

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, November 19, 2014; 5:30 PM

Council Chambers, City Hall

I. Moment of Silence

II. Pledge of Allegiance

Ald. Matson

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development Committee

1. Public hearing for the ordinance for Case No. REZ14-12 being a rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office (Genesis Health System, petitioner). [2nd]

B. Public Works Committee

1. Public hearing to approve the plans, specifications, forms of contract and estimated cost for Street Micro-Surfacing, FY2015 CIP Project #10550. [ALL WARDS]

VII. Presentations

A. Proclamation for National Adoption Month

VIII. Recess to Standing Committees

COMMUNITY DEVELOPMENT COMMITTEE

MEMBERS: Bill Boom, Chairman; Jason Gordon, Vice Chairman; Gene Meeker; Mike Matson; Kerri Tompkins

I. PRESENTATIONS

II. COMMUNITY DEVELOPMENT COMMITTEE AGENDA

1. Second Consideration: Ordinance for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M

PUD” Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

2. First Consideration: Ordinance for Case No. REZ14-12 being a rezoning of 3.09 acres, more or less of real property from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office (Genesis Health Systems, petitioner). [2nd Ward]
3. Resolution approving case FDP14-07 being the final development plan on 1.8 acres, more or less, located east of Utica Ridge Road and south of East 53rd Street (4319 East 53rd Street) to allow office development (Bankland, LLC, petitioner) [6th Ward].
4. Resolution approving Case FDF14-06 being a “PDD” Final Development Plan for a one story, 42,414 square foot office building on 11.48 acres, more or less, of property located adjacent to the western terminus of Market Square Circle, which is west of Utica Ridge Road (S.J. Russell, L.C., petitioner). [6th Ward]
5. Resolution approving an Urban Revitalization Tax Exemption application for MV Residential Land LLC and MWF IA3, Limited Partnership.[Ward 3]
6. Motion approving the Citizens' Advisory Committee's allocation recommendation for reprogrammable Community Development Block Grant (CDBG) funds. (all wards)
7. Motion approving the local objectives for the Community Development Block Grant program for the Year 41 Annual Action Plan covering July 1, 2015 – June 30, 2016. [All Wards]
8. Motion establishing the support for HOME Rental Rehabilitation/Construction funding for the LaFayette Square project [Ward 3]

III. ANY OTHER BUSINESS

PUBLIC SAFETY COMMITTEE

MEMBERS: Mike Matson, Chairman; Kerri Tompkins, Vice Chairman; Barney Barnhill; Ray Ambrose; Jason Gordon

I. PRESENTATIONS

II. PUBLIC SAFETY COMMITTEE AGENDA

1. Motion approving beer and liquor license applications

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

Ward 1

Dollar General Store #2913 (Dolgencorp LLC) - 2217 Rockingham Rd - License Type: C Beer + B Wine

Jimmie O's Saloon (Oldham Enterprises LLC) - 2735 Telegraph Rd - License Type: C Liquor

Ward 2

Dollar General Store #4010 (Dolgencorp LLC) - 3936 N Pine St - License Type: C Beer + B Wine

Rudy's Tacos (Majec Incorporated) - 3502 W Kimberly Rd Ste. 1 - License Type: C Liquor

Ward 3

Hotel Blackhawk (Innkeeper Hospitality Services LLC) - Outdoor Area - License Type: B Liquor + B Wine

The New Wooden Nickel (The New Wooden Nickel Inc) - 2042 W 3rd St - License Type: C Liquor

Ward 4

Hilltop Grocery (Hilltop Grocery LLC) - 1312 Harrison St - License Type: E Liquor

Ward 5

Aldi #15 (Aldi Inc) - 1702 Brady St - License Type: C Beer + B Wine

Bleyart's Tap (Bleyart's Tap Inc) - 2218 E 11th St - Outdoor Area - License Type: C Liquor

Ward 6

Dollar General Store #254 (Dolgencorp LLC) - 2170 E Kimberly Rd - License Type: C Beer + B Wine

The Golden Leaf (Golden Leaf Banquet & Convention Center Inc) - 2902 E Kimberly Rd Ste 1 - License Type: C Liquor

Rudy's Tacos (CME 1066 Inc) - 3944 Elmore Ave - License Type: C Liquor

Ward 7

Brady Oil (Brady Oil LLC) - 3205 N Brady St - License Type: C Beer

Chuck E Cheese's (CEC Entertainment Inc) - 903 E Kimberly Rd - License Type: B Beer

Dollar General Store #9381 (Dolgencorp LLC) - 109 E 50th St - License Type: C Beer + B Wine

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

2. Motion approving noise variance request(s) for various events on the listed dates at the listed times. **COMMITTEE ACTION ONLY**

III. ANY OTHER BUSINESS

PUBLIC WORKS COMMITTEE

MEMBERS: Ray Ambrose, Chairman; Rick Dunn, Vice Chairman; Jason Gordon; Jeff Justin; Gene Meeker

I. PRESENTATIONS

II. PUBLIC WORKS COMMITTEE AGENDA

1. First Consideration: Ordinance amending Chapter 15.16 The National Electrical Code, Title 15 of the Davenport Municipal Code. *[ALL WARDS]*
2. Resolution of Acceptance for the Credit Island American Discovery / Mississippi River Trails Recreational Bridge CIP Project #01817. *[WARD 1]*
3. Resolution approving the contract for the Birchwood Area Relief Sanitary Sewer Design to HDR Engineering, Inc. in the amount not to exceed \$74,480, CIP Project #01905. *[ALL WARDS]*
4. Resolution approving the plans, specifications, forms of contract and estimated cost for Street Micro-Surfacing, FY2015 CIP Project #10550. *[ALL WARDS]*
5. Resolution for city council to approve a public hearing for the City of Davenport to grant a Railroad Roll & Hold Easement to SIR Properties Trust. *[Ward 8]*
6. Resolution approving Change Order #9 to Langman Construction in the amount of \$1,761,000 for the EICC Transload Facility Construction, CIP Project #10325. *[WARD 8]*

III. ANY OTHER BUSINESS

FINANCE COMMITTEE

MEMBERS: Jeff Justin, Chairman; Bill Edmond, Vice Chairman; Barney Barnhill, Bill Boom, Rick Dunn

I. PRESENTATIONS

1. Presentation of Government Finance Officers Association Awards:
 1. Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2013
 2. Distinguished Budget Presentation Award for the Operating and Capital Improvement Budgets for Fiscal Year 2015

II. FINANCE COMMITTEE AGENDA

1. Resolution authorizing participation in the Municipalities Continuing Disclosure Cooperation Initiative.
2. Resolution authorizing adoption of policies and procedures regarding municipal securities disclosure.
3. Motion approving the sole source purchase of of nine (9) No Smoke Diesel Exhaust

Removal Systems to Ward Diesel Filter Systems of Elmira, NY in the amount of \$78,651.54

III. ANY OTHER BUSINESS

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

1. BWF Tree Farm & Nursery, Inc. - Trees and plantings for Veterans Memorial Parkway - Amount: \$22,979

Little Construction - Sidewalk and curbs at Annie Wittenmyer Complex - Amount: \$21,778

IX. Reconvene Committee of the Whole

X. Other Ordinances, Resolutions and Motions

XI. Approval of Discussion and Consent Agenda

XII. Public with Business

XIII. Adjourn

City of Davenport

Committee: Council
Department:
Contact Info:
Wards:

Action / Date

Subject:
Ald. Matson

Relationship to Goals:

Background:

City of Davenport

Committee: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 2nd

Action / Date
CD11/19/2014

Subject:

Public hearing for the ordinance for Case No. REZ14-12 being a rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office (Genesis Health System, petitioner). [2nd]

Relationship to Goals:

Goal No. 2 – Added emphasis on economic development.

Background:

Genesis Health System is proposing to rezone 3.09 acres from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District to facilitate the development of the property as medical office. The request includes a portion of the Grace Brethren Church of Davenport, which would accommodate a portion of the building and area for parking.

The "PDD" zoned portion of the property was rezoned in 2012 to allow, in part, the development of the Dutrac Credit Union. This portion of the property is included in the rezoning request because the petitioner is seeking to modify the configuration of the adopted Land Use Plan and one condition of the 2012 Ordinance as follows:

1. The building would be setback further from the residences to the north property line (Land Use Plan);
2. The parking area would be located closer to the residences to the north (Land Use Plan);
3. The vehicular cross access between and the bank and the proposed development would be eliminated (Land Use Plan); and
4. Some or all of the trees within the front yard buffer would be removed (2012 Ordinance).

The proposed Land Use Plan depicts a 20,000 square foot building footprint (2-3 stories) with 193 parking spaces. Staff recommended that vehicular cross access between and the bank and the proposed development be included in the Plan and Zoning Commission recommendation for approval. Cross access would allow bank traffic to directly access North Elsie Avenue, which is signalized at West Kimberly Road. This would reduce commercial traffic into the adjacent residentially zoned properties to the north because bank traffic seeking to travel eastbound on West Kimberly Road would no longer need to travel through the neighborhood to access the Hillandale Road/West Kimberly Road signalized intersection. Additionally, cross access would reduce medical office right turning movements onto North Elsie Avenue from West Kimberly Road. Staff concedes that the 2012 rezoning did not provide direct access to North Elsie Avenue, however, the project was also much smaller in scale.

The Plan and Zoning Commission voted to not include it in its recommendation. For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
Backup Material	REZ14-12 Plan and Zoning Commission Letter
Backup Material	REZ14-12 Plan and Zoning Commission Vote Record
Backup Material	REZ14-12 Plan and Zoning Commission Final Staff Report
Backup Material	REZ14-12 Plan and Zoning Commission Hearing Notice
Backup Material	REZ14-12 Protest Table
Backup Material	REZ14-12 Protest Letter
Backup Material	REZ14-12 Neighborhood Meeting Invitation and Attendance List
Backup Material	REZ14-12 Legal Ad

November 5, 2014

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of November 4, 2014, the City Plan and Zoning Commission considered Case REZ14-12 being the rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office.

1. The proposed use of the property would reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.
2. The proposed use of the property would serve as transition between the more intense commercial development and roadway corridor to south and the residential properties to the north; and
3. The proposed use of the property would be consistent with the *Davenport 2025: Comprehensive Plan for the City*, which designates the subject property as "Residential General".

The City Plan and Zoning Commission forward Case No. REZ14-12 to the City Council with a recommendation for approval subject to the following conditions:

1. That the proposed use of the property be limited to a medical office and ancillary medical uses;
2. That the development of the property be in general accordance with the adopted Land Use Plan;
3. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That a final plat for the reconfiguration of the property be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
5. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
6. That the parking area adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport achieve consistency with the required 25 foot setback or a hardship variance be obtained to reduce this setback;
7. That the building achieve consistency with required additional setback for buildings over 25 feet in height or a hardship variance be obtained to reduce this setback
8. That a dedicated pedestrian sidewalk be provided from the West Kimberly Road sidewalk to the entrance of the proposed building;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent residential properties to west, north and east;
10. That a three foot high berm be constructed within a 30 foot wide landscape buffer along the north line adjacent to the residences; and
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north.

Respectfully submitted,

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

Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	DENIED	APPROVED	APPROVED	APPROVED	TABLED		
Name:	Roll Call	REZ14-12 Cond#7 Bldg setback	REZ14-12 Cond#12 X-access	REZ14-12 As Amended	FDP14-06 Blackhawk Hills Terrace Ridge	FDP14-07 Bankland 4319 E 53rd St	ROW14-07 Kwik Trip 1225 E Kimberly		
Cartee	A								
Connell	P	Y	N	Y	Y	Y	Y		
D'Autremont	P	Y	Y	Y	Y	Y	Y		
Elgatian	EX	N	N	Y	Y	Y	Y		
Gere	P	Y	N	Y	Y	AB	Y		
Inghram	P								
Kelling	P								
Lammers	P	Y	N	Y	Y	Y	Y		
Martin	P	Y	N	Y	Y	Y	Y		
Martinez	P	Y	Y	Y	Y	Y	Y		
Tallman	P	Y	Y	Y	Y	Y	Y		
		8-YES 0-NO 0-ABSTAIN	3-YES 5-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	7-YES 0-NO 1-ABSTAIN	8-YES 0-NO 0-ABSTAIN		



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: November 4, 2014

Request: from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District.

Location: Northeast corner of North Elsie Avenue and West Kimberly Road.

Case No.: Case No. REZ14-12

Applicant: Genesis Health System, contract purchasers.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. REZ14-12 to the City Council with a recommendation for approval subject to the conditions listed in this report.

Introduction:

Case No. REZ14-12: Petition of Genesis Health System, contract purchasers, for a rezoning of 3.09 acres, more or less of real property from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office.

AREA CHARACTERISTICS:

Zoning Map



Legend for Zoning Map:

- Subject Property (hatched)
- R-3 Moderate Density Dwelling District (yellow)
- R-3PUD MDDO Planned Unit Development (orange)
- R-3PUD MDDO Planned Unit Development (orange)
- R-3M Medium Density Dwelling District (brown)
- C-1 Neighborhood Shopping District (red)
- PDD Planned Development District (purple)
- M-1 Light Industrial District (blue)

Davenport 2025 Proposed Land Use Map



Legend for Davenport 2025 Proposed Land Use Map:

- Subject Property (hatched)
- RL - Residential Limited (yellow)
- RG - Residential General (light yellow)
- CR - Commercial Retail (red)

Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation:

Residential General (RG) designates mixed-use neighborhoods that mostly residential, but include, or within one-half mile (walking distance) of scattered neighborhood-compatible services, as well as other neighborhood uses like schools, churches, corner stores, etc. Neighborhoods are typically designated as a whole. Davenport 2025 encourages the creation of neighborhood planning documents to guide development appropriate for each neighborhood.

It is staff's opinion that the proposed use would be consistent with the Residential General Designation.

Relevant Goals to be considered in this Case: Goal No. 1 - Strengthen the existing built environment. Objective b. – *Reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.*

Technical Review:

Streets.

The subject property is located at the northeast corner of North Elsie Avenue and West Kimberly Road. Access to the property would be via North Elsie Avenue and the constructed right in/right out West Kimberly Road driveway adjacent to the Dutrac Credit Union. Davenport Public Works has indicated that right of way would be required during platting in order to maintain an acceptable boulevard space between the roadway and sidewalk and to accommodate a future right turn lane on West Kimberly Road at North Elsie Avenue.

Storm Water.

Storm water management will be required. The proposed development will be required to infiltrate or otherwise retain the 1.25 inch rainfall event volume on its property as well as provide detention for the 100 year fully developed scenario with a five year pre-development discharge rate.

Sanitary Sewer.

Existing sanitary sewer infrastructure is located within close proximity to the proposed building.

Other Utilities.

Electric service is located in close proximity to the subject property.

Emergency Services.

The subject property is located approximately 2.5 miles from the nearest fire station.

Public Input:

Notices were sent to property owners within 200 feet of the request. Staff has received one objection to the request, however, the reason for the objection was not articulated. The petitioner held a neighborhood meeting on October 9, 2014. Four neighboring residents attended the meeting and appeared to be in favor of the request.

Discussion:

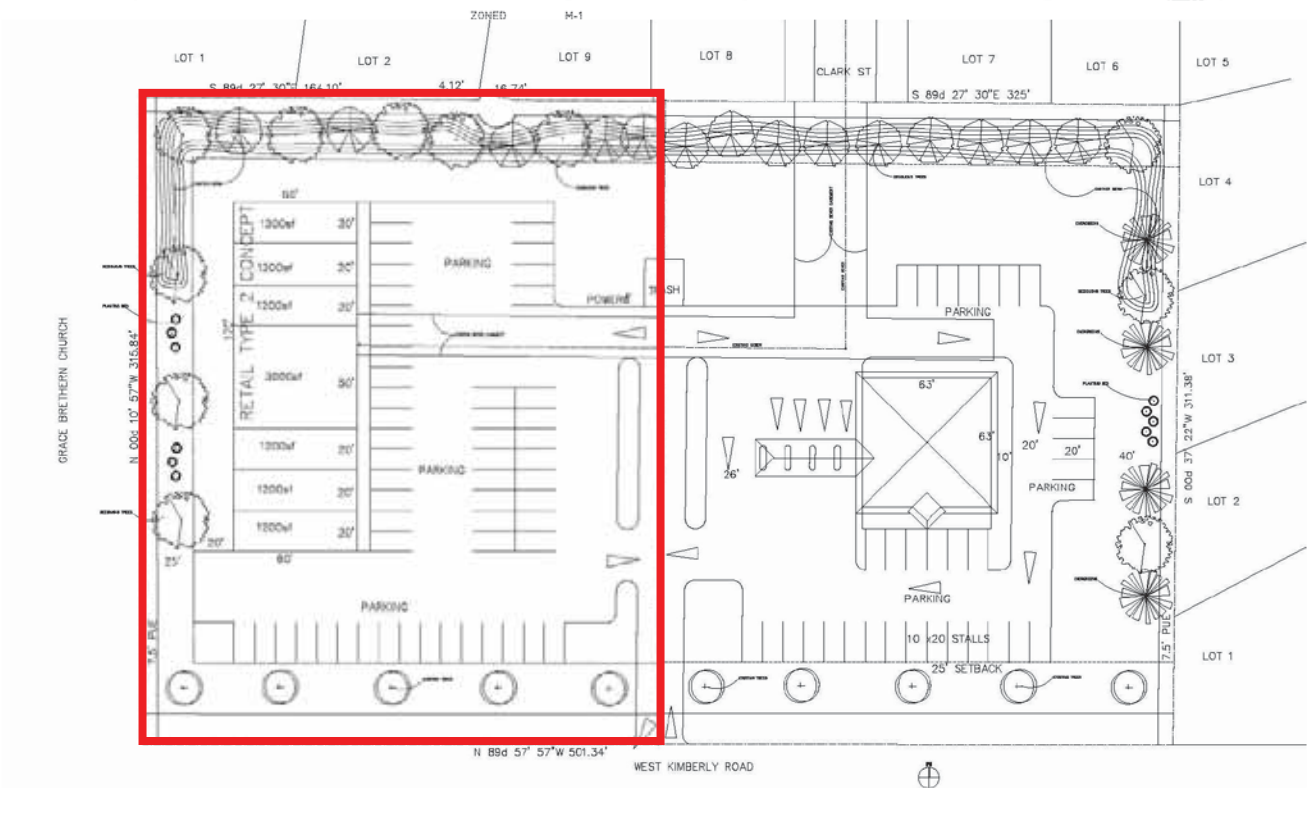
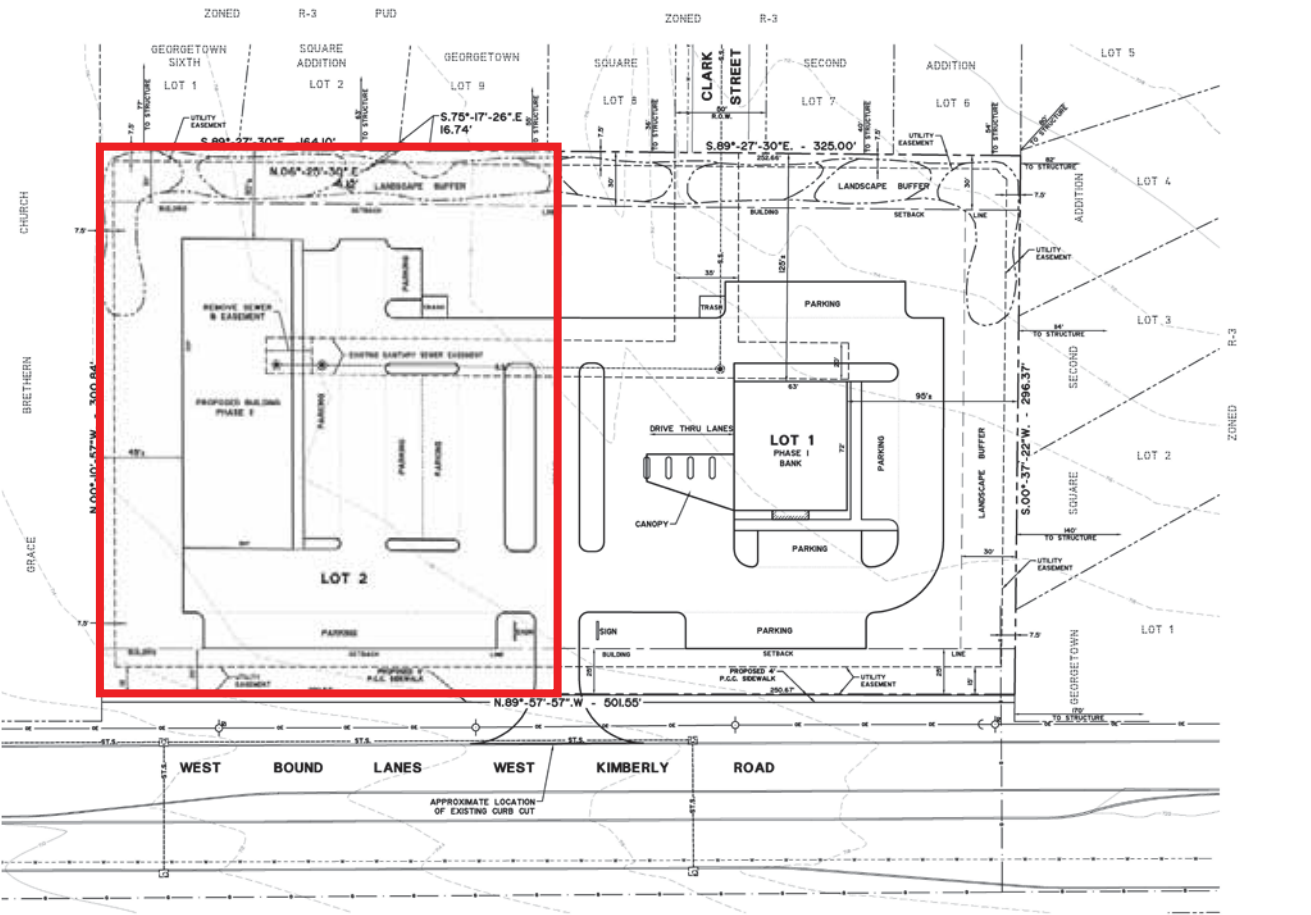
Genesis Health System is proposing to rezone 3.09 acres from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District to facilitate the development of the property as medical office. The request includes a portion of the Grace Brethren Church of Davenport, which would accommodate a portion of the building and area for parking.

The “PDD” zoned portion of the property was rezoned in 2012 to allow, in part, the development of the Dutrac Credit Union.

The Ordinance conditions associated with that rezoning include:

1. That the development of the property be in general accordance with the adopted Land Use Plan;
2. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
3. That a final plat for the reconfiguration of the property into lots 1 and 2 be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
5. That the property be limited to a single vehicular access to West Kimberly Road and that a deceleration or right turn lane be constructed at this entrance along with the dedication of sufficient right of way as needed for this lane;
6. That the following uses be prohibited because they would be incompatible with the surrounding residential neighborhood: convenience stores, gasoline stations, public garages, automobile sales, taverns, brew pubs, night clubs and beer and wine gardens (where more than half of the gross income is derived from the sale of alcoholic beverages), the sale of alcoholic beverages for off-premise consumption, drive through restaurants, hotels and motels and warehouse facilities;
7. That there be no vehicular access to Clark Court;
8. That one of the Clark Court sidewalks be extended onto the subject property and that dedicated pedestrian access be provided to the development;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent properties to west, north and east.
10. That a three foot high landscape berm be constructed along the north and east property line;
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north and east. Landscaping above minimum ordinance requirements may be required; and
12. That the existing trees depicted in the front yard buffer of the approved Land Use Plan remain.

