

City of Davenport, Iowa
City Council Meeting Minutes
Tuesday, November 23, 2021

The City Council of Davenport, Iowa met in regular session on Tuesday, November 23, 2021 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present except Alderman Gripp (Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ambrose).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Meginnis

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for November 10, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for November 17, 2021.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, November 17, 2021 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman Dohrmann. Administration of Oath of Office by Mayor Matson to Derek Cornette, Seventh Ward. Upon the roll being called, all Aldermen were present except Alderwoman Dickmann (In person: Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderman Jobgen, and Alderman Ambrose; Via telephone: Alderwoman Lee).

*The following Public Hearings were held: **Public Works:** 1) on the plans, specifications, form of contract, and estimate of cost for the Division Street (76th Street to Research Parkway) Improvement project, CIP #35058. **Finance:** 1) on the Ordinance amending Chapter 2.04 of the Davenport Municipal Code entitled "Precincts and Wards" to establish precinct and ward boundaries based upon the 2020 Census; and 2) for the purpose of amending the North Urban Renewal Plan.*

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderwoman Meginnis item #4, Resolution authorizing the conveyance of a portion of 601 East Blackhawk Trail to Ethodd Properties, LLC (Petitioner), moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman Ambrose, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Ambrose item #1, Second Consideration: Ordinance adding Chapter 13.40 to the Davenport Municipal Code entitled "Public Water Supply Well Protection", moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Ambrose all items moved to the Consent Agenda.*

Council adjourned at 6:57 p.m.

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2021-443

1. Design Review Board

- Mark Mirr (re-appointment)
- Zachary Howell (re-appointment)
- George Rashid (re-appointment)
- Evan Salzer (re-appointment)

2. Housing Commission

- Leslie Patterson (new appointment)

3. Civil Rights Commission

- Richard Pokora (re-appointment)
- Andrew Lopez (new appointment)
- Charlene Upchurch-Taylor (new appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. Alderman Dohrmann moved a motion to amend to narrow the proposed Ordinance to approve the Genesis location only, and add that should the water company want to add a new location they will be required to hold two public meetings at least three weeks apart after mailing reasonable notice to residents within 500 feet. The motion was seconded by Alderwoman Meginnis, and upon the roll being called, all Aldermen present voted aye.

On motion by Alderman Ambrose, second by Alderman Dohrmann and all Aldermen present voting aye except Alderman Ambrose, the following Ordinance moved to third consideration as amended:

Second Consideration: Ordinance adding Chapter 13.40 to the Davenport Municipal Code entitled "Public Water Supply Well Protection." [All Wards]

MOVED TO THIRD CONSIDERATION

2. A motion was moved by Alderman Ambrose to table the Resolution one cycle but failed due to lack of a second.

On motion by Alderman Ambrose, second by Alderman Dunn and all Aldermen present voting aye except Alderman Ambrose, the following Resolution was adopted:

Resolution authorizing the conveyance of a portion of 601 East Blackhawk Trail to Ethodd Properties, LLC (Petitioner). [Ward N/A]

ADOPTED 2021-444

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Ambrose, second by Alderwoman Meginnis and all Aldermen present voting aye with Alderman Dohrmann abstaining from item #10, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance for Case ORD21-02 being the request of the City of Davenport to amend various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning" by amending various subsections thereto. [All Wards]

ADOPTED 2021-445

ORDINANCE NO. **2021-445**

ORDINANCE FOR CASE ORD21-01 BEING THE REQUEST OF THE CITY OF DAVENPORT, IOWA TO AMEND VARIOUS SECTIONS OF CHAPTER 17 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "ZONING", BY AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That subsection 17.05.010 of the Municipal Code of Davenport, Iowa, be and the same is hereby as amended to add a new subsection (E) entitled C-C City Centre Zoning District to be read as follows:

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

(the current subsection (E) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

Section 2. That subsection 17.05.030 of the Municipal Code of Davenport, Iowa, be the same is hereby as amended to add a new subsection (C) to be read as follows:

In the C-1 District, where 70% of a blockface has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.

