

CITY COUNCIL MEETING

City of Davenport, Iowa

Tuesday, November 22, 2022; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

PLEASE NOTE CHANGE OF DAY FOR THIS MEETING

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 November 9, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for November 16, 2022.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Small Business Saturday | November 26, 2022

IX. Presentations

A. 2022 Halloween Parade Winners Trophy Presentation

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. Second Consideration: Ordinance for Case REZ22-06 being the request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

WARD ALDERMAN REQUESTS SUSPENSION OF THE RULES AND PASSAGE OF THIRD CONSIDERATION.

i. Motion for suspension of the rules

ii. Passage of third 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. Third Consideration: Ordinance for Case REZ22-05 being the request of E&A Enterprises, LLC on behalf of Circle K Properties, LLC to rezone approximately 51 acres of land bounded by Forest Grove Drive, Interstate 80, the City Limit, and Utica Ridge Road from S-AG Agricultural District to R-2 Single-Family Residential District and R-MF Multi-Family Residential District. [Ward 6]
2. Third Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule VII No Parking thereto by adding Denison Avenue along both sides from Bridge Avenue east to the dead end. [Ward 5]
3. Third Consideration: Ordinance amending Chapter 15.44 entitled "Flood Damage Prevention" of the Municipal Code of Davenport, Iowa by amending various subsections thereto. [All Wards]
4. First Consideration: Ordinance for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. [All Wards]
5. Resolution approving Case F22-11 being the request of Iowa American Water Company for a final plat of Iowa American Water Company First Addition, a 2-lot subdivision on 38.9 acres located west of Research Parkway and Hillendale Road. [Ward 8]
6. Resolution accepting work completed under the West Lombard Street (Brady Street to Harrison Street) Resurfacing project by Manatt's Inc - Eastern Iowa Division of Camanche, Iowa in the amount of \$180,158.84, CIP #35046. [Ward 5]
7. Resolution accepting work completed under the West 49th Street (Sturdevant Street to Fillmore Lane) Reconstruction project by Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of \$290,085.60, CIP #35054. [Ward 7]
8. Resolution authorizing the submission of a Consolidated Rail Infrastructure and Safety Improvements Program grant application to the Federal Railroad Administration for assistance with the Davenport Riverfront Rail Crossing Safety Improvements project. [Wards 3 & 5]
9. Resolution approving the payment of \$153,177.32 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2022 to October 31, 2023. [All Wards]
10. Resolution approving the purchase of one VacAll Sewer Jet Truck from Municipal Pipe Tool Company, LLC of Hudson, Iowa in the amount of \$319,483 using Sourcewell contract #122017-GRD. [All Wards]
11. Motion approving the Citizens Advisory Committee's recommendations for the reprogramming of the unspent and unobligated Community Development Block Grant (CDBG) funds from CDBG Year 47 ending June 30, 2022. [All

Wards]

12. Motion approving a noise variance request for an outdoor event on the listed date and time.

J&M Displays Inc; Christmas in the Village; Village of East Davenport; 15-20 minutes between 9:00 p.m. - 9:30 p.m. on Saturday, December 3, 2022; Fireworks, over 50 dBA. [Ward 5]

13. Motion approving beer and liquor license applications.

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

-
Ward 3

Front Street Brewery, Inc (Front Street Brewery, Inc) - 421 West River Drive #3/4 - Extended Outdoor Area "Christkindlmarkt" December 2-4 - License Type: Class C Liquor

The Vintage Wine Bar (The Vintage Wine Bar, LLC) - 421 West River Drive East Parking Lot - Temporary Outdoor Event "Christkindlmarkt" December 2-4 - License Type: Beer/Wine

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

Ward 1

Beertinis (Beertinis, LLC) - 3801 Rockingham Road - Outdoor Area - License Type: Class C Liquor

Ward 3

Toasted (Yolked, Inc) - 118 East 4th Street - License Type: Class C Liquor

Ward 5

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

Ward 7

The Liquor Stop, LLC (The Liquor Stop, LLC) - 211 West 53rd Street - License Type: Class E Liquor

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

Ward 8

- Dollar General Store #19449 (Dolgencorp, LLC) - 7510 Northwest Blvd -
License Type: Class C Beer
14. Motion awarding a contract for the purchase of an obstacle course playground for Emeis Park to Landscape Structures, Inc of Delano, Minnesota in the amount of \$65,284, CIP #ARP10. [Ward 1]

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 not appearing on this agenda. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council can not take action on any complaint or suggestions tonight, and can not respond to any allegations at this time.

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Department: City Clerk

Contact Info: Brian Krup | 563-326-6163

Action / Date

11/22/2022

Subject:

Approval of the City Council Meeting minutes for November 9, 2022.

ATTACHMENTS:

Type	Description
▣ Exhibit	CC Min 110922

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/17/2022 - 10:31 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, November 9, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, November 9, 2022 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Ortiz

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for October 26, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for November 2, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, November 2, 2022 -- 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 Jobgen. Upon the roll being called, all Aldermen were present (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

*The following Public Hearings were held: **Community Development:** 1. for Case REZ22-06 being the request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District; 2. on the proposed conveyance of vacated public right-of-way lying between Christie Street and Belle Avenue (Willis and Renee Simmons, Petitioners); 3. on the proposed conveyance of vacated public right-of-way, being the Easterly 20 feet of Walt's Addition, lying south of Glaspell Street and east of South Rolff Street (Shawn Struck, Petitioner); 4. on amending the North Urban Renewal Plan to include the Fair Oaks Foods project; and 5. on considering approval of an Economic Development Agreement with Fair Oaks Foods. **Finance:** 1. on granting a 10-foot wide access and utility easement to Scott County from the Scott Emergency Communications Center north to the Emergency Management storage building in the southeast corner of parcel P1214-07I; and 2. for the purpose of amending the North Urban Renewal Plan to include the Internal TIF.*

*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 Alderman Gripp, second by Alderwoman Lee item #2, First Consideration: Ordinance for Case REZ22-06 being the request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District, was amended to add the following condition: "That Retail Alcohol Sales shall be prohibited." On motion by Alderwoman Lee, second by Alderwoman Dickmann item #6, Resolution approving an economic development agreement with Fair Oaks Foods, 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 Alderwoman Dickmann, second by Alderman Gripp all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Ortiz item #3, Resolution accepting work completed under the River Heritage Park | Phase III project by Bill Bruce Builders, Inc of Eldridge, Iowa in the amount of \$853,924.57, CIP #68013, and item #13, Motion ratifying Change Orders #3, #4, and #5 to Langman Construction of Rock Island, Illinois in the amount of \$69,505.28 for the Veterans Memorial Park Improvement project, CIP #68016, 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 Alderwoman Dickmann all items moved to the Consent Agenda.*

*Council adjourned at **6:08 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2022-523

1. National Adoption Day | November 19, 2022

IX. Presentations

HELD

A. Southeast Little League | 10U and 12U All Stars Teams

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. On motion by Alderman Gripp, second by Alderman Ortiz and all Aldermen present voting aye, the following Resolution was adopted:

Resolution approving an economic development agreement with Fair Oaks Foods. [Ward 8]

ADOPTED 2022-524

2. On motion by Alderwoman Meginnis, second by Alderman Gripp and all Aldermen present voting aye, the following Resolution was adopted:

Resolution accepting work completed under the River Heritage Park | Phase III project by Bill Bruce Builders, Inc of Eldridge, Iowa in the amount of \$853,924.57, CIP #68013. [Ward 3]

ADOPTED 2022-525

3. On motion by Alderwoman Meginnis, second by Alderman Gripp and all Aldermen present voting aye, the following Motion passed:

Motion ratifying Change Orders #3, #4, and #5 to Langman Construction of Rock Island, Illinois in the amount of \$69,505.28 for the Veterans Memorial Park Improvement project, CIP #68016. [Ward 3]

PASSED 2022-526

XII. Approval of All Items on the Consent Agenda

On motion by Alderman Dunn, second by Alderman Ortiz and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule I Snow Routes thereto by adding various streets in the Westport Addition subdivision. [Ward 1] **ADOPTED 2022-527**

ORDINANCE NO. **2022-527**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING SCHEDULE I SNOW ROUTES THERETO BY ADDING VARIOUS STREETS IN THE WESTPORT ADDITION SUBDIVISION.

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

Section 1. That Schedule I Snow Routes of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

Shawnee Drive from Rhinelander Court/Drive to Westport Drive.
Westport Drive from Shawnee Drive to Alec Avenue.
Alec Avenue from Westport Drive to Jenna Drive.
Jenna Drive from Alec Avenue to Locust 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.

Adopted 11/9/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa. [All Wards]

ADOPTED 2022-528

ORDINANCE NO. **2022-528**

AN ORDINANCE AMENDING SECTION 13.16.060 ENTITLED "LOCAL LIMITS FOR SPECIFIC POLLUTANTS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA.

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

Section 1. That Chapter 13.16.060 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.16.060. Local limits for specific pollutants.

A. General Provisions.

- (1) Dilution. Users shall not increase the use of process water or, in any way; attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance

with the limitations contained in the NCPS, or with any other pollutant specific limitation developed by the City.

- (2) Sample Location. Measurement of pollutant concentrations to determine compliance shall be made at the point immediately following the pretreatment facility and before mixture with other waters, unless another point is designated by the Water Pollution Control Plant Manager. If necessary, the concentrations so measured shall be recomputed to exclude the effect of any dilution that is improper using the combined waste stream formula.

- B. Headworks Limits - Average Mass. The average composite loading of all users contributing the following specific pollutants to the POTW shall not exceed the allowable total pounds. The allocation of pollutants between industrial and non-industrial sources may be adjusted by the Water Pollution Control Plant Manager provided that allowable total loading for any pollutant at the headworks of the POTW treatment plant is not exceeded.

Table 1	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	5408.728
As	15.763
Ba	NA
Cd	3.037
Total Cr	11.252
Cu	46.237
Fe	682.836
Pb	36.657
Hg	1.004
Mo	44.749
Ni	183.286
Se	3.828
Ag	2.662
Zn	147.974
Total Phenols	3018.538
Total Cyanide	16.446

Table 2
Davenport Water Pollution Control Lagoon
West Locust Street

Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	NA
As	NA
Ba	NA
Cd	0.002
Total Cr	0.062
Cu	0.084
Fe	NA
Pb	0.011
Hg	NA
Mo	NA
Ni	0.072
Se	NA
Ag	0.002
Zn	8.338
Total Phenols	NA
Total Cyanide	0.002

Table 3			
Davenport Water Pollution Control Plant			
2606 South Concord Street			
Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	Nestle Purina	Kraft Heinz
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.14 Pounds	0.037 Pounds	0.08 Pounds
Ba	NA	NA	NA
Cd	0.070 Pounds	0.018 Pounds	0.04 Pounds
Total Cr	0.110 Pounds	0.03 Pounds	0.03 Pounds
Cu	0.320 Pounds	0.09 Pounds	0.19 Pounds
Fe	NA	NA	NA
Pb	0.070 Pounds	0.02 Pounds	0.04 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.080 Pounds	0.02 Pounds	0.04 Pounds

Se	0.08 Pounds	0.02 Pounds	0.05 Pounds
Ag	0.07 Pounds	0.018 Pounds	0.04 Pounds
Zn	1.20 Pounds	0.32 Pounds	0.70 Pounds
Total Phenols	0.27 Pounds	0.071 Pounds	0.15 Pounds
Total Cyanide	0.081 Pounds	0.022 Pounds	0.05 Pounds

Table 4	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	0.581 mg/L
Ba	NA
Cd	0.098 mg/L
Total Cr	0.199 mg/L
Cu	1.475 mg/L
Fe	NA
Pb	1.180 mg/L
Hg	NA
Mo	NA
Ni	6.937 mg/L
Se	0.127 mg/L
Ag	0.074 mg/L
Zn	4.801 mg/L
Total Phenols	115.833 mg/L
Total Cyanide	0.621 mg/L

Table 5	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA

As	NA
Ba	NA
Cd	0.024 mg/L
Total Cr	0.924 mg/L
Cu	1.282 mg/L
Fe	NA
Pb	0.173 mg/L
Hg	NA
Mo	NA
Ni	1.099 mg/L
Se	NA
Ag	0.029 mg/L
Zn	5.00 mg/L
Total Phenols	NA mg/L
Total Cyanide	0.027 mg/L

C. Discharge Concentration Limits and Review Criteria.

- (1) The admission into the POTW of any materials, water or waste having a pollutant concentration or poundage greater than the limits in Tables 1 through 5 above, or containing pollutants not listed herein, shall be subject to the review and approval of the Water Pollution Control Plant Manager. After review of the proposed discharges, the Water Pollution Control Plant Manager may:
 - (i) Reject the waste for reasons consistent with section 13.16.020.
 - (ii) Require pre-treatment to an acceptable pollutant concentration for discharge to the POTW.
 - (iii) Require control of the quantities and rates of discharge of the water or waste.
 - (iv) Require payment to cover the added cost of handling and treatment of water and waste or any combination thereof.
 - (v) Reduce the maximum or average mass loading of present and prospective individual users on any reasonable prorated basis to meet headworks loading limits at the POTW treatment plant.
 - (vi) Require the user to obtain a wastewater discharge permit and be subject to any of the rules and regulations contained therein.
 - (vii) Require the user to meet local limits or NCPS in cases where local limits are more restrictive than NCPS provided that headworks loading limits are met.
 - (viii) Initiate enforcement action in response to any non-compliance with this ordinance using the enforcement procedures outlined in this ordinance.
 - (ix) Take any combination of steps (i) through (viii) as appropriate.

- (2) Users discharging wastewater to the POTW having pollutant concentrations or flows greater than the limits in table 8 shall be considered non-domestic for purposes of sewer charges and may be regulated or permitted by the Water Pollution Control Plant Manager as appropriate:

Table 8	
Domestic Pollutant Levels	
Pollutant	Domestic Limit
BOD	250 mg/L
TSS	300 mg/L

- D. No provision of this section shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by USEPA or IDNR, nor to allow the average allowable total loading for any pollutant at the headworks of the POTW treatment plant to be exceeded.

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.

Adopted 11/9/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Second Consideration: Ordinance for Case REZ22-05 being the request of E&A Enterprises, LLC on behalf of Circle K Properties, LLC to rezone approximately 51 acres of land bounded by Forest Grove Drive, Interstate 80, the City Limit, and Utica Ridge Road from S-AG Agricultural District to R-2 Single-Family Residential District and R-MF Multi-Family Residential District. [Ward 6]

MOVED TO THIRD CONSIDERATION

4. Second Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule VII No Parking thereto by adding Denison Avenue along both sides from Bridge Avenue east to the dead end. [Ward 5]

MOVED TO THIRD CONSIDERATION

5. Second Consideration: Ordinance amending Chapter 15.44 entitled "Flood Damage Prevention" of the Municipal Code of Davenport, Iowa by amending various subsections thereto. [All Wards]

MOVED TO THIRD CONSIDERATION

6. First Consideration: Ordinance for Case REZ22-06 being the request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

MOVED TO SECOND CONSIDERATION

7. Resolution authorizing the conveyance of vacated public right-of-way lying between Christie Street and Belle Avenue (Willis and Renee Simmons, Petitioners). [Ward 5]

ADOPTED 2022-529

8. Resolution authorizing the conveyance of vacated public right-of-way, being the Easterly 20 feet of Walt's Addition, lying south of Glaspell Street and east of South Rolff Street (Shawn Struck, Petitioner). [Ward 1]

ADOPTED 2022-530

9. Resolution amending the North Urban Renewal Plan to include the Fair Oaks Foods project. [Wards 2, 6, 7, & 8]

ADOPTED 2022-531

10. Resolution approving Case F22-12 being the request of CF Caiman DVN, LLC for a final plat of Scrabble Addition, a 1-lot subdivision on 158.12 acres located west of Division Street and north of Interstate 80. [Ward 8]

ADOPTED 2022-532

11. Resolution accepting work completed under the Ripley Street (51st Street to 53rd Street) Reconstruction project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$388,633.90, CIP #35054. [Ward 7]

ADOPTED 2022-533

12. Resolution accepting work completed under the CDBG Alley Program: 1310 Kirkwood Boulevard to 1810 Esplanade Avenue Reconstruction project by Emery Construction Group, Inc of Moline, Illinois in the amount of \$250,433.86, CIP #BG-250. [Ward 5]

ADOPTED 2022-534

13. Resolution accepting work completed under the FY 2023 Brick Street Patching Program by Kelly Construction of Davenport, Inc of Davenport, Iowa in the amount of \$159,602.08, CIP #35054. [Wards 3 & 5]

ADOPTED 2022-535

14. Resolution accepting work completed under the FY 2023 DOT Full Depth Patching project by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of \$149,321, CIP #35045. [Wards 1, 2, & 7]

ADOPTED 2022-536

15. Resolution accepting work completed under the 2022 Contract Milling Program by Manatt's Inc – Eastern Iowa Division of Camanche, Iowa in the amount of \$124,392.29, CIP #35041. [All Wards]

ADOPTED 2022-537

16. Resolution awarding a one-year contract with two possible two-year renewals for security services at various City locations to Global Security Services of Davenport, Iowa. [Ward 3]

ADOPTED 2022-538

17. Resolution approving a preconstruction agreement with the Iowa Department of Transportation for the replacement of the Brady Street bridge over Duck Creek. [Ward 7]

ADOPTED 2022-539

18. Resolution authorizing the Mayor to execute the necessary documents to grant a 10-foot wide utility and access easement to Scott County from the Scott Emergency Communications Center north to the Emergency Management storage building in the southeast corner of parcel P1214-07I. [Ward 7]

ADOPTED 2022-540

19. Resolution amending the North Urban Renewal Plan to include the Internal TIF. [Wards 2, 6, 7, & 8]

ADOPTED 2022-541

20. Resolution awarding a one-year contract with four possible one-year renewals for towing services to Fred's Towing, Inc of Davenport, Iowa. [All Wards] **ADOPTED 2022-542**

21. Resolution approving the purchase of four 2023 Ford F-250 trucks equipped with plow kits from Stivers Ford of Wauke, Iowa in the amount of \$209,124 using State of Iowa Department of Administrative Services contract #23033. [All Wards] **ADOPTED 2022-543**

22. Motion approving noise variance requests for outdoor events on the listed dates and times. **PASSED 2022-544**

Davenport Parks and Recreation; Holiday Lights; Fejervary Learning Center | 1800 West 12th Street; 5:00 p.m. - 10:00 p.m. every evening Saturday, November 26, 2022 - Sunday, January 8, 2023; Outdoor music, over 50 dBA. [Ward 4]

Freight House Farmers' Market; Christkindlmarkt; Freight House | 421 West River Drive; 4:00 p.m. - 10:00 p.m. Friday, December 2, 2022; 10:00 a.m. - 10:00 p.m. Saturday, December 3, 2022; and 10:00 a.m. - 4:00 p.m. Sunday, December 4, 2022; Outdoor music/band, over 50 dBA. [Ward 3]

23. Motion approving beer and liquor license applications. **PASSED 2022-545**

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

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1003 North Brady Street - Temporary License December 8-12 – License Type: Beer/Wine

Ward 7

The Christmas Cottage (The Christmas Cottage) - 902 West Kimberly Road - Temporary License November 10-23 - License Type: Class B Native Wine

Division Mart (Preet Liquor, LLC) - 3721 North Division Street – New License/Owners - License Type: Class E Liquor

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

Ward 2

Wal-Mart Supercenter #5115 (Wal-Mart Stores, Inc) - 3101 West Kimberly Road - License Type: Class E Liquor

Ward 3

Cathedral Ale (Sacred Heart Cathedral of Davenport, Iowa) - 422 East 10th Street - License Type: Class B Beer

Quad Cities River Bandits (Main Street Iowa, LLC) - 209 South Gaines Street - Outdoor Area - License Type: Class C Liquor

Ward 5

Aldi, Inc #15 (Aldi, Inc) - 1702 Brady Street (Midtown Plaza) - License Type: Class C Beer

Ward 8

Express Lane Gas & Food Mart #86 (ExpressLane, Inc) - 7522 Northwest Boulevard - License Type: Class C Beer

Kwik Star #167 (Kwik Trip, Inc) - 2050 East 53rd Street - License Type: Class C Beer

24. Motion determining property values for the 2023 Alley Resurfacing Program. [Wards 3, 5, & 6] **PASSED 2022-546**

25. Motion approving a contract for design and preparation of bid documents for the 2023 Sanitary Sewer Lining and Manhole Rehabilitation Program to Strand Associates, Inc of Madison, Wisconsin in an amount not-to-exceed \$63,160, CIP #30057. [All Wards] **PASSED 2022-547**

26. Motion approving the purchase of one 2023 Ford F-450 truck equipped with a utility bed from Stivers Ford of Wauke, Iowa in the amount of \$73,349 using State of Iowa Department of Administrative Services contract #23033. [All Wards] **PASSED 2022-548**

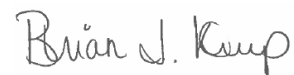
27. Motion approving submission of the City of Davenport Annual Urban Renewal Report for FY 2022. [All Wards] **PASSED 2022-549**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

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



Brian J. Krup
Deputy City Clerk

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
11/22/2022

Subject:
Approval of the Report on Committee of the Whole for November 16, 2022.

