP states that "262 [septic] systems in the watershed are not designed to discharge to a surface water, are not inspected annually and are not permitted under General Permit No. 4. Out of the 262 systems, a 10% failure rate is assumed (26 systems) (Larry Linnenbrink and Jack Hoskins, Scott County Health Department, 2010, personal communication)." Between 2011 and 2014, as part of the 319 Program, Scott County Soil & Water Conservation District (SWCD) planned to investigate septic systems in sub-watersheds 6,10 and 18 to locate failures, figuring these sub-watersheds had the greatest likelihood of failed septic systems based on the high number of bacteria in receiving streams. Unfortunately, the 319-project ended before the SWCD could investigate. The City could pick-up where the SWCD left off and set aside sponsored project money to investigate and repair failed septic systems. Based on conversations with project partners, only 2-3 septic systems were repaired per year during the 319 watershed project. Considering the Sponsored Project timeframe will last at most 2 years, the city thinks it could realistically fund 4-6 septic system repairs for a total of \$40,000 to \$60,000 dollars. The City has been in contact with the State Health Department in Scott County and the Department has provided the City with a map of all known septic systems and a spreadsheet listing each septic system by age. The spreadsheet lists over one hundred septic systems that are over 50 years old. The City can use this information to identify the oldest septic systems in key watersheds and target those for investigation and repair.

### **COST ESTIMATE FOR EACH PROJECT**

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Proposed budgets for several potential projects are shown below. The city anticipates most funding to come from sponsored project dollars. The city has flexibility to adjust



which projects they choose, the scope of said projects and the associated budget of said projects according to the final amount available through the sponsored project funding mechanism. In total, the city has identified \$3,279,500 worth of water quality projects to choose from depending on funding availability.

**Table 2: City Wetland Cost Estimate**

<u>Wetland on City Property</u>	<u>\$750,000</u>
<i>Sub-Total</i>	<i>\$750,000</i>
<u>Contingency (15%)</u>	<u>\$112,500</u>
<b>Estimated Construction Cost</b>	<b>\$862,500</b>
Design (15%)	\$130,000
Contract Admin (2.5%)	\$22,000
<u>Construction Review (2.5%)</u>	<u>\$22,000</u>
<b>Estimated Project Cost</b>	<b>\$1,036,500</b>

**Table 3: School District Wetland Cost Estimate**

<u>Wetland with School District</u>	<u>\$475,000</u>
<i>Sub-Total</i>	<i>\$475,000</i>
<u>Contingency (15%)</u>	<u>\$72,000</u>
<b>Estimated Construction Cost</b>	<b>\$547,000</b>
Design (15%)	\$69,000
Contract Admin (2.5%)	\$11,500
<u>Construction Review (2.5%)</u>	<u>\$11,500</u>
<b>Estimated Project Cost</b>	<b>\$552,000</b>

**Table 4: John Deere Wetland Cost Estimate**

<u>Wetland with John Deere</u>	<u>\$600,000</u>
<i>Sub-Total</i>	<i>\$600,000</i>
<u>Contingency (15%)</u>	<u>\$90,000</u>
<b>Estimated Construction Cost</b>	<b>\$690,000</b>
Design (15%)	\$103,500
Contract Admin (2.5%)	\$17,300
<u>Construction Review (2.5%)</u>	<u>\$17,300</u>
<b>Estimated Project Cost</b>	<b>\$828,100</b>

**Table 5: John Deere Prairie Restoration Cost Estimate**

Prairie Restoration with John Deere (66 acres, 4-7 grass species, 8-15 wildflower species)	<u>\$115,500</u>
<i>Sub-Total</i>	<i>\$115,500</i>
<u>Contingency (15%)</u>	<u>\$17,400</u>
<b>Estimated Construction Cost</b>	<b>\$132,900</b>
Design (15%)	\$20,000
Contract Admin (2.5%)	\$3,400
<u>Construction Review (2.5%)</u>	<u>\$3,400</u>
<b>Estimated Project Cost</b>	<b>\$159,700</b>

**Table 6: Brady Street Stadium Bioretention Cell Cost Estimate**

Bioretention Cell at Brady Street Stadium (800 sf)	<u>\$24,000</u>
<i>Sub-Total</i>	<i>\$24,000</i>
<u>Contingency (15%)</u>	<u>\$3,600</u>
<b>Estimated Construction Cost</b>	<b>\$27,600</b>
Design (15%)	\$4,200
Contract Admin (2.5%)	\$700
<u>Construction Review (2.5%)</u>	<u>\$700</u>
<b>Estimated Project Cost</b>	<b>\$33,200</b>