(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

Section 3. That section 17.05.030 Table 17.05-1 entitled Commercial Districts Dimensional Standards of the Municipal Code of Davenport, Iowa, be the same is hereby amended to read as follows:

	Table 17.05-1: Commercial Districts Dimensional Standards					
	C-T	C-1	C-2	C-3	C-C	C-OP
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'

Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a residential district, then 35'	45'
Setbacks						
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15' unless meeting the standards of Section 17.05.030C	None	25'	None	20'
Front Setback Build-To Percentage	70%	70%	None	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	None, unless abutting a residential district, then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10' unless meeting the standards of Section 17.05.030C	10'	20'	None	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	None, unless abutting a residential district, then 25'	25'

Section 4. That section 17.05.040 Table 17.05-2 entitled Commercial Districts Design Standards of the Municipal Code of Davenport, Iowa, be the same is hereby amended to read as follows:

Table 17.05-2: Commercial Districts Design Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Façade Design						
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.						•
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.	•	•	•	•	•	•
Fenestration Design						
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.	•	•	•			
Roof Design						
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.	•	•	•	•	•	•
Entrance Design						
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.						•
Multi-Tenant Commercial Center and Office Park Site Design						
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.						•

Section 5. That section 17.05.040 image entitled "C-3 District Design Standards" of the Municipal Code of Davenport, Iowa, be the same to read as follows:**C-3 and C-C 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

Section 6. That section 17.08.020 Table 17.08-1 entitled Use Matrix of the Municipal Code of Davenport Iowa, be the same is hereby amended as follow:

Change "Bed and Breakfast" from Permitted to Special Use in R-1 and R-2
 Add "Day Care Center" as a Special Use in I-1
 Add "Food Bank" as a Permitted in I-2
 Add "Parking Lot (Principal Use)" as a Special Use in I-2
 Change "Residential Care Facility" from Special Use to Permitted in C-1
 Change "Self-Storage Facility: Enclosed" from Permitted to Special Use in C-3
 Remove "Self-Storage Facility: Enclosed" as Permitted from C-OP
 Remove "Self-Storage Facility: Outdoor" as a Special Use in C-3
 Add a column between C-3 and C-OP with the heading C-C.
 Add "Amusement Facility – Indoor" as Permitted in C-C
 Add "Amusement Facility – Outdoor" as Special Use in C-C
 Add "Animal Care Facility – Small Animal" as Permitted in C-C
 Add "Art Gallery" as Permitted in C-C
 Add "Art and Fitness Studio" as Permitted in C-C
 Add "Bar" as Permitted in C-C
 Add "Body Modification Establishment" as Permitted in C-C
 Add "Community Center" as Permitted in C-C
 Add "Community Garden" as Permitted in C-C
 Add "Cultural Facility" as Permitted in C-C
 Add "Day Care Center" as Permitted in C-C
 Add "Drive-Through Facility" as Special Use in C-C
 Add "Dwelling – Multi-Family" as Special Use in C-C
 Add "Dwelling – Townhouse" as Special Use in C-C
 Add "Dwelling – Single-Family Semi-Detached" as Special Use in C-C
 Add "Dwelling – Two-Family" as Special Use in C-C
 Add "Educational Facility – University of College" as Permitted in C-C
 Add "Educational Facility – Vocational" as Permitted in C-C
 Add "Financial Institution" as Permitted in C-C
 Add "Gas Station" as Special Use in C-C
 Add "Government Office/Facility" as Permitted in C-C
 Add "Hotel" as Permitted in C-C
 Add "Live Performance Venue" as Permitted in C-C
 Add "Lodge/Meeting Hall" as Permitted in C-C