ATTACHMENTS:

Type	Description
▣ Exhibit	COW Report 111622

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/17/2022 - 10:23 AM

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, November 16, 2022 -- 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 Dunn. Upon the roll being called, all Aldermen were present (*In person*: Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, and Alderman Jobgen; *Via telephone*: Alderman Ortiz).

The following Public Hearing was held: **Community Development**: 1. for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District.

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 Alderman Jobgen item #2, Second Consideration: Ordinance for Case REZ22-06 being the request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District, moved to the Discussion Agenda with a request from the Seventh Ward Alderman for suspension the rules and passage of third consideration, and all other items moved to the Consent Agenda. **Public Safety**: Alderman Jobgen reviewed all items listed. On motion by Alderwoman Dickmann, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works**: Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Jobgen all items moved to the Consent Agenda. **Finance**: Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderwoman Dickmann all items moved to the Consent Agenda.

Council adjourned at **5:49 p.m.**

City of Davenport

Department: Office of the Mayor
Contact Info: Samantha Torres | 563-327-5128

Action / Date
11/22/2022

Subject:
Small Business Saturday | November 26, 2022

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	11/14/2022 - 8:33 AM

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
11/22/2022

Subject:

Second Consideration: Ordinance for Case REZ22-06 being the request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

**WARD ALDERMAN REQUESTS SUSPENSION OF THE RULES AND PASSAGE OF
THIRD CONSIDERATION.**

i. Motion for suspension of the rules

ii. Passage of third consideration

Recommendation:

Adopt the Ordinance.

Background:

The petitioner is requesting a rezoning from C-1 Neighborhood Commercial District to I-1 Light Industrial District. There are two vacant commercial buildings on the subject property which will be demolished. The purpose of the rezoning request is to redevelop the site for a light industrial user.

At the October 18, 2022 Plan and Zoning Commission meeting, the Commission recommended Case REZ22-05 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The proposed rezoning to I-1 Light Industrial District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character north of West 35th Street, which includes light industrial buildings and commercial establishments.
4. As conditioned, the proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Condition:

1. That Adult Uses shall be prohibited.

Following the October 18, 2022 Plan and Zoning Commission meeting, the applicant expressed interest in adding the following condition to the rezoning request:

1. That Retail Alcohol Sales shall be prohibited.

The Ordinance was amended at the November 2, 2022 Committee of the Whole Meeting to add this condition to the rezoning.

A staff report with full analysis has been attached.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance Amended 110222
▣ Backup Material	Staff Report
▣ Backup Material	Zoning & Future Land Use Map
▣ Backup Material	Application
▣ Backup Material	Legal Description
▣ Backup Material	Public Notice- Committee of the Whole
▣ Backup Material	Public Notice-Plan and Zoning Commission Meeting

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/26/2022 - 10:15 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-06 BEING THE REQUEST OF AHHE COATINGS, LLC TO REZONE 516 WEST 35TH STREET FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO I-1 LIGHT INDUSTRIAL 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 "I-1 Light Industrial District."

TRACT I. Part of the S.E. 1/4 of Section 14, Township 78 North, Range 3 East of the 5th P.M., Scott County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of the S.E, 1/4 of said Section 14; thence North 00 degrees, 04'23" West 1097.79 feet along the West line of the S.E. 1/4 of said Section 14 to a point on the North line of 35th Street, said point being the point of beginning; thence continuing North 00 degrees 04'23" West 431.94 feet; thence North 89 degrees 48'37" East 99.09 feet; thence South 00 degrees 31' East 430.73 feet to a point on the North line of said 35th Street; thence South 89 degrees 03'39" West 102.33 feet along the North line of 35th Street to the point of beginning, containing 0.997 acres, more or less.

AND

Part of the Southeast Quarter of Section 14, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, more particularly described as follows:

The West 17 feet of Tract 11 as described in W.D. 2019-04312. Containing 3,922 square feet, more or less. Subject to easements and restrictions of record.

AND

TRACT II. Part of the S.E. 1/4 of Section 14, Township 78 North, Range 3 East of the 5th P.M., Scott county, Iowa, more particularly described as follows: Commencing at the Southwest corner of the S.E. 1/4 of said Section 14; thence North 00 degrees 04'23" West 1097.79 feet along the West line of the

S.E. 1/4 of said Section 14 to a point on the North line of 35th Street; thence North 89 degrees 03'39" East 102.33 feet along the North line of 35th Street to the point of beginning; thence North 00 degrees 31' West 430.73 feet; thence North 89 degrees 48'37" East 198.19 feet; thence South 01degrees 23' East 428.14 feet to a point on the North line of 35th Street; thence South 89 degrees 03'39" West 204.66 feet along the North line of 35th Street to the point of beginning, containing 1.99 acres, more or less.

EXCEPT

Part of the Southeast Quarter of Section 14, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, more particularly described as follows:

The West 17 feet of Tract II as described in W.D. 2019-04312. Containing 3,922 square feet, more or less. Subject to easements and restrictions of record.

FURTHER EXCEPTING THEREFROM:

Part of the Southeast Quarter of Section 14, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, more particularly described as follows: Commencing as a Point of Reference the Southwest Corner of the Southeast Quarter of said Section 14; thence North 00°04'23" West 1,097.79 feet along the West line of said Southeast Quarter of said Section 14 to the Northerly line of 35th Street (for purposes of this description, the said West line is assumed to bear North 00°04'23" West); thence continuing North 00°04'23" West 232.13 feet to Point A which is also the Point of Beginning of the parcel herein described; thence continuing North 00°04'23" West 200.00 feet; thence North 89°53'20" East 296.44 feet; thence South 01°27'40" East 200.05 feet; thence South 89°53'20" West 301.28 feet to the Point of Beginning. This parcel contains 1.37 acres more or less.

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

Findings:

1. The proposed rezoning to I-1 Light Industrial District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character north of West 35th Street, which includes light industrial buildings and commercial establishments.
4. As conditioned, the proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Conditions:

1. That Adult Uses shall be prohibited.
2. That Retail Alcohol Sales shall be prohibited.

Section 3. At its October 18, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-06 to the City Council with a recommendation for approval.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan & Zoning Commission-Staff Report
October 18, 2022

Case REZ22-06: Request of AHHE Coatings, LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

Background:

The petitioner is requesting a rezoning from C-1 Neighborhood Commercial District to I-1 Light Industrial District. There are two vacant commercial buildings on the subject property, which will be demolished. The purpose of the rezoning request is to redevelop the site for a light industrial user.

Why is a Zoning Map Amendment Required?

The Zoning Ordinance does not permit light industrial uses in a commercial district. The Zoning Ordinance defines "Industrial-Light" as:

Research and development activities, and the manufacture, fabrication, processing, reduction, and/or destruction of any article, substance, or commodity, or any other treatment thereof in such a manner as to change the form, character, and/or appearance, where such activities are conducted wholly within an enclosed building. A light industrial use may also include a showroom, ancillary sales of products related to the items manufactured or stored on-site, and/or ancillary outdoor storage.

Comprehensive Plan:

Within Urban Service Area 2035: Yes

Future Land Use Designations:

The subject property is designated Regional Commercial in the Davenport +2035 Land Use Plan. The land immediately adjacent to the west is designated as Industry.

1. **Regional Commercial (RC)** – Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.
2. **Industry (I)** - Designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Zoning:

The property is currently zoned **C-1 Neighborhood Commercial District**. This district is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.

The applicant is requesting to rezone the property to **I-1 Light Industrial Zoning District**. This district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

Staff Response: The property is designated as Regional Commercial in the Davenport +2035 Land Use Plan. However, the property immediately adjacent to the west is designated as Industry. A rezoning to a I-1 Light Industrial District will not require an amendment to the Land Use Plan given the close proximity to Industry and consistency with surrounding land uses along West 35th Street.

The City of Davenport owns the property to the south of the subject site, which is designated as Parks and Recreation. Junge Park will serve as a buffer to any residential land uses.

It is staff's opinion the proposed amendment is generally consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The West 35th Street corridor, between Harrison Street and Marquette Street, contains several different industrial, commercial, open space, and residential zoning classifications. Junge Park, located south of West 35th Street, is S-OS Open Space District.

The subject property is part of a linear stretch of lots zoned C-1 Neighborhood Commercial District spanning the north side of West 35th Street. There is a transition to I-1 Light Industrial Zoning beginning at the west lot line of the subject property. Industrial zoning extends westward down 35th Street as well as north to Kimberly Road.

Since the abutting properties to the north and west are zoned I-1 Light Industrial District, a change to an industrial zoning classification will still align with uses of nearby property.

It is staff's opinion the proposed zoning amendment to I-1 Light Industrial District is generally compatible with the zoning of nearby developed property.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character is a mix of light industrial and commercial uses to the west and north of the subject property.

It is staff's opinion the proposed zoning districts and boundaries are compatible with the established neighborhood character.

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

Staff Response: The petitioner's intention is to demolish the existing buildings and construct a building to house a construction related business. The surrounding area is currently developed as uses supported by the I-1 Light Industrial zoning. Due to the proximity to a public park, staff has recommended prohibiting Adult Uses as a condition of the zoning map amendment.

It is staff's opinion that with the condition to prohibit Adult Uses, the proposed zoning map amendment will have minimal impacts to the public health, safety, and welfare of the City.

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 Response: The site would be suitable for uses within the C-1 Neighborhood Commercial District. However, the site does have challenges associated with its proximity to the floodplain and topography and is a lower volume traffic street which may make the viability of a Neighborhood Commercial District use more challenging.

It is staff's opinion that the proposed zoning map amendment supports the feasibility of developing the property.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: The I-1 Light Industrial District does not have a minimum lot area or width requirement. The two existing structures on the site comply with industrial district setback, building height, and design requirements. However, the applicant intends to demolish the existing buildings to redevelop the site for an industrial business. Redevelopment of the property shall be in accordance with applicable city codes and meet the standards of the I-1 Light Industrial District.

It is staff's opinion that the proposed amendment will not create any nonconformities.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the October 4, 2022 Plan and Zoning Commission Public Hearing. No members of the public spoke in favor or opposition to the request.

To date, staff has not received any written responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the October 18, 2022 Plan and Zoning Commission meeting.

Staff Recommendation:

Staff recommends Case REZ22-06 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

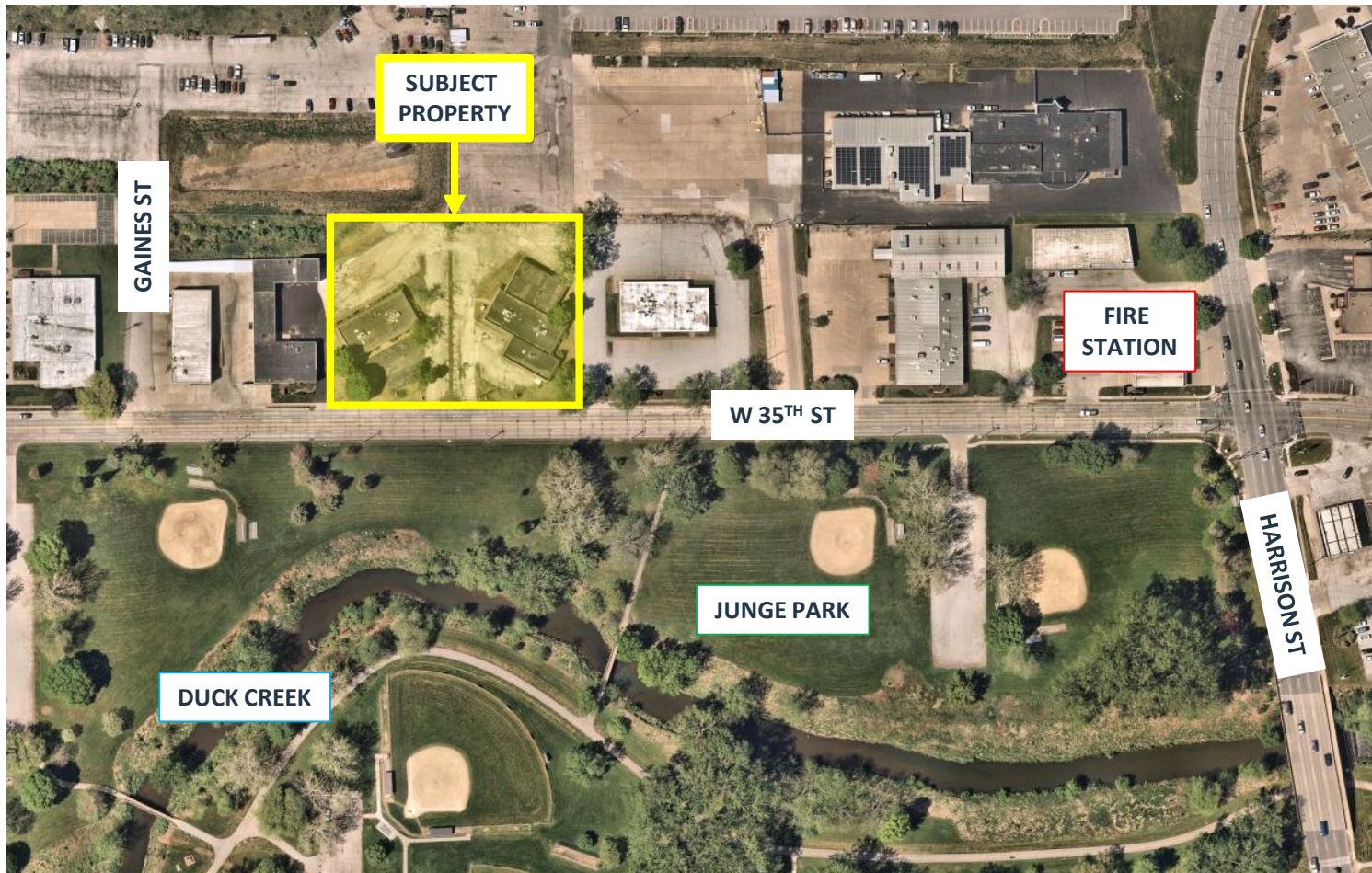
Findings:

1. The proposed rezoning to I-1 Light Industrial District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character north of West 35th Street, which includes light industrial buildings and commercial establishments.
4. As conditioned, the proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

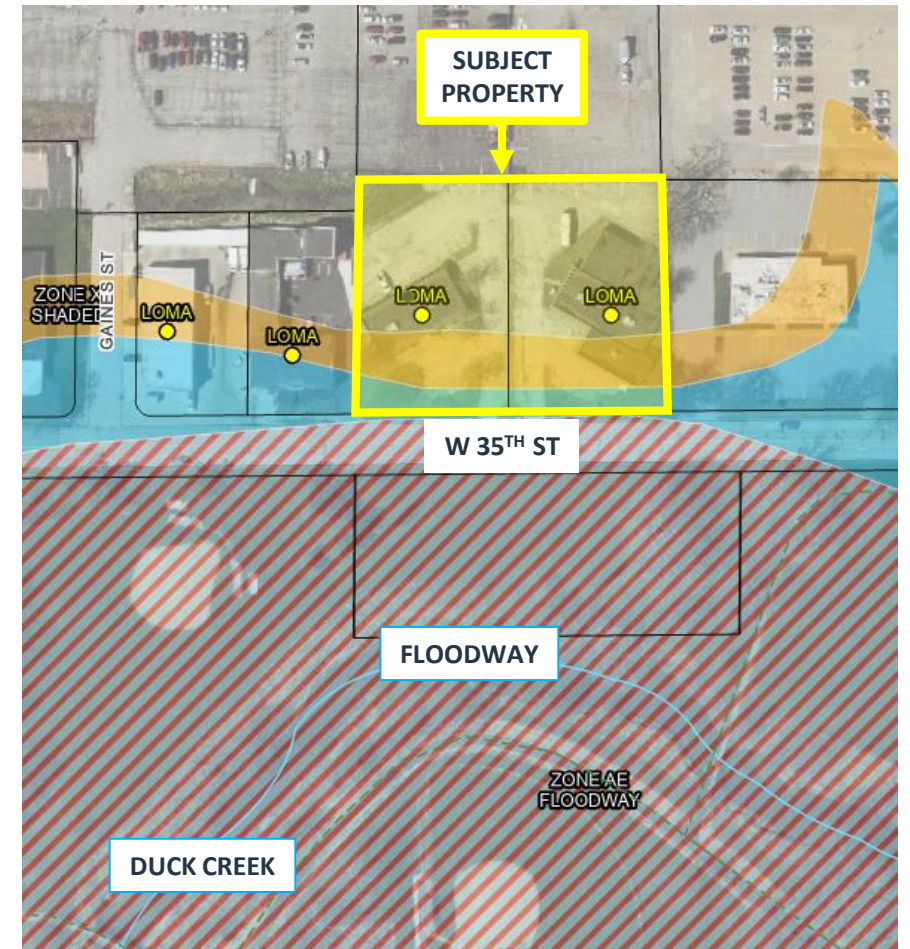
Condition:

1. That Adult Uses shall be prohibited.

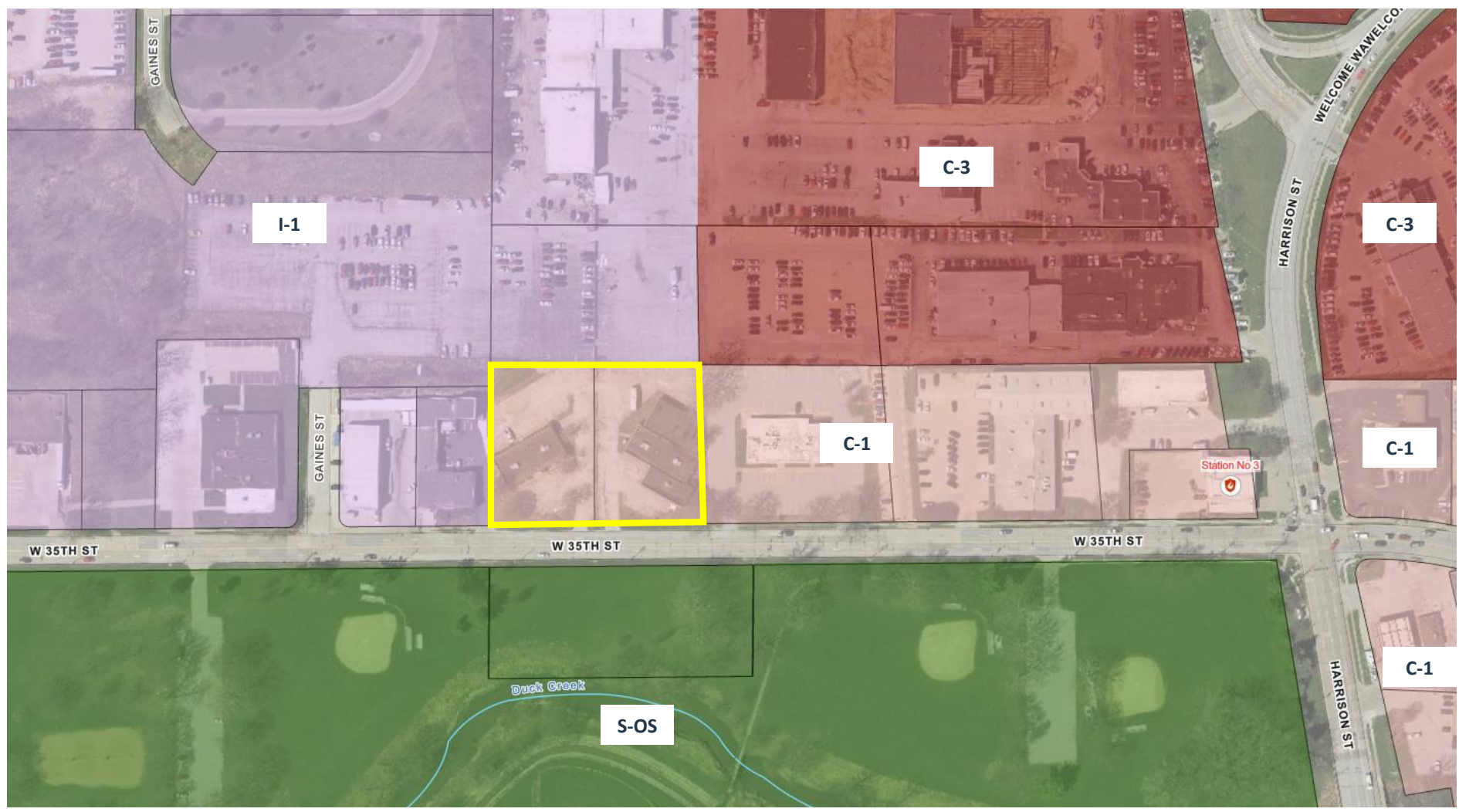
Vicinity Map



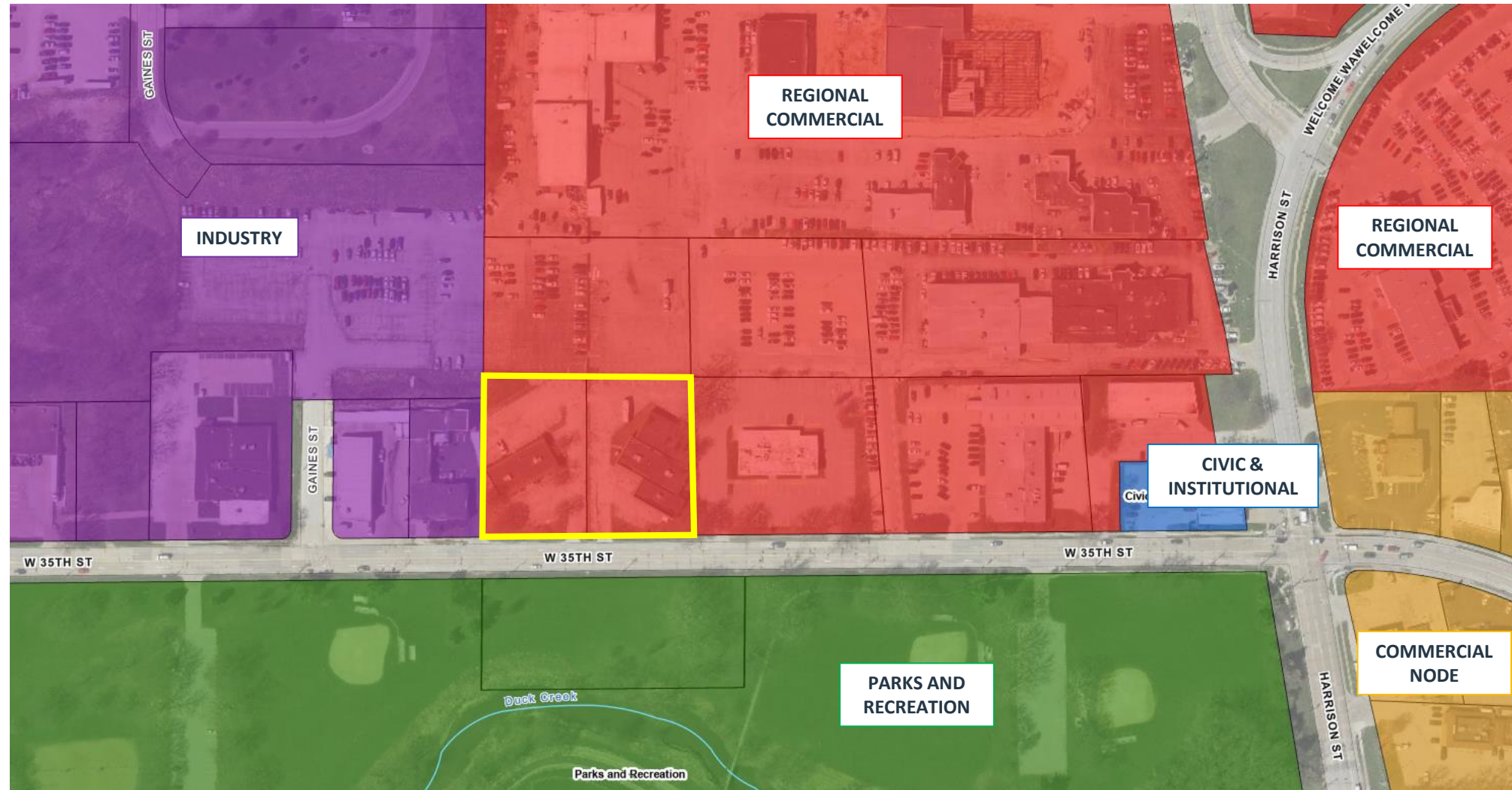
DAVENPORT
IOWA | USA



Zoning Map



Future Land Use Map





Complete application can be emailed to planning@ci.davenport.ia.us

Property Address* 516 West 35th St

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

Applicant (Primary Contact)**

Name: Ryan Scriven
Company:
Address: 1412 W 63rd St
City/State/Zip: Davenport, Iowa 52806
Phone: 563 340-0854
Email: ahheblastingandcoatings@gmail.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:
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.

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: C1-NEIGHBORHOOD COMMERCIALProposed Zoning Map Amendment: T1 LIGHT INDUSTRIAL

Purpose of the Request:

Request is to demo the existing dilapidated vacant buildings and rebuild new functional buildings. This property v

Total Land Area: 1.866 Acres ☐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: Ryan Scriven

Date: 09/01/2022

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: Matt Wardenitch
Planning staff

Date: 9-1-22

Date of the Public Hearing:

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

Authorization to Act as Applicant

I, Ryan Scriven

authorize myself

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:

Date of this notice: 05-12-2016

Employer Identification Number:
81-2608374

Form: SS-4

Number of this notice: CP 575 G

AHHE COATINGS
RYAN H SCRIVEN SOLE MBR
1412 W 63RD ST
DAVENPORT, IA 52806

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-2608374. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is AHHE. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

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PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

Date: 11/2/2022

Location: Council Chambers | City Hall | 226 W. 4th ST.

Time: 5:30 PM

Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located at 516 West 35th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject property is currently zoned C-1 Neighborhood Commercial District. The property owner is requesting a rezoning to I-1 Light Industrial District to redevelop the site for an industrial business.

Request/Case Description

Case REZ22-06: Request of AHHE Coatings LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

At its October 18, 2022 meeting, the Plan and Zoning Commission recommended Case REZ22-06 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings:

1. The proposed rezoning to I-1 Light Industrial District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character north of West 35th Street, which includes light industrial buildings and commercial establishments.
4. As conditioned, the proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Condition:

1. That Adult Uses shall be prohibited.

What are the next steps?

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, November 2, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would you like to submit an official comment?

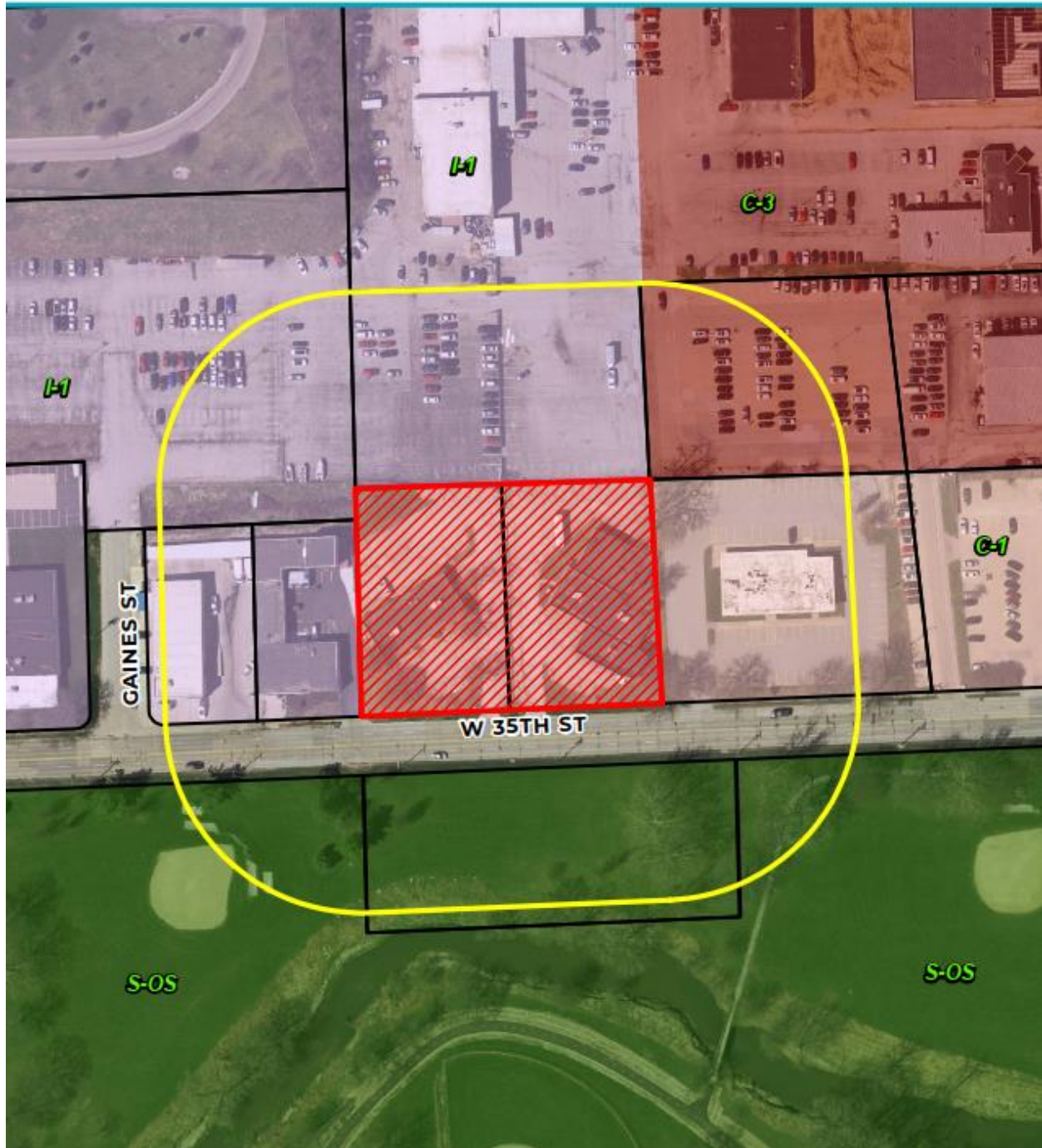
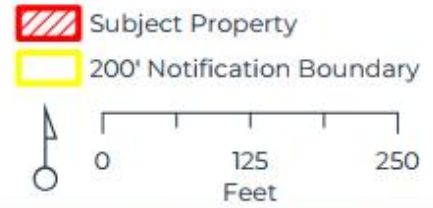
You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing.

All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Rezoning Request | Public Hearing Notice

Case REZ22-06: Rezone from
C-1 Neighborhood Commercial District to
I-1 Light Industrial District





PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 10/4/2022

Location: Council Chambers | City Hall | 226 W. 4th ST.

Time: 5:00 PM

Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located at 516 West 35th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject property is currently zoned C-1 Neighborhood Commercial District. The property owner is requesting a rezoning to I-1 Light Industrial District to redevelop the site for an industrial business.

Request/Case Description

Case REZ22-06: Request of AHHE Coatings LLC to rezone 516 West 35th Street from C-1 Neighborhood Commercial District to I-1 Light Industrial District. [Ward 7]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on October 4, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on October 18, 2022. The Commission's recommendation 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. 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 via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?

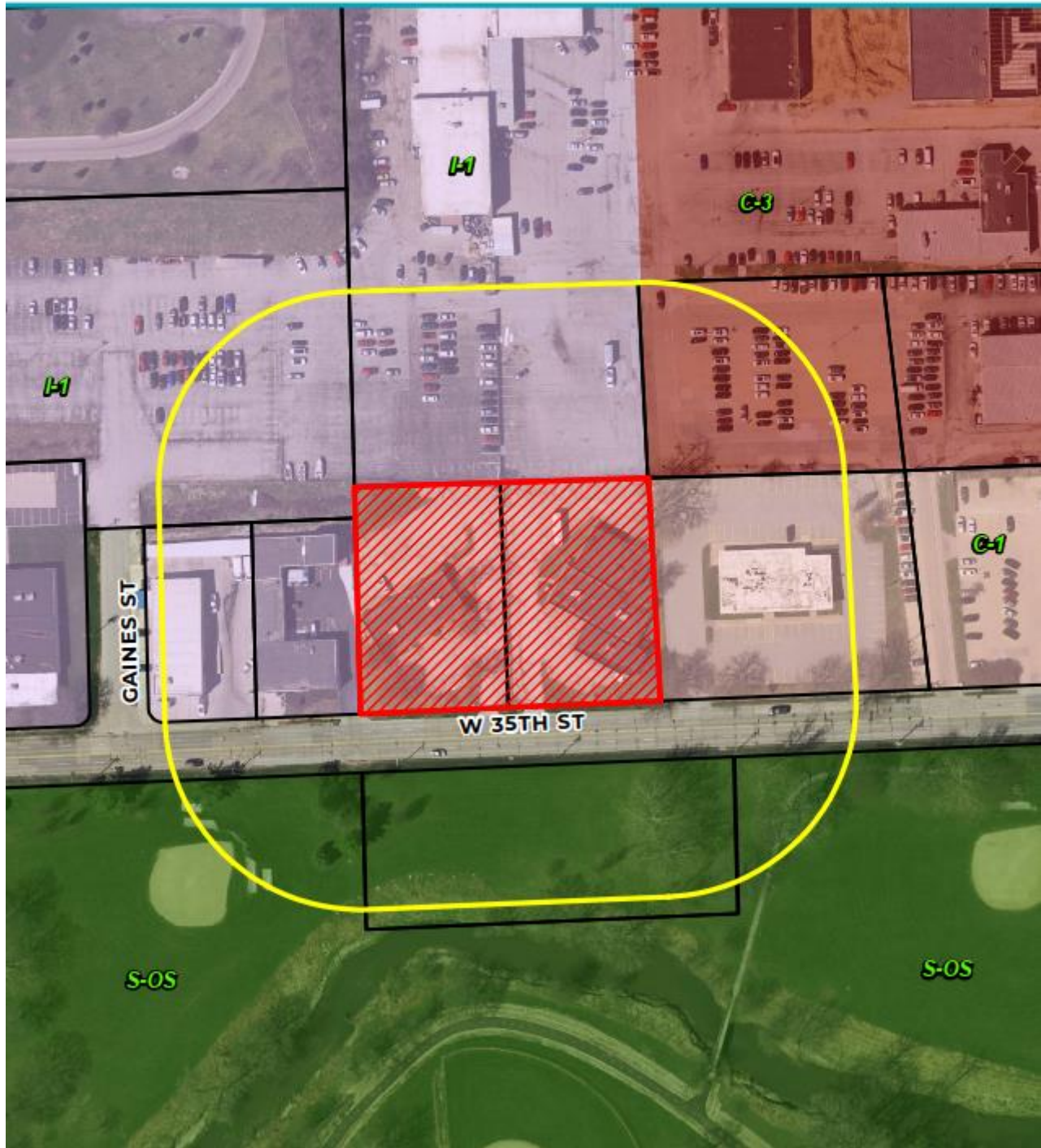
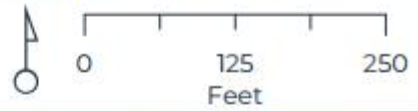
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Rezoning Request | Public Hearing Notice

Case REZ22-06: Rezone from
C-1 Neighborhood Commercial District to
I-1 Light Industrial District

 Subject Property
 200' Notification Boundary



City of Davenport

Department: Community Planning & Economic Development
Contact Info: Laura Berkley | 563-888-3553

Action / Date
11/22/2022

Subject:

Third Consideration: Ordinance for Case REZ22-05 being the request of E&A Enterprises, LLC on behalf of Circle K Properties, LLC to rezone approximately 51 acres of land bounded by Forest Grove Drive, Interstate 80, the City Limit, and Utica Ridge Road from S-AG Agricultural District to R-2 Single-Family Residential District and R-MF Multi-Family Residential District. [Ward 6]

Recommendation:

Adopt the Ordinance.

Background:

The Petitioner's original request was to rezone from S-AG Agricultural District to R-3 Single-Family and Two-Family Residential District and R-MF Multi-Family Residential District. At its October 4, 2022 meeting, the Plan and Zoning Commission recommended the southern 26.7 acres be rezoned to R-2 Single-Family Residential District in place of the requested R-3 Single and Two-Family Residential District. The Petitioner has formally revised their request to R-2 Single Family Residential District for the southern 26.7 acres.

The purpose of the rezoning request is to continue the residential subdivision in Bettendorf west into the City of Davenport. The applicant intends to develop the northern 24.3 acres for multi-family residential and the southern 26.7 acres for single-family homes. This is consistent with the adjacent Forest Grove Crossings subdivision.

At the October 4, 2022 Plan and Zoning Commission meeting, the Commission recommended Case REZ22-05 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions with the change to R-2 Single-Family Residential District.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent Forest Grove Crossing subdivision in Bettendorf.
4. With conditions requiring street connectivity and preserving the existing tree buffer along Interstate 80, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. A traffic study is required and additional traffic safety measures may be required as development occurs.
2. Street connections shall be platted to align with the public right-of-way of Eagle Ridge Road,

Shane's Way, and Charissa's Place in the City of Bettendorf.