**Table 7: City-Wide BMP Cost-Share Estimates & Septic System Cost-Share Estimate**

Residential BMPs	\$100,000
Commercial BMPs	\$300,000
City Park BMPs	\$200,000
<u>Septic System Repair Cost-Share (6 septic systems)</u>	<u>\$60,000</u>
<b>Total</b>	<b>\$660,000</b>

## **PARTNER ORGANIZATIONS & EXPECTED CONTRIBUTIONS**

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The following organizations have been involved with the project application process thus far:

- 1) National Resource Conservation Service (NRCS) – technical assistance
- 2) Iowa Department of Natural Resources (IDNR) – loan program assistance
- 3) Scott County Soil & Water Conservation District – assistance identifying watershed and agricultural runoff issues
- 4) Iowa Department of Agriculture & Land Stewardship (IDALS) – watershed technical assistance
- 5) Scott County Health Department – septic system information
- 6) Davenport Community School District – Potentially providing land for wetland and allowing city to construct bioretention cells to collect runoff from school district parking lots.

Other potential partners include: John Deere Corporation

## **PROJECT SCHEDULES**

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### **1930's Interceptor Flow Diversion Project**

Bid – Fall 2018

Construction Begin – Spring 2019

Construction End – Winter 2021

### **Sponsored Project(s)**

Design – Spring 2019

Bid – Summer 2019

Construction Begin – Summer 2019

Construction End – December 2020

### **UV Disinfection Project**

Bid – Spring 2018

Construction Begin – Spring 2018

Construction End – Spring 2020

## **EVALUATION PROCEDURES & MEASUREMENTS**

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A new Scott County Snapshot group will be monitoring Duck Creek water quality by performing snap-shot sampling three times per year. The group will house all data they collect. The data collected by this group will be used to determine water quality impacts of implemented projects. There are local volunteer groups and municipal staff that would be willing to participate in long-term monitoring of the local watersheds to track water quality improvements associated with specific projects. PVC monitoring wells will be installed on applicable practices to allow for additional monitoring. The Scott County SWCD has also shown interest and a willingness to help with monitoring efforts.

Environmental benefits from the installed practices will be calculated using the IDALS/DNR Pollutant Reduction Calculator and the Iowa State University Nitrate Load Calculator.

With regard to maintenance, the city plans to inspect practices after major rainfall events. Residential and commercial cost-share projects will have a maintenance/repair agreement so installed practices will continue to function as designed.

## **PRELIMINARY COMMUNICATION PLAN**

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The city of Davenport's Public Works Department uses a variety of means to inform the media and the community about public works programs and services; phone, website, social media, government access tv, door hanger/leaflets, e-mail, signage, city newsletter, public participation events, media releases, press conferences and council meetings are all forms of communication that might be used to share information with the community and its stakeholders. Communication plans may include developing targeted campaigns involving school collaboration, community fairs, neighborhood meetings, special events, volunteer opportunities, surveys, and hosting workshops. Communication plans will vary depending on the topic, goal, affected individuals and properties, and other conditions.

As an agency accredited by the American Public Works Association, policies and procedures for deploying communication tools and strategies exist. From the initial announcement of an SRF grant award, to implementing education campaigns, specific communication strategies that promote an informed citizenry and foster stewardship will be developed for the various components of an SRF grant award as projects become more formalized and implemented.

**DAVENPORT, IOWA**  
**SPONSORED PROJECT WATER QUALITY IMPROVEMENTS**  
**ASSOCIATED WITH THE 1930'S INTERCEPTOR DIVERSION PROJECT**  
**ENGINEERING FEE ESTIMATE - REVISION 2**

Attachment IV

	DESCRIPTION	UNIT	ESTIMATED COST
1	Topographic Survey including Boundary Plat - under separate contract	LF	\$ -
2	Basin Sizing and Grading	HR	\$ 11,800.00
3	Outlet Sizing per Storm Water Manual	HR	\$ 4,500.00
4	Structural Design of Outlet		\$ 7,700.00
4	Preliminary Layout & Coordination	LS	\$ 10,400.00
5	Construction Plans & Specifications	LS	\$ 12,200.00
6	Environmental Coordination		\$ 2,300.00
7	Permit and IDNR Coordination		\$ 1,800.00
8	Bid Letting and Coordination		\$ 2,300.00
9	Additional Water Quality Project Design and Support		\$ 51,500.00
10	<b>Subtotal Design &amp; Investigations</b>		<b>\$ 104,500.00</b>
11	Contract Administration Wetland		\$ 10,400.00
12	Construction Review On Site - Wetland (160 hours)		\$ 10,400.00
13	Additional Construction Services for Water Quality Imp		\$ 17,200.00
14	<b>Subtotal Construction Services</b>		<b>\$ 38,000.00</b>
	<b>PROJECT TOTAL</b>		<b>\$ 142,500.00</b>