Add "Medical/Dental Office" as Permitted in C-C
 Add "Micro-Brewery/Distillery/Winery" as Permitted in C-C
 Add "Office" as Permitted in C-C
 Add "Outdoor Dining" as Permitted in C-C
 Add "Parking Lot (Principal Use)" as Special Use in C-C
 Add "Parking Structure (Principal Use)" as Permitted in C-C
 Add "Personal Service Establishment" as Permitted in C-C
 Add "Place of Worship" as Permitted in C-C
 Add "Private Recreation Facility" as Permitted in C-C
 Add "Public Park" as Permitted in C-C
 Add "Public Safety Facility" as Permitted in C-C
 Add "Reception Facility" as Permitted in C-C
 Add "Residential Care Facility" as Permitted in C-C
 Add "Restaurant" as Permitted in C-C
 Add "Retail Goods Establishment" as Permitted in C-C
 Add "Retail Alcohol Sales" as Special Use in C-C
 Add "Specialty Food Service" as Permitted in C-C
 Add "Wine Bar" as Permitted in C-C
 Add "Wireless Telecommunications" as Special Use in C-C
 Add "Wireless Telecommunications – Stealth Design Antenna" as Permitted in C-C
 Add "Wireless Telecommunications – DAS Co-Location" as Permitted in C-C
 Add "Wireless Telecommunications – DAS New Pole" as Special Use in C-C
 Add "Farmer's Market" as Temporary Use in C-C
 Add "Real Estate Project Sales Office/Model Unit" as Temporary Use in C-C
 Add "Temporary Cell On Wheels (COW)" as Temporary Use in C-C
 Add "Temporary Contractor Office and Contractor Yard" as Temporary Use in C-C
 Add "Temporary Outdoor Entertainment" as Temporary Use in C-C
 Add "Temporary Outdoor Sales (No Fireworks Stand)" as Temporary Use in C-C
 Add "Temporary Outdoor Storage Container" as Temporary Use in C-C

Section 7. That section 17.08.030 subsection B entitled "Animal Care Facility – Small Animal and Animal Breeder" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of eight feet in height is required for all exterior exercise areas.

(Note: Numbered subsections 2 and 3 remain unchanged.)

Section 8. That section 17.08.030 subsection G entitled "Car Wash" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

G. Car Wash

When a car wash is adjacent to the lot line of a residential district, it must be screened along the interior side and/or rear lot lines adjacent to the residential lot as follows:

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
2. 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.

3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.
4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

Section 9. That section 17.08.030 subsection O entitled "Dwelling – Multi-Family" of the Municipal Code of Davenport, Iowa, be the same and hereby amended to read as follows:

O. 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.
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
5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.
 - a. Structures shall maintain the character of the multi-family development.
 - b. Structures are encouraged to match the pitch of the roof of the principal dwelling.
 - c. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).
6. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

Section 10. That the unnumbered opening paragraphs of section 17.08.040 of the Municipal Code of Davenport, Iowa, be and the same are hereby amended to read as follows:

Temporary uses are required to comply with the standards of this section, in addition to all other regulations and licensing requirements of the Municipal Code. These regulations are for temporary uses located on private property. A temporary use may require a permit if the requirement is specifically cited in the standards. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval. Tents associated with temporary uses that are less than 200 square feet in area are exempt from permits.

(Note: All subsections remain unchanged.)

Section 11. That section 17.08.050 of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows ("Display Fireworks" per the American Pyrotechnic Association only), horse shows, carnivals/circuses, temporary worship services, and others.
(Note: All subsections remain unchanged.)

Section 12. That section 17.09.020 subsection C entitled "Luminaire with Cut Off Standards" of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

C. Luminaire with Cut Off Standards

1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is:
 - a. 25 feet in all residential districts, C-T, C-1, C-V, S-AG and S-OS.
 - b. 35 feet in C-2, C-3, C-C, C-OP, C-D, C-E, S-IC, and I-MU
 - c. 40 feet in I-1 and I-2.
3. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

Section 13. That section 17.15.050 subsection C.2 entitled "Nonconforming Parking Lot Landscape" of the Municipal Code of Davenport, Iowa, be the same are hereby amended to be read as follows:

2. Nonconforming Parking Lot Landscape

When a parking lot of 15 or more spaces does not conform to required parking lot landscape requirements, it must be brought into conformance when such parking lot is fully reconstructed or expanded by an additional 50% or more spaces (viz., the total number of spaces after expansion is 150% or more of the spaces prior to expansion).

- a. Resealing or re-striping of an existing parking lot, which does not entail paving or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.
- b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.
- c. If only certain requirements are able to be accommodated on the site, those elements are required. The Zoning Administrator will make the determination that all or a portion of required landscape does not have to be installed.

(Note: All other subsections remain unchanged.)