3. A minimum of three street connections shall be platted to the west lot line of the subject site for the purpose of continuing development westward.
4. A street connection to Forest Grove Drive shall be constructed as part of the first phase of development and shall provide connectivity to the entire development.
5. A minimum of .25 acres shall be reserved as a pocket park.
6. No lot shall be platted to contain more than one zoning district.
7. Submit a tree survey from a certified arborist for the northernmost 40 feet of the property. Existing trees over six inches in diameter at breast height and in good condition shall be preserved to the maximum extent practicable to act as buffers between adjoining development and Interstate 80. When tree removal is necessary, replace one tree for every one tree removed.

A staff report with full analysis has been attached.

ATTACHMENTS:

Type	Description
☐ Ordinance	Ordinance
☐ Backup Material	Staff Report
☐ Backup Material	Zoning & Future Land Use Map
☐ Backup Material	Application
☐ Backup Material	Legal Descriptions
☐ Backup Material	Public Notice- Committee of the Whole
☐ Backup Material	Rezoning Amendment Approval Letter

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/14/2022 - 4:41 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-05 BEING THE REQUEST OF E&A ENTERPRISES, LLC ON BEHALF OF CIRCLE K PROPERTIES, LLC TO REZONE APPROXIMATELY 51 ACRES OF LAND BOUNDED BY FOREST GROVE DRIVE, INTERSTATE 80, THE CITY LIMIT, AND UTICA RIDGE ROAD FROM S-AG AGRICULTURAL DISTRICT TO R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT AND R-MF MULTI-FAMILY RESIDENTIAL 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 "R-2 Single-Family Residential District."

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th PRINCIPAL MERIDIAN, CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest corner of Outlot A in Forest Grove Crossing First Addition; Thence South 87° 08' 32" West, a distance of 601.94 feet; Thence South 02° 14' 47" East, a distance of 387.26 feet to the North right-of-way line of Forest Grove Drive; Thence South 87° 08' 16" West along said North right of way line, a distance of 521.33 feet; Thence North 01° 52' 50" West, a distance of 1,246.33 feet; Thence North 87° 07' 44" East, a distance of 1,120.73 feet to a point on the West line of Forest Grove Crossing First Addition; Thence South 01° 52' 50" East along said West line, a distance of 859.26 feet; to the Point of Beginning. Containing 26.70 acres, more or less.

Section 2. The following described unit of Scott County, Iowa real estate is hereby rezoned to "R-MF Multi-Family Residential District."

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th PRINCIPAL MERIDIAN, CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of Lot 31 in Forest Grove Crossing First Addition; Thence South 01° 52' 50" East along the West line of said Forest Grove Crossing First Addition, a distance of 692.53 feet; Thence South 87° 07' 44" West, a distance of 1,120.73 feet; Thence North 01° 52' 50" West, a distance of 1,000.53 feet to the South right of way line of Interstate 80; Thence North 87° 08' 21" East along said South right of way line, a distance of 814.83 feet; Thence South 85° 41' 14" East along said South right of way line, a distance of 109.43 feet; Thence South 01° 52' 59" East along said South right of way line, a distance of 293.93 feet; Thence North 87° 12' 14" East along said South right of way line, a distance of 197.13 feet to the Point of Beginning. Containing 24.30 acres, more or less.

Section 3. At its October 4, 2022 meeting, the Plan and Zoning Commission recommended Case REZ22-05 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent Forest Grove Crossing subdivision in Bettendorf.
4. With conditions requiring street connectivity and preserving the existing tree buffer along Interstate 80, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. A traffic study is required and additional traffic safety measures may be required as development occurs.
2. Street connections shall be platted to align with the public right-of-way of Eagle Ridge Road, Shane's Way, and Charissa's Place in the City of Bettendorf.
3. A minimum of three street connections shall be platted to the west lot line of the subject site for the purpose of continuing development westward.
4. A street connection to Forest Grove Drive shall be constructed as part of the first phase of development and shall provide connectivity to the entire development.
5. A minimum of .25 acres shall be reserved as a pocket park.
6. No lot shall be platted to contain more than one zoning district.

7. Submit a tree survey from a certified arborist for the northernmost 40 feet of the property. Existing trees over six inches in diameter at breast height and in good condition shall be preserved to the maximum extent practicable to act as buffers between adjoining development and Interstate 80. When tree removal is necessary, replace one tree for every one tree removed.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan & Zoning Commission-Staff Report
October 4, 2022

Case REZ22-05: Request of E&A Enterprises, LLC on behalf of Circle K Properties, LLC to rezone approximately 51 acres of land bounded by Forest Grove Drive, Interstate-80, the City Limit, and Utica Ridge Road from S-AG Agricultural District to R-3 Single-Family and Two-Family Residential District and R-MF Multi-Family Residential District. [Ward 6]

Background:

The petitioner is requesting a rezoning from S-AG Agricultural District to R-3 Single-Family and Two-Family Residential District and R-MF Multi-Family Residential District. The subject site has historically been used for farming, but has seen development interest given the residential growth in Bettendorf.

The purpose of the rezoning request is to continue the residential subdivision in Bettendorf west into the City of Davenport. The applicant intends to develop the northern 24.3 acres for multi-family residential and the southern 26.7 acres for single-family and two-family homes. This is consistent with the adjacent Forest Grove Crossings subdivision.

A survey of the property has been provided by the applicant delineating the land to be rezoned.

Why is a Zoning Map Amendment Required?

The Zoning Ordinance does not permit residential subdivisions in an agricultural district. Pending approval of the rezoning by City Council, the applicant will return for approval of a preliminary and final plat.

Comprehensive Plan:

Within Urban Service Area 2035: Yes

Future Land Use Designations:

City Council adopted a resolution on June 22, 2022 amending the future land use designation for this area from Urban Fringe to Residential General and Open Space & Public Land. In addition, the Urban Service Boundary was expanded to encompass the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east.

The subject property is designated Residential General in the Davenport +2035 Land Use Plan.

1. **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.

Zoning:

The property is currently zoned **S-AG Agricultural District**. This district is intended to address existing agricultural land uses. The standards of the S-AG District promote the continuation of farming, and protect agricultural land uses from encroachment of incompatible developments.

The applicant is requesting to rezone the southern 26.7 acres of land to **R-3 Single-Family and Two-Family Residential District**. This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.

Staff is recommending the southern 26.7 acres of land be rezoned to **R-2 Single-Family Residential District** instead of the R-3 Single-Family and Two-Family Residential District. The R-2 District is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.

In addition, the request is to rezone the northern 24.3 acres of land to **R-MF Multi-Family Residential District**. This 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.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems. City staff coordinated technical review with planning staff at the City of Bettendorf to ensure continuity between the two municipalities.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

Staff Response: The property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. City Council adopted a resolution in June 2022 amending the subject property from Urban Fringe to Residential General in anticipation of future development. Furthermore, the Urban Service Boundary was expanded to encompass the approximately 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east.

There has been increased development interest in this area of Davenport given the adjacent residential neighborhoods emerging along the City Limit shared with Bettendorf. The proposed amendment to residential zoning districts is consistent with the surrounding land uses to the east and south of Forest Grove Drive.

It is staff's opinion the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The subject property is located on a developing corridor of mostly residential uses, spanning both the City of Davenport and the City of Bettendorf. Within the Davenport city limits, the zoning is agricultural. Therefore, this rezoning petition will establish a precedent for future map amendments extending west to Utica Ridge Road.

Rezoning the southern 26.7 acres to R-2 Single-Family Residential District will better align with the dimensional standards of the adjacent Forest Grove Crossings subdivision in the City of Bettendorf. The adjacent single-family lots to the east are approximately .25 acres in area and 80 feet in width. Davenport's R-2 District has a minimum lot area of .23 acres and a minimum lot width of 60 feet. While under a different jurisdiction, the R-2 District is compatible with the zoning of nearby property.

The multi-family development along the interstate in Bettendorf consists of a mix of four-unit and three-unit buildings. Davenport's R-MF District is the only residential zoning classification that permits this style and density of housing. While the applicant can develop at a higher density, the R-MF District is the most compatible district with the adjacent neighborhood.

The boundary of the R-MF District aligns with the northern right-of-way line of Charissa's Place. During the subdivision process, it is anticipated Charissa's Place will be extended to the west lot line of the subject site and serve as a clear delineation between multi-family and single-family zoning districts. Staff are recommending a condition that no lot may contain more than one zoning classification.

It is staff's opinion the proposed zoning amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.

c. The compatibility with established neighborhood character.

Staff Response: The 200 acres of land bounded by I-80, Forest Grove Drive, Utica Ridge Road, and the city limit to the east is currently being used for farming. Therefore, there is no established neighborhood character for this growth area within the municipal limits.

However, the petitioner has stated the intention is develop the site for residential development that is consistent with the abutting subdivision in Bettendorf. The Forest Grove Crossing neighborhood contains single-family homes on the southern portion of the site. The single-family lots are approximately .25 acres in area. The character of the subdivision increases in density north of Charissa's Place. Multi-family dwellings are situated along the northern section abutting Interstate-80.

The applicant's proposal for two different zoning districts with varying densities is aligned with the new subdivision in Bettendorf. A rezoning to R-2 Single-Family Residential District most closely aligns with the lot dimensions in the surrounding Bettendorf neighborhoods.

It is staff's opinion the proposed zoning districts and boundaries are compatible with the established neighborhood character.

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

Staff Response: The proposed residential zoning will significantly increase the density of the existing agricultural property. Development of the site requires a traffic study to ensure appropriate infrastructure is in place to address the projected increase in traffic volume on Forest Grove Drive and the surrounding residential neighborhoods.

In addition, staff recommend access to future development be provided through the platting of a street network that aligns with Eagle Ridge Road, Shane's Way, and Charissa's Place in the City of Bettendorf. The connection to Forest Grove Drive should be constructed as part of the first phase of development to ensure access is provided within the city limits.

To accommodate future development westward, a minimum of three street connections shall be platted to the west lot line of the subject site. This will ensure orderly development and an efficient transportation network north of Forest Grove Drive. Internal road connectivity is also required to ensure emergency response times and service standards. The final placement of streets will be reviewed during the subdivision process.

Given the proximity to the interstate, the applicant has expressed a desire to preserve the existing trees and vegetation along the north property line to mitigate noise and light pollution. Busy roadways, such as I-80, are also associated with higher concentrations of air pollutants, which create a hazard to public health. Preserving trees and maintaining the existing buffer may reduce the concentration of these harmful airborne particles. A condition requiring a landscape buffer will benefit existing neighborhoods as well as new construction on the site.

Staff believes adding conditions to the rezoning request can address and mitigate the impacts to the regional transportation network and public health. It is staff's opinion that the proposed zoning map amendment will promote the public health, safety, and welfare of the City with the recommended conditions for street connectivity and tree preservation.

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 Response: The existing S-AG Agricultural Zoning District is intended to promote the continuation of farming. A residence on an agricultural site may only be established if the property is a minimum of 38 acres. Given the petition to rezoned 51 acres, only one single-family home may be constructed under the existing zoning classification.

A rezoning to R-2 Single-Family Residential District and R-MF Multi-Family Residential District will enable the property to be developed at a density that is more aligned with the adjacent Forest Grove Crossings subdivision in Bettendorf and the neighborhoods south of Forest Grove Drive.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent Forest Grove Crossing subdivision in Bettendorf.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: The undeveloped 51 acre site is currently being used for farming. If rezoned to a residential zoning district, the agricultural use will be considered nonconforming until the site is subdivided and developed.

Dimensional standards, such as lot area, lot width, setbacks, building coverage, and impervious surface will be addressed during the subdivision and development process.

It is staff's opinion that the proposed amendment will not create any nonconformities following development.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the neighborhood meeting and September 20, 2022 Plan and Zoning Commission Public Hearing. Two adjacent property owners attended the neighborhood meeting at Eastern Avenue Library. Topics discussed included density, housing types, road connectivity, stormwater management, and noise from interstate-80. No members of the public were in attendance at the September 20th Plan and Zoning Commission public hearing.

To date, staff has not received any written responses from adjacent property owners. The City of Bettendorf has been notified.

Staff will apprise the Commission of any correspondence at the October 4, 2022 Plan and Zoning Commission meeting.

Staff Recommendation:

Staff recommends that the southern 26.7 acres be rezoned to R-2 Single-Family Residential District in place of the requested R-3 Single and Two-Family Residential District.

With the change to R-2 Single-Family Residential District, Staff recommends Case REZ22-05 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

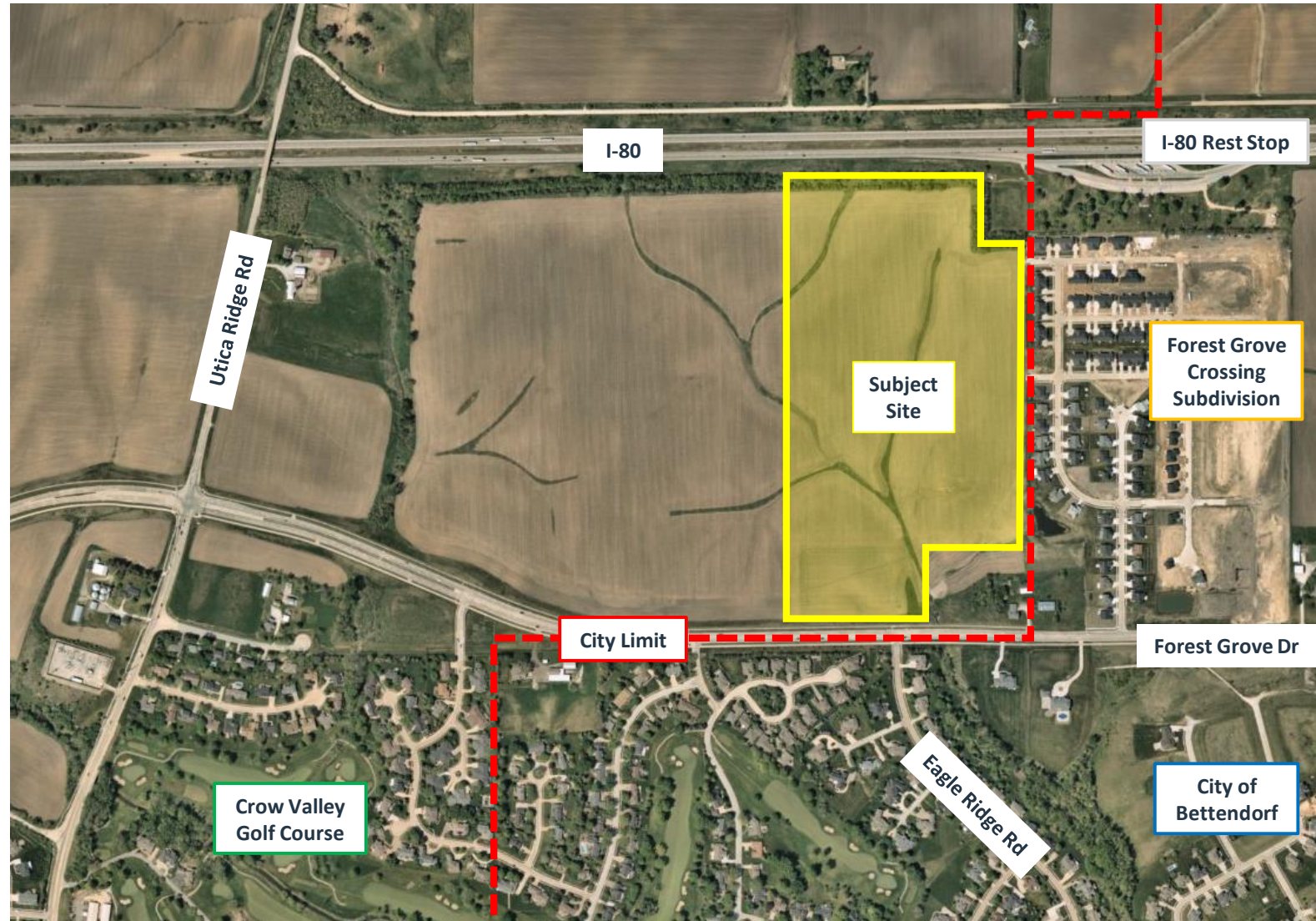
Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent Forest Grove Crossing subdivision in Bettendorf.
4. With conditions requiring street connectivity and preserving the existing tree buffer along Interstate-80, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. A traffic study is required and additional traffic safety measures may be required as development occurs.
2. Street connections shall be platted to align with the public right-of-way of Eagle Ridge Road, Shane's Way, and Charissa's Place in the City of Bettendorf.
3. A minimum of three street connections shall be platted to the west lot line of the subject site for the purpose of continuing development westward.
4. A street connection to Forest Grove Drive shall be constructed as part of the first phase of development and shall provide connectivity to the entire development.
5. A minimum of .25 acres shall be reserved as a pocket park.
6. No lot shall be platted to contain more than one zoning district.
7. Submit a tree survey from a certified arborist for the northernmost 40 feet of the property. Existing trees over six inches in diameter at breast height and in good condition shall be preserved to the maximum extent practicable to act as buffers between adjoining development and Interstate-80. When tree removal is necessary, replace one tree for every one tree removed.