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Brian Schadt 563-326-7923

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the plans, specifications, forms of contract, and estimate of cost for the 2300 block of N Fairmount St Reconstruction Project between W Central Park Ave and W Lombard St, CIP #35035. [Ward 2]

Recommendation:

Adopt the Resolution.

Background:

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 is available through CIP #35035.

The project is scheduled for bid in the coming weeks with construction taking place this construction season. The current estimate is \$400,000.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	PW Pg 2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 11:36 AM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 11:36 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:19 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 estimate of cost for the 2300 Block of North Fairmount St Reconstruction Project between the intersections of Central Park Ave and W Lombard St, CIP #35035.

WHEREAS, plans, specifications, forms of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the 2300 Block of North Fairmount St Reconstruction Project between the intersections of Central Park Ave and W Lombard St, CIP #35035.

WHEREAS, Notice of Hearing on plans, specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that, said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Elmwood Avenue Reconstruction Project between Lincoln Avenue and Linwood Avenue.

Passed and approved this 28<sup>th</sup> day of August, 2019.

Approved:

Attest:

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

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



City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Brian Schadt 563-326-7923

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the plans, specifications, forms of contract, and estimate of cost for the W 28 ½ St and Gaines St Resurfacing Project from Western Ave to W 30th St, CIP #35036. [Ward 7]

Recommendation:

Adopt the Resolution

Background:

This project will include full depth HMA patching, HMA surface placement, granular shoulders, backfill, and seeding. Funding is available through CIP #35036.

The project is scheduled for bid in the coming weeks with construction taking place this construction season. The current estimate is \$112,000.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	PW Pg 2
▣ Backup Material	Location Map

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 1:24 PM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 1:24 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:18 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 estimate of cost for the W 28 ½ St and Gaines St Resurfacing Project from Western Ave to W 30<sup>th</sup> St, CIP #35036.

WHEREAS, plans, specifications, forms of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the W 28 ½ St and Gaines St Resurfacing Project from Western Ave to W 30<sup>th</sup> St, CIP #35036.

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, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Elmwood Avenue Reconstruction Project between Lincoln Avenue and Linwood Avenue.

Passed and approved this 28<sup>th</sup> day of August, 2019.

Approved:

Attest:

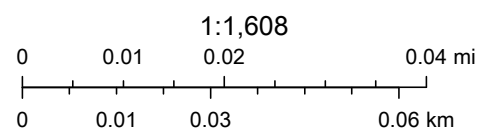
\_\_\_\_\_  
Frank Klipsch, Mayor

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

# W 28 1/2 and Gaines



8/5/2019, 10:34:03 AM



Scott County Iowa, Bi-State Regional Commission

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Dan Miers 563-888-2121

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution to approve the Caterpillar Engine #2 Overhaul at the Water Pollution Control Plant (WPCP) to Altorfer Inc in the amount of \$196,286. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This is a sole source purchase request to award Altorfer Inc. of Davenport, IA the engine overhaul for Engine #2. Altorfer Inc is the authorized Caterpillar dealer for Davenport.

Per Caterpillar recommendations, rebuild for the bottom end of the engine should be every 30,000 hours to prevent major failure. The engines are used for electrical power both normal operating as well as back up power in event utility is out (not available) as required by the Iowa DNR permit. The engines provide heat for process (digesters).

This is one of two Caterpillar engines at WPCP.

Funding for this project is from the FY20 equipment maintenance account #51151975 520226.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_Overhaul Engine #2 at WPCP

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/15/2019 - 1:44 PM
Public Works Committee	Lechvar, Gina	Approved	8/15/2019 - 1:44 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:22 PM

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

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Overhaul of Engine #2 at Water Pollution Control Plant to Altorfer, Inc. of Bettendorf, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Overhaul of Engine #2; and

WHEREAS, Altorfer Inc. of Davenport is the sole source authorized Caterpillar dealer for Davenport;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Overhaul of Engine #2 to Altorfer Inc. of Davenport;
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

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Eric Gravert (563) 327-5125

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the acceptance for the construction of the 2018 Bridge Maintenance Project completed by Minturn, Inc of Brooklyn, IA, CIP #21001. [Wards 1, 5, 6, & 7]

Recommendation:

Adopt the Resolution.