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.

Approved 11/23/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance for Case REZ21-04 being the request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 West Kimberly Road, generally being bounded by Northwest Boulevard, Kimberly Road, Brady Street, East 42nd Street, Welcome Way, and the north lot line of Northpark Mall, from C-3 General Commercial to C-C City Centre District. [Ward 7]

ADOPTED 2021-446

ORDINANCE NO. **2021-446**

ORDINANCE FOR CASE REZ21-04 BEING THE REQUEST OF THE CITY OF DAVENPORT TO REZONE 143 ACRES, MORE OR LESS, OF PROPERTY LOCATED NEAR 320 WEST KIMBERLY ROAD, GENERALLY BEING BOUNDED BY NORTHWEST BOULEVARD, KIMBERLY ROAD, BRADY STREET, EAST 42ND STREET, WELCOME WAY, AND THE NORTH LOT LINE OF NORTH PARK MALL, FROM C-3 GENERAL COMMERCIAL TO C-C CITY CENTRE DISTRICT.

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 "C-C City Centre Zoning District."

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, NORTH PARK ESTATES ADDITION, ALSO BEING A POINT ON THE EAST LINE OF TERRACE RIDGE 8TH ADDITION; THENCE, ALONG SAID EAST LINE, TO THE SOUTHEAST CORNER OF LOT 29 OF SAID ADDITION, A DISTANCE OF 921 FEET; THENCE, ALONG THE SOUTH LINE OF SAID ADDITION AND THE SOUTH LINE OF TERRACE RIDGE 6TH ADDITION, TO THE SOUTHWEST CORNER OF LOT 1 OF SAID 6TH ADDITION, A DISTANCE OF 1,015 FEET, ALSO BEING THE NORTHEAST CORNER OF LOT 12 OF TERRACE RIDGE 3RD ADDITION; THENCE, ALONG THE EAST LINE OF SAID ADDITION 6TH ADDITION TO THE EASTERLY CORNER OF LOT 29 OF TERRACE RIDGE 5TH ADDITION, A DISTANCE OF 433 FEET; THENCE, NORTHWESTERLY 39 FEET, TO A POINT ON THE EASTERLY LINE OF TERRACE RIDGE 5TH ADDITION; THENCE ALONG SAID EASTERLY LINE, TO THE SOUTHEASTERLY CORNER OF LOT 26 OF SAID ADDITION; THENCE, SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID ADDITION THE SOUTHEASTERLY CORNER OF LOT 22 OF SAID ADDITION, A DISTANCE OF 619 FEET; THENCE, NORTHWESTERLY 45 FEET, TO THE SOUTHEASTERLY CORNER OF LOT 21 OF SAID ADDITION; THENCE ALONG THE SOUTH LINE OF SAID LOT OF SAID ADDITION, TO THE CENTERLINE OF NORTHWEST BOULEVARD, A DISTANCE OF 115 FEET; THENCE, SOUTHEASTERLY ALONG THE CENTERLINE OF NORTHWEST BOULEVARD TO THE CENTERLINE OF WEST KIMBERLY ROAD, A DISTANCE OF 1,387 FEET; THENCE, EASTERLY ALONG THE CENTERLINE OF WEST KIMBERLY ROAD TO THE CENTERLINE OF BRADY STREET, A DISTANCE OF 2,763 FEET; THENCE, NORTHERLY ALONG THE CENTER OF BRADY STREET TO THE CENTERLINE OF EAST 42ND AVENUE, A DISTANCE OF 1,255 FEET; THENCE, WESTERLY ALONG THE CENTERLINE OF EAST 42ND STREET TO THE CENTERLINE OF WELCOME WAY, A DISTANCE OF 470 FEET; THENCE, NORTHERLY ALONG THE CENTERLINE OF WELCOME WAY TO THE INTERSECTION OF THE EXTENSION OF THE SOUTH LINE OF NORTH PARK ESTATES 2ND ADDITION AND WELCOME WAY, A DISTANCE OF 1,047.00 FEET; THENCE, WESTERLY ALONG THE SOUTH LINE OF SAID 2ND ADDITION AND THE SOUTH LINE OF NORTH PARK ESTATES ADDITION, A DISTANCE OF 1,171 FEET, TO THE POINT OF BEGINNING, CONTAINING 143 ACRES, MORE OR LESS.