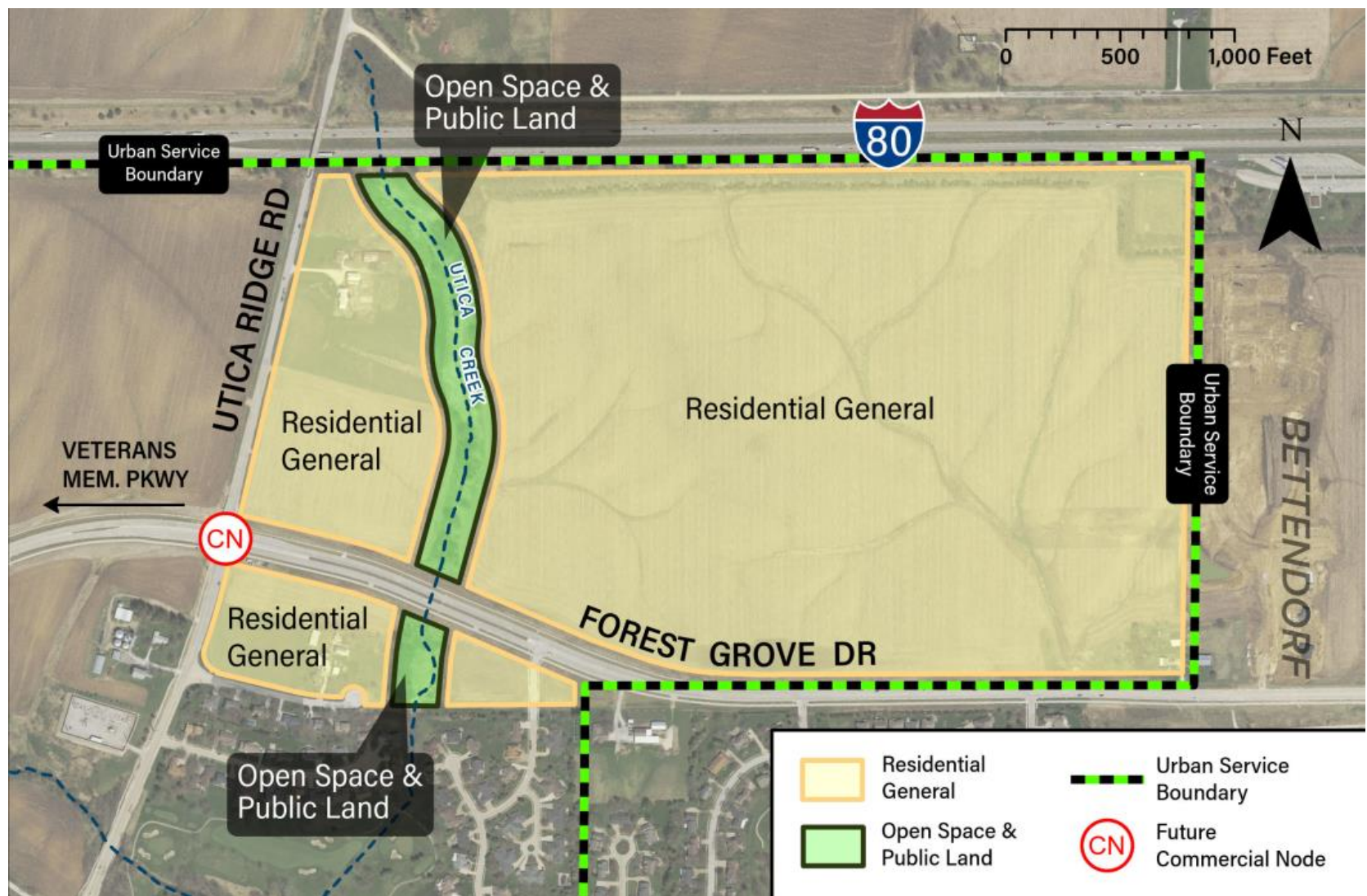
Vicinity Map



Zoning Map

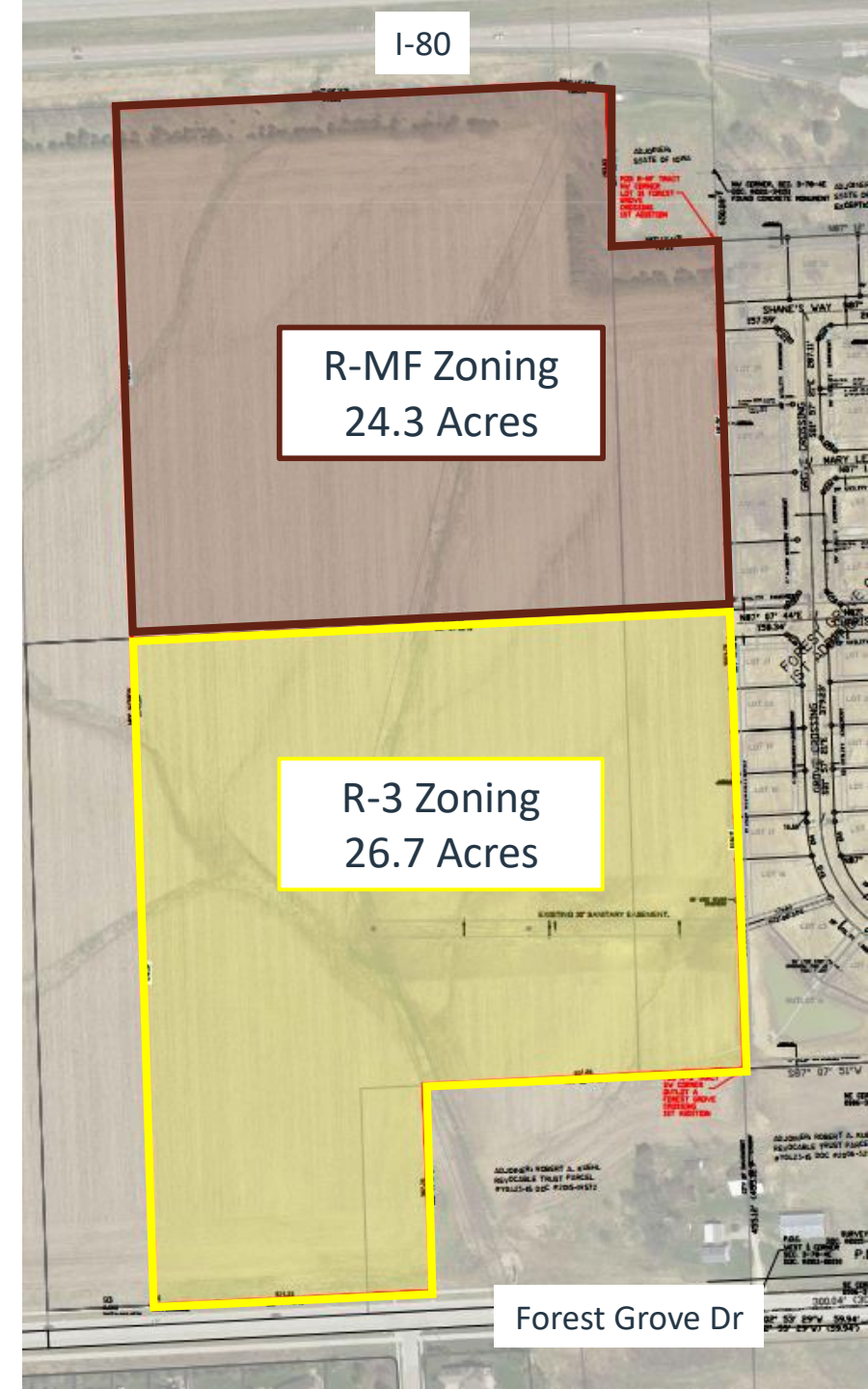


Future Land Use Map



Purpose of the Request

- Expand the Forest Grove Crossing subdivision in Bettendorf west into Davenport.
- Multi-Family Development: Northern 24.3 Acres
- Single & Two-Family Homes: Southern 26.7 Acres





Complete application can be emailed to: planning@davenportiowa.com

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 ☐

Historic Preservation Commission

Certificate of Appropriateness ☐
 Landmark Nomination ☐
 Demolition Request ☐

Architect (if applicable)

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

Administrative

Administrative Exception ☐
 Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

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

Request:Existing Zoning: Proposed Zoning Map Amendment:

Purpose of the Request:

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:

R. V. 

Date:

8/25/2022

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

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

Authorization to Act as Applicant

I, Virginia L Kuehl McCall
authorize E & A Enterprises
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Circle K Properties, LLC
* Virginia L. Kuehl McCall
member.
manager
^ _____
Signature(s)

State of Iowa,

County of Scott.

Sworn and subscribed to before me

This 25th day of August 2022

Personally Known to me
Form of Identification

Terrri Stewart
Notary Public

My Commission Expires: 2/19/24



Authorization to Act as Applicant

I, Calla Parochetti
authorize E & A Enterprises
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Good City Bank & Trust Company
by: Calla Parochetti

X Calla Parochetti, VP Trust
Signature(s)

State of Illinois,
County of Rock Island.
Sworn and subscribed to before me

This 25th day of August 2022 drivers license
Form of Identification

Mary K. Cullison
Notary Public

My Commission Expires: 8/13/2025



SECOND OWNER*

ROBERT A KUEHL & ELAINE M KUEHL REV TRUST

3551 7TH ST STE 100

MOLINE, IL 61265

*NOTE: The property controlled by this Owner is wholly within the proposed R-3 zoning category.

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

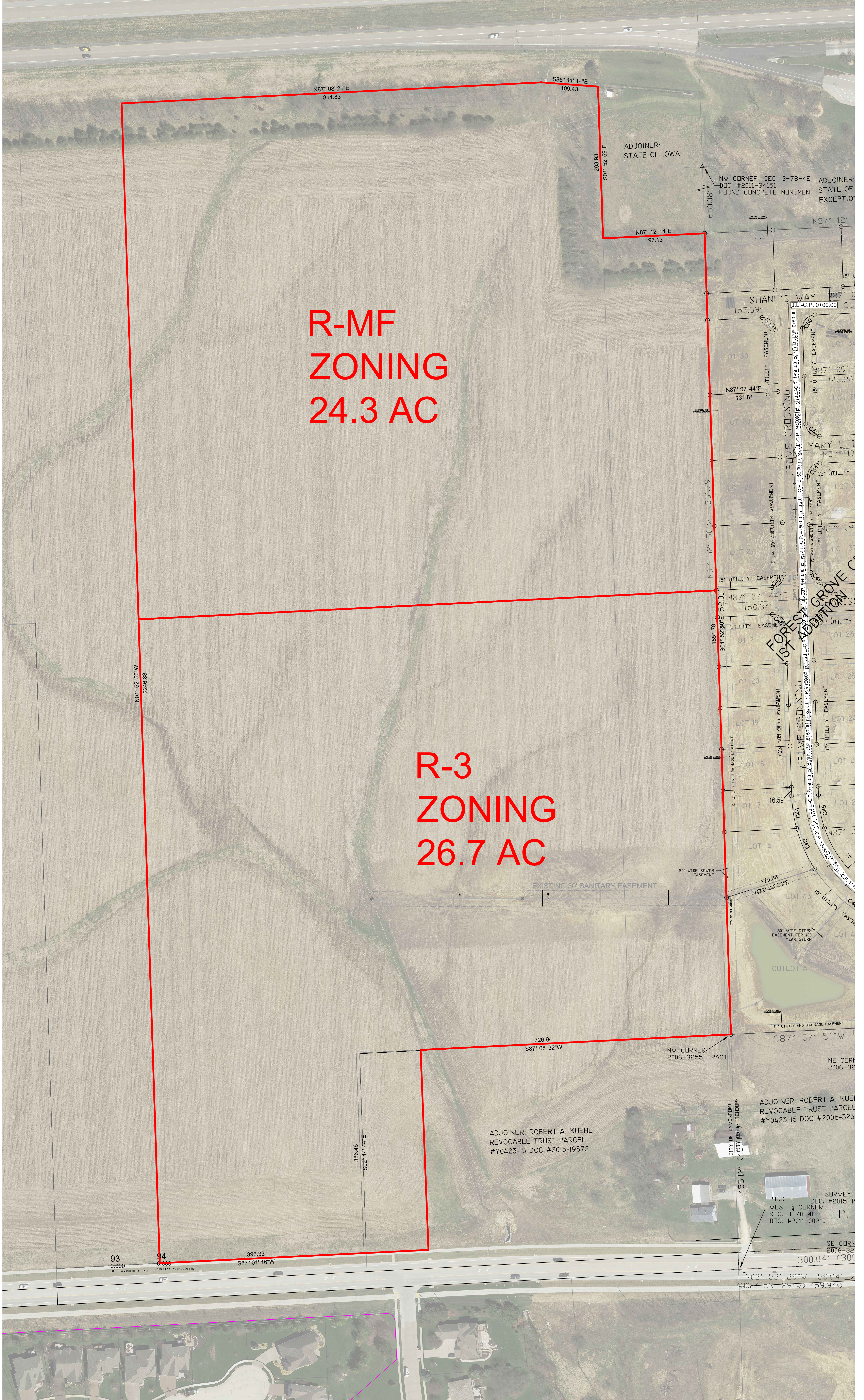
My Commission Expires:

PURPOSE OF THE REQUEST:

Per the attached exhibit, the southerly 26.7 acres would be re-zoned to R-3 to facilitate single family and/or single family semi-detached residential development. The northerly 24.3 acres would be re-zoned to facilitate multi-family residential development. This development would not take the form of apartment buildings but more likely 4-plex or 6-plex townhome style structures. The development would be similar in concept to the highly successful Forest Grove Crossing subdivision which adjoins the property to the east.

R-MF
ZONING
24.3 AC

R-3
ZONING
26.7 AC



ZONING CHANGE: SA-G AGRICULTURAL TO R-3 SINGLE FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th PRINCIPAL MERIDIAN, CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest corner of Outlot A in Forest Grove Crossing First Addition;
Thence South 87° 08' 32" West, a distance of 601.94 feet;
Thence South 02° 14' 47" East, a distance of 387.26 feet to the North right-of-way line of Forest Grove Drive;
Thence South 87° 08' 16" West along said North right of way line, a distance of 521.33 feet;
Thence North 01° 52' 50" West, a distance of 1,246.33 feet;
Thence North 87° 07' 44" East, a distance of 1,120.73 feet to a point on the West line of Forest Grove Crossing First Addition;
Thence South 01° 52' 50" East along said West line, a distance of 859.26 feet;
to the Point of Beginning.
Containing 26.70 acres, more or less.

ZONING CHANGE: SA-G AGRICULTURAL TO R-MF MULTI-FAMILY RESIDENTIAL DISTRICT

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5th PRINCIPAL MERIDIAN, CITY OF BETTENDORF, COUNTY OF SCOTT, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest corner of Lot 31 in Forest Grove Crossing First Addition;
Thence South 01° 52' 50" East along the West line of said Forest Grove Crossing First Addition, a distance of 692.53 feet;
Thence South 87° 07' 44" West, a distance of 1,120.73 feet;
Thence North 01° 52' 50" West, a distance of 1,000.53 feet to the South right of way line of Interstate 80;
Thence North 87° 08' 21" East along said South right of way line, a distance of 814.83 feet;
Thence South 85° 41' 14" East along said South right of way line, a distance of 109.43 feet;
Thence South 01° 52' 59" East along said South right of way line, a distance of 293.93 feet;
Thence North 87° 12' 14" East along said South right of way line, a distance of 197.13 feet to the Point of Beginning.
Containing 24.30 acres, more or less.



PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

Date: 10/19/2022
Time: 5:30 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property bounded by Forest Grove Drive, Interstate-80, the City Limit, and Approximately Utica Ridge Road.

What is this About?

This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to R-3 Single-Family and Two-Family Residential District and R-MF Multi-Family Residential District to allow for residential development.

Request/Case Description

Case REZ22-05: Request of E&A Enterprises, LLC on behalf of Circle K Properties, LLC to rezone approximately 51 acres of land bounded by Forest Grove Drive, Interstate-80, the City Limit, and Utica Ridge Road from S-AG Agricultural District to R-3 Single-Family and Two-Family Residential District and R-MF Multi-Family Residential District. [Ward 6]

At its October 4, 2022 meeting, the Plan and Zoning Commission recommended the southern 26.7 acres be rezoned to R-2 Single-Family Residential District in place of the requested R-3 Single and Two-Family Residential District. With the change to R-2 Single-Family Residential District, the Plan and Zoning Commission recommended Case REZ22-05 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent Forest Grove Crossing subdivision in Bettendorf.
4. With conditions requiring street connectivity and preserving the existing tree buffer along Interstate-80, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. A traffic study is required and additional traffic safety measures may be required as development occurs.
2. Street connections shall be platted to align with the public right-of-way of Eagle Ridge Road, Shane's Way, and Charissa's Place in the City of Bettendorf.
3. A minimum of three street connections shall be platted to the west lot line of the subject site for the purpose of continuing development westward.
4. A street connection to Forest Grove Drive shall be constructed as part of the first phase of development and shall provide connectivity to the entire development.
5. A minimum of .25 acres shall be reserved as a pocket park.
6. No lot shall be platted to contain more than one zoning district.
7. Submit a tree survey from a certified arborist for the northernmost 40 feet of the property. Existing trees over six inches in diameter at breast height and in good condition shall be preserved to the maximum extent practicable to act as buffers between adjoining development and Interstate-80. When tree removal is necessary, replace one tree for every one tree removed.

Findings:

1. The proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character.
4. The proposed amendment promotes the public health, safety, and welfare of the City.
5. Rezoning the property to C-3 General Commercial District does not create any nonconformities.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, October 19, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing.

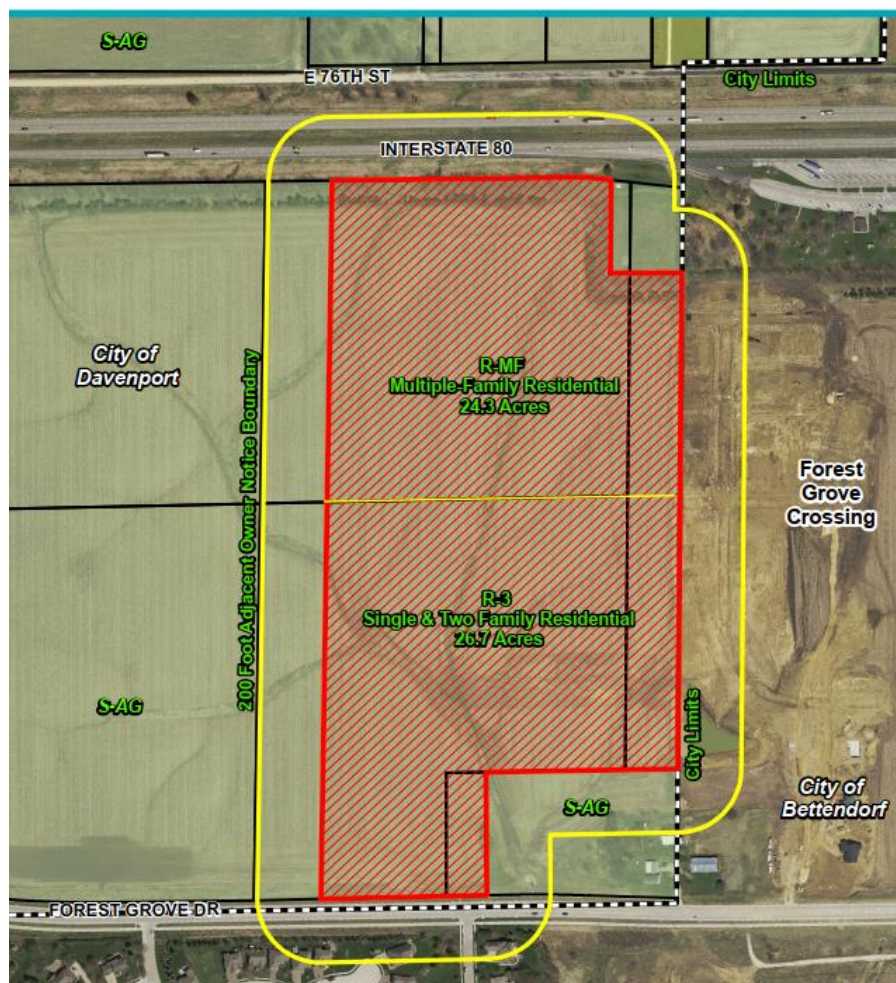
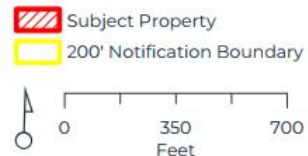
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Rezoning Request | Public Hearing Notice

Case REZ22-05

Rezone from S-AG Agricultural District to
R-3 Single-Family & Two-Family Residential District and
R-MF Multi-Family Residential District



E & A ENTERPRISES, LLC
4885 Kensington Circle
Bettendorf, IA 52722

October 13, 2022

Laura Berkley
Development & Planning Administrator
Development & Neighborhood Services
City of Davenport

Re: Case REZ22-06

Ms. Berkley:

This letter will confirm our acceptance of the City Staff report recommendations for conditions described in the attached copy of the Staff Report for approval of the rezoning above rezoning request, including amending the request to a change to R-2 Single Family Residential District for the southern 26.7 acre tract.

Please advise if any further information is needed to proceed with the City Council consideration of the request.

Sincerely Yours,

E & A Enterprises, LLC



Ms. Samyuktha Ramavaram, Member

10/13/2022



Mr. Srikanth Reddy Kasula, Member

10/13/2022

City of Davenport

Department: Public Safety
Contact Info: Gary Statz | 563-326-7754

Action / Date
11/22/2022

Subject:

Third Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule VII No Parking thereto by adding Denison Avenue along both sides from Bridge Avenue east to the dead end. [Ward 5]

Recommendation:

Adopt the Ordinance.

Background:

Genesis Health Systems now owns all of the property along both sides of this block which dead ends at their property. They requested to have all of the parking removed from this block. This will replace the current no parking zone that only prohibits parking along the south side of the street.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	9/28/2022 - 3:54 PM
Public Works Committee	Moses, Trish	Approved	9/28/2022 - 3:55 PM
City Clerk	Admin, Default	Approved	9/29/2022 - 1:17 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING SCHEDULE VII NO PARKING THERETO BY ADDING DENISON AVENUE ALONG BOTH SIDES FROM BRIDGE AVENUE EAST TO THE DEAD END.