Below are the adopted Land Use Plans associated with this rezoning (Lot 2 is the portion of the property being rezoned):



The proposed Land Use Plan depicts a 20,000 square foot building with 193 parking spaces. The Zoning Ordinance requires five parking spaces for each medical practitioner, which equates to 38 practitioners. The petitioner is seeking to modify the following conditions (and configuration of the adopted Land Use Plan) of the 2012 Ordinance:

1. The building would be setback further from the residences to the north property line;
3. The parking area would be located closer to the residences to the north;
4. The landscape buffer along the north property line would be decreased;
5. The vehicular cross access between and the bank and the proposed development would be eliminated; and
5. Some or all of the trees within the front yard buffer would be removed.

The petitioner stated at the October 14, 2014 Plan and Zoning Commission public hearing that the proposed number of parking spaces is self-imposed based on its analysis of similar facilities. This apparently necessitates a reduction of the landscape buffer adjacent to the residences to the north from 30 to 25 feet. Notably, this 30 foot landscape buffer (with a three foot high berm) and 50 foot parking lot setback was offered when the zoning was changed from residential to commercial in 2012. Additionally, parking is depicted within the 25 foot setback adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport. A hardship variance would need to be obtained to reduce this required setback.

The petitioner also stated at the October 14, 2014 Plan and Zoning Commission public hearing that the vehicular cross access with the bank is not desired. Cross access would allow bank traffic to directly access North Elsie Avenue, which is signalized at West Kimberly Road. This would reduce commercial traffic into the adjacent residentially zoned properties to the north because bank traffic seeking to travel eastbound on West Kimberly Road would no longer need to travel through the neighborhood to access the Hillandale Road/West Kimberly Road signalized intersection. Additionally, cross access would reduce medical office right turning movements onto North Elsie Avenue from West Kimberly Road. Staff concedes that the 2012 rezoning did not provide direct access to North Elsie Avenue, however, the project was also much smaller in scale.

Davenport Public Works has indicated that right of way would be required during platting in order to maintain an acceptable boulevard space between the roadway and sidewalk and to accommodate a future right turn lane on West Kimberly Road at North Elsie Avenue.

The proposed development would be required to infiltrate or otherwise retain the 1.25 inch rainfall event volume on its property as well as provide detention for the 100 year fully developed scenario with a five year pre-development discharge rate.

Staff Recommendation:

Staff Findings:

1. The proposed use of the property would reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.
2. The proposed use of the property would serve as transition between the more intense commercial development and roadway corridor to south and the residential properties to the north; and
3. The proposed use of the property would be consistent with the *Davenport 2025: Comprehensive Plan for the City*, which designates the subject property as "Residential General".

Staff recommends the City Plan and Zoning Commission forward Case No. **REZ14-12** to the City Council for approval subject to the following conditions:

1. That the proposed use of the property be limited to a medical office and ancillary medical uses;
2. That the development of the property be in general accordance with the adopted Land Use Plan;
3. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That a final plat for the reconfiguration of the property be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
5. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
6. That the parking area adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport achieve consistency with the required 25 foot setback or a hardship variance be obtained to reduce this setback;
7. That the building achieve consistency with required additional setback for buildings over 25 feet in height or a hardship variance be obtained to reduce this setback
8. That a dedicated pedestrian sidewalk be provided from the West Kimberly Road sidewalk to the entrance of the proposed building;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent residential properties to west, north and east;
10. That a three foot high berm be constructed within a 30 foot wide landscape buffer along the north line adjacent to the residences;
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north; and
12. That there be a vehicular connection with the adjacent property to east, which would allow cross access between the two properties.*

*Note – Staff inadvertently left this condition off the staff report. Staff recommended this condition at the November 4, 2014 Plan and Zoning Commission meeting.

Prepared by:

A handwritten signature in blue ink, appearing to read 'Ryan Rusnak', with a stylized flourish at the end.

Ryan Rusnak, AICP
Planner II

Attachments:
Aerial Photo
Proposed Land Use Plan



 Subject Property

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – October 14, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ14-12: Petition of Genesis Health System, contract purchasers, for a rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday October 14, 2014** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will then consider (vote on) the petition at its regular meeting on Tuesday, November 4, 2014. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please contact us as indicated below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing. Written comments mailed be mailed or emailed.

Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose (circle one)** Petition Genesis Health System (REZ14-12)

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



Davenport.265.1.REZ12-03_-_Protest_Table.xls

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
P1309-06A	20056.39	3.7%	YES	3.7%	210 E 37TH ST	LISA A RICHARDS	210 E 37TH ST	DAVENPORT IA 52806
P1412-27	21654.95	4.0%	YES	4.0%	3815 FAIR AV	MILDRED ALLISON	3815 FAIR AV	DAVENPORT IA 52806
P1412-23	17439.96	3.2%	YES	3.2%	108 E 37TH ST	GLADYS J CONNER	108 E 37TH ST	DAVENPORT IA 52806
P1412-06C	726.25	0.1%		0.0%		CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801
P1412-06A	9735.81	1.8%	YES	1.8%		GLENN W ABERNATHY	CAROLE A ABERNATHY	3810 FAIR AV
P1412-33	12483.19	2.3%	YES	2.3%		GLENN W ABERNATHY	CAROLE A ABERNATHY	3810 FAIR AV
P1309-05A	17955.26	3.3%		0.0%	222 E 37TH ST	RANDALL E DUNAWAY	222 E 37TH ST	DAVENPORT IA 52806
P1412-26	21577.41	4.0%	YES	4.0%	3805 FAIR AV	GEORGE F HENDLEY	JEAN M HENDLEY	3805 FAIR AV
P1412-07B	686.66	0.1%	YES	0.1%	3730 FAIR AV	CAROLYN & MARJORIE MILLER	MARJORIE BROWNSTEIN	
P1412-25	20000.24	3.7%	YES	3.7%	3731 FAIR AV	GARY L MILLER	3731 FAIR AV	DAVENPORT IA 52806
P1309-02A	182226.23	33.4%		0.0%	3808 BRADY ST	CO-VENTURE DEVELOPMENT	1825 3RD AV	ROCK ISLAND IL 61201
P1412-24	25673.92	4.7%	YES	4.7%	3721 FAIR AV	KERNEL KING	3721 FAIR AV	DAVENPORT IA 52806
P1412-03B	25099.4	4.6%		0.0%	101 W KIMBERLY RD	CAR LEE IA LEX LLC	8270 GREENSBORO DR STE 950	MC LEAN VA 22102
PARCELS	375,315.7	68.9%						
ROW	169,579.0	31.1%						Alderman: Barnhil
TOTAL								
NOTICE AREA	544,894.7	100%		27.4%	PROTEST RATE	Protests: 9		Properties: 13

FID	FID_200_fo	Id	BufferDist	FID_Notifi	Parcel	Address	Occupancy	Frontage	Depth
0		0 0	200	0	P1309-06A	210 E 37TH ST	SINGLE FAMILY	100	201
1		0 0	200	1	P1412-27	3815 FAIR AV	SINGLE FAMILY	100	215
2		0 0	200	2	P1412-23	108 E 37TH ST	SINGLE FAMILY	130.9	215
3		0 0	200	3	P1412-06C		NON-RESIDENTIAL	0	0
4		0 0	200	4	P1412-06A			0	0
5		0 0	200	5	P1412-33			0	0
6		0 0	200	6	P1309-05A	222 E 37TH ST	SINGLE FAMILY	100	200
7		0 0	200	8	P1412-26	3805 FAIR AV	SINGLE FAMILY	100	215
8		0 0	200	9	P1412-07B	3730 FAIR AV	SINGLE FAMILY	100	400
9		0 0	200	10	P1412-25	3731 FAIR AV	SINGLE FAMILY	100	215
10		0 0	200	11	P1309-02A	3808 BRADY ST	NON-RESIDENTIAL	0	0
11		0 0	200	12	P1412-24	3721 FAIR AV	SINGLE FAMILY	130	215
12		0 0	200	13	P1412-03B	101 W KIMBERLY RD	NON-RESIDENTIAL	0	0

Deed1_Name	Deed1_Addr	Deed1_CSZ	Deed2_Nai	Deed2_Ad	Deed2_CS	Deed_Date
LISA A RICHARDS	210 E 37TH ST	DAVENPORT IA 52806			DAVENPO	7-0109
MILDRED ALLISON	3815 FAIR AV	DAVENPORT IA 52806			DAVENPO	Feb-89
GLADYS J CONNER	108 E 37TH ST	DAVENPORT IA 52806			DAVENPO	6-0210
CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801			DAVENPO	8-0580
GLENN W ABERNATHY	3810 FAIR AV	DAVENPORT IA 52806	CAROLE A		DAVENPO	Mar-02
GLENN W ABERNATHY	3810 FAIR AV	DAVENPORT IA 52806	CAROLE A	3810 FAIR	DAVENPO	1-0488
RANDALL E DUNAWAY	222 E 37TH ST	DAVENPORT IA 52806			DAVENPO	6-0605
GEORGE F HENDLEY	3805 FAIR AV	DAVENPORT IA 52806	JEAN M HI	3805 FAIR	DAVENPO	Sep-97
CAROLYN & MARJORIE MILLEF			MARJORIE	4170 N MA		6-1611
GARY L MILLER	3731 FAIR AV	DAVENPORT IA 52806			DAVENPO	Sep-11
CO-VENTURE DEVELOPMENT	1825 3RD AV	ROCK ISLAND IL 61201			ROCK ISL/	Jan-96
KERNEL KING	3721 FAIR AV	DAVENPORT IA 52806	AND WIFE		DAVENPO	2-1377
CAR LEE IA LEX LLC	8270 GREENSBORO DR STE 950	MC LEAN VA 22102			MC LEAN `	1-1107

Cont1_Nan	Cont1_Add	Cont1_CSz	Subdivison	Lot	Block	Yr_Built	Rental	Class	Land_Valu	Building_V	Total_Valu
					0	0	1930 N	R	47440	146110	193550
					0	0	1952 N	R	37340	138120	175460
					0	0	1950 N	R	66420	78950	145370
			WEST VIE'		2	0	0 N	E	400	0	400
			WEST VIE'		2	0	1955 N	R	37340	102960	140300
			WEST VIE'		4	0	0	R	5390	0	5390
					0	0	1957 Y	R	47200	72790	119990
					0	0	1952 N	R	37340	119330	156670
			WEST VIE'		1	0	1956 N	R	39510	116040	155550
					0	0	1950 N	R	37340	93800	131140
			DEUTSCH'		2	0	0 N	C	1731500	2738100	4469600
					0	0	1950 N	R	48530	108440	156970
					0	0	0 N	C	1718200	3061000	4779200

Area

20056.39
21654.95
17439.96
726.25
9735.81
12483.19
17955.26
21577.41
686.66
20000.24
182226.2
25673.92
25099.4

(detach here)

The undersigned opposes does not oppose (circle one) Petition Genesis Health System (REZ14-12)

Comments: _____

CITY OF DAVENPORT
Community Planning & Economic Dev

OCT 10 2014

225 W 4th St
DAVENPORT IA 52801

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME THAO NGUYEN
ADDRESS 3211 WEST 40th. Davenport
DATE 10/09/14
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Joe R. Lane (1858-1931)
Charles M. Waterman (1847-1924)
C. Dana Waterman III
David A. Dettmann*
Terry M. Giebelstein*
Rand S. Wonio
Curtis E. Beason
Robert V. P. Waterman, Jr.*
R. Scott Van Vooren*
Richard A. Davidson*
Michael P. Byrne*
Edmund H. Carroll*
Theodore F. Olt III*
Jeffrey B. Lang*
Judith L. Herrmann*
Robert B. McMonagle*
Christopher J. Curran*
Joseph C. Judge*
Jason J. O'Rourke*
Troy A. Howell*
Diane M. Reinsch*
Catherine E. E. Hult*
Mikkie R. Schiltz*
Diane E. Puthoff*
Wendy S. Meyer*
Ian J. Russell*
Benjamin J. Patterson*
Douglas R. Lindstrom, Jr.*
Rian D. Waterman*

**LANE
& WATERMAN** LLP
ATTORNEYS AT LAW SINCE 1854
IOWA & ILLINOIS

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Davenport, Iowa 52801-1987
Telephone (563) 324-3246
Fax (563) 324-1616

Writer's Direct Dial: (563) 333-6641
E-Mail Address: tol@l-wlaw.com
www.L-WLaw.com

October 2, 2014

Abbey C. Furlong*
Samuel J. Skorepa*
Kurt P. Spurgeon*
Joshua J. McIntyre*
Brett R. Marshall*
Kelsey A. W. Marquard*
Kyle R. Day*
Andrea D. Mason*
James W. White

Registered Patent Attorney
April A. Price*

Of Counsel
Robert A. Van Vooren*
Thomas N. Kamp
William C. Davidson*
Charles E. Miller*
James A. Mezvinsky
Peter J. Benson*
Michael L. Noyes
Jeffrey W. Paul*

*Also Admitted in Illinois

Illinois Office
3551 7th Street, Suite 110
Moline, IL 61265

John T. & Billie L. Lawson Trust
3218 W. 40th Street
Davenport, Iowa 52806

**Re: Rezoning and Development Plan for Vacant Property Located at the
Northeast Corner of West Kimberly Road and North Elsie Avenue,
Davenport, Iowa**

To Whom it May Concern:

Genesis Health System has filed an application with the City of Davenport requesting the rezoning of the above-referenced property to PDD, and approval of a Development Plan for the Property. As a property owner within 200 feet of the subject property and pursuant to City of Davenport regulations, you are being notified of an information and neighbor comment meeting to be held as follows:

Date: October 9, 2014
Time: 6:30 p.m.
Location: Davenport Public Library- Fairmont Branch
3000 N. Fairmont Street
Davenport, Iowa

Very truly yours,

LANE & WATERMAN LLP

By


T. F. Olt III

Cc (via e-mail) Genesis Health System
Alderman Bill Edmond/Alderman Gene Meeker/Alderman Jason Gordon
Ryan Rusnak, City of Davenport

6:30 - 6:50

Neighborhood Meeting Attendance List

Case: R0214-06

Date: 10/9/14

Name	Address	Phone	Email
1 Jack & Connie Ackerman	3937 Clark Ct.	563-676-5198	Jack Ackerman@outlook.com
2 Dan & Pam Bailey	3015 W. 46 TH	563-210-0080	Dpaulbailey@yahoo.com
3			
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TO BE PUBLISHED IN THE NOVEMBER 12, 2014 EDITION OF THE QUAD CITY TIMES,
HAVING THE NOTICE BILLED TO PO# 1507203 AND RECEIVING THE PROOF OF
PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

There is on file in the Community Planning and Economic Development Department of the City of Davenport, the following petition:

Case No. REZ14-12: Petition of Genesis Health System, contract purchasers, for a rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office.

The property has the following legal description:

Lot 2 of Harmsen's Second Addition to the City of Davenport, Iowa together with the following described parcel:

Lot 9 and part of Lots 10 and 11 in Georgetown Square Replat 2 and part of the Northwest Quarter of Section 16, Township 78 North, Range 3 East of the 5th Principal Meridian, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows;

Beginning at the at the southwest corner of Lot 2 in Harmsen's Second Addition to the City of Davenport, Iowa; thence South 87 degrees 41 minutes 06 seconds West along the north right of way line of West Kimberly Road, a distance of 214.73 feet to the easterly right of way line of North Elsie Avenue; thence northwesterly 79.15 feet along said easterly right of way line and the arc of a curve to the right having a radius of 50.00 feet, a chord bearing of North 46 degrees 57 minutes 47 seconds West, and a chord distance of 71.14 feet; thence North 02 degrees 00 minutes 49 seconds West along said easterly right of way line, a distance of 13.91 feet; thence northerly 90.50 feet along said easterly right of way line and the arc of a curve to the left, having a radius of 990.04 feet, a chord bearing of North 05 degrees 02 minutes 05 seconds West, and a chord distance of 90.47 feet to the southerly line of said Lot 9; thence South 82 degrees 20 minutes 47 seconds West along said southerly line, a distance of 5.00 feet to the westerly line of said Lot 9; thence northerly 68.98 feet along said westerly line and the arc of a curve to the left, not tangent to the last described course, having a radius of 985.04 feet, a chord bearing of North 09 degrees 39 minutes 35 seconds West, and a chord distance of 68.96 feet to the northerly line of said Lot 9; thence North 81 degrees 58 minutes 12 seconds East along said northerly line, a distance of 124.15 feet to the east line of said Lot 9; thence South 02 degrees 23 minutes 37 seconds East along said east line, a distance of 14.44 feet; thence North 87 degrees 29 minutes 54 seconds East, a distance of 158.46 feet to the west line of said Lot 2 in Harmsen's Second Addition; thence South 02 degrees 30 minutes 06 seconds East along said west line, a distance of 221.26 feet to the Point of Beginning. the above described parcel contains 59,870 square feet or 1.37 acres, more or less as shown by the attached Plat of Survey.

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

Said tract contains 3.09 acres, more or less.

The City Plan and Zoning Commission recommended approval of the request at its October 14, 2014 meeting subject to the following conditions:

1. That the proposed use of the property be limited to a medical office and ancillary medical uses;
2. That the development of the property be in general accordance with the adopted Land Use Plan;
3. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That a final plat for the reconfiguration of the property be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
5. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
6. That the parking area adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport achieve consistency with the required 25 foot setback or a hardship variance be obtained to reduce this setback;
7. That the building achieve consistency with required additional setback for buildings over 25 feet in height or a hardship variance be obtained to reduce this setback
8. That a dedicated pedestrian sidewalk be provided from the West Kimberly Road sidewalk to the entrance of the proposed building;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent residential properties to west, north and east;
10. That a three foot high berm be constructed within a 30 foot wide landscape buffer along the north line adjacent to the residences; and
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north.

A public hearing on these ordinances will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, November 14, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances.

Department of Community Planning & Economic Development
Phone: (563) 326-7765
Email: planning@ci.davenport.ia.us

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart (563) 327-5155
Wards: ALL

Action / Date
PW11/19/2014

Subject:

Public hearing to approve the plans, specifications, forms of contract and estimated cost for Street Micro-Surfacing, FY2015 CIP Project #10550. *[ALL WARDS]*

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

The Micro-surfacing Program will maintain asphalt streets throughout the City. It will reduce costly, time consuming rehabilitation and reconstruction projects and the associated traffic disruptions. With timely preservation we can provide the traveling public with improved safety and mobility, reduced congestion, and smoother, longer lasting pavements.

The proposed improvements consist of applying a single pass Micro-surfacing layer over existing hot mix asphalt (HMA) or bituminous seal coat surfaces.

The current estimate is \$405,000.

Notice of Hearing was published in the Quad City Times on November 11th, 2014.

ATTACHMENTS:

Type	Description
Backup Material	Notice of Hearing on Proposed Plans

Notice of Hearing
on Proposed Plans, Specifications and Proposed Contract for the
FY 2015 Micro-Surfacing Program

Notice is hereby given that at 5:30 P.M., on Wednesday, November 19th, 2014, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on the proposed plans, specifications and form of contract which the City Council has caused to be filed with the City Clerk of the City of Davenport, Iowa, and on the cost and necessity of the above project in the City of Davenport, Iowa.

At said hearing, any interested person may file written objection or comments with respect to the proposed plans, specifications, form of contract or cost of and necessity for such improvements and may be heard orally with respect thereto.

Jackie E. Holecek,
Deputy City Clerk

Davenport, Iowa
November 10th, 2014

Publish once November 12, 2014

QUAD-CITY TIMES

City of Davenport

Committee: Council
Department: Office of the Mayor
Contact Info: Kim Hatfield
Wards: All

Action / Date
11/19/2014

Subject:
Proclamation for National Adoption Month

Relationship to Goals:

Background:

City of Davenport

Committee: Communit Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
CD11/5/2014

Subject:

Second Consideration: Ordinance for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from “A-1” Agricultural District to “R-5M PUD” Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the rezoning to develop the last remaining open parcel along Crow Creek Road between Utica Ridge Road and Devils Glen Road. The proposal would facilitate development of a 61-unit, four-story, owner-occupied senior housing cooperative. The remaining property would eventually be developed with attached single family home lots.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
☐ Cover Memo	REZ14-11 Ordinance
☐ Cover Memo	REZ14-11 Background

ORDINANCE NO.

An ORDINANCE for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned. The property has the following legal description:

Part of the Southeast Quarter of Section 8- Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Beginning at the Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision; thence South 02° 30' 26" East 442.02 Feet along the Westerly Line of Coventry Third Addition to the Northerly right-of-way line of Crow Creek Road; thence South 87° 43' 15" West 748.78 Feet along the said Northerly right-of-way line of Crow Creek Road; thence North 02° 16' 44" West 441.81 Feet to the Southerly Line of Utica Corners 2nd Subdivision; thence North 87° 42' 18" East 747.02 Feet along the Southerly Line of Utica Corners 2nd, 6th and 7th Subdivisions to the said Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision and the Westerly Line of Coventry Third Addition and the Point of Beginning. This parcel contains 7.587 acres, more or less. (For the purposes of this description the Westerly Line of Coventry Third Addition is assumed to bear South 02° 30' 26" East).

The City Plan and Zoning Commission accepted the findings and forwards Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

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 _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____



City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7711 TDD: 563-326-6145
www.cityofdavenportiowa.com

October 17, 2014

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of October 14, 2014, the City Plan and Zoning Commission considered Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development for the facilitate a 61- unit, four-story, owner occupied senior housing cooperative in addition to attached single family home lots

I

Findings:

- The proposal utilizes the last undeveloped parcel along this segment of Crow Creek Road.
- The proposal transitions between the more intensive commercial development within Utica Corners and the residential to the south.
- The proposal is in conformance with Davenport 2025: A Comprehensive Plan for the City.