Background:

This program is intended to repair and perform maintenance to various bridges throughout the City. The repairs are based on the biannual city-wide bridge inspections last completed in 2017.

The contract of \$441,144.40 was budgeted in CIP #21001.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 1:28 PM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 1:29 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:23 PM

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

RESOLUTION offered by Alderman Ambrose

RESOLUTION of acceptance for the 2018 Bridge Maintenance Project completed by Minturn, Inc of Brooklyn, IA.

WHEREAS, City of Davenport, Iowa entered into a contract with Minturn, Inc for construction work; and

WHEREAS, work on the project has been satisfactorily completed and

NOW, therefore, be it resolved, by the City Council of the City of Davenport, Iowa, that the 2018 Bridge Maintenance Project is hereby accepted.

Passed and approved this 28<sup>th</sup> day of August, 2019

Approved:

Attest:

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

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



City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Eric Gravert 563-327-5125

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the acceptance for the construction of the FY19 Sidewalk Program completed by Kelly Construction of Davenport, Inc of Davenport, IA, CIP #28020. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The sidewalk program was used to repair existing sidewalks throughout the city. Locations were based on citizens that have elected to utilize the 50/50 cost share program or where city tree roots have buckled.

The contract of \$405,523.43 was budgeted in CIP #28020.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	7/24/2019 - 2:18 PM
Public Works - Engineering	Gravert, Eric	Approved	8/13/2019 - 4:03 PM
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 1:30 PM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 1:30 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:25 PM

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

Resolution offered by Alderman Dunn

Resolution of acceptance for the construction of the FY2019 Sidewalk Program Project completed by Kelly Construction of Davenport, Inc of Davenport, IA.

Whereas, the City of Davenport entered into a contract with Kelly Construction of Davenport, Inc of Davenport, IA 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 updated sidewalks are hereby accepted.

Passed and approved this 28<sup>th</sup> day of August, 2019.

Approved:

Attest:

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

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

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Jon Meeks 563-326-7922

Wards:

**Action / Date**

**8/21/2019**

Subject:

Resolution approving the purchase of a Pro Patch Truck from Houston Freightliner of Houston, TX in the amount of \$157,796, CIP #24018 [All Wards]

Recommendation:

Adopt the Resolution.

Background:

At no cost, the City of Davenport is a member of the Houston Galveston Area Council (HGAC), a cooperative group that bids vehicles and equipment for its members. Because of the volume created by purchases from several communities, the intent is to get a lower contract price.

The HGAC contract for the purchase of this pot hole patching vehicle is HT06-18.

The old Pro-Patch truck will be sold at auction.

The total cost of this vehicle (Pro-Patch and chassis) is \$157,796. These funds are from the CIP #24018 Pothole Repair Equipment. These funds are from the sale of bonds.

ATTACHMENTS:

Type	Description
□ Cover Memo	PW_RES_Pro Patch Truck

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	8/15/2019 - 1:49 PM
Public Works Committee	Lechvar, Gina	Approved	8/15/2019 - 1:49 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:25 PM

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

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of a Pro-Patch Truck from Houston Freightliner of Houston TX on the HGAC contract HT06-18, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to purchase a new Pro-Patch Truck; and

WHEREAS, Houston Freightliner of Houston TX was awarded the contract through the Houston Galveston Area Council cooperative group (which the City is a member);

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the purchase of a Pro-Patch Truck from Houston Freightliner of Houston TX; 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

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Mike Kramer 563-327-5141

Wards:

**Action / Date**

**8/21/2019**

Subject:

Motion to approve change orders 3, 4, & 5 for the Davenport Spur Extension and Interchange Track to Langman Construction, in the amount of \$66,760, CIP #60009. [Ward 8]

Recommendation:

Pass the Motion.

Background:

During construction a number of unforeseen items, independent of one another, occurred that are not part of the existing contract. Due to the timing of these items, staff is submitting all three change orders at the same time, rather than seeking approval separately.

**CHANGE ORDER SUMMARY:**

- Change Order #3 - Installation of a new flat top for an existing manhole. The new flat section top is necessary to provide clearance for the track work and provide continued access to the manhole. This manhole is located adjacent to the Transload Facility. Langman Construction has agreed to provide change order 3 work for \$1,150.
- Change Order #4 – Installation of a new retaining wall adjacent to the Transload Facility. A sheet pile retaining wall is needed as a quick and economical means to maintain consistency for the rail bed side-slope and for preventing rock from encroaching on an existing electric transmission power pole. Langman Construction has agreed to provide change order #4 work for \$14,575.
- Change Order #5 – Approving the use of cement stabilization in certain locations as an economical means of repairing the weak soils encountered throughout the project site. Langman Construction has agreed to provide change order #5 work for \$51,035.