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:

Denison Avenue along both sides from Bridge Avenue east to the dead end.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Laura Berkley | 563-888-3553

Action / Date
11/22/2022

Subject:

Third Consideration: Ordinance amending Chapter 15.44 entitled "Flood Damage Prevention" of the Municipal Code of Davenport, Iowa by amending various subsections thereto. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

The Federal Emergency Management Agency released an Addendum to the 2017 Community Rating System manual which revised prerequisites for maintaining different Class levels within the program. Currently the City of Davenport is a Class 7 which provides a 15% discount on National Flood Insurance Program premiums.

In order to maintain eligibility as a Class 7, the City must amend the Flood Damage Prevention Ordinance to include protecting all machinery and equipment to one foot above base flood elevation for all new construction or substantially improved or substantially damaged buildings within Special Flood Hazard Areas. The proposed amendment also includes requirements for enclosed areas below base flood elevation for residential structures.

A Public Hearing prior to City Council action on amendments in Chapter 15.44 is required and was held at the October 19, 2022 Committee of the Whole Meeting. A notice was published in the *Quad-City Times* on October 1, 2022.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Ordinance With Strike-Through

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/14/2022 - 8:57 AM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15.44 ENTITLED "FLOOD DAMAGE PREVENTION" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That a new subsection 15.44.080(R) of the Municipal Code of Davenport, Iowa be added to read as follows:

R. All New and Substantially Improved Structures

1. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:
 - a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.
2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.

4. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated or floodproofed to a minimum of one foot above Base Flood Elevation or designed to be watertight and withstand inundation to such a level.

Section 2. That the current Subsection 15.44.080(R) Residential Construction of the Municipal Code of Davenport, Iowa, shall be re-lettered as 15.44.080(S).

Section 3. That the current Subsection 15.44.080(S) Nonresidential Construction of the Municipal Code of Davenport, Iowa, shall be re-lettered as subsection 15.44.080(T) and amended to read as follows:

T. Nonresidential Construction.

1. All new construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - a. A registered professional engineer or architect shall develop and/or review structural design specifications, and plans for the construction, and shall certify that the designs and methods of construction are in accordance with accepted standards of practice for meeting the applicable standards.
 - b. Such certification shall be provided to and maintained by the official as set forth in Section 15.44.180.
2. If the structure is elevated through the use of fill, all fill shall be offset by corresponding grade reductions or cuts in order that there be no net loss of flood plain as measured in net cubic yards; however, the requirement stated in the preceding sentence shall have no application to the Mississippi River flood plain.
3. All new construction or substantial improvement that contains fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:
 - a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.
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4. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.
6. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated or floodproofed to a minimum of one foot above Base Flood Elevation or designed to be watertight and withstand inundation to such a level.

Section 4. That the current subsection 15.44.080(T) Factory-Built Housing of the Municipal Code of Davenport, Iowa, shall be re-lettered as 15.44.080(U).

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15.44 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "FLOOD DAMAGE PREVENTION", BY AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That a new subsection 15.44.080(R) of the Municipal Code of Davenport, Iowa, be added to read as follows:

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 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.

2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated

or floodproofed to a minimum of one foot above Base Flood Elevation.

4. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated or floodproofed to a minimum of one foot above Base Flood Elevation or designed to be watertight and withstand inundation to such a level.

Section 2. That the current subsection 15.44.080(R) Residential Construction of the Municipal Code of Davenport, Iowa, shall be re-lettered as 15.44.080(S).

Section 3. That the current subsection 15.44.080(S) Nonresidential Construction of the Municipal Code of Davenport, Iowa, shall be re-lettered as subsection 15.44.080(T) and amended to read as follows:

T. Nonresidential Construction.

1. All new construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - a. A registered professional engineer or architect shall develop and/or review structural design specifications, and plans for the construction, and shall certify that the designs and methods of construction are in accordance with accepted standards of practice for meeting the applicable standards.
 - b. Such certification shall be provided to and maintained by the official as set forth in Section 15.44.180.
2. If the structure is elevated through the use of fill, all fill shall be offset by corresponding grade reductions or cuts in order that there be no net loss of flood plain as measured in net cubic yards. However, the requirement stated in the preceding sentence shall have no application to the Mississippi River flood plain.
3. All new construction or substantial improvement that contains fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:
 - a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.
 - b. The bottom of all openings shall be no higher than one foot above grade.

- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
4. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. New and substantially improved structures shall be constructed with ~~electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities~~ electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.
6. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated or floodproofed to a minimum of one foot above Base Flood Elevation or designed to be watertight and withstand inundation to such a level.

Section 4. That the current subsection 15.44.080(T) Factory-Built Housing of the Municipal Code of Davenport, Iowa, shall be re-lettered as 15.44.080(U).

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 _____

Mike Matson
Mayor

Attest: _____

Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Laura Berkley | 563-888-3553

Action / Date
11/22/2022

Subject:

First Consideration: Ordinance for Case ORD22-01 being the request of RY Holdings LLC to amend Table 17.08-1: Use Matrix of the Municipal Code of Davenport, Iowa to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. [All Wards]

Recommendation:

Adopt of the Ordinance.

Background:

City staff received an application for a Zoning Text Amendment from a property owner requesting an amendment to allow "Dwelling - Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District. The Plan and Zoning Commission reviewed Case ORD22-01 at its November 1, 2022 meeting and has recommended approval of the following amendments and subject to the listed findings:

Ordinance Amendment includes:

1. Amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Dwelling – Single-Family" as a permitted use in the R-MF Multi-Family Residential Zoning District.
2. Amend Section 17.04.010.G to include single-family dwellings in the purpose statement for the R-MF Multi-Family Residential District.
3. Amend Table 17.04-1: Residential District Dimensional Standards to include the following standards for Single-Family dwellings in the R-MF Multi-Family Residential District:
 - Minimum Lot Area: 4,000 sf
 - Minimum Lot Width: 40'
 - Maximum Building Height: 35'
 - Maximum Building Coverage: 50%
 - Maximum Impervious Surface: 70%
 - Minimum Front Setback: 25'
 - Minimum Interior Side Setback: 5'
 - Minimum Corner Side Setback: 20'
 - Minimum Reverse Corner Side Setback: 25'
 - Minimum Rear Setback: 25' or 20% of site depth, whichever is less

Findings:

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. The proposed amendment reduces existing nonconformities.

The Cities of Bettendorf, Moline, and Rock Island all allow for single-family dwellings in their respective multi-family/high density residential districts. The proposed zoning text amendment will impact all properties throughout Davenport zoned R-MF Multi-Family Residential District.

Staff Analysis:

Permitting single-family dwellings in a high density zoning district will enable a true mix of housing types and styles within a development. The R-MF District will become a more flexible district that encourages diversity in scale and housing units. Furthermore, the existing single-family design standards will apply to new dwellings within the R-MF District to promote higher quality architecture and materials.

Since the purpose of the R-MF Multi-Family Residential District is to accommodate a high-density neighborhood, staff are recommending the dimensional standards allow for smaller lots with increased building coverage.

The proposed zoning text amendment will eliminate nonconforming single-family dwellings in the R-MF District. The dimensional standards are consistent with the R-4C Single-Family and Two-Family Central Residential District, which allows for the greatest density of single-family housing in the City of Davenport.

Approval Standards for Text Amendments:

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.
5. The extent to which the proposed amendment creates nonconformities.

Public Input:

A notice of Public Hearing was published in the *Quad-City Times* informing the community of the October 18, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has not received any written responses from the community.

ATTACHMENTS:

Type	Description
▢ Ordinance	Ordinance
▢ Backup Material	Highlighted Proposed Zoning Text Amendments
▢ Backup Material	Application
▢ Backup Material	Zoning Ordinance Dwelling Definitions
▢ Backup Material	Single-Family Dwelling Design Standards

REVIEWERS:

Department

City Clerk

Reviewer

Berkley, Laura

Action

Approved

Date

11/9/2022 - 4:36 PM

ORDINANCE NO. _____

ORDINANCE FOR CASE ORD22-01 BEING THE REQUEST OF RY HOLDINGS LLC TO AMEND TABLE 17.08-1: USE MATRIX OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO ALLOW "DWELLING – SINGLE-FAMILY" AS A PERMITTED USE IN THE R-MF MULTI-FAMILY RESIDENTIAL ZONING DISTRICT AND AMENDING VARIOUS SUBSECTIONS THERETO.

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

Section 1. That subsection 17.05.010(G) of the Municipal Code of Davenport, Iowa, be and the same is hereby as amended to be read as follows:

The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, 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 2. That section 17.05.030 Table 17.04-1 entitled Residential Districts Dimensional Standards of the Municipal Code of Davenport, Iowa, be the same 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-1	R-2	R-3	R-3C
Bulk				
Minimum Lot Area	20,000sf	SF: 10,000sf SF-SD: 10,000sf/du	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf
Minimum Lot Width	100'	SF: 60' SF-SD: 60'/du	SF & 2F: 60' SF-SD: 30'/du Non-Residential: 75'	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'
Maximum Building Height	35'	35'	35'	35'

Table 17.04-1: Residential Districts Dimensional Standards				
SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family				
	R-1	R-2	R-3	R-3C
Maximum Building Coverage	25%	35%	35%	35%
Maximum Impervious Surface	40%	50%	60% Non-Residential: 70%	60% Non-Residential: 70%
Setbacks				
Minimum Front Setback	30' or average of front setbacks, whichever is less	30' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less
Minimum Interior Side Setback	7'	7'	7'	5'
Minimum Corner Side Setback	25'	20'	15'	15'
Minimum Reverse Corner Side Setback	30'	30'	25'	25'
Minimum Rear Setback	30' or 20% of lot depth, whichever is less	30' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less
Table 17.04-1: Residential Districts Dimensional Standards				
SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family				
	R-4	R-4C	R-MF	
Bulk				
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	SF: 4,000sf 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'	SF: 40' 2F: 50' SF-SD: 25'/du TH: 20'/du MF: 80' Non-Residential: 75'	
Maximum Building Height	35'	35'	SF, 2F, TH: 35' MF: 70'	
Maximum Building Coverage	35%	40% Non-Residential: 35%	SF, SF-SD & 2F: 50% TH, MF: 65%	
Maximum Impervious Surface	60% Non-Residential: 70%	60% Non-Residential: 70%	SF, SF-SD & 2F: 70% TH, MF: 75% Non-Residential: 75%	
Setbacks				
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'	SF, 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'	

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-1	R-2	R-3	R-3C
Minimum Reverse Corner Side Setback	20'	15'	15'	25'
Minimum Rear Setback	20' or 20% of lot depth, whichever is less	15' 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 3. 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 to add "P" to Dwelling-Single Family in R-MF.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CHAPTER 17.04.	RESIDENTIAL DISTRICTS
Section 17.04.010	Purpose Statements
Section 17.04.020	Uses
Section 17.04.030	Dimensional Standards
Section 17.04.040	R-MHP District Standards
Section 17.04.050	R-3C and R-4C District Design Standards
Section 17.04.060	General Standards of Applicability

Section 17.04.010 Purpose Statements

A. R-1 Single-Family Residential Zoning District

The R-1 Single-Family Residential Zoning District is intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards.

B. R-2 Single-Family Residential Zoning District

The R-2 Single-Family Residential Zoning District is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.

C. R-3 Single-Family and Two-Family Residential Zoning District

The R-3 Single-Family Residential Zoning District is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.

D. R-3C Single-Family and Two-Family Central Residential Zoning District

The R-3C Single-Family and Two-Family Central Residential Zoning District is intended to preserve and protect Davenport's moderately dense, centrally located, established urban residential neighborhoods. Standards of the R-3C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3C District.

E. R-4 Single-Family and Two-Family Residential Zoning District

The R-4 Single-Family and Two-Family Residential Zoning District is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a dense urban development pattern. The R-4 District may also serve as a transitional district between Davenport's single-family and two-family neighborhoods and more intense uses within the City. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4 District.

F. R-4C Single-Family and Two-Family Central Residential Zoning District

The R-4C Single-Family and Two-Family Central Residential Zoning District is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

G. R-MF Multi-Family Residential Zoning District

The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including **single-family dwellings**, 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.

H. R-MHP Residential Manufactured Home Park Zoning District

The R-MHP District is intended to accommodate manufactured home parks, which are areas containing manufactured home sites arranged on a large tract, typically under single ownership, and designed to accommodate manufactured homes.

Section 17.04.020 Uses

- A. Chapter 17.08 lists permitted, special, and temporary uses for the residential districts.
- B. In the R-3, R-3C, R-4, and R-4C Districts, two-family dwellings are allowed as follows:
1. New construction of a two-family dwelling is a permitted use.
 2. Conversion of a structure from a single-family dwelling into a two-family dwelling is prohibited.

Section 17.04.030 Dimensional Standards

A. Table 17.04-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 17.02.040 for measurement methodologies.

B. A house court design for single-family and/or two-family dwellings must comply with the dimensional standards of Section 17.08.030.N.

C. R-MHP District standards are found in Section 17.04.040.

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-1	R-2	R-3	R-3C
Bulk				
Minimum Lot Area	20,000sf	SF: 10,000sf SF-SD: 10,000sf/du	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf
Minimum Lot Width	100'	SF: 60' SF-SD: 60'/du	SF & 2F: 60' SF-SD: 30'/du Non-Residential: 75'	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'
Maximum Building Height	35'	35'	35'	35'
Maximum Building Coverage	25%	35%	35%	35%
Maximum Impervious Surface	40%	50%	60% Non-Residential: 70%	60% Non-Residential: 70%
Setbacks				
Minimum Front Setback	30' or average of front setbacks, whichever is less	30' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less
Minimum Interior Side Setback	7'	7'	7'	5'
Minimum Corner Side Setback	25'	20'	15'	15'
Minimum Reverse Corner Side Setback	30'	30'	25'	25'
Minimum Rear Setback	30' or 20% of lot depth, whichever is less	30' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less

Table 17.04-1: Residential Districts Dimensional Standards SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family			
	R-4	R-4C	R-MF
Bulk			
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	SF: 4,000sf 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'	SF: 40' 2F: 50' SF-SD: 25'/du TH: 20'/du MF: 80' Non-Residential: 75'
Maximum Building Height	35'	35'	SF, 2F, TH: 35' MF: 70'
Maximum Building Coverage	35%	40% Non-Residential: 35%	SF, SF-SD & 2F: 50% TH, MF: 65%
Maximum Impervious Surface	60% Non-Residential: 70%	60% Non-Residential: 70%	SF, SF-SD & 2F: 70% TH, MF: 75% Non-Residential: 75%
Setbacks			
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'	SF, 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

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

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-C	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		P					
Amusement Facility - Outdoor										S	S				S	P		S					
Animal Care Facility - Large Animal																			P				
Animal Care Facility - Small Animal							S	S	P	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			P					
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P					
Bar									P	P	P		P	P	P			P					
Bar – Neighborhood								P														Sec. 17.08.030.C	
Bed and Breakfast	S	S	S	S	S														P			Sec. 17.08.030.D	
Billboard									P	P							P	P				Sec. 17.08.030.E	
Body Modification Establishment								P	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.F	
Car Wash									P	P					S			P				Sec. 17.08.030.G	
Casino															P								
Cemetery																				P			
Children’s Home					P				P	P					P			S			P	Sec. 17.08.030.H	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	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	P		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I	
Conservation Area																			P	P			
Country Club																				P			
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J	
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K	
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K	
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L	
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L	
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H	
Dwelling - Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M	
Dwelling - Manufactured Home						P													S			Sec. 17.08.030.N	

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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-C	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	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P	P		P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine Keeping/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																P	P	P					
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	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-C	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.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
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.L	
Hotel									P	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	P		P					

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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-C	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	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	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			P		P		
Private Recreation Facility								P	P	P	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	P		
Public Safety Facility					P		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	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P					P	P	P		P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	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			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	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		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						
Vehicle Dealership - Enclosed										P		S	P		P	S		P					
Vehicle Dealership - With Outdoor Storage/Display										S					S	S		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

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-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
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										S						P	P	S				Sec. 17.08.030.DD
Vehicle Repair/Service - Minor									P	P					P	P	P	S				Sec. 17.08.030.DD
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	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	S	Sec. 17.08.030.FF
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	P	Sec. 17.08.030.FF
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	P	Sec. 17.08.030.FF
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	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	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	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			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	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	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	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		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	T	Sec. 17.08.040.H

ZONING TEXT AMENDMENT APPLICATION & PROCEDURE

1. The petitioner shall meet with City staff to discuss the request, alternatives and the text amendment process.
2. Submit Petition including proposed text amendment language, petitioner's signature(s); file reference form and filing fee.
3. Petition is processed at staff level; public hearing notice is drafted, and background report is written. Item is previewed by the Commission and sent to the Technical Review Committee.
4. Public Hearing is held before the Davenport City Plan and Zoning Commission.
5. Staff report is presented to the City Plan and Zoning Commission for discussion and recommendation. Commission report is drafted.
6. Commission report is forwarded to the City Council.
7. Public Hearing before the Committee of the Whole (COW) is held.
8. Three Readings before the City Council, one at each Council meeting, are required for the Ordinance Amendment.
9. Publication of Ordinance. (Generally, publication occurs prior to the next City Council meeting.)

See Development Calendar for submittal deadlines.

Zoning Text Amendment Fee Schedule:

\$400.00 plus public hearing notice and recording costs.

Submit Application to:

planning@davenportiowa.com

or

Public Works – DNS Planning
1200 E. 46th St
Davenport Iowa 52807

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend title 17 of the City of Davenport Municipal Code entitled "Zoning" by changing the following text:

FROM: "Section 17.04.010. (Provide the existing text language or an attachment of the existing text language here.)

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 semidetached dwellings, two-family dwellings, townhomes and multifamily dwellings. Limited nonresidential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District. [Amended 9-11-2019 by Ord. No. 2019-363]"

(Text description may be continued on another sheet if necessary.)

TO: (Provide the proposed text language or an attachment of the proposed text language here.)

"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 semidetached dwellings, single-family dwellings, two-family dwellings, townhomes and multifamily dwellings. Limited nonresidential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District."

(Text description may be continued on another sheet if necessary.)

Respectfully submitted,

Signature: _____

Print full name: Scott Ryder

Date: 09/27/2022

CONTACT INFORMATION

PETITIONER: Name: Scott Ryder
Address: 221 E. 2nd St., Davenport, IA 52801
Phone: (563) 505-9190 FAX: _____
Mobile Phone: _____ Email: sryder@exitqc.com

CONTACT PERSON: Name: Chris Townsend of Townsend Engineering
Address: 2224 E. 12th St., Davenport, IA 52803
Phone: (563) 386-4236 FAX: (563) 386-4231
Mobile Phone: _____ Email: chris@townsendengineering.net

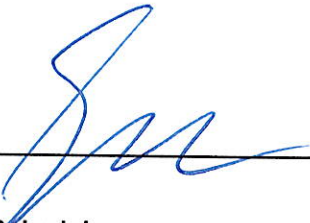
REASON FOR TEXT AMENDMENT I am requesting that Single-Family zoning be added as a permitted use in R-MF zones. Table 17.08-1: Use Matrix Table, should be updated to include "Dwelling – Single-Family" as a use permitted by-right in the district. The proposed dimensional standards for SF lots under this classification are as follows:

BULK

- Minimum Lot Area – SF: 4,000 square feet
- Minimum Lot Width – SF: 40 feet
- Maximum Building Height – SF: 35 feet
- Maximum Building Coverage – SF: 40%
- Maximum Impervious Surface – SF: 60%

SETBACKS

- Minimum Front Setback – SF: 15 feet or average of front set-backs, whichever is less
- Minimum Interior Side Setback – SF: 5 feet
- Minimum Corner Side Setback – SF: 10 feet
- Minimum Reverse Corner Side Setback – SF: 15 feet
- Minimum Rear Setback – SF: 15 feet or 20% of lot depth, whichever is less

SIGNATURE OF PETITIONER:  Date: 10/5/22

Zoning Text Amendment Fee Schedule:

\$400.00

City of Davenport Zoning Ordinance
Section 17.08.050 Use Definitions

Dwelling - Accessory Dwelling Unit. An additional dwelling unit associated with and incidental to a principal single-family dwelling on the same lot. An accessory dwelling unit must include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The accessory dwelling unit may be within or attached to the principal dwelling unit structure or within a detached accessory structure, such as a garage, and designed so that the appearance of the principal structure and the lot remains that of a single-family dwelling.