The City Plan and Zoning Commission accepts the findings and forwards Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	REZ14-11 4601 UTICA RIDGE RD (REAR)	F14-12 WELCOME WAY COMM PARK 6TH	ROW14-03 2ND ST ADJ 227 LECLAIRE ST					
Cartee	EX								
Connell	P	Y	Y	Y					
D'Autremont	P	Y	Y	Y					
Elgatian	EX								
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Martin	P	Y	Y	Y					
Martinez	P	Y	Y	Y					
Tallman	P	AB	Y	Y					
		6-YES 0-NO 1-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN					

REZ14-11 protest sheet

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
841707110	7559	1.4%			1211 Crow Creek Rd	Larry R Freiberg	1211 Crow Creek Rd	Bettendorf IA 52722
841707109	7500	1.4%			1217 Crow Creek Rd	Michael C Meggers	1217 Crow Creek Rd	Bettendorf IA 52722
841707108	7500	1.4%			1223 Crow Creek Rd	Jo Anne Snyder Revocable Living Trust	1223 Crow Creek Rd	Bettendorf IA 52722
841707107	7500	1.4%			1229 Crow Creek Rd	Stephen Joseph Moller	1229 Crow Creek Rd	Bettendorf IA 52722
841707106	7500	1.4%	YES	1.4%	1303 Crow Creek Rd	Stephen L Brown	1303 Crow Creek Rd	Bettendorf IA 52722
841707105	7500	1.4%			1309 Crow Creek Rd	Chad J Banda	1309 Crow Creek Rd	Bettendorf IA 52722
841707104	7500	1.4%			1315 Crow Creek Rd	Michael S Smith	1315 Crow Creek Rd	Bettendorf IA 52722
841707103	7500	1.4%	YES	1.4%	1321 Crow Creek Rd	Nelson H Chesney	1321 Crow Creek Rd	Bettendorf IA 52722
841707102	8000	1.5%	YES	1.5%	1327 Crow Creek Rd	Dennis R Stringer	1327 Crow Creek Rd	Bettendorf IA 52722
841707101	8540	1.6%	YES	1.6%	1333 Crow Creek Rd	Charles A Porter Revocable Trust	Mary Ann Porter Revocable	Bettendorf IA 52722
841601101	8350	1.5%			1405 Crow Creek Rd	Kenneth W Froeschle Jr	1405 Crow Creek Rd	Bettendorf IA 52722
841601102	3840	0.7%			1435 Crow Creek Rd	Julie M Myers	1435 Crow Creek Rd	Bettendorf IA 52722
841707821	4760	0.9%			4571 Bunker Hill Dr	Daniel L McElhiney	4571 Bunker Hill Dr	Bettendorf IA 52722
841707820	2380	0.4%	YES	0.4%	4567 Bunker Hill Dr	Kent A Stoefen	4567 Bunker Hill Dr	Bettendorf IA 52722
841707819	2380	0.4%			4559 Bunker Hill Dr	Ryan M Voss	4559 Bunker Hill Dr	Bettendorf IA 52722
841707818	2386	0.4%			4555 Bunker Hill Dr	Sarah L Andich	4555 Bunker Hill Dr	Bettendorf IA 52722
841707800CA		0.0%				Terrace Park Homeowners Assoc		Bettendorf IA 52722
N0949-01	16560	3.1%			4602 Coventry Ct	Jill Tindall	4602 Coventry Ct	Davenport IA 52807
N0949-23	1348	0.2%			4603 Coventry Ct	Karen A Brenat	4603 Coventry Ct	Davenport IA 52807
N0949-02	12680	2.3%			4610 Coventry Ct	Matthew H Moran	4610 Coventry Ct	Davenport IA 52807
N0949-22	875	0.2%	YES	0.2%	4621 Coventry Ct	Kroul Revocable Trust	4621 Coventry Ct	Davenport IA 52807
N0949-03	12690	2.3%			4700 Coventry Ct	Kevin W James	4700 Coventry Ct	Davenport IA 52807
N0949-21	888	0.2%			4707 Coventry Ct	Bryan K Kress	4707 Coventry Ct	Davenport IA 52807
N0949-04	12700	2.3%			4714 Coventry Ct	Gary A Stinson	4714 Coventry Ct	Davenport IA 52807
M0949-20	875	0.2%			4713 Coventry Ct	Ann Marie Clark 2011 Trust	4713 Coventry Ct	Davenport IA 52807
N0949-05	12705	2.3%			4720 Coventry Ct	Kimberly L Vanlanken	4720 Coventry Ct	Davenport IA 52807
N0949-19	636	0.1%			4719 Coventry Ct	John C Thornton	4719 Coventry Ct	Davenport IA 52807
N0949-06	12715	2.3%			4726 Coventry Ct	Ronald L Van Fleet	4726 Coventry Ct	Davenport IA 52807
N0949-07	5938	1.1%			4800 Coventry Ct	Douglas A Pohl	4800 Coventry Ct	Davenport IA 52807
N0855-09D	33133	6.1%				Utica Corner Holding Co	5111 Utica Ridge Rd	Davenport IA 52807
N0855-10D	26766	4.9%				Utica Corner Holding Co	5111 Utica Ridge Rd	Davenport IA 52807
N0855-OLE	2563	0.5%				Utica Corner Holding Co	5111 Utica Ridge Rd	Davenport IA 52807
N0855-02	37074	6.8%			4885 Utica Ridge Rd	Healthplex LLC	606 W 2nd St	Davenport IA 52801
N0855AOLB	42130	7.8%				City of Davenport	1200 E 46th Street	Davenport IA 52807
N0855-01B	88362	16.3%			4601 Utica Ridge Rd	Christ's Family Church	4601 Utica Ridge Rd	
FORMAT ROW	0.00	0.0%						

PARCELS 421,333.9 77.7%
ROW 120,665.5 22.3%

Alderman: Justin

TOTAL
NOTICE AREA 541,999.4 100% **6.5% PROTEST RATE**

Protests: 6

Properties: 34



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: October 14, 2014
Request: Zoning Map Amendment (Rezoning) from A-1 to R-5M PUD
Address: Rear of 4601 Utica Ridge Road
Case No.: REZ14-11
Applicant: Real Estate Equities Homes – Crow Creek Road LLC

INTRODUCTION

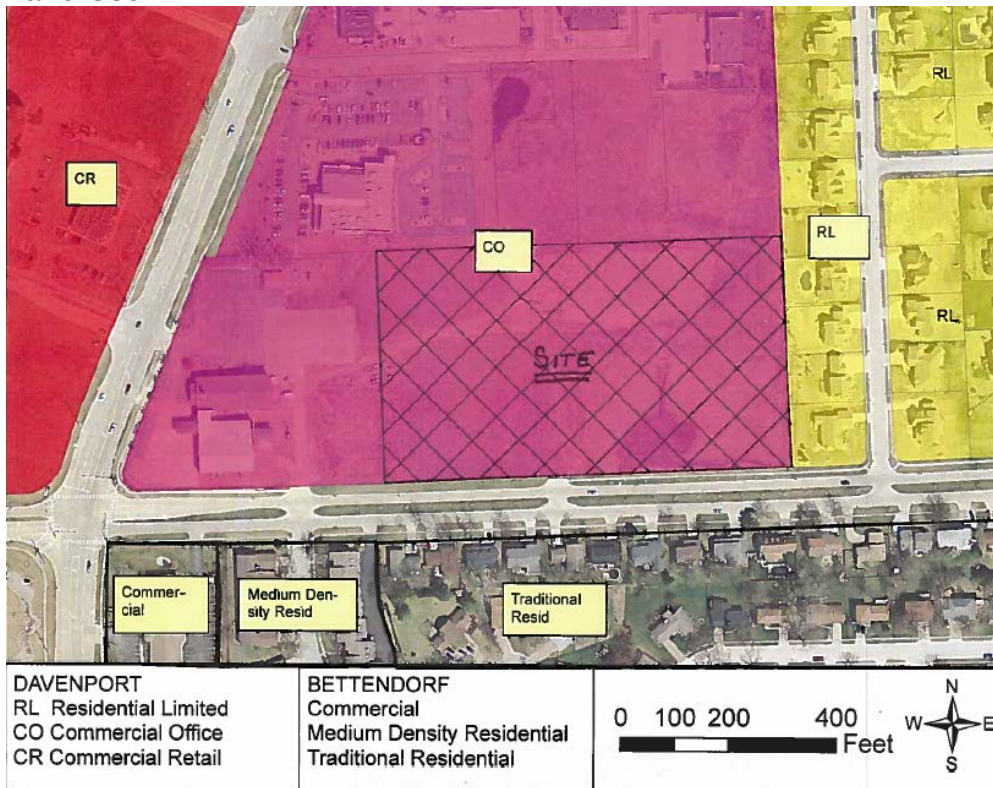
Petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development for the facilitate a 61- unit, four-story, owner occupied senior housing cooperative in addition to attached single family home lots.

Recommendation: Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. REZ14-11 to the City Council for approval subject to the listed conditions.

Zoning



Land Use



Aerial Photo:



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Commercial Office (CO)

Description: *The Commercial Office (CO) category provides for a mixture of commercial uses, generally more office than retail. Retail in the CO can be best described as being of smaller scale and less intensity than Commercial Retail (CR).*

Relevant *Davenport 2025* Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

- **Revitalization**
Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. The subject rezoning area is bounded on the south by Crow Creek Road, a collector street, with a capacity range for average annual daily traffic (AADT) of between 1,000 to 10,000. According to Bi-State Regional Commission the 2010 AADT for this segment of Crow Creek Road is 3310 vehicles per day, approximately one-third (1/3) the road's traffic capacity. Proposed access to the site would be located at the second median crossing east of Utica Ridge Road. Note: AADT is a daily average based on an annual sample. Also this site is the last property along this portion of Crow Creek Road from 18th Street to Utica Ridge Road to be developed, all other parcels are developed. Review of various reports generated for the Institute of Traffic Engineers (ITE) indicate most trips generated by age restricted (55+) housing developments are off peak commuting hours; typically the hours after the morning commute and before the evening commute. The exceptions are those seniors that are still in the work force. Even if the average daily count were doubled it would remain well within the road's capacity. Also the adjacent intersection with Utica Ridge Road is a signalized intersection.

Storm Water. There is existing stormwater infrastructure located in Crow Creek Road that apparently drains to the two detention pond areas. A small detention area is located to the west of the proposed rezoning with the larger detention area located in the south east corner of the area being rezoned. It is the understanding of this staff that the detention ponds were created to mitigate the undersized storm sewers in Bettendorf which did not handle the existing drainage when they were constructed nor did they account for any development north of Crow Creek Road even though that land drained into Bettendorf. The developer is working with both Bettendorf and Davenport in redesigning the detention basin. A copy of that portion of the easement agreement is attached with the segments highlighted indicating the ability to modify the detention basin/easement with approvals from both Bettendorf and Davenport. The developer is proposing to resize the basin keeping the volume detained the same by deepening the basin. According to the developer, the basin was originally sized to accommodate the development to the north as well as development of the subject property. One change in the concept is the straightening of the drive from Crow Creek Road. This accommodates additional area for the detention basin.

Since Bettendorf's design for the detention created a shallow pond a larger area was required than if the pond were deeper. One controlling factor is the outlet. Consider a box 100' x 100' x 1' deep (10,000 cubic feet). Keep the volume the same but make the box 2-feet deep, then the size can be 71' x 71' (71' x 71' x 2' = 10,082 cubic feet).

If the proposed calculations do not allow the complete change proposed an alternative could be to eliminate the two lots along the entrance drive, then less change to the detention area would be needed.

Sanitary Sewer. Sanitary sewer service is located along the north side of Crow Creek Road. This is an eight-inch sanitary line.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 1.7 miles from Fire Station No. 8, which is located at 2802 E. 53rd Street. The closest Bettendorf fire service is approximately 2-miles away.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

An initial meet and greet style meeting was held in March of this year and staff has indicated another neighborhood meeting would be prudent. The official rezoning neighborhood meeting was held September 16th. Approximately five neighbors were in attendance most from the south side of Crow Creek Road. Notices have been sent to the 32 owners of property within the 200 foot notice area. As of this writing six (6) protests have been received and are attached in the background materials. The primary concerns of the protests were storm water detention (addressed above), density and hence traffic generation (addressed above), building height

DISCUSSION

The petitioner has submitted a concept layout for the cooperative building as well as a concept for the single family attached units. The concept has changes slightly from the preview packet: the cul-de-sac is reversed with the bulb to the north as two lots were shifted from the north to the south side of the cul-de-sac.

The developer's primary intent is the development of the cooperative building and not the adjacent single family attached units. They are shown for the concept plan only.

Please note: Site and engineering details are not required until the final development plan phase submittal. A final development plan will be required for the two phases of the development, the cooperative building and site, and the single family (attached) portion.

Parking: The developer will need to apply to the Zoning Board of Adjustment for a Special Exception to reduce the required parking. This is a senior housing cooperative. Like most senior housing the parking required as well as traffic generated is less than typical multi-family developments; think of Jackson Renaissance and Taylor Heights senior housing developments. The developer is proposing a total of 94 parking spaces with 61 spaces provided in a garage underneath the building and an additional 33 spaces in the surface lot. The ordinance requirement is for 122 spaces (2 spaces per unit) with this development supplying 1.3 spaces per unit. The two most recent special exceptions to reduce parking for senior housing, Taylor Heights and Jackson Renaissance were 1.1 and 1.0 spaces per unit respectively. Both these projects are within established single family areas and staff is not aware of any complaints regarding parking from the neighborhoods. The special exception should be done in conjunction with or prior to the development plan.

Traffic generation: (See also discussion under Technical Review-Streets above) According to several studies including the Institute of Traffic Engineers (ITE) the average vehicle trips per day for senior (age restricted) development is about one-half to two-third the rate for single family detached homes. The higher end accounts for those non-resident trips which include but not limited to building and ground maintenance personnel and other visitors. These figures are comparable to regular apartment or condominium developments. The trips generated during peak hours are about one-third the rate for single family detached homes; which accounts for fewer job related trips. There is adequate capacity in this road to accommodate this development, the last available area on Crow Creek Road between Utica Ridge Road and 18th Street.

Building height: For example - the adjacent "PDD" zoning to the north does not limit building height, though increased setbacks would be required for taller buildings. The maximum building setback in PDD would be seventy-five (75) feet for an unlimited building height. The proposed building is four stories with the lower level being parking. If approved, the underlying R-5M zoning would allow for 90 feet in building height. Using an average of between 10 to 12 feet per floor/story, the proposed four (4) story building would be between 40 to 48 feet in height. The proposed building setback is approximately 130 feet from the property line (190 feet from the centerline if the median of Crow Creek Road).

Buffering: Concerns were raised regarding the building height can be mitigated through a planting buffer of both evergreen and deciduous trees. This buffer should be located along the

southern edge of the parking lot for maximum effect. The addition of a low berm which would block any headlight spill over would also increase the height of the planting screen. Screening should also occur between the proposed cul-de-sac and the existing residential to the east. Both planting buffers should be established as soon as possible after the concept plan approval and then protected from construction activity.

Stormwater: (See also discussion under Technical Review-Stormwater above) Any new development would be required to meet our current stormwater ordinance 13.34. Any new development would have to provide infiltration of the 1.25 inch rain event along with detention. These calculations and plans would need to be submitted with the final development plan. On site retention (infiltration) of stormwater also reduces the need for detention and hence the impact on existing detention facilities.

STAFF RECOMMENDATION

Findings:

- The proposal utilizes the last undeveloped parcel along this segment of Crow Creek Road.
- The proposal transitions between the more intensive commercial development within Utica Corners and the residential to the south.
- The proposal is in conformance with Davenport 2025: A Comprehensive Plan for the City.

Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division

Attachments: Hearing notice, mailing list

X:\PLANNING\Plan and Zoning Commission\Cases\REZ14-11

Concept Plan – 61 unit Senior Building



VILLAGE COOPERATIVE OF CROW CREEK

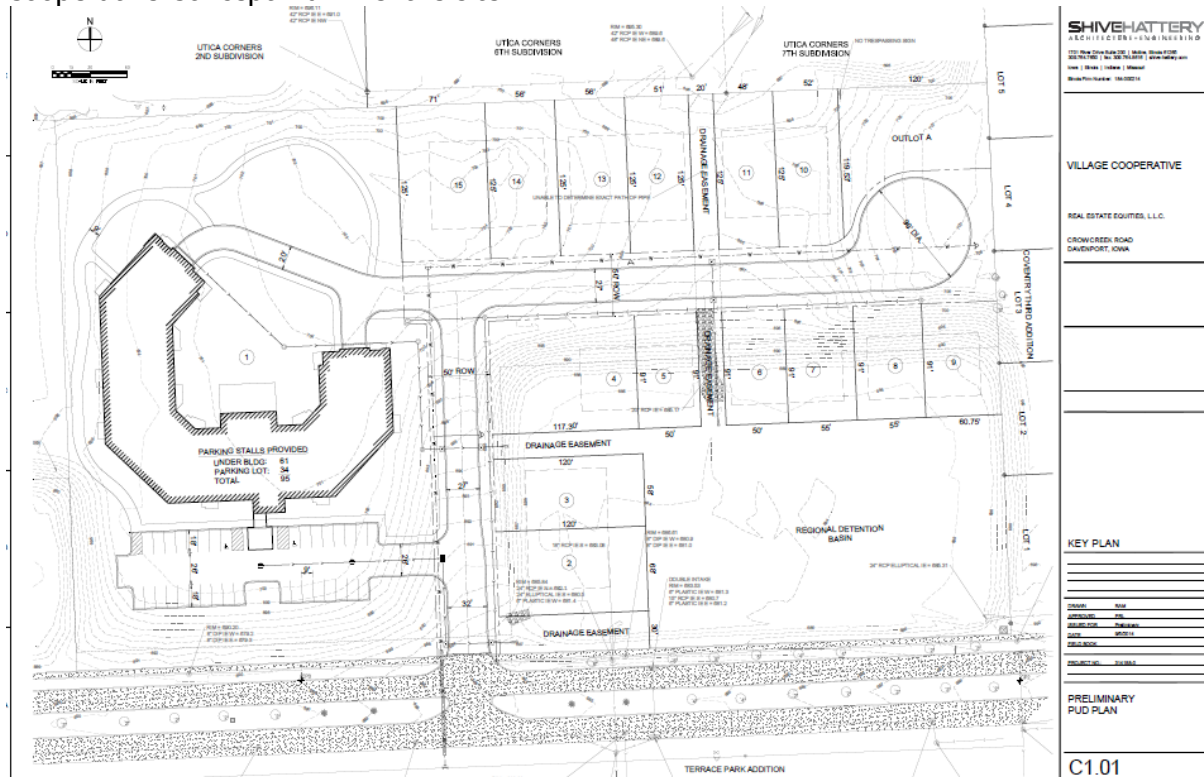
Real Estate Equities Development, LLC



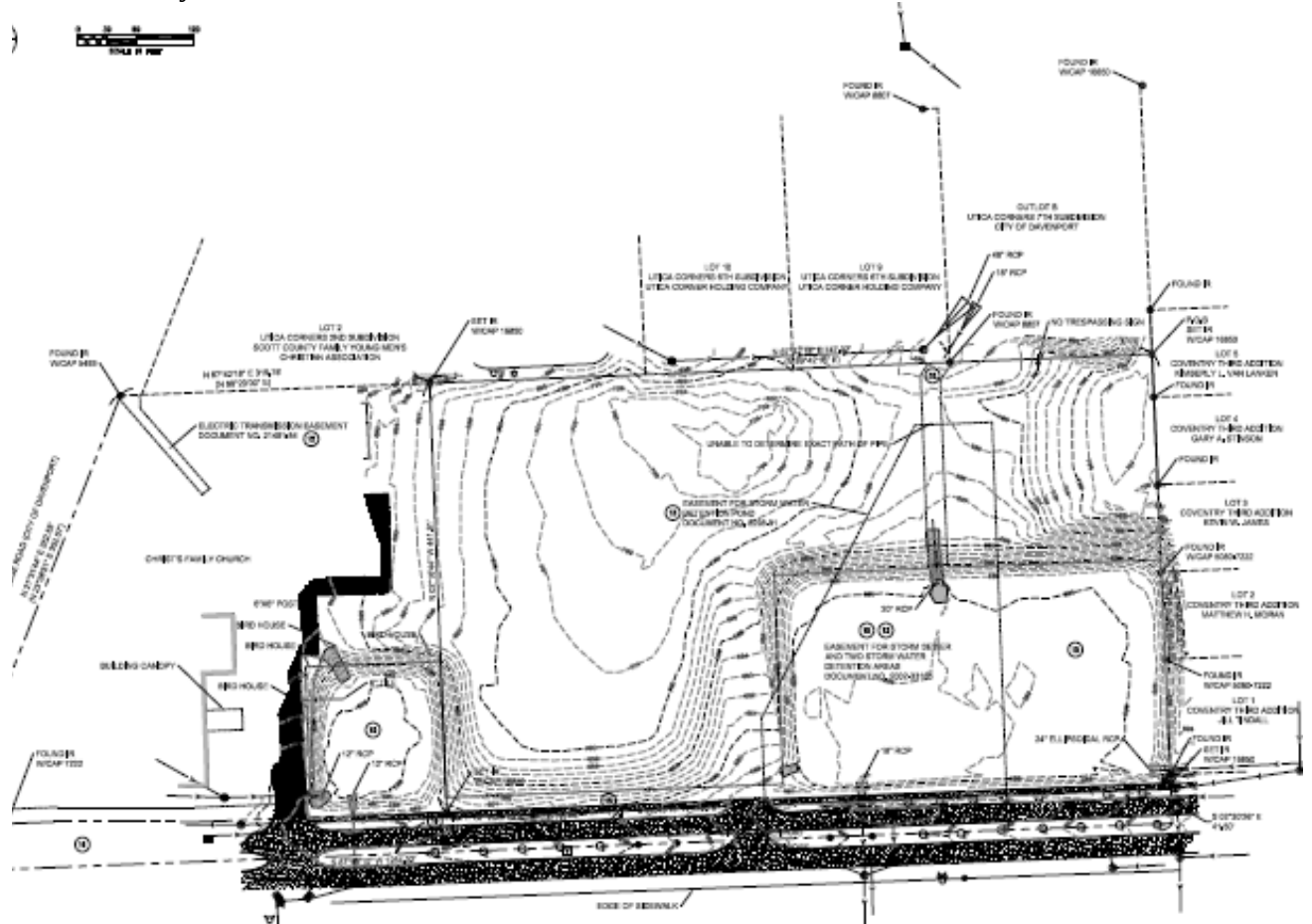
SCHEMATIC SITE PLAN

Prepared by:
SHIVEHATTERY
ARCHITECTURE+ENGINEERING

Cooperative Concept Plan – entire site



ALTA Survey



2002-33185

FEE

\$36.00

E. S. Winters

RECORDER OF DEEDS
SCOTT COUNTY, IOWA

2002 AUG 27 PM 2 32

PREPARER INFORMATION:

Greg Jager, City Hall, 1609 State Street, Bettendorf, Iowa 52722,
telephone 563-344-4000

ADDRESS TAX STATEMENT:

Finance Director, City of Davenport, 226 W. 4th Street, Davenport, Iowa 52801

EASEMENT AGREEMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, Christ's Family Church, Reformed Church in America, does hereby grant, bargain and convey unto the City of Davenport, Iowa, a Municipal Corporation, and the City of Bettendorf, Iowa, a Municipal Corporation, a perpetual easement as described below for the construction and repair of a storm sewer and two storm water detention areas across, through and under the following described tract, and does also grant, bargain and convey the right to maintain, renew, enlarge, extend or reconstruct said drainage facilities within the easement area.

SEE ATTACHED "EXHIBIT A"

It is further understood that Christ's Family Church, Reformed Church in America, agrees to accept storm water from Coventry, L.C. into the storm water detention area to be constructed on the easterly side of land currently owned by Christ's Family Church, Reformed Church in America. Coventry, L.C. will be responsible for all materials and labor for the transportation of storm water from Coventry, L.C. property to the detention area. The two proposed storm water detention areas will meet all future development needs required by Christ's Family Church, Reformed Church in America.

Once the development plans of Christ's Family Church, Reformed Church in America, are known, and with the prior written approval of the cities of Davenport and Bettendorf, Christ's Family Church, Reformed Church in America retains the right to reshape either or both storm water detention areas.

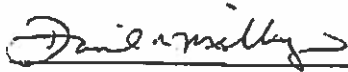
If it is in the best interests of Christ's Family Church, Reformed Church in America, and with the prior written approval of the cities of Davenport and Bettendorf, Christ's Family Church, Reformed Church in America may dedicate the land in either or both storm water detention areas perpetual easements to the cities of Davenport or Bettendorf.