**CONTRACT SUMMARY:**

Original Contract Amount	\$2,483,666.02
Change Order #1	\$13,370.00 (Approved)
Change Order #2	\$29,852.00 (Approved)
Change Order #3	\$1,150.00 (Pending)
Change Order #4	\$14,575.00 (Pending)
Change order #5	\$51,035.00 (Pending)
Total Amended Contract	\$2,593,648.02

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 2:26 PM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 2:26 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:26 PM



City of Davenport

Agenda Group:  
Department: Public Safety  
Contact Info: Brian Krup 563-326-6163  
Wards:

**Action / Date**  
**8/28/2019**

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

Bettendorf Presbyterian Church; Praise on the River; LeClaire Park; Sunday, September 1, 2019  
4:00 p.m. - 7:00 p.m.; Outdoor music/performances, over 50dBa. [Ward 3]

Kilkenny's Pub; Just Chords Reunion; 300 W 3rd St; Friday, September 6, 2019 7:00 p.m. - 1:00  
a.m.; Outdoor band, over 50 dBa. [Ward 3]

Circle Tap; Dani Lynn Howell Band; 1345 W Locust St; Friday, September 6, 2019 6:00 p.m. -  
10:00 p.m.; Outdoor band, over 50 dBa. [Ward 4]

St. Paul the Apostle; Back to School Block Party; Saturday, September 7, 2019 12:00 p.m. - 8:30  
p.m.; Outdoor music, over 50 dBa. [Ward 5]

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

Jaycees of the Quad Cities; 2019 Brew Ha Ha; LeClaire Park; Saturday, September 21, 2019  
12:00 p.m. - 5:00 p.m.; 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.

ATTACHMENTS:

Type	Description
Backup Material	Circle Tap Flyer To Neighbors

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/13/2019 - 11:01 AM





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The Circle Tap will be having Live Music on the patio

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From

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Per the City of Davenport, we have granted a Noise Variance  
for the hours

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If you are opposed to this request, please submit it in writing to  
Brian Krup, Deputy City Clerk, at [bkrup@ci.davenport.ia.us](mailto:bkrup@ci.davenport.ia.us)

Circle Tap



1345 West Locust Street



563-322-9276



City of Davenport

Agenda Group:  
Department: Public Safety  
Contact Info: Sherry Eastman 563-326-7795  
Wards:

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

Subject:  
Motion approving beer and liquor license applications.

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

**Ward 1**

Lulac Club (LULAC Council #10 Inc) - 4224 Ricker Hill Rd - License Type: Class C Liquor - On Premise

**Ward 3**

Bootleg Hill Honey Meads (Bootleg Hill LLC) - 321 E 2nd St, Ste 200 - Outdoor Area License Type: Class C Native Wine

River Center/Adler Theatre (Venuworks Of Davenport, LLC) - 136 East 3rd St. - Outdoor Area License Type: Class C Liquor - On Premise

**Ward 4**

Mc's Happy Hollow (D.M.C Corporation) - 1502 W 14th St - License Type: Class C Liquor - On Premise

Riverside Liquor 2 (Two Brother's Locust, L.L.C.) - 1528 W Locust St - License Type: Class E Liquor /B Wine /C Beer

**Ward 5**

The Outing Club (The Outing Club, Inc) - 2109 Brady St - Outdoor Area License Type: Class C Liquor - On Premise /B Wine

**Ward 6**

Costco Wholesale #1325 (Costco Wholesale Corporation) - 2790 E 53rd St - License Type: Class E Liquor - Carry Out/C Beer/B Wine

Texas Roadhouse (Texas Roadhouse Holdings LLC) - 4005 E 53rd St - License Type: Class C Liquor - On Premise

**Ward 7**

Ridhi Rose Mart LLC (Ridhi Rose Mart LLC) - 3417 Harrison St - License Type: Class C Beer - Carry Out /B Wine

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	8/15/2019 - 3:34 PM
Finance Committee	Wright, Brandon	Approved	8/15/2019 - 3:35 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:08 PM

City of Davenport

Agenda Group:  
Department: Finance  
Contact Info: Robb Macdougall 563-326-7909  
Wards:

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

Subject:  
Motion authorizing the City Administrator to sign an automatic aid agreement between the City of Davenport and the City of Bettendorf for fire protection services. [All Wards]

Recommendation:  
Pass the Motion.