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

Findings:

1. The zoning map amendment is consistent with the Davenport 2035+ Land Use Plan, which identifies the properties as Regional Commercial (RC) and Commercial Corridor (CC).
2. The proposed district is in keeping with the Council Goals of Fiscal Vitality, Sustainable Infrastructure and Vibrant Region.
3. The proposed map change furthers the purpose of the City Centre Zoning District and meets approval standards for map amendments.

Conditions:

1. The buffer area identified in Exhibit 1 Original Buffer Yard shall be preserved.
2. Street connections to West 44th Street, Fairway Drive, Harrison Street, Main Street, Sheridan Street, and Westerfield Road shall be prohibited.
3. There shall be a phased maximum building height restriction established by the setback from a residential zoning district. Structures setback less than 75 feet from a residential zoning district are limited to a maximum building height of 35 feet. Structures setback between 75 feet to 150 feet from a residential zoning district are limited to a maximum building height of 70 feet. Structures setback greater than 150 feet from a residential zoning district have no maximum building height restriction.

Section 3. At its October 5, 2021 meeting, the City Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval subject to the listed findings and conditions.

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.

Approved 11/23/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Louis Rich Court along both sides from West Lake Boulevard east to its terminus. [Ward 1] **ADOPTED 2021-447**

ORDINANCE NO. **2021-447**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII "NO PARKING" THERETO BY ADDING LOUIS RICH COURT ALONG BOTH SIDES FROM WEST LAKE BOULEVARD EAST TO ITS TERMINUS.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Louis Rich Ct along both sides from West Lake Blvd east to its terminus.

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.

Approved 11/23/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

4. Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Villa Drive along both sides from Villa Court south 300 feet. [Ward 8] **ADOPTED 2021-448**

ORDINANCE NO. **2021-448**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII "NO PARKING" THERETO BY ADDING VILLA DRIVE ALONG BOTH SIDES FROM VILLA COURT SOUTH 300 FEET.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Villa Dr along both sides from Villa Ct south 300 feet.

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.

Approved 11/23/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

5. Third Consideration: Ordinance amending Schedules XIV and XV of Chapter 10.96 by changing Marquette Street at 12th Street from Pedestrian Traffic Signals to Intersection Traffic Signals. [Wards 3 & 4] **ADOPTED 2021-449**

ORDINANCE NO. **2021-449**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULES XIV AND XV BY CHANGING MARQUETTE STREET AT 12TH STREET FROM PEDESTRIAN TRAFFIC SIGNALS TO INTERSECTION TRAFFIC SIGNALS.

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

Section 1. That Schedule XIV Intersection Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Marquette St at 12th St.

Section 2. That Schedule XV Pedestrian Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by deleting the following:

Marquette St at 12th St.

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.

Approved 11/23/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

6. Second Consideration: Ordinance amending Schedule XVII of Chapter 10.96 entitled "No Stopping, Standing or Parking" by adding 54th Street along the south side from Pine Street west 550 feet between the hours of 7:00 a.m. and 4:00 p.m. on school days. [Ward 2] **MOVED TO THIRD CONSIDERATION**

7. First Consideration: Ordinance amending Chapter 2.04 of the Davenport Municipal Code entitled "Precincts and Wards" to establish precinct and ward boundaries based upon the 2020 Census. [All Wards] **MOVED TO SECOND CONSIDERATION**

8. Resolution approving Case F21-11 being the request of Origin Design on behalf of Russell Construction for a final plat of Russell-Frye/Armstrong Industrial Park First Addition for a 4-lot subdivision on 95 acres located at 8730 Northwest Boulevard. [Ward 2]

ADOPTED 2021-450

9. Resolution accepting the Mississippi River Flood Resiliency Plan as a guide for future flood mitigation actions, CIP #60028. [All Wards]

ADOPTED 2021-451

10. Resolution approving and adopting preliminary plans and specifications and plats and schedules for the FY 2022 Alley Resurfacing Program. [Wards 3 & 5]