It is agreed by the undersigned not to erect, construct, maintain or allow any permanent structure or building along, on or under said easement without the expressed written permission of the City of Davenport. It is further agreed not to plant or maintain any trees or do any earth work that changes the ground elevation over the two storm water detention areas on or within said easement without the expressed written permission of the City of Davenport and the City of Bettendorf.

This easement and rights herein described shall be binding upon the grantors, their heirs, successors and assigns.

Signed this 14 day of June, 2002.

CHRIST'S FAMILY CHURCH, REFORMED CHURCH IN AMERICA

 (Seal)

Daniel R. Millage
Print Name: DEACON
Title: _____

(Seal)

Print Name: _____
Title: _____

Wille, Wayne

From: Steve and Barb Brown <ayntrt@mchsi.com>
Sent: Tuesday, September 30, 2014 10:34 AM
To: Planning Division – CPED
Subject: Case No. REZ14-11 Crow Creek Road

This is to document that we **oppose** the petition of the real Estate Equities Homes - Crow Creek Road, LLC (REZ14-11).

We live directly across Crow Creek from the access to this property and feel the proposed development would be a detriment to the neighborhood for several reasons.

- The height of the proposed building would be out of place among the single family dwellings as well as the multifamily condominiums on Bunker Hill. It would also be out of proportion with the existing businesses it would be adjacent to. This issue would be accentuated by the fact that the lot is on a hilltop in comparison to the roadway and the existing properties across Crow Creek from it.
- The lighting from the parking lot and building would be a constant for this type of structure and parking lot, which would be disturbing to all the neighbors.
- The intention for the property which will not be used for the senior living complex is not well outlined. In talking to the developer there are too many unknown facts, such as, who the developer of that property be, what exactly will be placed there, how many buildings would be build, etc.
- We believe the conceptual layout for the property we received will be too congested.
- The neighborhood is mostly single family dwellings, there are some condominiums on Bunker Hill but they are very nice dwellings. We do not feel that the proposed multifamily dwellings, the senior complex or the attached dwellings, fit the demographic of this neighborhood.
- The price range for the units in the complex are not in keeping with the price range and the value of the surrounding existing properties.
- The building of this complex would severely impact the value of our property.

Please consider **not** allowing the zoning change for this planned development.

Sincerely,

Stephen and Barbara Brown
1303 Crow Creek Road

Case No. REZ 14-11

Petition of Real Estate Equities Homes

the undersigned opposes Petition of the Real Estate Equities Homes - Crow Creek Road, LLC (REZ 14-11)

Comments:

The retention area was established because of flooding issues.

A specific area was designated for the retention area and was agreed upon by the cities of Davenport and Bettendorf and near-by residents. The agreement clearly stated there would be no construction allowed in that area.

The established portion of land for the retention area has been in existence for several years.

No request for rezoning, modifying etc of the already established retention area should be allowed.

Dennis Stringer ~~Dennis Stringer~~

1327 Crow Creek Rd Bettendorf, IA 52722

Sept. 25, 2014



(detach here)
The undersigned opposes ~~does not oppose~~ (circle one) Petition of the Real Estate Equities Homes - Crow
Creek Road, LLC (REZ14-11)

Comments:

OPPOSITION COMMENTS TO REZONING PROPOSAL (CASE No REZ14-11) ON ATTACHED SINGLE SHEET OF PAPER.

CITY OF DAVENPORT Community Planning & Economic Dev.
SEP 26 2014
2014-09-26 DAVENPORT, IA 52801

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME **Tim and Penny Kroul**
ADDRESS 4621 Coventry Court
Davenport, IA 52807
DATE September 24, 2014
(please print legibly)

Tim Kroul
Penny Kroul

Same
ADDRESS OF PROPERTY NOTICE AREA OTHER THAN MAILING ADDRESS

Tim and Penny Kroul, property owners at 4621 Coventry Court, Davenport, Iowa, are
opposed to the rezoning near Crow Creek Road, Case No. REZ14-11:

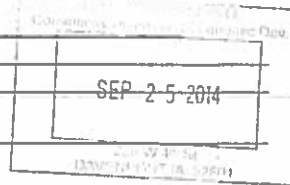
There is no residential amenity to the proposal to rezone allowing the construction of
a four-story housing unit in the existing neighborhood. In fact, there are many
negative objections to the proposal for a senior housing structure which will limit
the current property owner's ability to enjoy living in this neighborhood.

1. The size and height of the proposed four-story structure will overshadow the
current dwellings and does not integrate into the existing single family 1- and 2-
story dwellings of the neighborhood.
2. The mass bulk of this proposed project is visually unacceptable and unappealing in
a single family dwelling neighborhood. It will dominate the view, is unsympathetic to
the character of the existing street and will negatively impact the aesthetic value of
the neighborhood.
3. Since this is a senior housing structure, the increased likelihood of emergency
vehicles is substantial and creates noise disturbances not typical in this
neighborhood.
4. Traffic patterns will be distinctly different for a place of business (which is
what this property will be) as opposed to single family dwelling typical traffic
patterns and mass.
5. The four-story dwelling will overlook adjoining residents' dwellings which creates
a tremendous loss of privacy in private personal spaces (i.e. backyards) of current
residents.
6. The density of the development is excessive. The proposal includes not only a
four-story building (medium to large density dwelling) but also six single-family
attached dwellings (medium density dwellings) and two unknown buildings identified in
planning documents only as "building pad" while existing structures are 1- and 2-story
dwellings (small density dwellings).
7. The lights from the various parking lots will be intrusive to the current
neighborhood since they will be extensive in illumination due to the age of the
individuals maintaining residency in both the four-story senior housing structure and
the single-family attached dwellings.
8. There will be an unacceptable noise disturbance when multiple individuals are
using the four-story structure balconies simultaneously.
9. The extensive amount of air conditioning equipment required for the four-story
dwelling will also result in unacceptable noise levels in this single family dwelling
neighborhood.
10. There will be a great deal more concrete in the rezoning proposal than in single
family dwellings and will cause impact to storm water run off and surface water
retention.

For these reasons, the proposed rezoning near Crow Creek Road, Case No. REZ14-11, will
negatively impact existing residential amenity.

(detach here)
The undersigned - opposes / does not oppose (circle one) Petition of the Real Estate Equities Homes - Crow
Creek Road, LLC (RE214-11)

Comments: SEE ATTACHED



Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME CHARLES PORTER
ADDRESS 1333 CROW CREEK RD
DATE BETTENDORF, IA 52722
(please print legibly)

23 SEP 2014

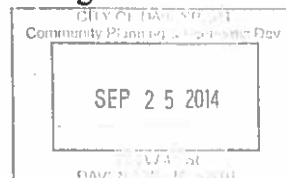
The residents of Crow Creek Road in Bettendorf, and also residents of other parts of our neighborhood to the South, were impacted by several significant floods during the 1980's and 1990's, due to heavy rains. Basements and streets were flooded and other damage occurred. The floods grew worse as more development to the North (in Davenport) resulted in more concrete, streets and parking lots, resulting in storm run-off with nowhere to go but into Bettendorf. Crow Creek Road itself was under several feet of water on more than one occasion. My wife and daughter actually had to be rescued from their car when they drove into the water during one of these flood events, unable to see the water in the dark.

The city of Bettendorf responded to the problem by creating a flood water retention area. Although the retention area was in Davenport, we were told that there was an agreement between the cities. Bettendorf would build and maintain the area and there was to be no development in the area that it covered. The retention area has been in existence for over 10 years, and even though there have been heavy rains, there has been no flooding. It has worked well.

The proposed re-zoning and subsequent development appears to reduce the size of the retention area by nearly 60%, as well as adding additional concrete and other impermeable surfaces that will significantly increase storm water runoff. It also violates the commitment that was made to residents regarding no development in the retention area.

We cannot control development outside the retention area. However, it is essential that it must be maintained at its current size to continue to protect Bettendorf citizens from flooding.

Charles Porter



(detach here)

The undersigned opposes / does not oppose (circle one) Petition of the Real Estate Equities Homes - Crow Creek Road, LLC (REZ14-11)

Comments: Keep the water catchment area intact as it is now. With this construction and paving, we need this more than ever. I do not oppose the rest of the project.

Mail to: Plan and Zoning Commission
City Hall

Davenport, Iowa 52801
Community Planning & Economic Dev.

SEP 30 2014

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

226 W 4th St
DAVENPORT IA 52801

NAME Nelson H. Chesney
ADDRESS 1321 Crow Creek Rd Bett.
DATE 09-30-14
(please print legibly)

(detach here)

The undersigned opposes / does not oppose (circle one) Petition of the Real Estate Equities Homes - Crow Creek Road, LLC (REZ14-11)

Comments: Have received NOTICES For meetings 1 Business day before they occur. Too much ADDITIONAL traffic for type of road. Too High a density of CITIZENS IN THAT PARCEL. Too High A BUILDING for that LOCATION. TOTALLY OPPOSE

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Kent Stoefen
ADDRESS 4067 Bunker Hill Dr Bettendorf IA
DATE 9/22/14 52722
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Davenport Plan & Zoning Commission,

In regards to Case No. REZ14-11, I Kevin James living at 4700 Coventry Court, Davenport, IA do not oppose the rezoning petition from "A-1" to "R-5M PUD"

I do however request that the commission and City staff take into consideration the below concerns/thoughts I have in regard to the rezoning and development concept.

- I have worked with the developer Real Estate Equities Homes – Crow Creek Road, LLC and they have assured me the cul-de-sac would be turned "northward" and pushed back from the houses on the east side of the property. This is to create a proper buffer between the cul-de-sac and residential properties to the east of the development. This is not reflected in the concept drawing originally sent, but I have been told the updated site plan will be the current one.
- Consideration should be given that the cul-de-sac on the east side of the property is directly behind houses and their back property line. I am one of those residents. A cul-de-sac configuration like this is extremely rare (I believe it does not exist in the City of Davenport) where the cul-de-sac directly ends at residential property lines. Most common is to have residential properties backup to each other. Proper distance will address safety concerns and also limit the impact that my neighbors and I have a street in front of our property and a cul-de-sac on the backside.
- Due to the planned configuration of the street and cul-de-sac, the developer should provide proper distance and year around landscaping coverage at the end of this cul-de-sac. Planting of shrubs, trees, and bushes should be done immediately once re-grading starts, so plants have time to mature, even if the street and residential lots are not built immediately.
- Street lighting for this cul-de-sac should take into consideration the adjacent residential houses and not impact them negatively.
- If re-grading does impact the shape of the current retention pond and surrounding land, proper matching to existing properties to the east of the development should be applied. This matching of grading would ensure that there are not awkward drainage ditches or valleys. This may even mean re-grading of residential properties to the east of the development, if necessary.

Overall, my thoughts are that if the single family lot section of the development concept is built, that it would visually look like it fits into the overall neighborhood area. This means the street and lot configuration look like it is properly placed and not crammed into the overall site for maximum lot capacity.

Thank you.

Kevin James
4700 Coventry Ct
Davenport, IA 52807
563-940-2061

City of Davenport

Committee: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 2nd

Action / Date
CD11/19/2014

Subject:

First Consideration: Ordinance for Case No. REZ14-12 being a rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office (Genesis Health Systems, petitioner). [2nd Ward]

Relationship to Goals:

Goal No. 2 – Added emphasis on economic development.

Background:

Genesis Health System is proposing to rezone 3.09 acres from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District to facilitate the development of the property as medical office. The request includes a portion of the Grace Brethren Church of Davenport, which would accommodate a portion of the building and area for parking.

The "PDD" zoned portion of the property was rezoned in 2012 to allow, in part, the development of the Dutrac Credit Union. This portion of the property is included in the rezoning request because the petitioner is seeking to modify the configuration of the adopted Land Use Plan and one condition of the 2012 Ordinance as follows:

1. The building would be setback further from the residences to the north property line (Land Use Plan);
2. The parking area would be located closer to the residences to the north (Land Use Plan);
3. The vehicular cross access between and the bank and the proposed development would be eliminated (Land Use Plan); and
4. Some or all of the trees within the front yard buffer would be removed (2012 Ordinance).

The proposed Land Use Plan depicts a 20,000 square foot building footprint (2-3 stories) with 193 parking spaces. Staff recommended that vehicular cross access between and the bank and the proposed development be included in the Plan and Zoning Commission recommendation for approval. Cross access would allow bank traffic to directly access North Elsie Avenue, which is signalized at West Kimberly Road. This would reduce commercial traffic into the adjacent residentially zoned properties to the north because bank traffic seeking to travel eastbound on West Kimberly Road would no longer need to travel through the neighborhood to access the Hillandale Road/West Kimberly Road signalized intersection. Additionally, cross access would reduce medical office right turning movements onto North Elsie Avenue from West Kimberly Road. Staff concedes that the 2012 rezoning did not provide direct access to North Elsie Avenue, however, the project was also much smaller in scale. The Plan and Zoning Commission voted to not include it in its recommendation.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Ordinance
▢ Cover Memo	Plan and Zoning Commission Letter
▢ Cover Memo	Plan and Zoning Commission Vote Record
▢ Cover Memo	Plan and Zoning Commission Final Staff Report
▢ Cover Memo	Plan and Zoning Commission Protest Table
▢ Cover Memo	Protest Letter
▢ Cover Memo	Neighborhood Meeting Letter and Attendance List

ORDINANCE NO.

An Ordinance for the rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office (Genesis Health Systems, petitioner). [2nd Ward]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned. The property has the following legal description:

Lot 2 of Harmsen's Second Addition to the City of Davenport, Iowa together with the following described parcel:

Lot 9 and part of Lots 10 and 11 in Georgetown Square Replat 2 and part of the Northwest Quarter of Section 16, Township 78 North, Range 3 East of the 5th Principal Meridian, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows;

Beginning at the at the southwest corner of Lot 2 in Harmsen's Second Addition to the City of Davenport, Iowa; thence South 87 degrees 41 minutes 06 seconds West along the north right of way line of West Kimberly Road, a distance of 214.73 feet to the easterly right of way line of North Elsie Avenue; thence northwesterly 79.15 feet along said easterly right of way line and the arc of a curve to the right having a radius of 50.00 feet, a chord bearing of North 46 degrees 57 minutes 47 seconds West, and a chord distance of 71.14 feet; thence North 02 degrees 00 minutes 49 seconds West along said easterly right of way line, a distance of 13.91 feet; thence northerly 90.50 feet along said easterly right of way line and the arc of a curve to the left, having a radius of 990.04 feet, a chord bearing of North 05 degrees 02 minutes 05 seconds West, and a chord distance of 90.47 feet to the southerly line of said Lot 9; thence South 82 degrees 20 minutes 47 seconds West along said southerly line, a distance of 5.00 feet to the westerly line of said Lot 9; thence northerly 68.98 feet along said westerly line and the arc of a curve to the left, not tangent to the last described course, having a radius of 985.04 feet, a chord bearing of North 09 degrees 39 minutes 35 seconds West, and a chord distance of 68.96 feet to the northerly line of said Lot 9; thence North 81 degrees 58 minutes 12 seconds East along said northerly line, a distance of 124.15 feet to the east line of said Lot 9; thence South 02 degrees 23 minutes 37 seconds East along said east line, a distance of 14.44 feet; thence North 87 degrees 29 minutes 54 seconds East, a distance of 158.46 feet to the west line of said Lot 2 in Harmsen's Second

Addition; thence South 02 degrees 30 minutes 06 seconds East along said west line, a distance of 221.26 feet to the Point of Beginning. the above described parcel contains 59,870 square feet or 1.37 acres, more or less as shown by the attached Plat of Survey.

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

Said tract contains 3.09 acres, more or less.

The City Plan and Zoning Commission accepts the listed findings and forwarded Case No. REZ14-12 to the City Council with a recommendation for approval subject to the following conditions:

1. That the proposed use of the property be limited to a medical office and ancillary medical uses;
2. That the development of the property be in general accordance with the adopted Land Use Plan;
3. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That a final plat for the reconfiguration of the property be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
5. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
6. That the parking area adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport achieve consistency with the required 25 foot setback or a hardship variance be obtained to reduce this setback;
7. That the building achieve consistency with required additional setback for buildings over 25 feet in height or a hardship variance be obtained to reduce this setback
8. That a dedicated pedestrian sidewalk be provided from the West Kimberly Road sidewalk to the entrance of the proposed building;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent residential properties to west, north and east;
10. That a three foot high berm be constructed within a 30 foot wide landscape buffer along the north line adjacent to the residences; and
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north.

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 _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

Land Use Plan



REVISIONS		DATE	
No.	DESCRIPTION		



Missman, Inc.
Professional Engineers & Land Surveyors

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(319) 396-6444 • (319) 396-6445 • (319) 396-6446 • (319) 396-6447
www.missman.com

GENESIS MEDICAL CENTER - MOB DAVENPORT, IOWA		SITE LAYOUT EXHIBIT
Missman Project No: C14L030A		
File Name: C14L030A-EXHIBIT.dwg		
© COPYRIGHT 2014 ALL RIGHTS RESERVED		
Field Book No: ###		
Drawn By: ELV		
Checked By: JLH		
Date: 10/14/14		
EX-1		
Sheet 1 of 1		

November 5, 2014

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of November 4, 2014, the City Plan and Zoning Commission considered Case REZ14-12 being the rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office.

1. The proposed use of the property would reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.
2. The proposed use of the property would serve as transition between the more intense commercial development and roadway corridor to south and the residential properties to the north; and
3. The proposed use of the property would be consistent with the *Davenport 2025: Comprehensive Plan for the City*, which designates the subject property as "Residential General".

The City Plan and Zoning Commission forward Case No. REZ14-12 to the City Council with a recommendation for approval subject to the following conditions:

1. That the proposed use of the property be limited to a medical office and ancillary medical uses;
2. That the development of the property be in general accordance with the adopted Land Use Plan;
3. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That a final plat for the reconfiguration of the property be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
5. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
6. That the parking area adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport achieve consistency with the required 25 foot setback or a hardship variance be obtained to reduce this setback;
7. That the building achieve consistency with required additional setback for buildings over 25 feet in height or a hardship variance be obtained to reduce this setback
8. That a dedicated pedestrian sidewalk be provided from the West Kimberly Road sidewalk to the entrance of the proposed building;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent residential properties to west, north and east;
10. That a three foot high berm be constructed within a 30 foot wide landscape buffer along the north line adjacent to the residences; and
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north.

Respectfully submitted,

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

Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	DENIED	APPROVED	APPROVED	APPROVED	TABLED		
Name:	Roll Call	REZ14-12 Cond#7 Bldg setback	REZ14-12 Cond#12 X-access	REZ14-12 As Amended	FDP14-06 Blackhawk Hills Terrace Ridge	FDP14-07 Bankland 4319 E 53rd St	ROW14-07 Kwik Trip 1225 E Kimberly		
Cartee	A								
Connell	P	Y	N	Y	Y	Y	Y		
D'Autremont	P	Y	Y	Y	Y	Y	Y		
Elgatian	EX	N	N	Y	Y	Y	Y		
Gere	P	Y	N	Y	Y	AB	Y		
Inghram	P								
Kelling	P								
Lammers	P	Y	N	Y	Y	Y	Y		
Martin	P	Y	N	Y	Y	Y	Y		
Martinez	P	Y	Y	Y	Y	Y	Y		
Tallman	P	Y	Y	Y	Y	Y	Y		
		8-YES 0-NO 0-ABSTAIN	3-YES 5-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	7-YES 0-NO 1-ABSTAIN	8-YES 0-NO 0-ABSTAIN		



PLAN AND ZONING COMMISSION

Meeting Date: November 4, 2014

Request: from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District.

Location: Northeast corner of North Elsie Avenue and West Kimberly Road.

Case No.: Case No. REZ14-12

Applicant: Genesis Health System, contract purchasers.

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. REZ14-12 to the City Council with a recommendation for approval subject to the conditions listed in this report.

Introduction:

Case No. REZ14-12: Petition of Genesis Health System, contract purchasers, for a rezoning of 3.09 acres, more or less of real property from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose of the rezoning is to facilitate the development of the property as medical office.

AREA CHARACTERISTICS:

Zoning Map



Legend for Zoning Map:

- Subject Property (hatched)
- R-3 Moderate Density Dwelling District (yellow)
- R-3PUD Moderate Density Dwelling Planned Unit Development (orange)
- R-3M Medium Density Dwelling District (brown)
- C-1 Neighborhood Shopping District (red)
- PDD Planned Development District (purple)
- M-1 Light Industrial District (blue)

Davenport 2025 Proposed Land Use Map



Legend for Davenport 2025 Proposed Land Use Map:

- Subject Property (hatched)
- RL - Residential Limited (yellow)
- RG - Residential General (light yellow)
- CR - Commercial Retail (red)

Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation:

Residential General (RG) designates mixed-use neighborhoods that mostly residential, but include, or within one-half mile (walking distance) of scattered neighborhood-compatible services, as well as other neighborhood uses like schools, churches, corner stores, etc. Neighborhoods are typically designated as a whole. Davenport 2025 encourages the creation of neighborhood planning documents to guide development appropriate for each neighborhood.

It is staff's opinion that the proposed use would be consistent with the Residential General Designation.

Relevant Goals to be considered in this Case: Goal No. 1 - Strengthen the existing built environment. Objective b. – *Reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.*

Technical Review:

Streets.

The subject property is located at the northeast corner of North Elsie Avenue and West Kimberly Road. Access to the property would be via North Elsie Avenue and the constructed right in/right out West Kimberly Road driveway adjacent to the Dutrac Credit Union. Davenport Public Works has indicated that right of way would be required during platting in order to maintain an acceptable boulevard space between the roadway and sidewalk and to accommodate a future right turn lane on West Kimberly Road at North Elsie Avenue.

Storm Water.

Storm water management will be required. The proposed development will be required to infiltrate or otherwise retain the 1.25 inch rainfall event volume on its property as well as provide detention for the 100 year fully developed scenario with a five year pre-development discharge rate.

Sanitary Sewer.

Existing sanitary sewer infrastructure is located within close proximity to the proposed building.

Other Utilities.

Electric service is located in close proximity to the subject property.

Emergency Services.

The subject property is located approximately 2.5 miles from the nearest fire station.

Public Input:

Notices were sent to property owners within 200 feet of the request. Staff has received one objection to the request, however, the reason for the objection was not articulated. The petitioner held a neighborhood meeting on October 9, 2014. Four neighboring residents attended the meeting and appeared to be in favor of the request.