Background:  
Davenport Fire Department and Bettendorf Fire Department have agreed to establish automatic aid agreements for confirmed structure fires in portions of either community. The concept regarding automatic aid is to share career fire suppression resources between the communities. Structure fires are both labor and time-sensitive incidents. At times, resources from Bettendorf may be closer to an incident than responding units on the other side of Davenport. By establishing response territories that lessen travel times, it is expected to achieve an effective response force in a timely fashion to complete the required tasks at a fire situation.

The two departments looked at geographical factors and historical numbers of structure fires to determine response areas. The response areas chosen for both communities have easily defined boundaries. The requested resources will be equally matched, providing one fire apparatus operating with three career firefighters responding to each response area. As a result of this agreement, Davenport Fire and Bettendorf Fire will be mandated to train together. The benefit of this training is seamless interoperability. The outcome of this agreement sets the stage for success at a more significant low frequency, high-risk event.

ATTACHMENTS:

Type	Description
▣ Backup Material	Automatic Aid Agreement - FINAL
▣ Backup Material	Exhibit A Map

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Macdougall, Robb	Approved	8/14/2019 - 2:23 PM

## **AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSE**

This AUTOMATIC AID AGREEMENT ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2019, by and between the City of Davenport, Iowa and the City of Bettendorf, Iowa, pursuant to Chapter 28E of the Iowa Code, and is for the purpose of supplementing emergency responses to confirmed structure fire within either of the two cities, within the borders established.

WHEREAS, the City of Davenport and the City of Bettendorf each maintain and staff a fire department for the purpose of fire prevention, fire suppression, emergency medical, hazardous material, technical rescue, and support services; and

WHEREAS, the City of Davenport and the City of Bettendorf have determined that it is to their mutual advantage and benefit to render supplemental fire suppression, in the event of a confirmed structure fire, and to take part in joint training exercises; and

WHEREAS, it is the desire of the Davenport Fire Department and Bettendorf Fire Rescue to enter into this Agreement for Automatic Aid.

NOW THEREFORE, the parties hereto agree as follows:

1. The Parties have established a mutually beneficial response district which exists within and up to certain boundary limits as designated and agreed upon by the Davenport Fire Chief and the City of Bettendorf Fire Chief, as set forth on the attached Exhibit A (the "Automatic Aid Area"). The Automatic Aid Area may be changed to reflect additions or deletions of response areas with the written approval of both parties.
2. The parties agree that all calls for confirmed structure fire response, within the Automatic Aid Area, shall result in an automatic, simultaneous response for Davenport Fire Department and Bettendorf Fire Rescue (the "Services"). To accomplish this, Scott Emergency Communications Center (SECC) will dispatch both parties, using predetermined processes.
3. This Agreement shall be in effect 24 hours a day, seven days a week.
4. Neither party to Agreement shall be required to reimburse the other party for the cost of providing the Services set forth in this Agreement. Each party shall pay their own costs for providing the Services. The mutual advantage and protection afforded by this Agreement is considered adequate consideration to both parties. Each Party shall pay the salaries, benefits, and all other compensation of its own personnel without cost to the other party.
5. Personnel who are furnished will work under their own supervisors (Company Officers) and with their own equipment to the extent possible.
6. A formalized Incident Command System will be utilized at all structure fire incidents, by both parties. All general directions relative to the work will be given by the Incident Commander of the department receiving the aid.

7. It is agreed that, to the extent necessary as determined and agreed upon by the Fire Chiefs for each department, the parties will participate in joint training exercises to promote a basic standardization of operations and philosophy.
8. Each party agrees and acknowledges that it will be the responsibility of each department to provide the backup coverage necessary for its own fire department
9. Liability. There shall be no liability imposed on any party or its personnel for failure to respond to an incident due to resource limitations or as a result of any act or omission in good faith to fulfill the terms of this Agreement. For purposes of this Agreement, each party's employees shall be deemed to be the employees and agents of that department only, and under no circumstances shall any employee be deemed to be an employee or agent of any other entity or the other fire department. All damages or repairs to any equipment or apparatus shall be the responsibility of the party that owns such equipment or apparatus, provided, however that compensation for damages to equipment or apparatus that occurs during a natural disaster, a state of emergency, as declared by a local, state, or federal governing authority, or any other incident for which state or federal aid is provided to the party requesting aid, shall be distributed to the party providing aid in proportion to the level of actual involvement incurred while providing automatic aid. Any damage or other compensation which is required to be paid to any fire department employee by reason of his/her injury occurring while his/her services are being utilized pursuant to this Agreement shall be the sole liability and responsibility of the party regularly employing that person.
10. Term and Termination. This Agreement shall remain in effect from the date both parties execute this Agreement until terminated or amended. Either party may terminate this Agreement by providing sixty (60) days advanced written notice to the other party.