Dwelling - Manufactured Home. A manufactured home dwelling is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include those transportable factory built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular homes are not considered manufactured homes, and refer to a method of construction. When a manufactured home meets all the requirements for a single-family dwelling, including the definition of a dwelling unit, and is located and installed to the same standards as a single-family dwelling, such manufactured home is considered a single-family dwelling, subject to any additional requirements or specific exceptions of Iowa State Code Section 414.28.

Dwelling - Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a three-family or townhouse dwelling. In cases where dwelling units are located above the ground floor of a commercial building, one or more dwelling units for residential occupancy shall be permissible.

Dwelling - Townhouse. A structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall. A townhouse is typically designed so that each unit has a separate exterior entrance and yard areas. A townhouse dwelling does not include a multi-family dwelling.

Dwelling - Single-Family. A structure containing only one dwelling unit on a single lot. When a manufactured home meets all the requirements for a single-family dwelling, including the definition of a dwelling unit, and is located and installed to the same standards as a single-family dwelling, such manufactured home is considered a single-family dwelling, subject to any additional requirements or specific exceptions of Iowa State Code Section 414.28.

Dwelling - Single-Family Semi-Detached. A structure containing two dwelling units on a single lot attached by a party wall, which is located on an interior side lot line, with each dwelling unit located on a separate lot of record.

Dwelling - Two-Family. A structure containing two dwelling units on a single lot.

P. 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. A 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.
 - 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.

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Laura Berkley | 563-888-3553

Action / Date
11/22/2022

Subject:

Resolution approving Case F22-11 being the request of Iowa American Water Company for a final plat of Iowa American Water Company First Addition, a 2-lot subdivision on 38.9 acres located west of Research Parkway and Hillandale Road. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

The purpose of the final plat is to facilitate the development of a new headquarters for Iowa American Water Company on Lot 1. The submitted plat dedicates additional right-of-way for the construction of a new north-south roadway extending from the existing Research Parkway stub. The Plan and Zoning Commission reviewed Case F22-11 at its September 6, 2022 meeting and has recommended approval of the subdivision subject to the listed conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The final plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions:

-

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add a note stating, "Stormwater detention and water quality treatment will be required with this subdivision upon development and shall be owned and maintained by the property owner."
4. Add a note stating areas marked as public right-of-way shall be dedicated to the City upon recording of the subdivision.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

-

Future Land Use Designation:

The property is designated as Industry (I)

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

The proposed Final Plat complies with the Davenport +2035 proposed land use section.

Zoning:

The subject property is zoned I-1 Light Industrial District.

Technical Review:

1. Streets: 2.03 acres of right-of-way will be dedicated for the creation of a new north-south road. The new street, American Water Way, will provide public frontage and access to the two developable properties. The installation of sidewalks may be deferred pending a request by the property owner and approval by City Council.
2. Storm Water: Stormwater detention and water quality treatment will be required per ordinance on each lot. The final plat establishes easements for storm water detention.
3. Sanitary Sewer: Existing infrastructure can be extended north to the future development site from Research Parkway.
4. Other Utilities: Normal utility services are available at this site.
5. Parks/Open Space: The proposed plat does not impact any existing or planned parks or public open space.

Public Input:

No Public Hearing is required for a final plat.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	Final Plat-Iowa American Water Company First Addition
▢ Backup Material	Zoning & Future Land Use Map
▢ Backup Material	Application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	11/9/2022 - 4:35 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving Case F22-11 being the request Iowa American Water Company for a final plat of Iowa American Water Company First Addition, a 2-lot subdivision on 38.9 acres located west of Research Parkway and Hillandale Road.

WHEREAS, the Plan and Zoning Commission reviewed Case F22-11 at the September 6, 2022 regularly scheduled meeting with a recommendation for approval subject to the following four conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add a note stating, "Stormwater detention and water quality treatment will be required with this subdivision upon development and shall be owned and maintained by the property owner."
4. Add a note stating areas marked as public right-of-way shall be dedicated to the City upon recording of the subdivision; and

WHEREAS, the conditions will be added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Iowa American Water Company First Addition, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk, by Iowa American Water Company, be the same and is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

BE IT FURTHER RESOLVED that the Mayor and Deputy City Clerk are hereby authorized and directed to certify to the adoption of this resolution on said plat as required by law.

Passed and approved this 22nd day of November, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CENTURY LINK

MEDIACOM

PLANNING AND ZONING

FINAL PLAT

OF

IOWA AMERICAN WATER COMPANY

FIRST ADDITION

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER
OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE
5TH PRINCIPAL MERIDIAN, IN THE CITY OF DAVENPORT,
COUNTY OF SCOTT, STATE OF IOWA
39.38 ACRES±

BASIS OF BEARINGS
IOWA STATE PLANE COORDINATE SYSTEM
SOUTH ZONE NAD 83 (2011 ADJUSTMENT)



100 50 0 100 200
SCALE: 1" = 100'

OWNER / DEVELOPER
Iowa American Water Company
5201 Grand Avenue
Davenport, IA 52807
Attn: Scott Hinton

LEGEND

- SUBDIVISION BOUNDARY
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE
- PROPOSED SETBACK LINE
- EXISTING LOT / DEED LINE
- EXISTING R.O.W. LINE
- EXISTING EASEMENT LINE
- UNDERLYING LOT LINE
- UTILITY EASEMENT
- BUILDING SETBACK LINE
- MEASURED DIMENSION
- RECORDED DIMENSION
- REBAR, FOUND
- REBAR WITH CAP # _____, FOUND
- 5/8" REBAR WITH CAP #13581, SET
- P.K. NAIL, FOUND
- P.K. NAIL, SET
- PIPE, FOUND

AREA TABLE

LOT	AREA S.F.±	AREA AC.±
LOT 1	1,008,562 SF±	23.15 AC±
LOT 2	618,253 SF±	14.19 AC±
RIGHT OF WAY	88,475 SF±	2.03 AC±
TOTAL AREA	1,715,290 SF±	39.38 AC±

SURVEYOR'S NOTES

This Final Plat was prepared at the request of Iowa American Water Company.

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, drainage areas and roadways that a complete title search would disclose.

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 re-survey.

No investigation was made as apart of this re-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.

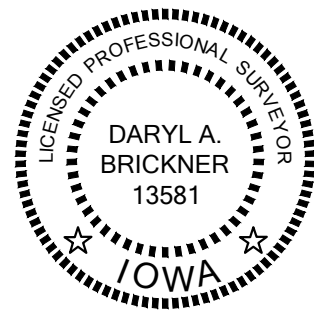
Distances are listed in feet and decimal part of a foot.

All monuments shown hereon have been found or will be set before December 2022.

Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cable, gas service, water service, sewer laterals, telephone service and cable T.V. to individual structures and street lights.

Blanket access easements are granted to the City of Davenport for inspection of underground storm water detention easements.

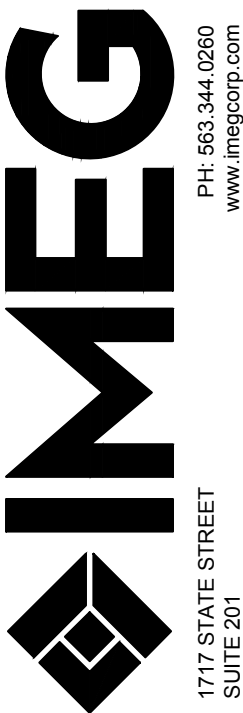
Stormwater detention and water quality treatment are required with this subdivision and will be subject to the applicable ordinances in place at the time of development.



I hereby certify that this land surveying document was prepared by me or by a person who was supervised and assisted by me, a duly licensed surveyor in the State of Iowa.

Daryl A. Brickner, PLS #13581 Date
My license renewal date is December 31, 2023
No. of sheets covered by this seal: _____

REVISIONS	DATE
DESCRIPTION	
No.	



IOWA AMERICAN WATER COMPANY / BUSH CONSTRUCTION

DAVENPORT, IOWA

SUBDIVISION PLAT

IMEG Project No:
21006529.00

File Name:
21006529.00 Property.dwg

© COPYRIGHT 2022
ALL RIGHTS RESERVED

Field Book No:

Drawn By: DAB

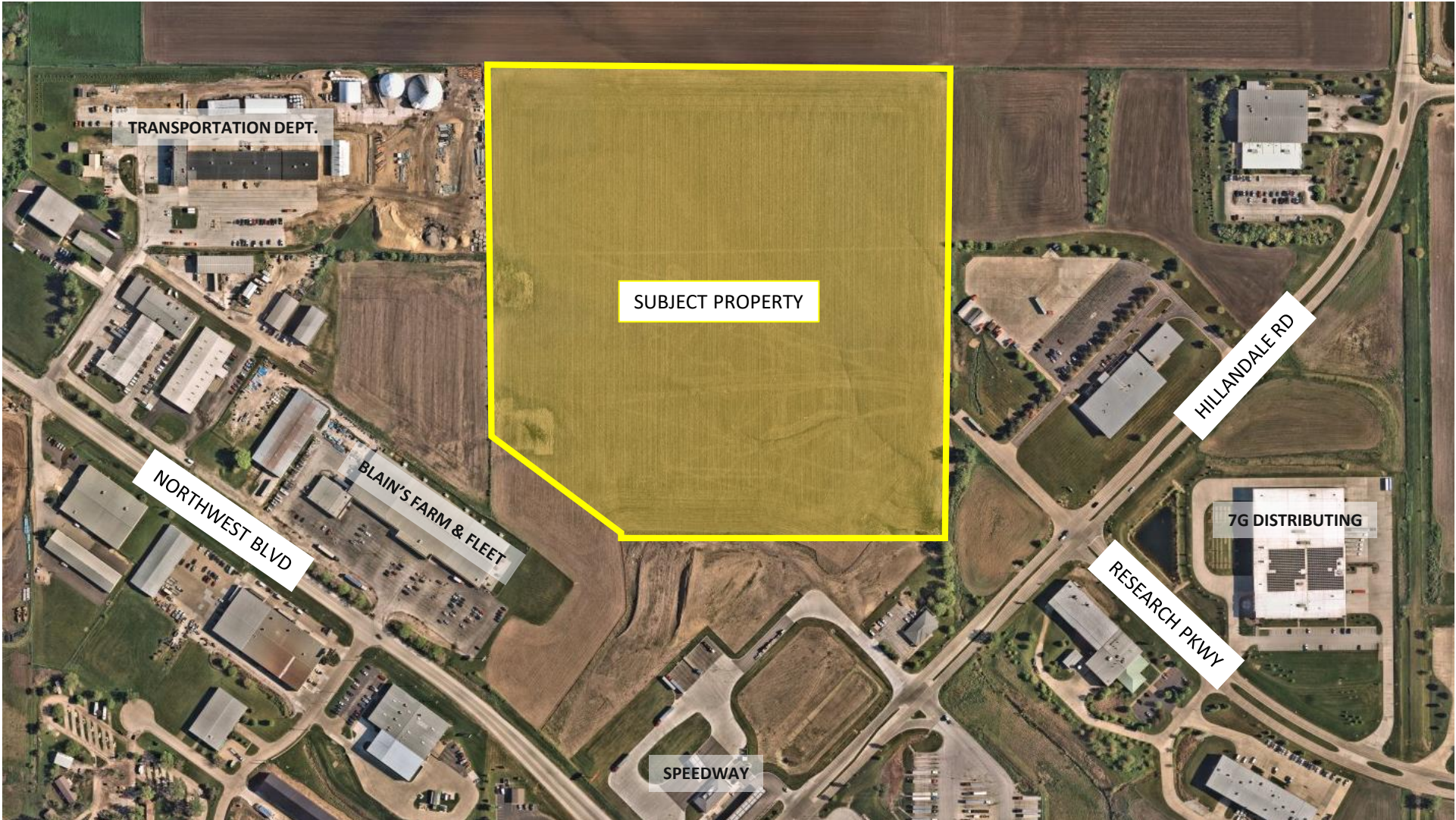
Checked By: CEJ

Date: 6/10/2022

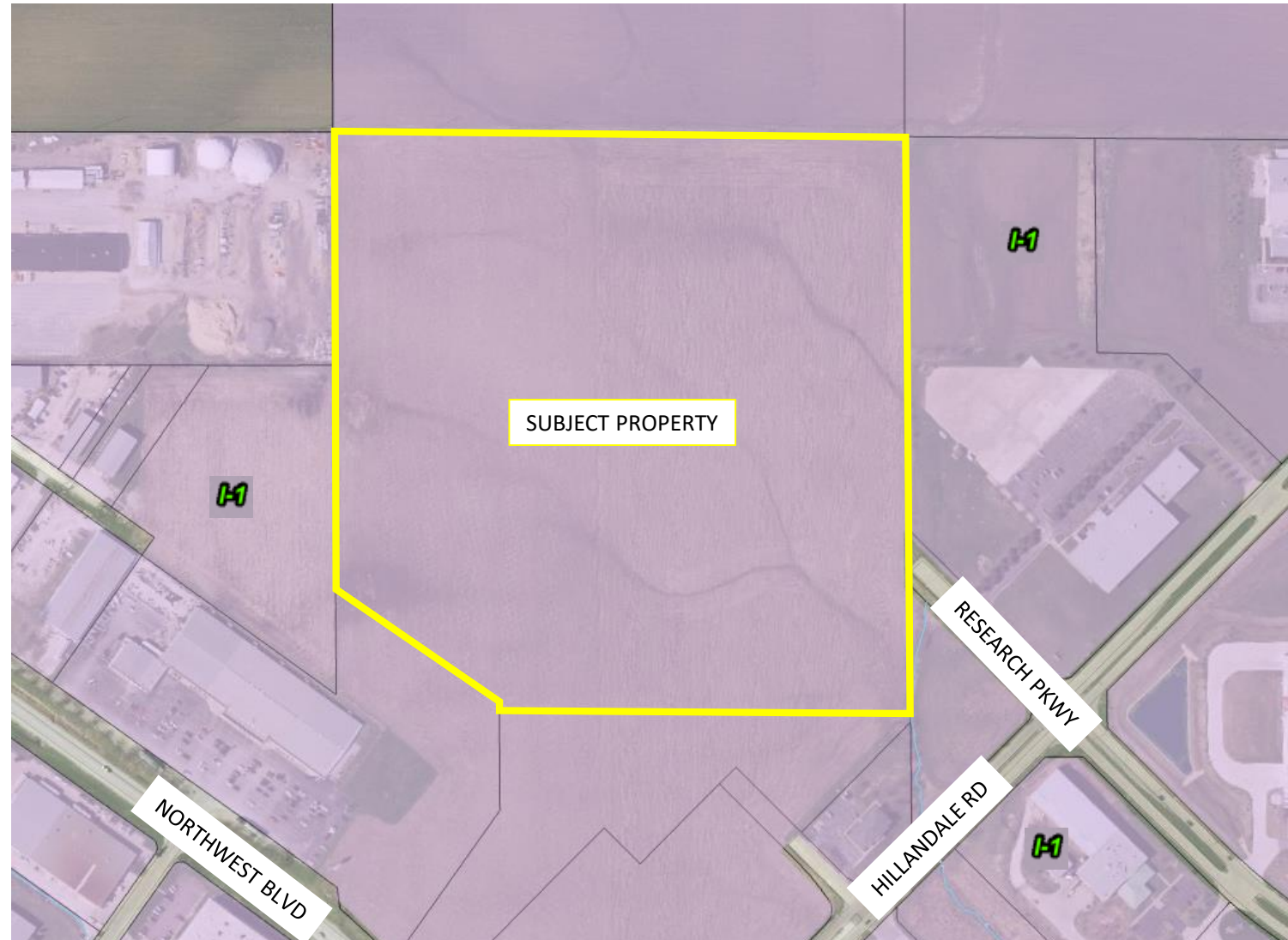
Sheet 1 of 1

Vicinity Map

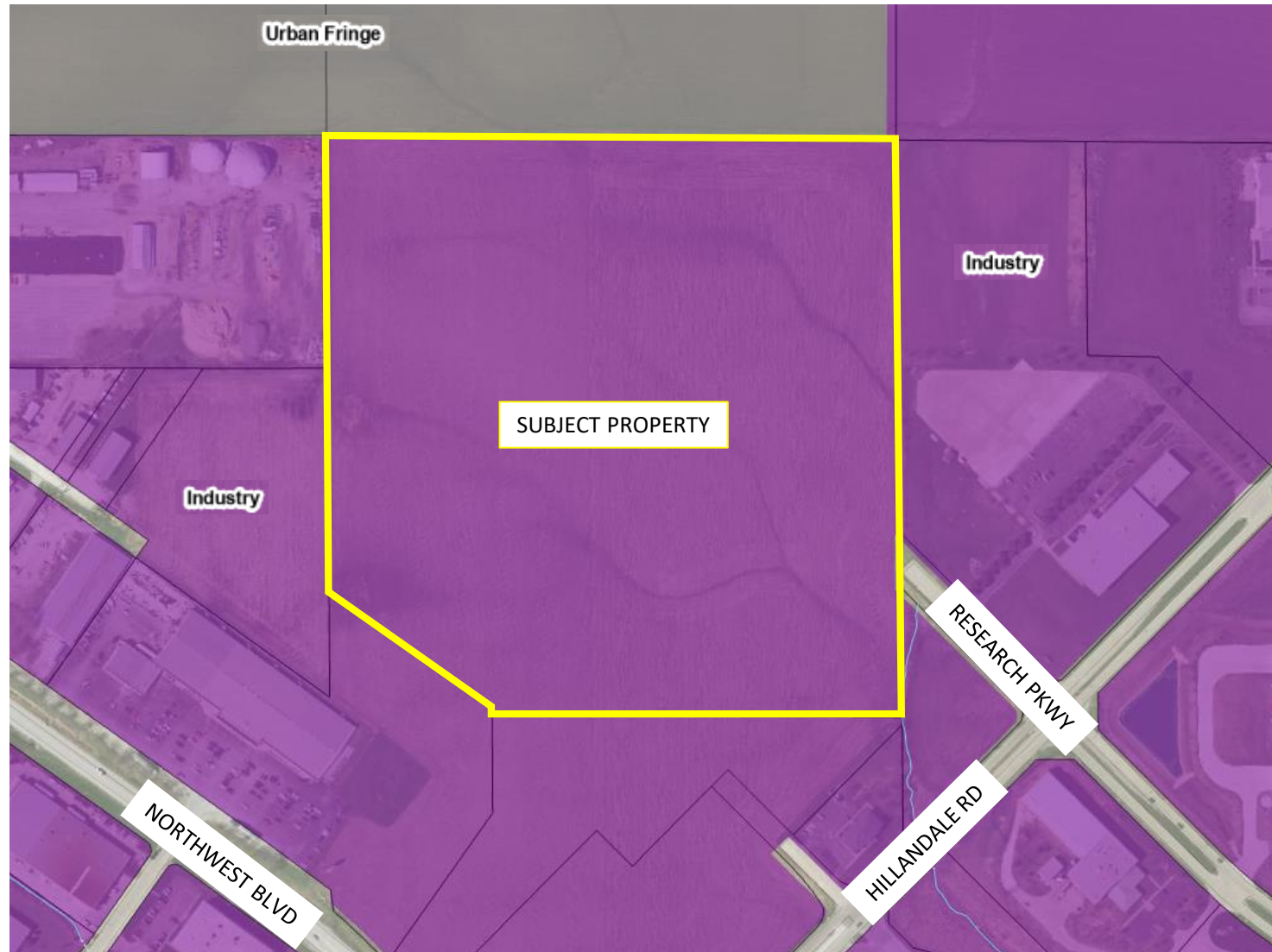
DAVENPORT
IOWA | USA



Zoning Map



Future Land Use Map





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

Complete application can be emailed to planning@ci.davenport.ia.us

Property Address*

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

Applicant (Primary Contact)