Discussion:

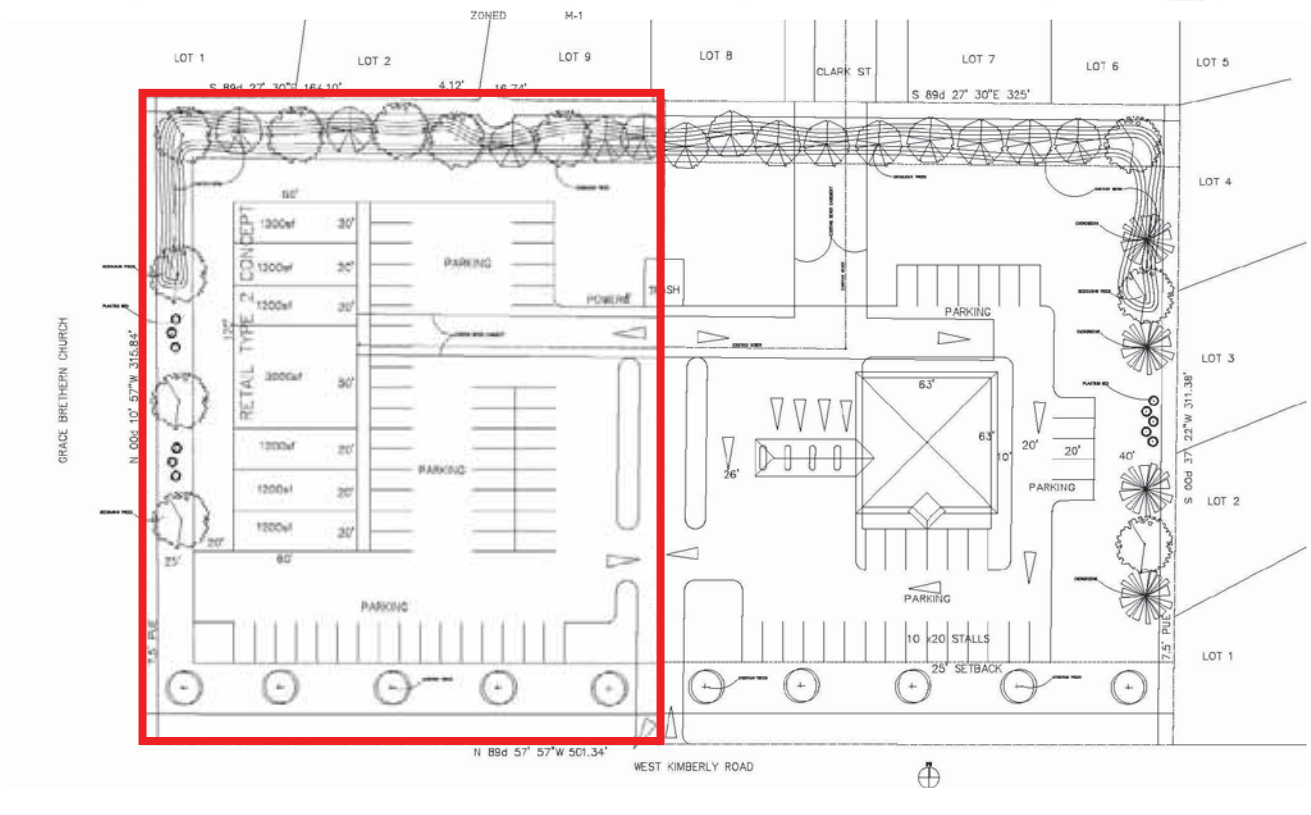
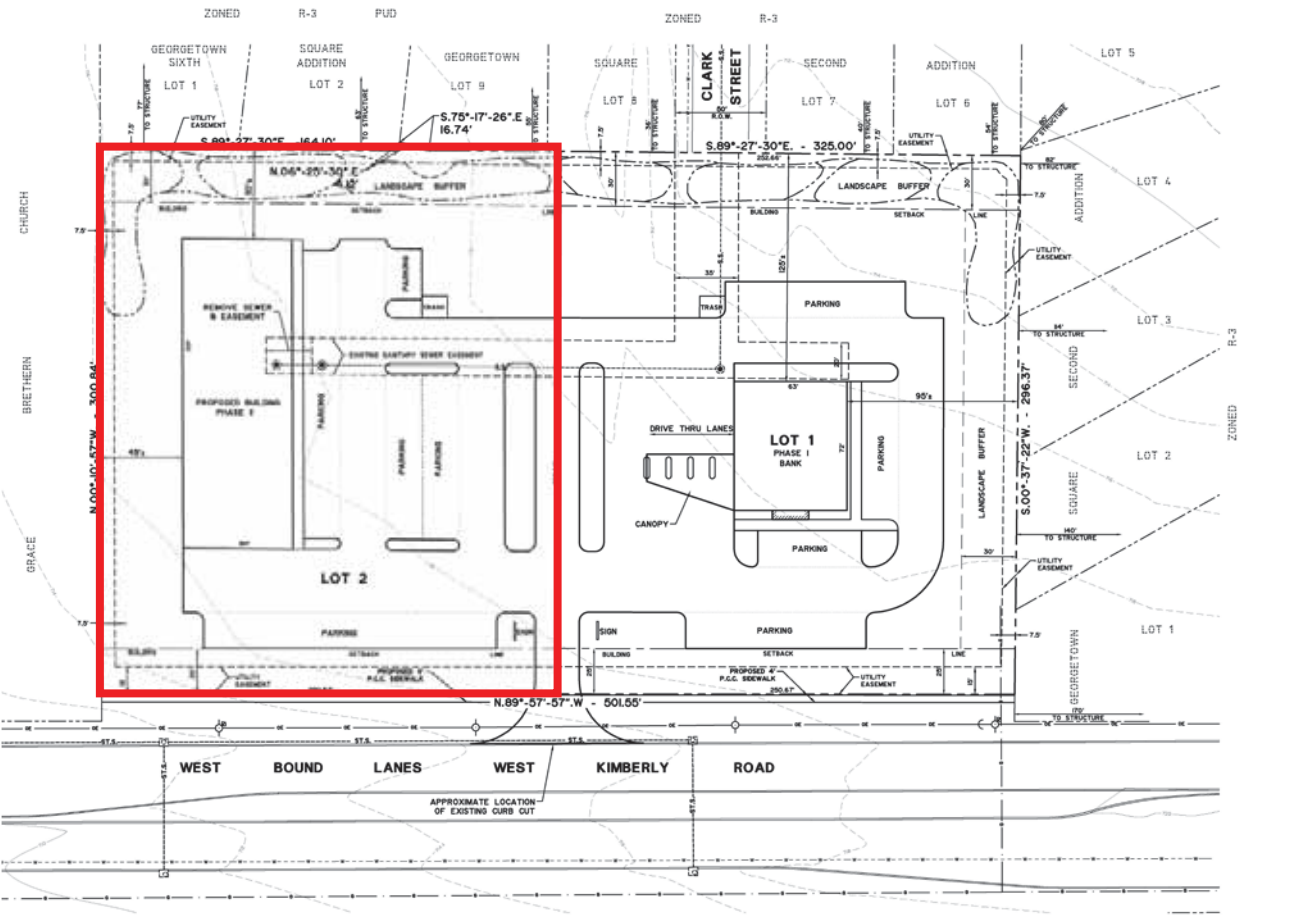
Genesis Health System is proposing to rezone 3.09 acres from “R-3” Moderate Density Dwelling District and “PDD” Planned Development District to all “PDD” Planned Development District to facilitate the development of the property as medical office. The request includes a portion of the Grace Brethren Church of Davenport, which would accommodate a portion of the building and area for parking.

The “PDD” zoned portion of the property was rezoned in 2012 to allow, in part, the development of the Dutrac Credit Union.

The Ordinance conditions associated with that rezoning include:

1. That the development of the property be in general accordance with the adopted Land Use Plan;
2. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
3. That a final plat for the reconfiguration of the property into lots 1 and 2 be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
5. That the property be limited to a single vehicular access to West Kimberly Road and that a deceleration or right turn lane be constructed at this entrance along with the dedication of sufficient right of way as needed for this lane;
6. That the following uses be prohibited because they would be incompatible with the surrounding residential neighborhood: convenience stores, gasoline stations, public garages, automobile sales, taverns, brew pubs, night clubs and beer and wine gardens (where more than half of the gross income is derived from the sale of alcoholic beverages), the sale of alcoholic beverages for off-premise consumption, drive through restaurants, hotels and motels and warehouse facilities;
7. That there be no vehicular access to Clark Court;
8. That one of the Clark Court sidewalks be extended onto the subject property and that dedicated pedestrian access be provided to the development;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent properties to west, north and east.
10. That a three foot high landscape berm be constructed along the north and east property line;
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north and east. Landscaping above minimum ordinance requirements may be required; and
12. That the existing trees depicted in the front yard buffer of the approved Land Use Plan remain.

Below are the adopted Land Use Plans associated with this rezoning (Lot 2 is the portion of the property being rezoned):



The proposed Land Use Plan depicts a 20,000 square foot building with 193 parking spaces. The Zoning Ordinance requires five parking spaces for each medical practitioner, which equates to 38 practitioners. The petitioner is seeking to modify the following conditions (and configuration of the adopted Land Use Plan) of the 2012 Ordinance:

1. The building would be setback further from the residences to the north property line;
3. The parking area would be located closer to the residences to the north;
4. The landscape buffer along the north property line would be decreased;
5. The vehicular cross access between and the bank and the proposed development would be eliminated; and
5. Some or all of the trees within the front yard buffer would be removed.

The petitioner stated at the October 14, 2014 Plan and Zoning Commission public hearing that the proposed number of parking spaces is self-imposed based on its analysis of similar facilities. This apparently necessitates a reduction of the landscape buffer adjacent to the residences to the north from 30 to 25 feet. Notably, this 30 foot landscape buffer (with a three foot high berm) and 50 foot parking lot setback was offered when the zoning was changed from residential to commercial in 2012. Additionally, parking is depicted within the 25 foot setback adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport. A hardship variance would need to be obtained to reduce this required setback.

The petitioner also stated at the October 14, 2014 Plan and Zoning Commission public hearing that the vehicular cross access with the bank is not desired. Cross access would allow bank traffic to directly access North Elsie Avenue, which is signalized at West Kimberly Road. This would reduce commercial traffic into the adjacent residentially zoned properties to the north because bank traffic seeking to travel eastbound on West Kimberly Road would no longer need to travel through the neighborhood to access the Hillandale Road/West Kimberly Road signalized intersection. Additionally, cross access would reduce medical office right turning movements onto North Elsie Avenue from West Kimberly Road. Staff concedes that the 2012 rezoning did not provide direct access to North Elsie Avenue, however, the project was also much smaller in scale.

Davenport Public Works has indicated that right of way would be required during platting in order to maintain an acceptable boulevard space between the roadway and sidewalk and to accommodate a future right turn lane on West Kimberly Road at North Elsie Avenue.

The proposed development would be required to infiltrate or otherwise retain the 1.25 inch rainfall event volume on its property as well as provide detention for the 100 year fully developed scenario with a five year pre-development discharge rate.

Staff Recommendation:

Staff Findings:

1. The proposed use of the property would reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.
2. The proposed use of the property would serve as transition between the more intense commercial development and roadway corridor to south and the residential properties to the north; and
3. The proposed use of the property would be consistent with the *Davenport 2025: Comprehensive Plan for the City*, which designates the subject property as "Residential General".

Staff recommends the City Plan and Zoning Commission forward Case No. **REZ14-12** to the City Council for approval subject to the following conditions:

1. That the proposed use of the property be limited to a medical office and ancillary medical uses;
2. That the development of the property be in general accordance with the adopted Land Use Plan;
3. That Development Plan approval be obtained pursuant to Chapter 17.32 of the Davenport Municipal Code prior to the construction of any of the improvements depicted on the approved Land Use Plan;
4. That a final plat for the reconfiguration of the property be approved and recorded prior to the construction of any of the improvements depicted on the approved Land Use Plan;
5. That the development of the property be subject to the Highway Corridor Overlay District pursuant to Chapter 17.41 and 17.45 of the Davenport Municipal Code;
6. That the parking area adjacent to the proposed north property line adjacent to the Grace Brethren Church of Davenport achieve consistency with the required 25 foot setback or a hardship variance be obtained to reduce this setback;
7. That the building achieve consistency with required additional setback for buildings over 25 feet in height or a hardship variance be obtained to reduce this setback
8. That a dedicated pedestrian sidewalk be provided from the West Kimberly Road sidewalk to the entrance of the proposed building;
9. That all building mounted and parking lot lighting be completely shielded so that the emitted light source cannot be seen from the adjacent residential properties to west, north and east;
10. That a three foot high berm be constructed within a 30 foot wide landscape buffer along the north line adjacent to the residences;
11. That the location, amount and type of landscaping be reviewed in conjunction with the Development Plan to ensure that it adequately mitigates the negative impacts of commercial development with the surrounding residential properties to the north; and
12. That there be a vehicular connection with the adjacent property to east, which would allow cross access between the two properties.*

*Note – Staff inadvertently left this condition off the staff report. Staff recommended this condition at the November 4, 2014 Plan and Zoning Commission meeting.

Prepared by:

A handwritten signature in blue ink, appearing to read 'Ryan Rusnak', with a stylized flourish at the end.

Ryan Rusnak, AICP
Planner II

Attachments:
Aerial Photo
Proposed Land Use Plan



 Subject Property

Davenport.275.1.REZ14-12_-_Protest_Table.xls

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
O1619-01	57341	13.0%	No	0.0%	3100 W KIMBERLY RD	DUTRAC COMMUNITY CREDIT UNION	3465 ASBURY RD	DUBUQUE, IA 52002
O1619-02	34.7	0.0%	No	0.0%		ROBERT C HARMSSEN 2013 ESTATE	4729 WYOMING AVE	DAVENPORT IA 52806
O1619D15C	9667.44	2.2%	No	0.0%		HARMSSEN CALVIN E TRUST	3211 E 35TH ST CT	DAVENPORT IA 52807
O1635-04B	11808.52	2.7%	No	0.0%		THF WEST KIMBERLY DEVELOPMENT	211 N STADIUM BLVD STE 201	COLUMBIA MO 65203
O1619A37	1356.59	0.3%	No	0.0%	4006 CRESTHILL DR	THACH UT	4006 CRESTHILL DR	DAVENPORT IA 52806
O1619A38	54.82	0.0%	No	0.0%	3218 W 40TH ST	THACH MOLTHA T	3218 W 40TH ST	DAVENPORT IA 52806
O1619B20	2485.19	0.6%	No	0.0%	4007 CRESTHILL DR	JOHN T & BILLIE L LAWSON TRUST	4007 CRESTHILL DR	DAVENPORT IA 52806
O1619B21	586.79	0.1%	No	0.0%	3030 W 40TH ST	MARK J PETERSEN	3030 W 40TH ST	DAVENPORT IA 52806
O1619C08	305.97	0.1%	No	0.0%	3015 W 40TH ST	PETERSEN BEVERLY A	3015 W 40TH ST	DAVENPORT IA 52806
O1619C09	7487.46	1.7%	No	0.0%	3937 CLARK CT	DANNY E BAILEY	3937 CLARK CT	DAVENPORT IA 52804
O1619C10	8351.56	1.9%	No	0.0%	3938 CLARK CT	BAILEY PAMELA J	3938 CLARK CT	DAVENPORT IA 52806
O1619C11	9130.14	2.1%	No	0.0%	3109 W 40TH ST	JOHN D ACKERMAN	3109 W 40TH ST	DAVENPORT IA 52806
O1619D02B	68053.35	15.4%	No	0.0%	3919 N ELSIE AV	ACKERMAN CONNIE S	3919 N ELSIE AV	DAVENPORT IA 52804
O1619D16	11970.99	2.7%	No	0.0%	3916 N ELSIE AV	SHIRLEY HARLAND	5314 HUGO	BETTENDORF IA 52722
O1619D17	9932.2	2.2%	No	0.0%	3924 N ELSIE AV	GREG HARLAND	PO BOX 1252	MOLINE IL 61265
O1619D18	8844.18	2.0%	No	0.0%	3932 N ELSIE AV	W K DEVELOPMENT INC	P O BOX 857	MILAN IL 61264
O1619D19	4249.67	1.0%	No	0.0%	3940 N ELSIE AVE	NEWBERRY INVESTMENTS PROPERTIES LL	3940 N ELSIE AVE	DAVENPORT IA 52804
O1619D22	13410.19	3.0%	Yes	3.0%	3211 W 40TH ST	NGUYEN THAO	PO BOX 303	DAVENPORT IA 52805
O1619D23	10624.5	2.4%	No	0.0%	3203 W 40TH ST	DAVID JOSEPH MERRITT	3203 W 40TH ST	DAVENPORT IA 52806
O1635-01C	3459.62	0.8%	No	0.0%	3101 W KIMBERLY RD	KELLY MERRITT	PO BOX 8042	BENTONVILLE AR 72716
O1635-02C	10730.56	2.4%	No	0.0%	3315 W KIMBERLY RD	WAL-MART REAL ESTATE BUSINESS	200 PEACH ST PO BOX 7000	EL DORADO AR 71731
O1635-03A	8869	2.0%	No	0.0%	3219 W KIMBERLY RD	MURPHY OIL USA	998 FREEMONT AVE	DUBUQUE IA 52003
O1635-05	47.09	0.0%	No	0.0%		THF WEST KIMBERLY DEVELOPMENT	852 MIDDLE RD	BETTENDORF IA 52722
O1635-05A	2751.31	0.6%	No	0.0%		THE NATIONAL BANK	P O BOX 1030	COLUMBIA MO 65203
							211 N STADIUM BD STE 201	

PARCELS 261,552.8 59.2%
ROW 180,415.1 40.8%

Alderman: Edmond

TOTAL
NOTICE AREA 441,967.9 100% **3.0% PROTEST RATE**

Protests:

Properties: 24

FID	FID_200_fo	Id	BufferDist	FID_Notifi	Parcel	Address	Occupancy	Frontage	Depth
0		0 0	200	0	P1309-06A	210 E 37TH ST	SINGLE FAMILY	100	201
1		0 0	200	1	P1412-27	3815 FAIR AV	SINGLE FAMILY	100	215
2		0 0	200	2	P1412-23	108 E 37TH ST	SINGLE FAMILY	130.9	215
3		0 0	200	3	P1412-06C		NON-RESIDENTIAL	0	0
4		0 0	200	4	P1412-06A			0	0
5		0 0	200	5	P1412-33			0	0
6		0 0	200	6	P1309-05A	222 E 37TH ST	SINGLE FAMILY	100	200
7		0 0	200	8	P1412-26	3805 FAIR AV	SINGLE FAMILY	100	215
8		0 0	200	9	P1412-07B	3730 FAIR AV	SINGLE FAMILY	100	400
9		0 0	200	10	P1412-25	3731 FAIR AV	SINGLE FAMILY	100	215
10		0 0	200	11	P1309-02A	3808 BRADY ST	NON-RESIDENTIAL	0	0
11		0 0	200	12	P1412-24	3721 FAIR AV	SINGLE FAMILY	130	215
12		0 0	200	13	P1412-03B	101 W KIMBERLY RD	NON-RESIDENTIAL	0	0

Deed1_Name	Deed1_Addr	Deed1_CSZ	Deed2_Na	Deed2_Ad	Deed2_CS	Deed_Date
LISA A RICHARDS	210 E 37TH ST	DAVENPORT IA 52806			DAVENPO	7-0109
MILDRED ALLISON	3815 FAIR AV	DAVENPORT IA 52806			DAVENPO	Feb-89
GLADYS J CONNER	108 E 37TH ST	DAVENPORT IA 52806			DAVENPO	6-0210
CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801			DAVENPO	8-0580
GLENN W ABERNATHY	3810 FAIR AV	DAVENPORT IA 52806	CAROLE A		DAVENPO	Mar-02
GLENN W ABERNATHY	3810 FAIR AV	DAVENPORT IA 52806	CAROLE A	3810 FAIR	DAVENPO	1-0488
RANDALL E DUNAWAY	222 E 37TH ST	DAVENPORT IA 52806			DAVENPO	6-0605
GEORGE F HENDLEY	3805 FAIR AV	DAVENPORT IA 52806	JEAN M HI	3805 FAIR	DAVENPO	Sep-97
CAROLYN & MARJORIE MILLEF			MARJORIE	4170 N MA		6-1611
GARY L MILLER	3731 FAIR AV	DAVENPORT IA 52806			DAVENPO	Sep-11
CO-VENTURE DEVELOPMENT	1825 3RD AV	ROCK ISLAND IL 61201			ROCK ISL/	Jan-96
KERNEL KING	3721 FAIR AV	DAVENPORT IA 52806	AND WIFE		DAVENPO	2-1377
CAR LEE IA LEX LLC	8270 GREENSBORO DR STE 950	MC LEAN VA 22102			MC LEAN `	1-1107

Cont1_Nan	Cont1_Add	Cont1_CSz	Subdivison	Lot	Block	Yr_Built	Rental	Class	Land_Valu	Building_V	Total_Valu
					0	0	1930 N	R	47440	146110	193550
					0	0	1952 N	R	37340	138120	175460
					0	0	1950 N	R	66420	78950	145370
			WEST VIE'		2	0	0 N	E	400	0	400
			WEST VIE'		2	0	1955 N	R	37340	102960	140300
			WEST VIE'		4	0	0	R	5390	0	5390
					0	0	1957 Y	R	47200	72790	119990
					0	0	1952 N	R	37340	119330	156670
			WEST VIE'		1	0	1956 N	R	39510	116040	155550
					0	0	1950 N	R	37340	93800	131140
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					0	0	1950 N	R	48530	108440	156970
					0	0	0 N	C	1718200	3061000	4779200

Area

20056.39
21654.95
17439.96
726.25
9735.81
12483.19
17955.26
21577.41
686.66
20000.24
182226.2
25673.92
25099.4

(detach here)

The undersigned opposes does not oppose (circle one) Petition Genesis Health System (REZ14-12)

Comments: _____

CITY OF DAVENPORT
Community Planning & Economic Dev

OCT 10 2014

225 W 4th St
DAVENPORT IA 52801

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME THAO NGUYEN
ADDRESS 3211 WEST 40th. Davenport
DATE 10/09/14
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Joe R. Lane (1858-1931)
Charles M. Waterman (1847-1924)
C. Dana Waterman III
David A. Dettmann*
Terry M. Giebelstein*
Rand S. Wonio
Curtis E. Beason
Robert V. P. Waterman, Jr.*
R. Scott Van Vooren*
Richard A. Davidson*
Michael P. Byrne*
Edmund H. Carroll*
Theodore F. Olt III*
Jeffrey B. Lang*
Judith L. Herrmann*
Robert B. McMonagle*
Christopher J. Curran*
Joseph C. Judge*
Jason J. O'Rourke*
Troy A. Howell*
Diane M. Reinsch*
Catherine E. E. Hult*
Mikkie R. Schiltz*
Diane E. Puthoff*
Wendy S. Meyer*
Ian J. Russell*
Benjamin J. Patterson*
Douglas R. Lindstrom, Jr.*
Rian D. Waterman*

**LANE
& WATERMAN** LLP
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Telephone (563) 324-3246
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Writer's Direct Dial: (563) 333-6641
E-Mail Address: tol@l-wlaw.com
www.L-WLaw.com

October 2, 2014

Abbey C. Furlong*
Samuel J. Skorepa*
Kurt P. Spurgeon*
Joshua J. McIntyre*
Brett R. Marshall*
Kelsey A. W. Marquard*
Kyle R. Day*
Andrea D. Mason*
James W. White

Registered Patent Attorney
April A. Price*

Of Counsel
Robert A. Van Vooren*
Thomas N. Kamp
William C. Davidson*
Charles E. Miller*
James A. Mezvinsky
Peter J. Benson*
Michael L. Noyes
Jeffrey W. Paul*

*Also Admitted in Illinois

Illinois Office
3551 7th Street, Suite 110
Moline, IL 61265

John T. & Billie L. Lawson Trust
3218 W. 40th Street
Davenport, Iowa 52806

**Re: Rezoning and Development Plan for Vacant Property Located at the
Northeast Corner of West Kimberly Road and North Elsie Avenue,
Davenport, Iowa**

To Whom it May Concern:

Genesis Health System has filed an application with the City of Davenport requesting the rezoning of the above-referenced property to PDD, and approval of a Development Plan for the Property. As a property owner within 200 feet of the subject property and pursuant to City of Davenport regulations, you are being notified of an information and neighbor comment meeting to be held as follows:

Date: October 9, 2014
Time: 6:30 p.m.
Location: Davenport Public Library- Fairmont Branch
3000 N. Fairmont Street
Davenport, Iowa

Very truly yours,

LANE & WATERMAN LLP

By


T. F. Olt III

Cc (via e-mail) Genesis Health System
Alderman Bill Edmond/Alderman Gene Meeker/Alderman Jason Gordon
Ryan Rusnak, City of Davenport

6:30 - 6:50

Neighborhood Meeting Attendance List

Case: R0214-06

Date: 10/9/14

Name	Address	Phone	Email
1 Jack & Connie Ackerman	3937 Clark Ct.	563-676-5198	Jack Ackerman@outlook.com
2 Dan & Pam Bailey	3015 W. 46 TH	563-210-0080	Dpaulbailey@yahoo.com
3			
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City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
11/19/2014

Subject:

Resolution approving case FDP14-07 being the final development plan on 1.8 acres, more or less, located east of Utica Ridge Road and south of East 53rd Street (4319 East 53rd Street) to allow office development (Bankland, LLC, petitioner) [6th Ward].