11. Miscellaneous.

- (a) Governing Law: This Agreement shall be construed and enforced in accordance with the laws of the State of Iowa.
- (b) Venue: Any and all litigation or actions commenced in connection with this Agreement shall be brought in Davenport, Iowa and Scott County District Court for the State of Iowa. If, however, jurisdiction is not proper in Scott County District Court, the action shall only be brought in the United States District Court, Southern District of Iowa. This provision shall not be construed as waiving any immunity to suit or liability that may be available to the parties.
- (c) Entire Agreement: This Agreement constitutes the entire agreement between the parties and shall be binding upon the successors and assignees of the parties. This Agreement in shall be filed with the Iowa Secretary of State as required by Iowa Code section 28E.8.
- (d) Severability: The parties acknowledge and agree that if any paragraph, provision or term of this Agreement is deemed illegal or void by any court or other appropriate authority, the remaining provisions of this Agreement shall remain in full force and effect.
- (e) Assignment and Subcontracting: Neither party may assign this Agreement or subcontract any of the duties in whole or part, without the written agreement of the other party. Subject to the foregoing, this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
- (f) Notices: All notices or other communications to be given under this Agreement shall be deemed given when either personally delivered or mailed by first class mail, postage prepaid, with proper address to the following addresses until otherwise notified:

TO DAVENPORT:

City of Davenport  
Attn: City Administrator  
226 West 4<sup>th</sup> Street  
Davenport, IA 52801

TO BETTENDORF:

City of Bettendorf  
Attn: City Administrator  
1609 State Street  
Bettendorf, Iowa 52722



- (g) Headings: The headings of this Agreement are inserted for convenience of reference only and in no way describe or limit the scope or intent of this Agreement or any of the provisions hereof.
- (h) Third Party Beneficiaries: There are no third party beneficiaries to this Agreement.
- (i) Counterparts: This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

In witness whereof and in consideration of the mutual covenants set forth above and for other goods and valuable consideration, the receipt, adequacy, and legal sufficiency of which are hereby acknowledged, the parties have entered into the above Agreement and have caused their duly authorized representatives to execute this Agreement.

City of Davenport, Iowa

By \_\_\_\_\_

City of Bettendorf, Iowa

By \_\_\_\_\_

## EXHIBIT A



# Davenport and Bettendorf Automatic Aid Boundaries





City of Davenport

Agenda Group:  
Department: Finance  
Contact Info: Rick Palmer 563-326-8500  
Wards:

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

Subject:  
Motion approving the purchase of new Adler Theatre Softgoods (Stage Drape Replacement) to Rose Brand Wipers Inc of Secaucus, NJ in the amount of \$60,597, CIP #69024. [Ward 3]

Recommendation:  
Pass the Motion.

Background:  
On July 15, 2019, an Invitation to Bid was issued and sent to twenty-nine (29) vendors. On August 7, 2019, the Purchasing Division opened and read four responsive and responsible bids. See bid tab attached.

All the stage curtains are starting to show their age by getting thin and losing their color. Some curtains have torn from years of use, others have water damage. All curtains are being replaced at the same time to ensure an even color dye lot and a professional look.

Funding for this project is from the CIP account 76041675 530350 69024 Adler Stage Drape Replacement, with a current balance of \$75,000. These funds are from Hotel Motel Tax.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	8/15/2019 - 3:33 PM
Finance Committee	Wright, Brandon	Approved	8/15/2019 - 3:33 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:54 PM

CITY OF DAVENPORT, IOWA  
BID TABULATION

DESCRIPTION: ADLER THEATRE SOFTGOODS

BID NUMBER: 20-8

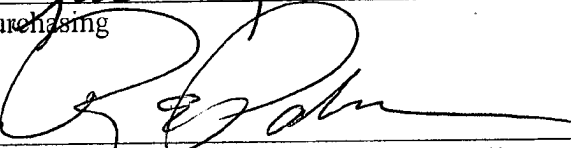
OPENING DATE: AUGUST 7, 2019

GL ACCOUNT NUMBER: 76041675 530350 69024 ADLER STAGE DRAPE  
REPLACEMENT

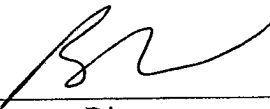
RECOMMENDATION: AWARD THE CONTRACT TO ROSE BRAND  
WIPERS INC OF SECAUCUS NJ

<u>VENDOR NAME</u>	<u>Bid Amount</u>
Rose Brand Wipers Inc. of Secaucus NJ	\$60,597
Barbizon Light of New England of Woburn MA	\$74,749
Norcostco Inc of Golden Valley MN	\$77,865
American Blind & Shade LLC of Bethesda MD	\$78,904.50