ADOPTED 2021-452

11. Resolution accepting the agreement with the Iowa Department of Transportation for the Urban-State Traffic Engineering Program (U-STEP) project for new traffic signals at the intersection of Brady Street and Lombard Street, CIP #38015. [Ward 5]

ADOPTED 2021-453

12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Division Street (76th Street to Research Parkway) Improvement project, CIP #35058. [Ward 8]

ADOPTED 2021-454

13. Resolution authorizing the submission of an application to the Federal Recreational Trails (FRT) program for grant assistance with the construction of the Nahant Marsh Trail System project. [Ward 1]

ADOPTED 2021-455

14. Resolution accepting the amended 2021-2022 (year two of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount \$590,853, and authorizing the Finance Director or designee to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards]

ADOPTED 2021-456

15. Resolution amending the North Urban Renewal Plan. [Wards 2, 6, 7, & 8]

ADOPTED 2021-457

16. Resolution approving the FY 2021 City Street Finance Report from July 1, 2020 to June 30, 2021 to be submitted to the Iowa Department of Transportation. [All Wards]

ADOPTED 2021-458

17. Resolution awarding a contract for the purchase of Specific and Aggregate Stop Loss Insurance to Reliastar Life Insurance Company/VOYA Financial in the amount of \$977,721. [All Wards]

ADOPTED 2021-459

18. Resolution approving the renewal of cyber insurance for CY 2022 with Underwriters at Lloyd's of London in the amount of \$141,652.50. [All Wards] **ADOPTED 2021-460**

19. Motion approving the following noise variance request for an event on the listed dates and times. **PASSED 2021-461**

Freight House Farmers' Market; Christkindlmarkt; 421 West River Drive; 4:00 p.m. - 9:00 p.m. Friday, December 3, 2021; 9:00 a.m. - 7:00 p.m. Saturday, December 4, 2021; and 9:00 a.m. - 4:00 p.m. Sunday, December 5, 2021; Outdoor music/band, over 50 dBA. [Ward 3]

20. Motion approving beer and liquor license applications. **PASSED 2021-462**

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

Ward 3

Christkindlmarkt QC (German American Heritage Center) - 421 W River Dr (Parking Lot) - Temporary Outdoor Event December 1st through December 4th - License Type: Beer/Wine

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

Ward 1

Davenport Elks Lodge #298 (Benevolent and Protective Order of Elks #298) - 4400 W Central Park - License Type: Class C Liquor

Ward 2

Big 10 Mart (Molo Oil Company) - 2308 W 53rd St - License Type: Class C Beer

Ward 5

Bley's Tap (JBCW, LLC) - 215 E 29th St - License Type: Class C Liquor

Ward 6

Wal-Mart Supercenter #1241 (Wal-Mart Stores, Inc) - 5811 Elmore Ave – License Type: Class E Liquor

Ward 7

Columbus Club (Columbus Club of Davenport) - 1111 W 35th St – License Type: Class C Liquor

The Gallery (Nelson Securities, Inc) - 3727 Esplanade Ave - Outdoor Area - License Type: Class C Liquor

QC Mart (Bethany Enterprises, Inc) - 3545 Eastern Ave - License Type: Class C Beer

21. Motion approving Change Order #1 to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of \$62,000 for the Eastern Avenue Resurfacing project, CIP #35053. [Wards 6 & 7] **PASSED 2021-463**

22. Motion approving submission of the City of Davenport Annual Urban Renewal Report for FY 2021. [All Wards] **PASSED 2021-464**

XII. Other Ordinances, Resolutions and Motions

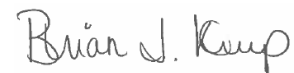
XIII. Public with Business

XIV. Reports of City Officials

Following is a summary of revenue received for the month of October 2021:

Property taxes	34,947,230
Other City taxes	2,048,454
Special assessments	-
Licenses & permits	230,552
Intergovernmental	3,464,993
Charges for services	2,970,188
Use of monies & property	175,104
Fines & forfeits	122,809
Bonds/Loan Proceeds	836,801
Miscellaneous	1,097,251

XV. Adjourn **6:00 p.m.**



Brian J. Krup
Deputy City Clerk