Relationship to Goals:

Added emphasis on economic development.

Background:

Office development is proposed. City Ordinance 2004-292 is the controlling document for this development. There are restrictive covenants which mirror these conditions and concept site exhibit. While the property is Zoned "C-O" Office-Shop District a condition (#1) of the rezoning required the "PDD" approval process meaning City approval of a final development plan.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
☐ Cover Memo	FDP14-07 Resolution
☐ Cover Memo	FDP14-07 Background

Resolution No. _____

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving case No. FDF14-07 being the final development plan on 1.8 acres, more or less, located east of Utica Ridge Road and south of East 53rd Street (4319 East 53rd Street) to allow office development (Bankland, LLC, petitioner) [6th Ward].

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final development plan for Bankland, LLC, (FDP14-07) is hereby approved and accepted pursuant to all the listed findings and conditions in the City Plan and Zoning Commission letter dated November 05, 2014 as follows:

1. That the development be subject to Exhibits "A", "B" and "C" in consideration of the following: building and parking lot layout; planting (including the number and size of plantings), screening (fencing) and berming; and building materials;
2. That parking lot lighting conforms to City Ordinance 2004-292 being a maximum height of ten (10) feet. Site lighting shall also be downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical;
3. All conditions of City Ordinance 2004-292 shall apply which include but are not limited to meeting a) current stormwater and erosion control requirements, and b) site plan and Highway Corridor Overlay District requirements;

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

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

November 05, 2014

Honorable Mayor and City Council
City Hall
Davenport Iowa 52801

Honorable Mayor and City Council:

At its regular meeting of November 04, 2014, the City Plan and Zoning Commission considered Case No. FDP14-07 being the request of Bankland LLC for a final development plan on 1.8 acres, more or less, located east of Utica Ridge Road and south of East 53rd Street (4319 East 53rd Street).

Office development is proposed. City Ordinance 2004-292 attached as Exhibit "A" is the controlling document for this development. There apparently are restrictive covenants which mirror these conditions and concept site exhibit. While the property is Zoned "C-O" Office-Shop District a condition (#1) of the rezoning required the "PDD" approval process meaning City approval of a final development plan.

Findings:

- The proposed plan is in general conformance with the rezoning approved concept.
- The proposed plan increases the amount of screening from that required by the rezoning.

The Plan and Zoning Commission accepts the listed findings and forwards Case No. FDP14-07 to the City Council for approval subject to the following conditions:

1. That the development be subject to Exhibits "A", "B" and "C" in consideration of the following: building and parking lot layout; planting (including the number and size of plantings), screening (fencing) and berming; and building materials
2. That parking lot lighting conforms to City Ordinance 2004-292 being a maximum height of ten (10) feet. Site lighting shall also be downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical.
3. All conditions of City Ordinance 2004-292 shall apply which include but are not limited to meeting a) current stormwater and erosion control requirements, and b) site plan and Highway Corridor Overlay District requirements.

Respectfully submitted



Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	DENIED	APPROVED	APPROVED	APPROVED	TABLED		
Name:	Roll Call	REZ14-12 Cond#7 Bldg setback	REZ14-12 Cond#12 X-access	REZ14-12 As Amended	FDP14-06 Blackhawk Hills Terrace Ridge	FDP14-07 Bankland 4319 E 53rd St	ROW14-07 Kwik Trip 1225 E Kimberly		
Cartee	A								
Connell	P	Y	N	Y	Y	Y	Y		
D'Autremont	P	Y	Y	Y	Y	Y	Y		
Elgatian	EX	N	N	Y	Y	Y	Y		
Gere	P	Y	N	Y	Y	AB	Y		
Inghram	P								
Kelling	P								
Lammers	P	Y	N	Y	Y	Y	Y		
Martin	P	Y	N	Y	Y	Y	Y		
Martinez	P	Y	Y	Y	Y	Y	Y		
Tallman	P	Y	Y	Y	Y	Y	Y		
		8-YES 0-NO 0-ABSTAIN	3-YES 5-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	7-YES 0-NO 1-ABSTAIN	8-YES 0-NO 0-ABSTAIN		



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: November 04, 2014
Request: Final Development Plan
Address: East of Utica Ridge Road & South of E 53rd Street
Case No.: FDP14-07
Applicant: Bankland LLC

INTRODUCTION

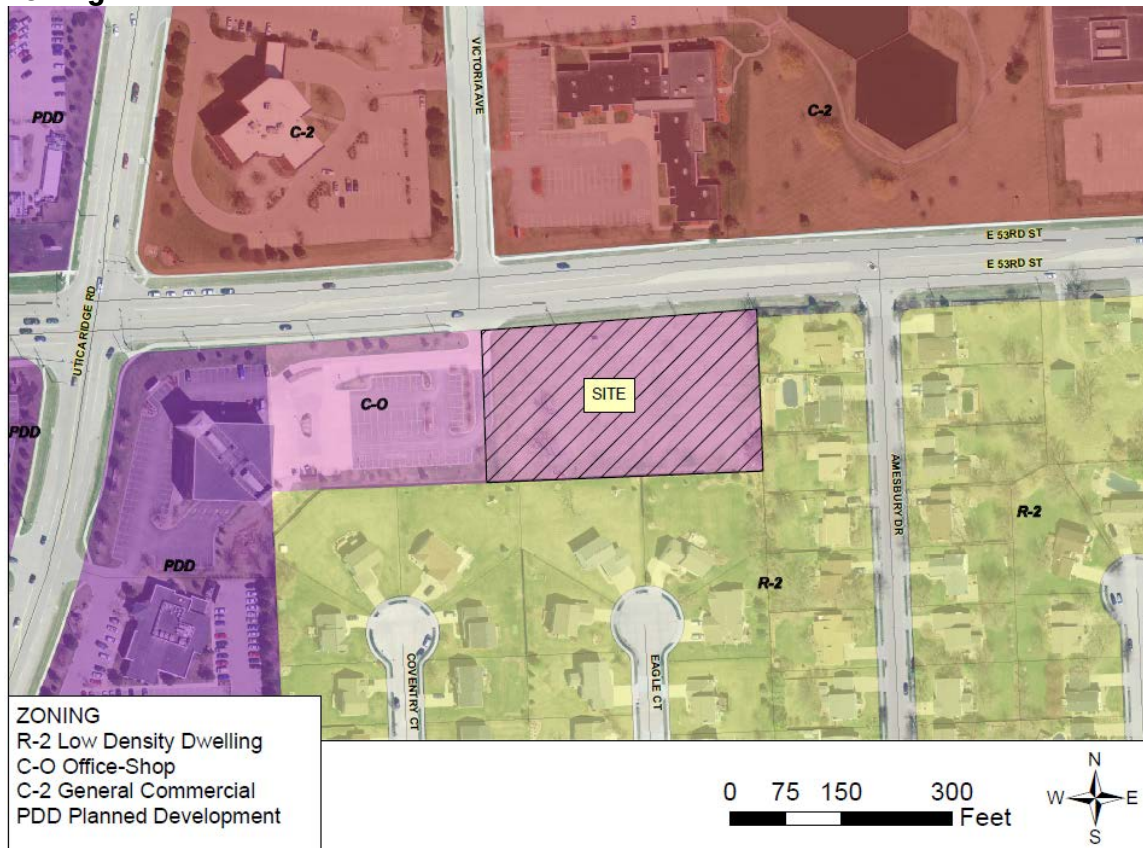
Petition of Bankland LLC for a final development plan on 1.8 acres, more or less, located east of Utica Ridge Road and south of East 53rd Street. Office development is proposed. City Ordinance 2004-292 attached as Exhibit "A" is the controlling document for this development. There apparently are restrictive covenants which mirror these conditions and concept site exhibit. While the property is Zoned "C-O" Office-Shop District a condition (#1) of the rezoning required the "PDD" approval process meaning City approval of a final development plan.

Recommendation: Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. FDP14-07 to the City Council for approval subject to the listed conditions.

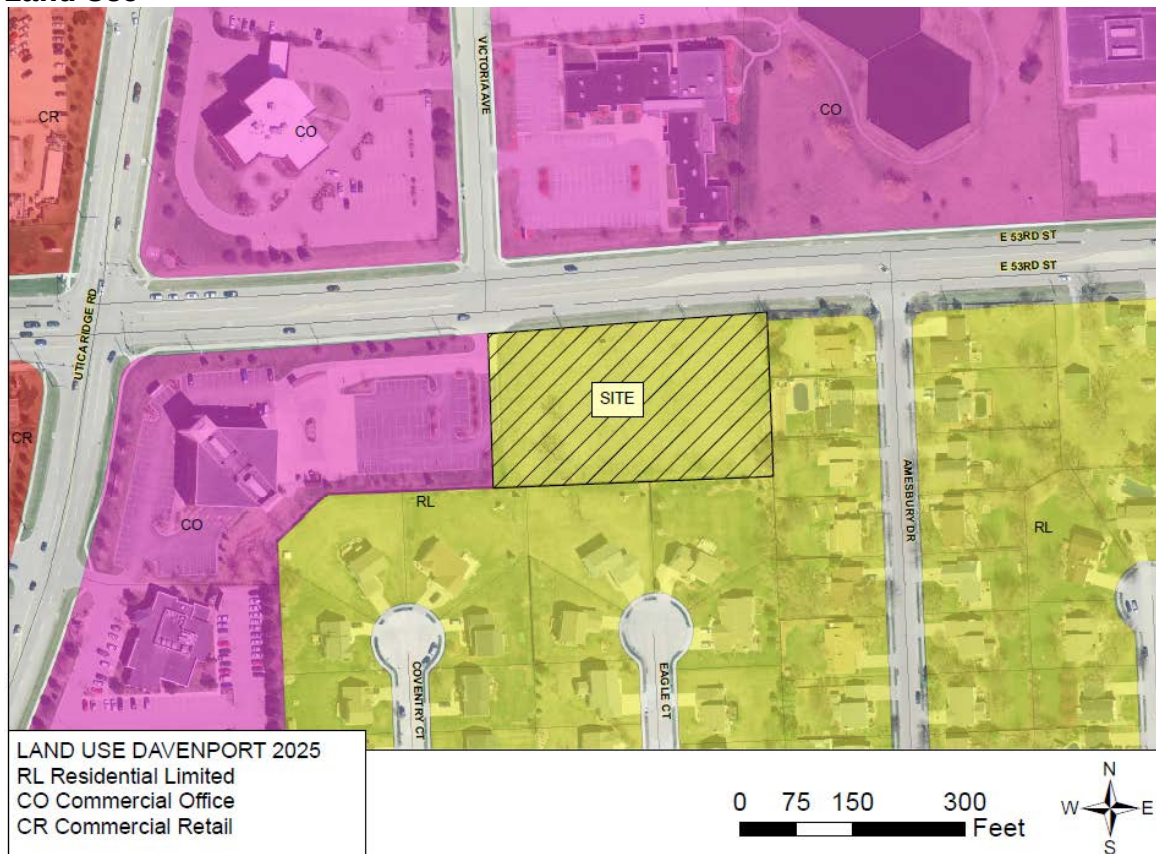
Aerial Photo:



Zoning



Land Use



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Residential Limited (RL)

The Residential Limited designation is another question mark since the commercial rezoning was in place at about twenty (20) years prior to the Davenport 2025 plan being adopted. The initial "C-O" zoning was in 1994 and amended conditions in 2004. The Davenport 2025 was adopted in 2005. The residential subdivisions to the south were platted with commercial development in mind with two cul-de-sacs.

Descriptions:

Residential Limited (RL) designated neighborhoods that are composed of primarily residential uses; commercial and other uses are generally prohibited. Some RL neighborhoods are close to or adjacent to commercial.

The Commercial Office (CO) category provides for a mixture of commercial uses, generally more office than retail. Retail in the CO can be best described as being of smaller scale and less intensity than Commercial Retail (CR).

Relevant Davenport 2025 Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

- ***Revitalization***
Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. The property is located along East 53rd Street, an arterial street. Access is limited to the shared driveway on 53rd Street or potentially through the parking lots of the adjacent bank/office building to Utica Ridge Road.

Storm Water. There is existing stormwater infrastructure located in 53rd Street. The developer has been in contact with the City's Natural Resources office and is

proposing a detention/retention area along the eastern area of the property.in the southern portion of the

Sanitary Sewer. Sanitary sewer service was originally stubbed into the property from the south. This is an eight-inch sanitary line.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately one (1) mile from Fire Station No. 8, which is located at 2802 E. 53rd Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

This is a final development plan and no notification is required

DISCUSSION

The exhibits compare the rezoning site and landscape plans to those proposed with the development plan.

Site Plan: The buildings and parking lots are in the same general locations and with the same general design. The building and parking lot is moved further west. The building is setback 60 feet from the east property line (increased from 30 feet) and the parking is setback 40 feet (also increased from 30 feet). The increase in setback is in part due to the requirement for stormwater detention/retention which is located on the east side. This is also true along the south side, at least along the easterly portion of the parking lot with an approximate 33 to 38 foot setback. The proposed dumpster pad is locating the southeasterly corner of the parking lot.

Condition #12 included the following language: that any dumpsters for the property shall be locted in one central location, which shall be generally located between the two buildings ... and at the northern setback line for the property...

Buffering: Overall, there is a 38-percent increase in the amount of landscaping materials for screening purposes; these being understory, canopy and evergreen trees. The planting berm is maintained along the south buffer and extends slightly to the north in the east buffer yard. Extension of the privacy fencing along the boundary with the residential; properties is proposed.

Condition #8 included the following language: The final landscaping plan shall be approved by the property owners to accomplish screening of the property owners from the development of the two office buildings. It is the intent of the parties to have larger sized plant materials and a lesser overall number. The plant materials to be installed shall be the same of similarmaterials as shown on the planting in Exhibit "D".

Lighting: Site lighting will be required to be downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical. The ordinance requires a maximum height of parking lot light

standards of ten (10) feet. While ten foot standards are proposed they are to be located on two (2) foot high concrete bases for an overall height of twelve (12) feet. The overall height will need to be reduced by 2-feet.

Condition #9 included the following language: that the lighting plan for the parking lot shall cast downward and away from adjoining residential districts and shall be limited in height light posts with a maximum height of 10' or 3' light bollards and shall also be subject to the City of Davenport staff approval. The new lighting shall be placed on timers to turn off at 8:00 p.m. except for a limited amount to be left on for security or emergency purposes.

Building elevations: Building materials are primarily brick and glass and an EFIS type material. Any rooftop mounted mechanicals will need to be completely screened on all four sides.

STAFF RECOMMENDATION

Findings:

- The proposed plan is in general conformance with the rezoning approved concept.
- The proposed plan increases the amount of screening from that required by the rezoning.

Recommendation: Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case No. FDP14-07 to the City Council for approval subject to the following conditions:

1. That the development be subject to Exhibits "A", "B" and "C" in consideration of the following: building and parking lot layout; planting (including the number and size of plantings), screening (fencing) and berming; and building materials
2. That parking lot lighting conforms to City Ordinance 2004-292 being a maximum height of ten (10) feet. Site lighting shall also be downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical.
3. All conditions of City Ordinance 2004-292 shall apply which include but are not limited to meeting a) current stormwater and erosion control requirements, and b) site plan and Highway Corridor Overlay District requirements.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division

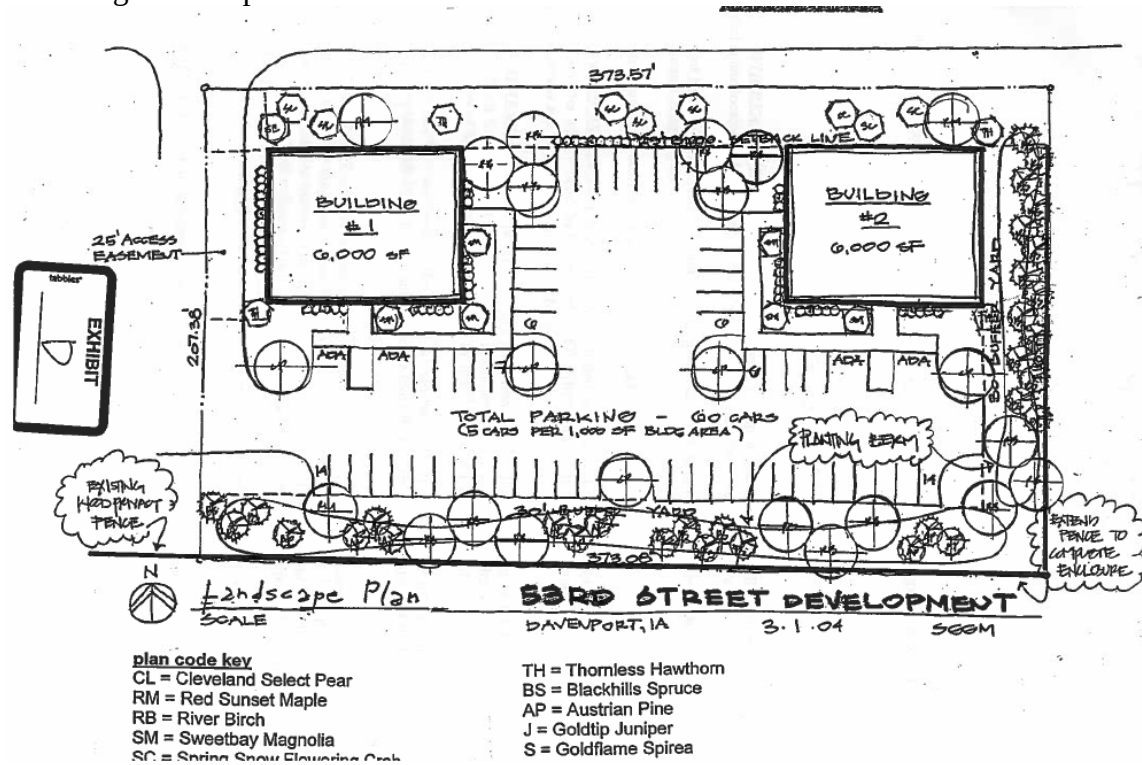
Attachments: Site & landscaping plans; building elevations; ordinance 2004-292

[illegible][illegible]

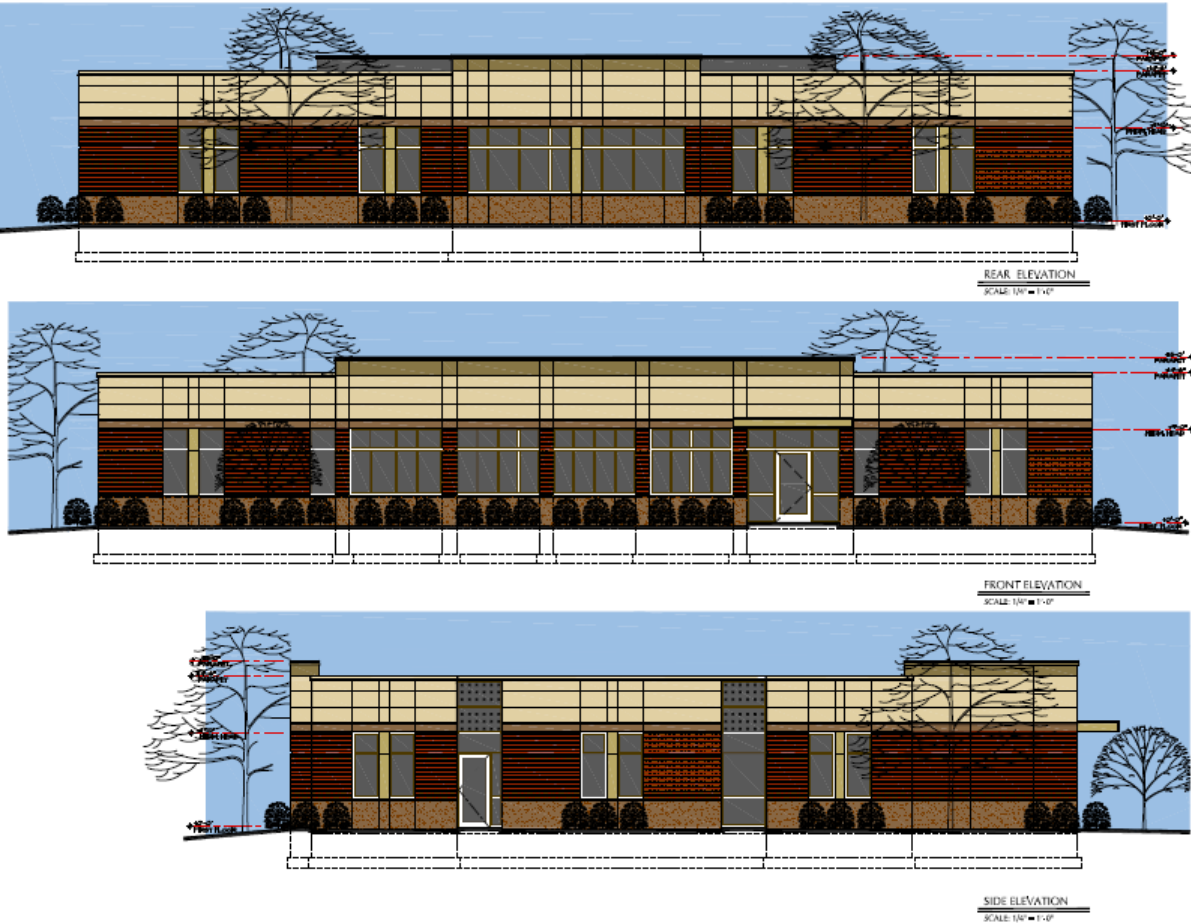
Proposed Landscape Plan (Exhibit "B")



Rezoning Landscape Plan 2004-292



Proposed Building Elevations & Materials (Exhibit “C”)



City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
CD11/19/2014

Subject:

Resolution approving Case FDF14-06 being a “PDD” Final Development Plan for a one story, 42,414 square foot office building on 11.48 acres, more or less, of property located adjacent to the western terminus of Market Square Circle, which is west of Utica Ridge Road (S.J. Russell, L.C., petitioner). [6th Ward]

Relationship to Goals:

Goal No. 2 – Added emphasis on economic development.

Background:

The subject and surrounding property was rezoned to “PDD” Planned Development District in 2002. The adopted Land Use Plan specifies that the property is to be developed as “Commercial/Hotel/Office/Assisted Living/High Density Residential”.