Approved By  8-13-19  
Purchasing

Approved By   
Executive Director, RiverCenter Adler Theatre

Approved By  8-13-19  
Budget/CIP

Approved By  8-14-2019  
Finance Director

City of Davenport

Agenda Group:  
Department: Finance  
Contact Info: Bruce Berger 563-328-7769  
Wards:

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

Subject:  
Motion awarding a contract for the Housing Needs Assessment to Western Economic Services LLC of Portland, OR in an amount not-to-exceed \$55,000. [All Wards]

Recommendation:  
Pass the Motion.

Background:  
A Request for Proposals was issued on June 18, 2019 and sent to consulting firms. On July 16, 2019, the Purchasing Division opened and read four proposal responses. See Tabulation attached.

The purpose of this contract is to hire a consulting firm to complete an update to the Housing Needs Assessment Plan. This plan is required by HUD for all entitlement recipients. Davenport will be collaborating with the Cities of Moline and Rock Island.

The evaluation committee consisted of staff from all three cities. The evaluation criteria used was: 1) Ability, Experience, Qualifications, Expertise of personnel assigned to the City's account, 2) Service Provider's demonstrated proposal and expertise in performing the services required, 3) Ability to complete the project in a reasonable time frame at a reasonable cost, 4) Scope of Services, understanding of required service and methodology, 5) References, 6) Clarity of Presentation. Western Economic Services LLC scored the highest and can best fit the needs of this RFP.

Funding for this is from the Community Development Block Grant account #54551043 520217 BG100. An intergovernmental agreement has been signed by all three cities (approved by Davenport City Council on 6/12/19). The cost will be split evenly three ways.

**ATTACHMENTS:**

Type	Description
□ Cover Memo	Bid Tab for Greensheet

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	8/15/2019 - 3:33 PM
Finance Committee	Wright, Brandon	Approved	8/15/2019 - 3:33 PM
City Clerk	Admin, Default	Approved	8/15/2019 - 5:32 PM

CITY OF DAVENPORT, IOWA  
PROPOSAL TABULATION

DESCRIPTION: HOUSING NEEDS ASSESSMENT

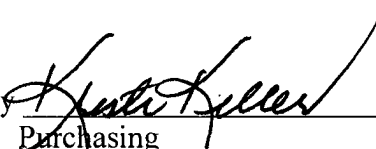
BID NUMBER: 19-129

OPENING DATE: JULY 16, 2019

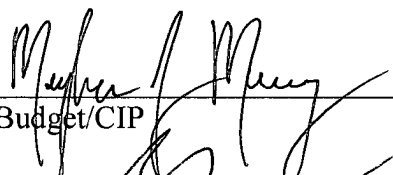
GL ACCOUNT NUMBER: 54551043 520217 BG100

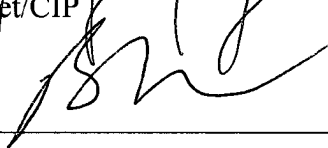
RECOMMENDATION: AWARD THE CONTRACT TO WESTERN ECONOMIC  
SERVICES LLC OF PORTLAND OR

<u>VENDOR NAME</u>	<u>LOCATION</u>
<b>Western Economic Services LLC</b>	<b>PORTLAND OR</b>
Bowen National Research RDG Planning & Design RKG Associates	Pickerington OH Des Moines IA Alexandria VA

Approved By  \_\_\_\_\_  
Purchasing

Approved By  \_\_\_\_\_  
CPED Director

Approved By  \_\_\_\_\_  
Budget/CIP

Approved By  \_\_\_\_\_  
CFO



City of Davenport

Agenda Group:

Department: City Clerk

Contact Info: Brian Krup 563-326-6163

Wards:

**Action / Date**

**8/28/2019**

Subject:

To discuss the purchase of particular real estate pursuant to Iowa Code Section 21.5(1)(j).

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Admin, Default

Approved

8/27/2019 - 4:10 PM