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Design Review Board

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

Engineer (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

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

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

Part of NW 1/4 of NW 1/4 of Sec 33, T 79 N, R 3 E of the 5th PM

Total Land Area: 39.38 Acres

Total Number of Lots: 1

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

Submittal Requirements:

- The completed application form.
- Required fee:
Ten or fewer lots - \$400 plus \$25 per lot.
Eleven to twenty-five lots - \$700 plus \$25 per lot.
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

Part of NW 1/4 of NW 1/4 of Sec 33, T 79 N, R 3 E of the 5th PM

Total Land Area: 39.38 Acres

Total Number of Lots: 1

Linear Feet of Streets Added: 1050

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

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

(1) Application:

- 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's consideration of the proposed preliminary plat:

- Planning staff will perform a technical review of the petition 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. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(3) City Council's consideration of the proposed preliminary plat:

- The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

(1) Application:

- 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's consideration of the proposed final plat:

- Planning staff will perform a technical review of the petition 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. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(3) City Council's consideration of the final plat:

- Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
- The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

(4) Recordation:

- After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
- After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
- It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner:

Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Date:

Planning staff

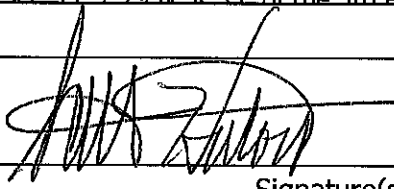
Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, SCOTT HINSON IMEG + Bush Construction
authorize _____
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Part of NW 1/4 of NW 1/4 of Sec 33 T 79 N R 3 E of the 5th PM 

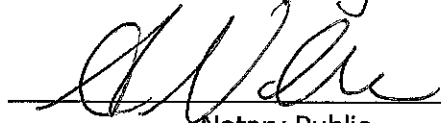


Signature(s)

State of _____
County of _____
Sworn and subscribed to before me

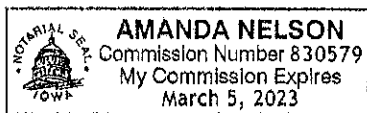
This 12th day of August 2022

Drivers ID
Form of Identification



Notary Public

My Commission Expires: 3/5/23



2020 DEVELOPMENT CALENDAR

CITY PLAN & ZONING COMMISSION SCHEDULE

CITY COUNCIL SCHEDULE

<u>REZONING & ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION & DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING 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
11/19/19	12/02/19	12/10/19	12/24/19	12/27/19	01/08/20	01/15/20
12/02/19	12/16/19	12/24/19	01/07/20	01/10/20	01/22/20	01/29/20
12/17/19	12/28/19	01/07/20	01/21/20	01/24/20	02/05/20	02/12/20
12/27/19	01/13/20	01/21/20	02/04/20	02/07/20	02/19/20	02/26/20
01/13/20	01/27/20	02/04/20	02/18/20	02/21/20	03/04/20	03/11/20
01/27/20	02/10/20	02/18/20	03/03/20	03/06/20	03/18/20	03/25/20
02/10/20	02/24/20	03/03/20	03/17/20	03/20/20	04/01/20	04/08/20
02/24/20	03/09/20	03/17/20	03/31/20	04/03/20	04/15/20	04/22/20
03/09/20	03/23/20	03/31/20	04/21/20	04/24/20	05/06/20	05/13/20
03/30/20	04/13/20	04/21/20	05/05/20	05/08/20	05/20/20	05/27/20
04/13/20	04/27/20	05/05/20	05/19/20	05/22/20	06/03/20	06/10/20
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05/22/20	06/08/20	06/16/20	06/30/20	07/03/20	07/15/20	07/22/20
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08/10/20	08/24/20	09/01/20	09/22/20	09/25/20	10/07/20	10/14/20
08/31/20	09/14/20	09/22/20	10/06/20	10/09/20	10/21/20	10/28/20
09/14/20	09/28/20	10/06/20	10/20/20	10/22/20	11/04/20	11/10/20
09/28/20	10/12/20	10/20/20	11/03/20	11/05/20	11/18/20	11/24/20
10/12/20	10/26/20	11/03/20	11/17/20	11/20/20	12/02/20	12/09/20
10/26/20	11/09/20	11/17/20	12/01/20	cancelled due to holiday		
11/09/20	11/23/20	12/01/20	12/15/20	12/11/20	12/30/20	01/06/21
11/23/20	12/07/20	12/15/20	12/29/20	12/23/20	01/13/21	01/20/21
12/07/20	12/21/20	12/29/20	01/05/21	01/08/21	01/27/21	02/03/21
12/14/20	12/28/20	01/05/21	01/26/21	01/22/21	02/10/21	02/17/21

- 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

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
11/22/2022

Subject:

Resolution accepting work completed under the West Lombard Street (Brady Street to Harrison Street) Resurfacing project by Manatt's Inc - Eastern Iowa Division of Camanche, Iowa in the amount of \$180,158.84, CIP #35046. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

West Lombard Street between Brady Street and Harrison Street had fallen in to disrepair. The street surface was milled 3" and replaced with 3" of asphalt. Improvements were made to the ADA ramps as well as storm sewer.

Work on this project has been satisfactorily completed. The final cost is \$180,158.84.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	11/9/2022 - 10:25 AM
Public Works Committee	Moses, Trish	Approved	11/9/2022 - 10:28 AM
City Clerk	Admin, Default	Approved	11/10/2022 - 2:03 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the West Lombard Street (Brady Street to Harrison Street) Resurfacing project by Manatt's Inc - Eastern Iowa Division of Camanche, Iowa in the amount of \$180,158.84, CIP #35046.

WHEREAS, the City of Davenport entered into a contract with Manatt's Inc - Eastern Iowa Division of Camanche, Iowa for the West Lombard Street (Brady Street to Harrison Street) Resurfacing project; 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 work completed under the West Lombard Street (Brady Street to Harrison Street) Resurfacing project by Manatt's Inc - Eastern Iowa Division of Camanche, Iowa in the amount of \$180,158.84 is hereby accepted.

Passed and approved this 22nd day of November, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7923

Action / Date
11/22/2022

Subject:

Resolution accepting work completed under the West 49th Street (Sturdevant Street to Fillmore Lane) Reconstruction project by Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of \$290,085.60, CIP #35054. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

The concrete pavement on 49th Street between Fillmore Lane and Sturdevant Street, being in poor condition, was removed and replaced with 8" of new concrete pavement that has subdrains and a 6" rock base. ADA sidewalk and driveway entry improvements were also performed.

Work on this project has been satisfactorily completed. The final cost is \$290,085.60.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	11/9/2022 - 10:24 AM
Public Works Committee	Moses, Trish	Approved	11/9/2022 - 10:24 AM
City Clerk	Admin, Default	Approved	11/10/2022 - 2:04 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the West 49th Street (Sturdevant Street to Fillmore Lane) Reconstruction project by Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of \$290,085.60, CIP #35054.

WHEREAS, the City of Davenport entered into a contract with Centennial Contractors of the Quad Cities of Moline, Illinois for the West 49th Street (Sturdevant Street to Fillmore Lane) Reconstruction project; 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 work completed under the West 49th Street (Sturdevant Street to Fillmore Lane) Reconstruction project by Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of \$290,085.60 is hereby accepted.

Passed and approved this 22nd day of November, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-888-3055

Action / Date
11/22/2022

Subject:

Resolution authorizing the submission of a Consolidated Rail Infrastructure and Safety Improvements Program grant application to the Federal Railroad Administration for assistance with the Davenport Riverfront Rail Crossing Safety Improvements project. [Wards 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

The City of Davenport is submitting a 2022 Consolidated Rail Infrastructure and Safety Improvements grant application to the Federal Railroad Administration division of the U.S. Department of Transportation. The total project application is estimated at \$3,437,150. The City is requesting \$2,749,720 from the program (80% of eligible cost that include preliminary/construction engineering services, construction and contingency) and the City will provide 20% of the eligible cost; the total City share is estimated at \$687,430.

Multiple at-grade crossings from Marquette Street to Mound Street provide access to critical infrastructure, public amenities and gathering spaces, and businesses. There are many conflict points along the line, creating safety challenges and requiring train engineers to sound the horn many times as they travel the 9 miles through the city. An anticipated railroad merger of Kansas City Southern and Canadian Pacific Railway (CP), expected to be finalized in early 2023, will triple rail traffic and will have significant impacts to the region. The proposed project will install recommended safety equipment at vehicular and pedestrian rail crossings and install fencing at key locations along the rail line. These improvements will reduce the risk of serious injuries and fatal collisions with trains and meet the requirements to proceed with a Notice of Quiet Zone Establishment.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	11/10/2022 - 11:45 AM
Public Works Committee	Moses, Trish	Approved	11/10/2022 - 11:45 AM
City Clerk	Admin, Default	Approved	11/10/2022 - 2:09 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION authorizing the submission of a Consolidated Rail Infrastructure and Safety Improvements Program grant application to the Federal Railroad Administration for assistance with the Davenport Riverfront Rail Crossing Safety Improvements project.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the City is committed to improving safe transportation access for all users along the riverfront; and

WHEREAS, the City will commit \$687,430 (20% of eligible cost) for the project through local funds obtained through a Community Investment and Settlement Agreement with Canadian Pacific Railway Company; and

WHEREAS, the City endorses the application and has estimated the total project cost to be \$3,437,150, and the grant request to be \$2,749,720.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that staff is hereby authorized to prepare and submit a Consolidated Rail Infrastructure and Safety Improvements Program grant application to the Federal Railroad Administration for assistance with the Davenport Riverfront Rail Crossing Safety Improvements project in the amount of \$2,749,720.

Passed and approved this 22nd day of November, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
11/22/2022

Subject:

Resolution approving the payment of \$153,177.32 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2022 to October 31, 2023. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The Munis software system is the system that enables the Finance Department to track and administer the accounting functions of all departments within the City. The Munis software requires a yearly support contract for annual licensing. The contract supplies the City with the appropriate licensing for vital HR Management, Payroll, Accounts Payable, and Accounts Receivable systems.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	11/10/2022 - 1:50 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the payment of \$153,177.32 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2022 to October 31, 2023. [All Wards]

WHEREAS, the Munis software system is used for Human Resources Management, Payroll, and Accounts Payable and Receivable functions; and

WHEREAS, the City needs to renew its annual licensing agreement with Tyler Technologies, Inc for the period November 1, 2021 to October 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that the payment of \$153,177.32 to Tyler Technologies, Inc of Falmouth, Maine for the annual licensing of the Munis software system for the period November 1, 2022 to October 31, 2023 is hereby approved.

Passed and approved this 22nd day of November, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Jim Erwin | 563-326-7922

Action / Date
11/22/2022

Subject:

Resolution approving the purchase of one VacAll Sewer Jet Truck from Municipal Pipe Tool Company, LLC of Hudson, Iowa in the amount of \$319,483 using Sourcewell contract #122017-GRD. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This purchase will augment an older similar sewer jetting truck. This unit is a 2019 demonstration model with 10 hours of use and is requested due to the lack of availability of new models until the fourth quarter of 2024. This 2019 model will have the same warranty coverage as a new unit and the warranty period will begin once it is accepted and put in service.

Funding for this purchase is from a mix of sewer, Local Option Sales Tax, Road Use Tax, and clean water funds.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	City of Davenport VacAll AJ16 Jetter Truck Quote

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	11/10/2022 - 10:45 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the purchase of one VacAll Sewer Jet Truck from Municipal Pipe Tool Company, LLC of Hudson, Iowa in the amount of \$319,483 using Sourcewell contract #122017-GRD.

WHEREAS, the City needs to purchase one VacAll Sewer Jet Truck for the Sewer Division; and

WHEREAS, Municipal Pipe Tool Company, LLC of Hudson, Iowa was awarded Sourcewell contract #122017-GRD as the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of one VacAll Sewer Jet Truck from Municipal Pipe Tool Company, LLC of Hudson, Iowa in the amount of \$319,483 using Sourcewell contract #122017-GRD is hereby approved.

Passed and approved this 22nd day of November, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Quotation

MUNICIPAL PIPE TOOL COMPANY, LLC

Company Address

515 5TH STREET, HUDSON, IA 50643
515-681-6321

Date 11/7/2022

Quotation # 2211

Customer ID DAV

Quotation For

City of Davenport Iowa

Quotation valid until: 12/7/2022

Prepared by: BCR

Comments or Special Instructions

SOURCEWELL CONTRACR NUMBER 122017-GRD (Gradall)

Salesperson	P.O. Number	Ship Date		Terms
Bryan Robinson	TBD	New Build Q1-24 Demo truck 1 wk		30 days

Quantity	Description	Unit Price		Amount
1	2023 VacAll AJ16 Sewer Jet Truck	\$ 361,483.00		\$ 361,483.00
1	Deduct for 2019 production demo truck -Includes VacAll 5 year warranty (<10hrs)	\$ (42,000.00)		\$ (42,000.00)
1	Trade-In Deduct for City of Davenport, IA SECA 800HPR Jet truck	\$ (20,000.00)		\$ (20,000.00)

Subtotal \$ 299,483.00

If you have any questions concerning this quotation, please contact:

Bryan Robinson
515-681-6321

TOTAL \$ 299,483.00

Thank you for your business!

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Bruce Berger | 563-326-7769

Action / Date
11/22/2022

Subject:

Motion approving the Citizens Advisory Committee's recommendations for the reprogramming of the unspent and unobligated Community Development Block Grant (CDBG) funds from CDBG Year 47 ending June 30, 2022. [All Wards]

Recommendation:

Pass the Motion.

Background:

Each year, the Citizens Advisory Committee's (CAC) recommends allocating unspent and unobligated Community Development Block Grant (CDBG) funds from the prior fiscal year; as of June 30, 2022, \$230,761.81 remained in CDBG funds. The funds are from the following programs funded in Year 47:

- Salvation Army | \$3,392.83
- City Housing Rehab Staff & Supplies | \$57,993.39
- Planning & Admin | \$169,375.59

In a typical year, as approved by the Citizens Advisory Committee, requests for reprogrammable funds may be submitted for programs which were not fully funded in the current CDBG year's allocation. Ordinarily, reprogrammable funds from a prior year are unavailable to public service subrecipients because of HUD's public service cap which does not increase in the current program year simply because funds from a previous program year become available. However, due to additional funding that became available during the 2021 program year, it is possible to reprogram prior year funding to public service subrecipients on a one-time basis. *Of the amount available for reprogramming, no more than \$15,000 can be awarded to public services under the HUD mandated public services cap.*

Public service applicants were notified of this one-time opportunity for funding on October 19, 2022 and requests for funding were due by November 2, 2022.

Reprogramming Requests:

This year all currently funded CDBG subrecipients with active Year 48 CDBG awards were notified of the ability to apply for reprogrammable funds and the following requests were received:

- Big Brothers Big Sisters | \$3,120
- Humility of Mary Homes & Services | \$5,000
- Project Renewal | \$15,000
- Housing Rehab/Revitalization Fund | \$100,761.81
- Economic Development Fund | \$115,000

CAC Recommendation:

At the November 7, 2022 CAC meeting the Committee considered the reprogramming requests. The Committee first voted to determine whether the requests received were eligible. The vote was unanimous that the requests were eligible. The CAC next voted to make the below recommendation. The recommendation awards the maximum amount possible in the Public Services category, and the remainder is awarded in the non-Public Services category:

- Big Brothers Big Sisters | \$3,120
- Humility of Mary Homes & Services | \$5,000
- Project Renewal | \$6,880
- Housing Rehab/Revitalization Fund | \$100,761.81
- Economic Development Fund | \$115,000

Following Council action, the current year's Action Plan will be amended with notice published in the *Quad-City Times* and submission of the amendment to HUD.

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	11/10/2022 - 9:37 AM

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
11/22/2022

Subject:

Motion approving a noise variance request for an outdoor event on the listed date and time.

J&M Displays Inc; Christmas in the Village; Village of East Davenport; 15-20 minutes between 9:00 p.m. - 9:30 p.m. on Saturday, December 3, 2022; Fireworks, over 50 dBA. [Ward 5]

Recommendation:

Pass the Motion.

Background:

This request for a noise variance has been received pursuant to the Municipal Code of Davenport, Iowa, Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

All of the proper paperwork has been submitted to the Fire Marshal. The Village of East Davenport Business Association has been informed of the new process for fireworks.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/10/2022 - 2:16 PM

City of Davenport

Department: Public Safety
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
11/22/2022

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Front Street Brewery, Inc (Front Street Brewery, Inc) - 421 West River Drive #3/4 - Extended Outdoor Area "Christkindlmarkt" December 2-4 - License Type: Class C Liquor

The Vintage Wine Bar (The Vintage Wine Bar, LLC) - 421 West River Drive East Parking Lot - Temporary Outdoor Event "Christkindlmarkt" December 2-4 - License Type: Beer/Wine

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

Ward 1

Beertinis (Beertinis, LLC) - 3801 Rockingham Road - Outdoor Area - License Type: Class C Liquor

Ward 3

Toasted (Yolked, Inc) - 118 East 4th Street - License Type: Class C Liquor

Ward 5

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

Ward 7

The Liquor Stop, LLC (The Liquor Stop, LLC) - 211 West 53rd Street - License Type: Class E Liquor

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

Ward 8

Dollar General Store #19449 (Dolgencorp, LLC) - 7510 Northwest Blvd - License Type: Class C Beer

Recommendation:
Pass the Motion.

Background:

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	11/10/2022 - 2:17 PM

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7817

Action / Date
11/22/2022

Subject:

Motion awarding a contract for the purchase of an obstacle course playground for Emeis Park to Landscape Structures, Inc of Delano, Minnesota in the amount of \$65,284, CIP #ARP10. [Ward 1]

Recommendation:

Pass the Motion.

Background:

Emeis Park was identified as one of twelve parks to receive various play and additional upgrades through ARPA funding. One such upgrade selected for Emeis Park is an obstacle course playground. This purchase is for that equipment.

At no cost, the City of Davenport is a member of Sourcewell, a cooperative purchasing group that bids items for public entities. Due to the volume created by purchases from several communities, members see the advantage of lower contracted prices. Landscape Structures, Inc was awarded the contract for Playground, Shade, & Splash Play Equipment for Parks via Sourcewell contract #010521-LSI.

Funding for this project is from American Rescue Plan Act Funding, CIP #ARP10.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	11/10/2022 - 1:50 PM