The PDD final development plan proposes for a one story, 42,414 square foot office building suites on 11.48 acres. The streets within the Terrace Ridge Park commercial subdivision are private, which explains why the property lines extend to the middle of the roadway.

Please refer to the Commission’s letter and background materials for further information.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	CD RES FDP14-06
☐ Backup Material	Final Development Plan
☐ Backup Material	FDP14-06 Plan and Zoning Commission Letter
☐ Backup Material	FPD14-06 Vote Record

City of Davenport

Committee: CD
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Ward: 6th

Action / Date
CD 11/19/14

Subject:

Resolution approving Case No. FDF14-06 being a "PDD" Final Development Plan for a one story, 42,414 square foot office building on 11.48 acres, more or less, of property located adjacent to the western terminus of Market Square Circle, which is west of Utica Ridge Road (S.J. Russell, L.C., petitioner). [6th Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

1. The proposed use of the property would reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill; and
2. The proposed use of the property would be consistent with the *Davenport 2025: Comprehensive Plan for the City*, which designates the subject property as "Commercial Retail District".

The City Plan and Zoning Commission accepted the listed findings and forwards Case FDP14-06 to the City Council with a recommendation for approval subject to the following conditions:

1. That the development generally achieve consistency the final development plan and building elevations; and
2. That the location of all easements be depicted on the Final Development Plan; and
3. That the freestanding sign location and setbacks be depicted on the Final Development Plan.

Please refer to the Commission's November 5, 2014 letter.

The Commission vote was 8-yes and 0-no.

Relationship to Goals:

Goal No. 2 – Added emphasis on economic development.

Background:

The subject and surrounding property was rezoned to "PDD" Planned Development District in 2002. The adopted Land Use Plan specifies that the property is to be developed as "Commercial/Hotel/Office/Assisted Living/High Density Residential".

The PDD final development plan proposes for a one story, 42,414 square foot office building Suites on 11.48 acres. The streets within the Terrace Ridge Park commercial subdivision are private, which explains why the property lines extend to the middle of the roadway.

Please refer to the Commission's letter and background materials for further information.



GERE | DISMER ARCHITECTS

124 Arts Alley
Rock Island, Illinois 61201
309.786.9910



4000 E. 51ST STREET DAVENPORT, IA 52607
P: 563.439.4600 • www.russellco.com



PARAGON
COMMERCIAL INTERIORS

PROJECT BUBBLE

DAVENPORT, IA

DESIGN DEVELOPMENT 10/2014
NOT FOR CONSTRUCTION

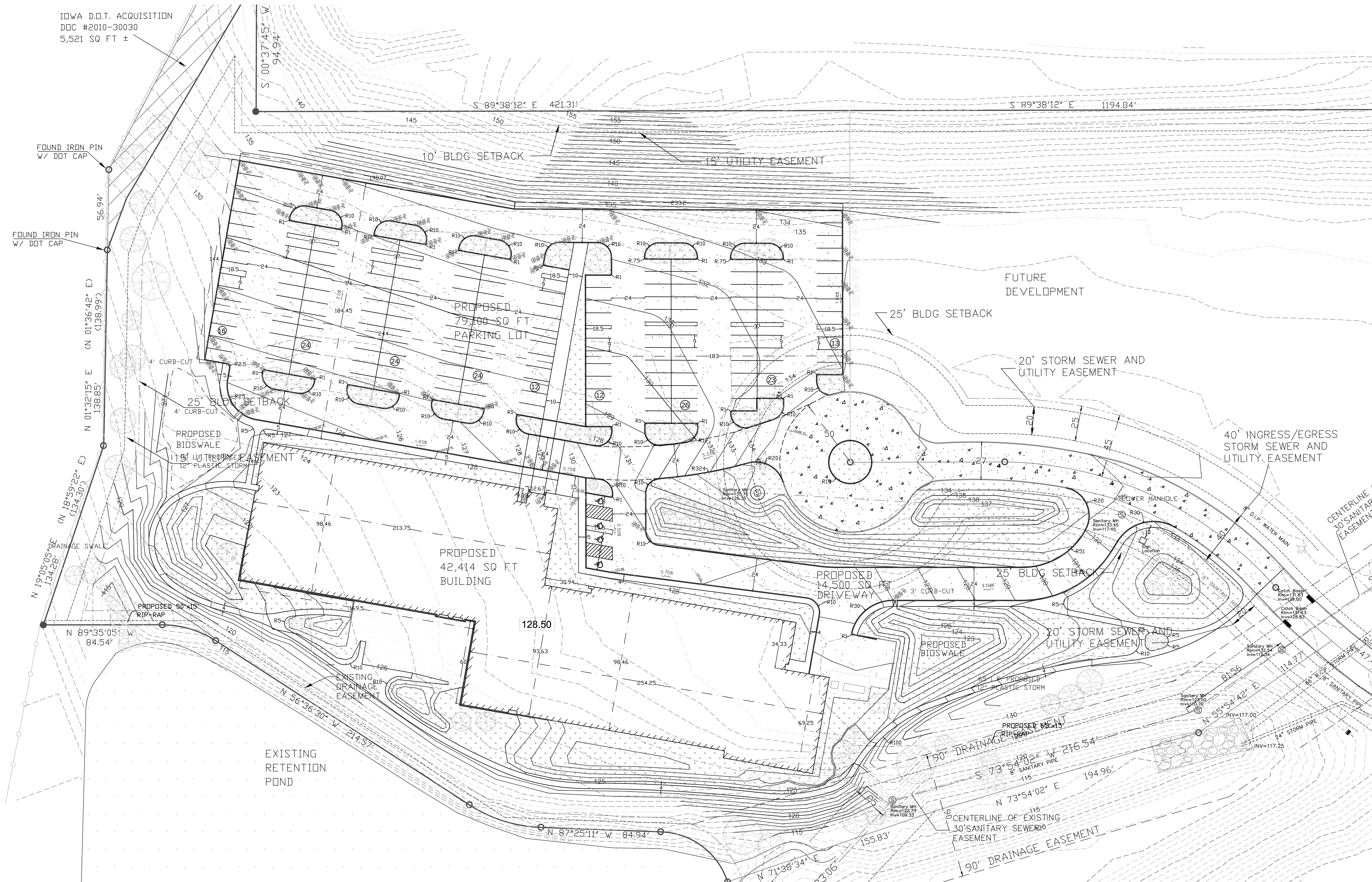
No.	DESCRIPTION	DATE
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DRAWING TITLE:

GRADING PLAN

PROJECT#

C.101



LEGEND:

	EASEMENT		EXISTING GAS VALVE		EXISTING CONTOUR LINE
	SETBACK LINE		EXISTING WATER VALVE		PROPOSED CONTOUR LINE
	CENTERLINE		EXISTING UTILITY POLE		SPOT ELEVATION TOP OF CURB
	PROPERTY BOUNDARY		EXISTING LIGHT POLE		SPOT ELEVATION FINISHED FLOOR
	EXISTING FENCE		EXISTING TREE		SPOT ELEVATION SIDEWALK
	EXISTING SANITARY		EXISTING BUSH		SPOT ELEVATION FINISHED FLOOR
	PROPOSED SANITARY		EXISTING MANHOLE		SPOT ELEVATION FINISHED FLOOR
	EXISTING STORM SEWER		EXISTING FIRE HYDRANT		SPOT ELEVATION FINISHED FLOOR
	PROPOSED STORM SEWER		FOUND PROPERTY PIN		SPOT ELEVATION FINISHED FLOOR
	EXISTING WATER		CONTROL POINT		SPOT ELEVATION FINISHED FLOOR
	PROPOSED WATER				
	EXISTING GAS LINE				
	EXISTING ELECTRIC				

GENERAL NOTES

- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES AND PAVED STREETS, INCLUDING ANY NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF ANY CONFLICTS WITH THE DRAWINGS OCCUR. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY TRENCHING AND GRADING OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. EXISTING UTILITY LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE.

GRADING PLAN
SCALE

1" = 30'



GERE | DISMER ARCHITECTS

124 Arts Alley
Rock Island, Illinois 61201
309.786.9910



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PARAGON
COMMERCIAL INTERIORS

PROJECT BUBBLE

DAVENPORT, IA

DESIGN DEVELOPMENT 10/2014
NOT FOR CONSTRUCTION

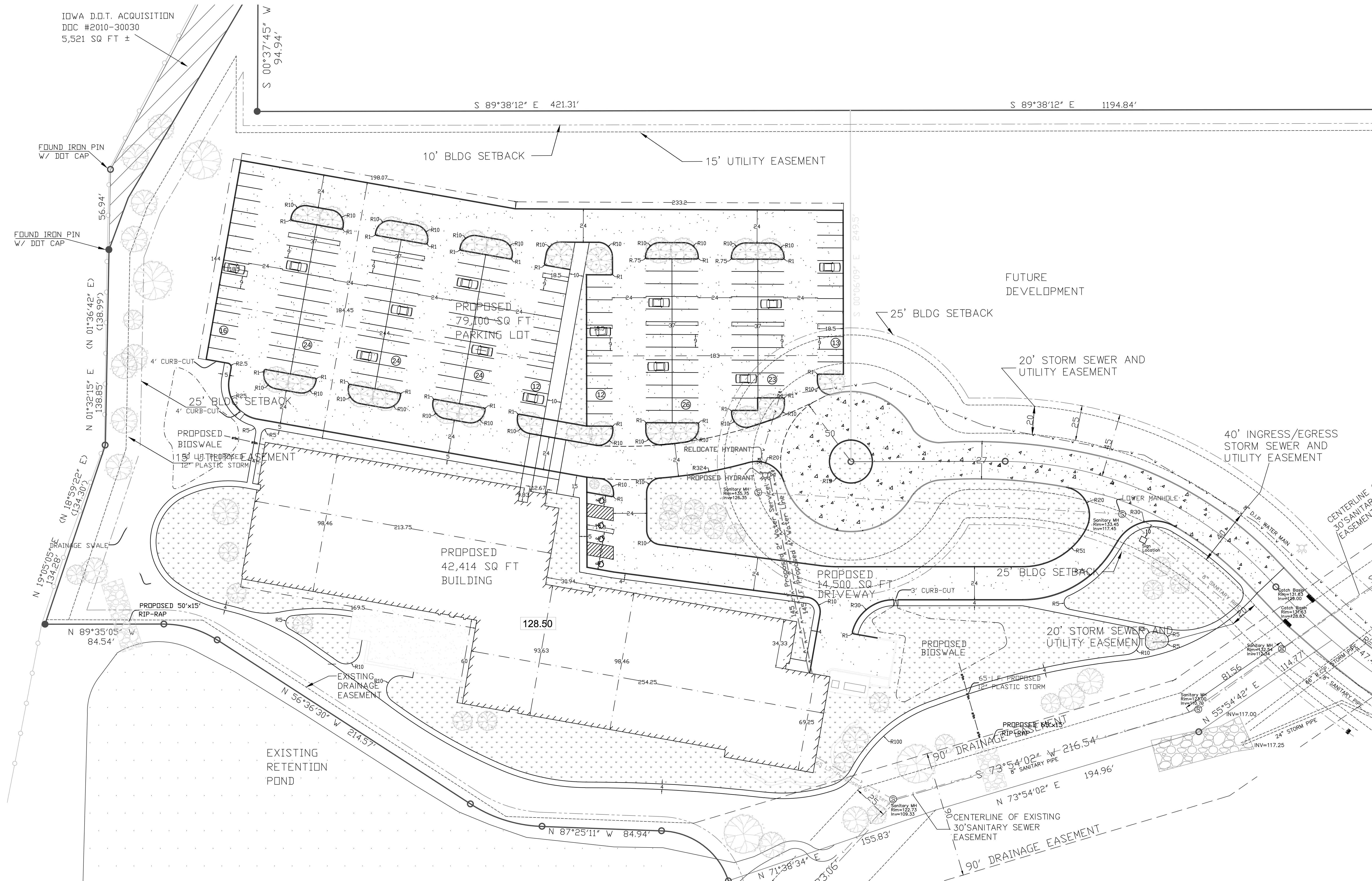
No. DESCRIPTION DATE

DRAWING TITLE:

UTILITY PLAN

PROJECT#

C.102



LEGEND:

-----	EASEMENT	⊗	EXISTING GAS VALVE	--- 12s ---	EXISTING CONTOUR LINE
-----	SETBACK LINE	⊗	EXISTING WATER VALVE	--- 12s ---	PROPOSED CONTOUR LINE
-----	CENTERLINE	⊗	EXISTING UTILITY POLE	○ 715.00 TC	SPOT ELEVATION TOP OF CURB
-----	PROPERTY BOUNDARY	⊗	EXISTING LIGHT POLE	○ 715.00 FL	SPOT ELEVATION FL @ GUTTER
-----	EXISTING FENCE	⊗	EXISTING TREE	○ 715.00 TW	SPOT ELEVATION SIDEWALK
-----	EXISTING SANITARY	⊗	EXISTING BUSH	○ 715.00 FF	FINISHED FLOOR ELEVATION
-----	PROPOSED SANITARY	⊗	EXISTING MANHOLE		
-----	EXISTING STORM SEWER	⊗	EXISTING FIRE HYDRANT		
-----	PROPOSED STORM SEWER	⊗	FOUND PROPERTY PIN		
-----	EXISTING WATER	⊗	CONTROL POINT		
-----	PROPOSED WATER	⊗			
-----	EXISTING GAS LINE	⊗			
-----	EXISTING ELECTRIC	⊗			

GENERAL NOTES

- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES AND PAVED STREETS, INCLUDING ANY NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IF ANY CONFLICTS WITH THE DRAWINGS OCCUR. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY TRENCHING AND GRADING OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. EXISTING UTILITY LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE.

UTILITY PLAN
SCALE

1" = 30'



GERE | DISMER ARCHITECTS

124 Arts Alley
Rock Island, Illinois 61201
309.786.9910



4400 E. 51ST STREET DAVENPORT, IA 52607
P: 563.439.4600 • www.russellco.com



PARAGON
COMMERCIAL INTERIORS

PROJECT BUBBLE

DAVENPORT, IA

DESIGN DEVELOPMENT 10/2014
NOT FOR CONSTRUCTION

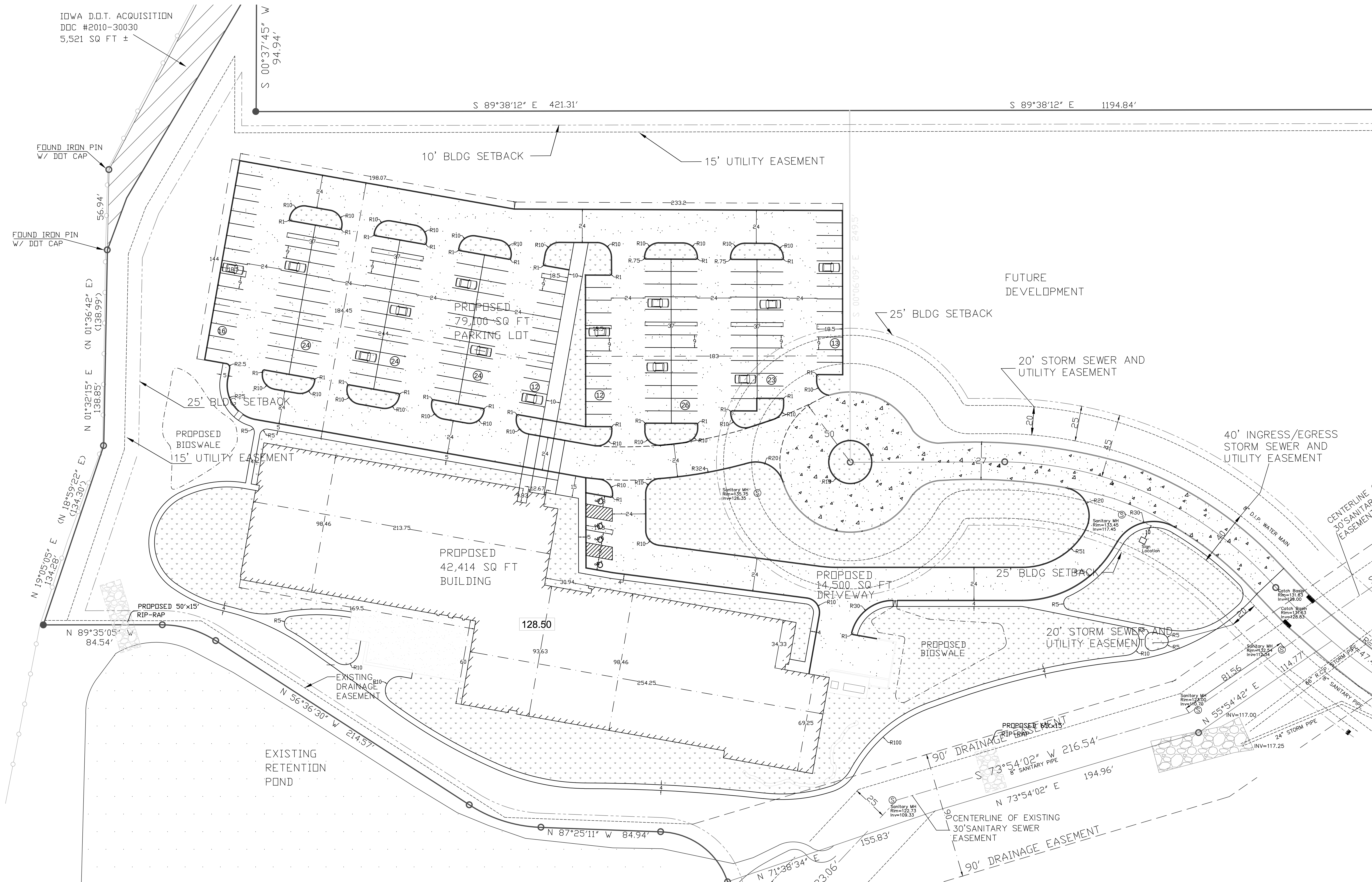
No. DESCRIPTION DATE

DRAWING TITLE:

GEOMETRY PLAN

PROJECT#

C.103



LEGEND:			
	EASEMENT		EXISTING GAS VALVE
	SETBACK LINE		EXISTING WATER VALVE
	CENTERLINE		EXISTING UTILITY POLE
	PROPERTY BOUNDARY		EXISTING LIGHT POLE
	EXISTING FENCE		EXISTING TREE
	EXISTING SANITARY		EXISTING BUSH
	PROPOSED SANITARY		EXISTING MANHOLE
	EXISTING STORM SEWER		EXISTING FIRE HYDRANT
	PROPOSED STORM SEWER		FOUND PROPERTY PIN
	EXISTING WATER		CONTROL POINT
	PROPOSED WATER		
	EXISTING GAS LINE		
	EXISTING ELECTRIC		

N
GEOMETRY PLAN
SCALE 1" = 30'

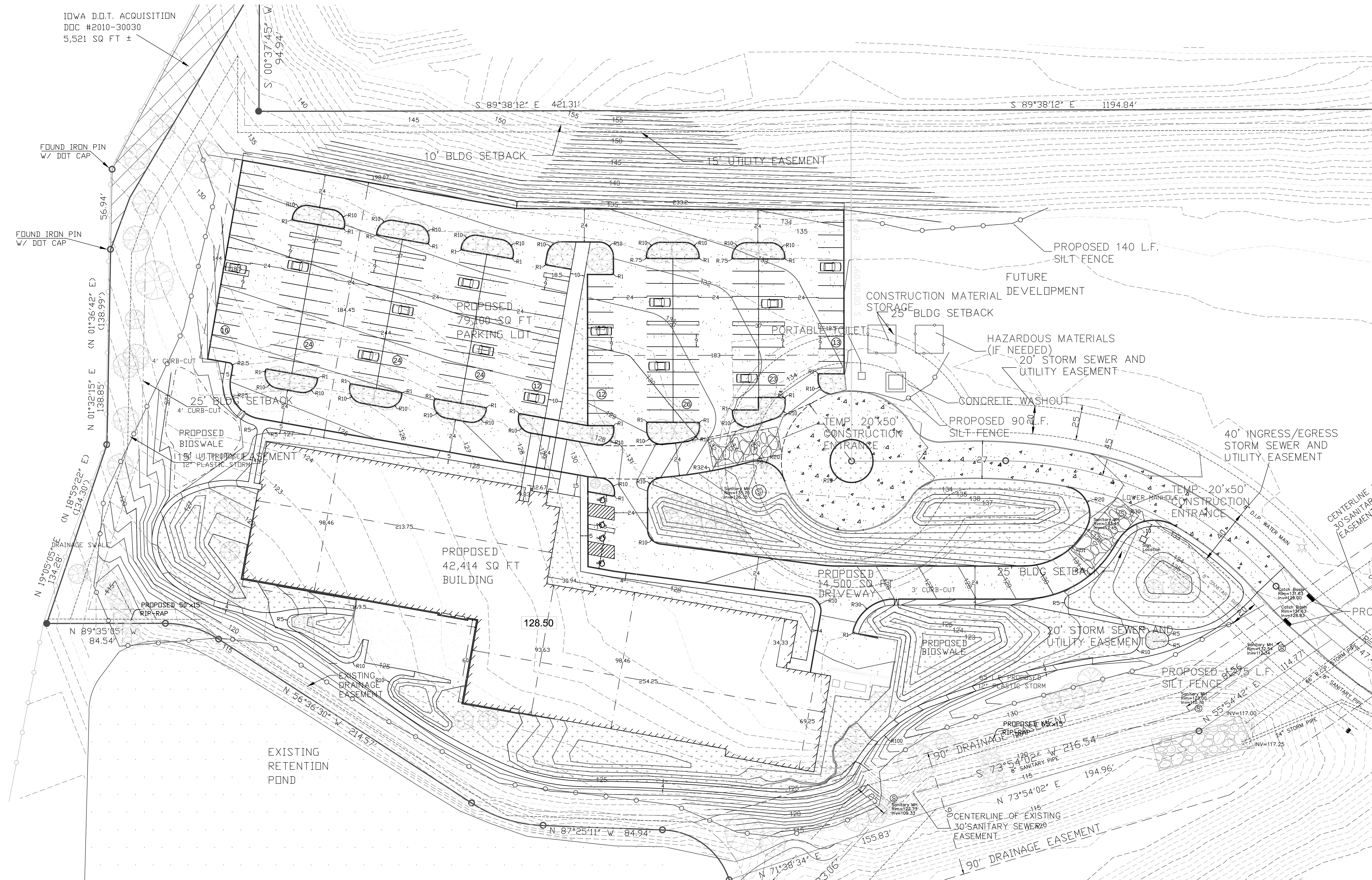
**PROJECT
BUBBLE**
DAVENPORT, IA

DESIGN DEVELOPMENT	10/2014
NOT FOR CONSTRUCTION	
No.	DESCRIPTION DATE

DRAWING TITLE:
EROSION CONTROL PLAN

PROJECT#

C.104



LEGEND:			
-----	EASEMENT	⊗	EXISTING GAS VALVE
-----	SETBACK LINE	⊗	EXISTING WATER VALVE
-----	CENTERLINE	⊗	EXISTING UTILITY POLE
-----	PROPERTY BOUNDARY	⊗	EXISTING LIGHT POLE
-----	EXISTING FENCE	⊗	EXISTING TREE
-----	EXISTING SANITARY	⊗	EXISTING BUSH
-----	PROPOSED SANITARY	⊗	EXISTING MANHOLE
-----	EXISTING STORM SEWER	⊗	EXISTING FIRE HYDRANT
-----	PROPOSED STORM SEWER	⊗	FOUND PROPERTY PIN
-----	EXISTING WATER	⊗	CONTROL POINT
-----	PROPOSED WATER	⊗	
-----	EXISTING GAS LINE	⊗	
-----	EXISTING ELECTRIC	⊗	

EROSION CONTROL PLAN
SCALE 1" = 30'

November 5, 2014

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of November 4, 2014, the City Plan and Zoning Commission considered Case No. F14-06 being a "PDD" Final Development Plan for a one story, 42,414 square foot office building on 11.48 acres, more or less, of property located adjacent to the western terminus of Market Square Circle, which is west of Utica Ridge Road.

Findings:

1. The proposed use of the property would reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill; and
2. The proposed use of the property would be consistent with the *Davenport 2025: Comprehensive Plan for the City*, which designates the subject property as "Commercial Retail District".

The City Plan and Zoning Commission accepted the listed findings and forwards Case FDP14-06 to the City Council with a recommendation for approval subject to the following conditions:

1. That the development generally achieve consistency the final development plan and building elevations; and
2. That the location of all easements be depicted on the Final Development Plan; and
3. That the freestanding sign location and setbacks be depicted on the Final Development Plan.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	DENIED	APPROVED	APPROVED	APPROVED	TABLED		
Name:	Roll Call	REZ14-12 Cond#7 Bldg setback	REZ14-12 Cond#12 X-access	REZ14-12 As Amended	FDP14-06 Blackhawk Hills Terrace Ridge	FDP14-07 Bankland 4319 E 53rd St	ROW14-07 Kwik Trip 1225 E Kimberly		
Cartee	A								
Connell	P	Y	N	Y	Y	Y	Y		
D'Autremont	P	Y	Y	Y	Y	Y	Y		
Elgatian	EX	N	N	Y	Y	Y	Y		
Gere	P	Y	N	Y	Y	AB	Y		
Inghram	P								
Kelling	P								
Lammers	P	Y	N	Y	Y	Y	Y		
Martin	P	Y	N	Y	Y	Y	Y		
Martinez	P	Y	Y	Y	Y	Y	Y		
Tallman	P	Y	Y	Y	Y	Y	Y		
		8-YES 0-NO 0-ABSTAIN	3-YES 5-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	8-YES 0-NO 0-ABSTAIN	7-YES 0-NO 1-ABSTAIN	8-YES 0-NO 0-ABSTAIN		

City of Davenport

Committee: Community Development
Department: Community Planning and Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: 3

Action / Date
CD11/19/2014

Subject:

Resolution approving an Urban Revitalization Tax Exemption application for MV Residential Land LLC and MWF IA3, Limited Partnership.[Ward 3]

Relationship to Goals:

Neighborhood improvements and added emphasis on economic development.

Background:

The objective of the Urban Revitalization Tax Exemption (URTE) program is to encourage private investment by providing an exemption on the increase in property taxes resulting from improvements. The City presently has three Urban Revitalization areas: Central City, North, and Davenport 2013.

Typically all URTE applications are approved in February. However from time to time applicants will request an individual approval of their application. This is usually due to requirements placed by the lender and/or the State in order to qualify for a tax credit program. This is the case for the following two projects:

- MV Residential Land, LLC seeks to build a 40 unit, senior living facility at 1509 Harrison St. They are requesting URTE Schedule #4 which allows for a 10 year/100% exemption.
- MWF IA3, Limited Partnership, seeks to build a 48 unit multi-family residential unit at 625 W 4th St. They are requesting URTE Schedule #4 which allows for a 10 year/100% exemption.

City of Davenport

Committee: CD
Department: Community Planning & Economic Development
Contact Info: Heather Johnson 888-2004
Wards: All Wards

Action / Date
CD11/19/2014

Subject:

Motion approving the Citizens' Advisory Committee's allocation recommendation for reprogrammable Community Development Block Grant (CDBG) funds. (all wards)

Relationship to Goals:

Revitalized neighborhoods and corridors

Background:

Each year, the Citizens' Advisory Committee (CAC) recommends allocating the unspent and unobligated CDBG funds from the prior fiscal year; as of 6-30-14 (end of CDBG program Year 39) there remained \$86,760 in reprogrammable funds. Due to federal regulations limiting the amount of funding able to be allocated to specific categories of activities, no additional funds could be awarded in the Public Services Category. The funds came from the following programs funded in CDBG Year 39:

• City Housing Rehabilitation Staff & supplies	\$35,774
• NHS Funds Returned for Ineligible expenses	\$20,019
• UNI Accessibility Program	\$14,000
• City Administration & Planning	\$13,556
• City Relocation Program	\$ 3,130
• Salvation Army	\$ 281

Reprogramming Procedure

According to the CAC's approved reprogramming process, programs not fully funded during the initial allocation cycle could apply for reprogrammable funds. All eligible and ineligible programs were notified of the reprogramming process via email and the following request was received:

- | | |
|-------------------------------|-----------|
| ○ City Rehabilitation Program | \$ 86,760 |
|-------------------------------|-----------|

CAC recommendation

At the November 3 CAC meeting, the committee considered the reprogramming requests. The Committee first voted to determine whether the request was eligible. The vote was unanimous that the request was eligible. The vote was also unanimous to recommend awarding the \$86,760 to the City's Housing Rehabilitation Fund.

The applicant was notified of the CAC recommendation and the date the issue would be considered by Council. 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.

City of Davenport

Committee: Community Development
Department: Community Planning and Economic Development
Contact Info: Heather Johnson 888-2004
Wards: All

Action / Date
CD11/19/2014

Subject:

Motion approving the local objectives for the Community Development Block Grant program for the Year 41 Annual Action Plan covering July 1, 2015 – June 30, 2016. [All Wards]

Relationship to Goals:

Revitalized neighborhoods and corridors.

Background:

Annually the Citizens' Advisory Committee makes recommendations to the City Council regarding local objectives for the next Community Development Block Grant Annual Action Plan. According to HUD requirements, the Local Objectives must address needs identified in the Five Year Consolidated Plan.

The Citizens' Advisory Committee is recommending the approval of three local objectives for the Year 41 Annual Action Plan. Three public meetings, a survey, census data, the Analysis of Impediments to Fair Housing and the Housing Needs Assessment were used to assist in decision making. A summary of supporting data is attached to this greensheet.

The recommended objectives are:

1. Improve the availability and livability of affordable housing in Davenport neighborhoods.
2. Support programs to retain existing business enterprises, to attract new businesses, and to assist small business clients.
3. Provide support for essential human needs for the citizens of Davenport, recognizing the unique needs of young adults and youth.

Approval of this motion will establish the local objectives for the Year 41 Annual Action Plan (July 1, 2015 – to June 30, 2016). Council approved local objectives will tie directly into Year 41 funding decisions.

ATTACHMENTS:

Type	Description
☐ Backup Material	Supporting Data for CDBG Local Objectives

Below is a summary of data obtained from a variety of sources to support the development of needs and objectives for the next 5 year plan. The summary includes responses to the annual survey, discussion from the public input meetings, data from the American Community Survey, impediments identified in the City's HUD required Analysis of Impediments to Fair Housing, and recommendations from the City's HUD required Housing Needs Assessment.

Annual Survey:

An online survey was distributed and 220 responses were received. The survey was available for 6 weeks and was distributed in the following ways:

- On the log in screen at the computers at Davenport Libraries
- On the City Website
- On the City's Facebook and Twitter pages
- Sent via email to residents on the City's Davenport NEW email list
- Sent via email to all City of Davenport subrecipient agencies and other nonprofit groups
- Distributed in paper form to the Office of Assisted Housing, at the Davenport Libraries, at City Hall, to subsidized housing management offices and to non-profit groups by request.

The survey resulted in the top three non-public service priorities being housing, economic development, funding of non-profit groups and infrastructure. The highest priority public services were youth, seniors, and those with disabilities.

Public Meetings:

Three public meetings were held. The meetings were advertised on the City's website, cable channel, Twitter and Facebook pages, via email to non-profit groups, media release, and with flyers and posters distributed to nonprofit groups, public housing offices and assisted housing developments.

- September 8th, focusing on public service agencies
- September 10th, focusing on non-public service agencies
- September 15th, for residents on any topic

The public meetings were held in a conversational format with questions to encourage discussion. The needs that emerged from the discussions were the need for affordable housing, both rental and single family, especially for larger units and those with financial or credit issues. There was also an expressed desire for better enforcement of housing quality standards, removal of blighting conditions, and improved infrastructure, especially for safety when walking. Transportation was identified as an obstacle, with limited service hours and coverage, making safe walking routes even more important.

American Community Survey Data:

HUD has provided certain data from the American Community Survey that must be included in the 5 Year Consolidated Plan. This data pertains to the demographics of the community, the income level of residents, the age and condition of structures, housing problems faces by households, employment rates and other factors. The general theme of the data indicate that home prices and rents have increased over the last 10 years and that there may be a need for more affordable housing units, especially for lower income level households. Much of the housing stock in Davenport is older, and many households face cost burdens and/or are living in substandard or overcrowded conditions. While unemployment is comparable to the national average, unemployment rates for younger people and minorities is higher than the City's overall rate.

Analysis of Impediments to Fair Housing:

The City is required to obtain and update an Analysis of Impediments to Fair Housing. Davenport conducted this analysis in 2013 through a consultant in conjunction with Rock Island and Moline. The general impediments identified in the document indicate that there is a lack of decent, affordable housing, particularly accessible rental units and subsidized Section 8 housing. Affordable

rental housing is concentrated in areas of high minority and low income population and public transportation is lacking or inadequate in some areas.

Housing Needs Assessment:

The City is required to obtain and update a Housing Needs Summary. Davenport conducted this analysis in 2008 through a consultant and is in the process of having it updated at this time. The assessment resulted in four recommendations. The themes of the recommendations are that, with a large quantity of older homes in need of repair, larger scale rehabilitation and replacement is needed. More rental assistance is needed, along with neighborhood stabilization through the acquisition of foreclosed properties, improved code enforcement and nuisance abatement, and efforts to address public safety and tenant/landlord stability and education.

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Bruce Berger
Wards: 3

Action / Date
CD11/19/2014

Subject:

Motion establishing the support for HOME Rental Rehabilitation/Construction funding for the LaFayette Square project [Ward 3]

Relationship to Goals:

Neighborhood improvements

Background:

Each year, the U.S. Department of Housing and Urban Development (HUD) allocates HOME Investment Partnerships (HOME) funding to the City. HOME funds have to be spent on housing projects/activities that benefit households at or below certain income levels and must be allocated on an ongoing basis or be repaid to HUD.

Separately, the State of Iowa participates in a workforce housing tax credit program. These tax credits, if awarded, provide a substantial amount of equity for qualifying projects, making projects financially feasible. As with HOME funding, the State credits require that tenants are able to support monthly payments, with typical qualifying occupations such as starting teacher or fire fighter. This year, the deadline to apply to the State is early December. Typically, the State is only able to award one out of every three applications, with a competitive scoring process and market analyses required. Projects that are able to reflect funding from the local community are scored more favorably.

This year, one developer has indicated that they plan to apply for the competitive 9% State tax credits, with \$250,000 in City HOME funds requested. This project was previously supported for funding by City Council in November 2013 for the State tax credit application, but was not awarded State tax credits at that time. The developer has decided to reapply for State tax credits this year. A summary of the project is below:

Project Name	Address	Developer	Description	Total Investment	HOME Request
Lafayette Square	609 W. 4 th St., Ward 3	MWF IA3, LLC	New Construction of 48 unit multifamily apartment building.	\$9.8 Million	\$250,000

Given the application information, the State application process, and the expected availability of HOME funding, staff is recommending that the project be prioritized for HOME funding. This will allow the developer to be in a competitive position for the State tax credit process. In the spring after the State awards tax credits, LaFayette Square developers will be required to submit updated and complete application information, document that they have secured the balance of funding needed, passed environmental review and underwriting requirements, and met other programmatic compliance items prior to HOME funding commitment. In addition, the commitment will be contingent upon the availability of HOME funds at the time.

Approval of this Motion will authorize CPED staff to provide a contingent letter and exhibit of support for the project as it applies to the State.

ATTACHMENTS:

Type	Description
☐ Backup Material	Elevation-Site Plan-Map

Lafayette Square Apartments

Development Summary



West 4th Street Elevation, Davenport

Chris Stokka
MWF Properties, LLC
November 12th, 2013



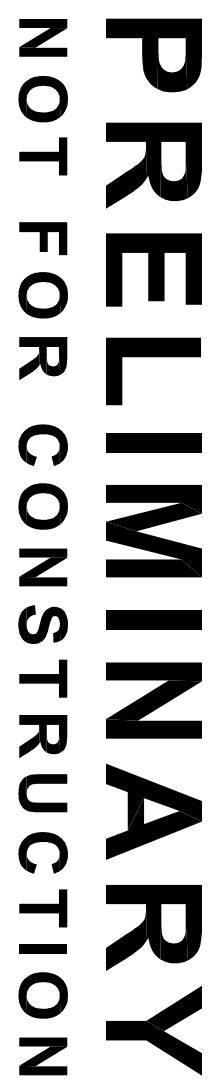
1. GROSS AREA OF SITE: 42,000 s.f. (0.96 ACRES).
2. DWELLING UNIT TOTAL & DENSITY: 48 UNITS TOTAL; 48 UNIT/ ACRE
3. ZONING OF SITE: C-4
4. MINIMUM SETBACKS: NONE; HEIGHT RESTRICTION: NONE
5. IMPERVIOUS SURFACES – BUILDING ONLY: 16,757 s.f. = 40.0 % OF SITE
6. IMPERVIOUS SURFACES – PARKING/SIDEWALK/BLDG: 25,930 s.f. = 62 % of SITE
6. PERVIOUS SURFACES – GREEN AREA/PERVIOUS PAVEMENT: 15,469 s.f. = 38 % of SITE
7. ACCESSORY BUILDING/ FENCING : NONE

BUILDING FINISHES:		GROSS AREA sf
GARAGE / GROUND LEVEL	16,757	
FIRST LEVEL	15,969	
SECOND LEVEL	15,925	
THIRD LEVEL	15,404	
FOURTH LEVEL	15,404	
TOTAL RESIDENTIAL AREA:	62,702	

PARKING PROVIDED:
UNDERGROUND PARKING: 46 STALLS (incl. 2 (TWO) VAN ACCESSIBLE STALLS)
SURFACE PARKING: 20 TOTAL STALLS PROVIDED (incl. 1 (ONE) VAN ACCESSIBLE STALLS)
TOTAL: 66 STALLS

ACCESSIBLE PARKING SPACES:
MINIMUM 2 (TWO) ACCESSIBLE PARKING STALLS REQUIRED.
(THREE) PROVIDED (VAN ACCESSIBLE)

UNIT	QUANTITY	# BEDROOMS	TYPE "B" UNITS	TYPE "B" w/ Accessible Communications Features (2%)	TYPE "A" UNITS (30%)	FULLY ACCESSIBLE UNITS (10%)	NET AREA sf	GROSS AREA sf
B1	12	2-BR	11	1			845	900
B2	3	2-BR			3		871	928
B3	5	2-BR				5	871	928
C1	8	2-BR			8		837	901
C2	12	3-BR	12				1060	1126
D1	4	3-BR	4				1104	1176
D2	4	3-BR			4		1104	1176
TOTAL	48			28	15	5		



City of Davenport

Committee: Public Safety Committee
Department: City Clerk
Contact Info: Jackie Holecek x6163
Wards: 4

Action / Date
PS11/19/2014

Subject:

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

COMMITTEE ACTION ONLY

Relationship to Goals:

Support of local events.

Background:

The following requests for noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, section 8.19.090 Special Variances.

Circle Tap, 1345 West Locust Street, Anniversary Party, 8:00pm - Midnight; Over 50 dBa

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: John Claeys; (563) 327-5713
Wards: All

Action / Date
PW11/19/2014

Subject:

First Consideration: Ordinance amending Chapter 15.16 The National Electrical Code, Title 15 of the Davenport Municipal Code. *[ALL WARDS]*

Relationship to Goals:

Davenport - The Choice Community for Living.

Background:

The National Electrical Code Editions are amended locally. Iowa Code requires that amended electrical code be more restrictive than the electrical code adopted by the State of Iowa. The amendments recommended by the Davenport Electrical Code Board of Review and Appeals conform to requirements of the Iowa Code. Title 15 of the Davenport Municipal Code contains the specific ordinances pertaining to electrical installation and currently references the 2011 National Electrical Code. The Davenport Electrical Code Board of Appeals and Review has completed a review of the 2014 Edition of the National Electrical Code. The purpose of the public review process is to consider modifications to the model electrical code prior to its ratification as part of the local municipal ordinance.

A brief summary of changes is as follows:

Revision to the City Davenport Electrical Code Ordinance

1. 15.16.015: "National Electric Code 2011" is replaced with "National Electrical Code 2014".
2. 15.16.050(D): Add "(4) Types I and II construction where installed within raceways permitted in Types I and II construction."
3. 15.16.070: Change "2011 National Electrical Code" to "2014 National Electrical Code".

ATTACHMENTS:

Type	Description
▢ Ordinance	ORD_Electrical_Code_PW

ORDINANCE NO.

AN ORDINANCE TO REPEAL CHAPTER 15.16 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "ELECTRICAL CODE" AND ENACT AS A REPLACEMENT AND A NEW CHAPTER 15.16 ENTITLED "ELECTRICAL CODE".

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

Section 1. That Chapter 15.16 of the Municipal Code of Davenport Iowa, be and the same is hereby repealed in its entirety and replaced by a new Chapter 15.16 as follows:

Chapter 15.16 ELECTRICAL CODE
Construction Rules and Regulations for the City of Davenport

Sections:

15.16.010	Adoption by reference.
15.16.015	The National Electrical Code.
15.16.020	Additions, deletions and amendments.
15.16.030	Chapter 1, modified.
15.16.040	Chapter 2, modified.
15.16.050	Chapter 3, modified.
15.16.060	Chapter 7, modified.
15.16.070	Chapter 10 "Rewires" added.

15.16.010 Adoption by reference.

The specifications and regulations which are mentioned by title and date below are hereby adopted and declared to be a part of this title when not in conflict with a specific statement contained herein.

15.16.015 The National Electrical Code.

The National Electrical Code, 2014 Edition as published by the National Fire Protection Association, Inc. is hereby adopted by reference as the electrical code for the City of Davenport, with the following revisions and amendments.

15.16.020 Additions deletions and amendments.

Annex H entitled "Administration and Enforcement", is hereby deleted and replaced by Chapter 15.08 of the Davenport Municipal Code.

15.16.030 Chapter 1, modified.

Delete Paragraph 1 10.8 "Wiring Methods", in its entirety and in lieu thereof a new paragraph as follows:

1 10.8 "Wiring Methods"

Only wiring methods recognized as suitable and as recognized by N.F.P.A. are included in this Code. The recognized methods of wiring shall be permitted to be installed in any type of building or occupancy, except as otherwise provided in this Code. When any additions, alterations or renewals to existing electrical equipment lawfully installed prior to the adoption of the present code have been made, any portion of the installation which is presently added, altered, or

renewed, shall conform to the regulations now in effect. See Section 15.16.070 pertaining to rewires.

15.16.040 Chapter 2, modified.

(A) Add to Article 215 "Feeders" a new paragraph as follows:

215.13 "Conductors Within Buildings"

Feeder conductors within dwellings shall be installed within an approved raceway.

Type AC and type MC cable are not approved for this application. EXCEPTION: Where feeder conductors originate and terminate within a dwelling unit.

(B) Modify Article 220.18 "Maximum Loads", by adding as follows:

(D) Residential circuits shall be calculated as follows:

(1) Duplex receptacles (general) 10 per circuit

(2) Counter top receptacles 2 per circuit.

(C) Delete Article 230.43 "Wiring Methods for 600 Volts Nominal Or Less" in its entirety and enact in lieu thereof a new Article as follows:

Article 230.43 "Wiring Methods for 600 Volts Nominal, Or Less"

Service-entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and limited to the following methods:

(1) open wiring on insulators; (2) Type IGS cable; (3) rigid metal conduit; (4) intermediate metal conduit; (5) electrical metallic tubing; (6) wire ways; (7) busways; (8) auxiliary gutters; (9) rigid nonmetallic conduit; (9) cablebus; (10) mineral- insulated, metal sheathed cable; (11) High Density Polyethylene Conduit (HDPE); (12) Nonmetallic Underground Conduit with Conductors (NUCC); (13) Reinforced Thermosetting Resin Conduit (RTRC).

15.16.050 Chapter 3, modified.

(A) Delete Table 310.106(A) in its entirety and enact in lieu thereof a new Table 310.106 (A) as follows:

Table 310.5

Voltage Rating of Conductor - Volts	Minimum Conductor Size-AWG
0 to 200	12 Copper
	10 Aluminum or Copper Clad Aluminum
2001 to 5000	8
5001 to 8000	6
8001 to 15000	2
15001 to 28000	1
28001 to 35000	1/0

(B) Delete Article 320. 108 "Grounding", in its entirety and enact in lieu thereof a new paragraph as follows:

320. 108 "Grounding"

Type AC cable shall be required to have a grounding conductor sized in accordance with Article 250.122.

(C) Modify Article 330. 10(A)(1) General Uses, as follows:

330.10(A) General Uses.

Type MC cable shall be permitted as follows:

- (1) For feeder and branch circuits.

(D) Delete Article 334. 10 "Uses Permitted", in its entirety and enact in lieu thereof a new paragraph as follows:

334.10 "Uses Permitted"

Type NM, Type NMC, and Type NMS cable shall be permitted to be used:

(1) In one and two-family dwellings and their attached or detached garages, and their storage buildings.

(2) Multiple family dwellings permitted to be of Type III, IV, and V construction, except as prohibited in Section 334.12.

Informational Note No. 1: Types of building construction and occupancy classifications are defined in NFPA 220-2006, "Standard on Types of Building Construction", or the applicable building code, or both.

Informational Note No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1].

- (3) Cable trays in structures permitted to be Types III, IV, or V where cables are identified for the use.

Informational Note: See Section 310. 115(A)(3) for temperature limitations of conductors.

- (4) Types I and II construction where installed within raceways permitted to be installed in Types I and II construction.

(A) Type NM. Type NM cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations.
- (2) To install or fish Type NM cable in air voids in masonry block or tile walls.

(B) Type NMC cable shall be permitted as follows:

- (1) For both exposed and concealed work in dry, moist, damp, or corrosive locations, except as prohibited by 334.10(3).
- (2) In outside and inside walls of masonry block or tile;
- (3) In a shallow chase in masonry, concrete or adobe protected against nails or screws by a steel plate at least 1/16 inch (1.59 mm) thick and covered with plaster, adobe, or similar finish.

(C) Type NMS cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited by 334.10(3)
- (2) To be installed or fished in air voids in masonry block or tile walls.

(E) Delete Paragraph 334.15 "Exposed Work - General" in its entirety and enact in lieu thereof a new paragraph as follows:

334. 15 "Exposed Work - General"

In exposed work, except as provided in sections 300.11 (A), the cable shall be installed as specified in (a), (b), and (c) below.

- a.) To Follow Surface. Cable shall closely follow the surface of the building surface or of

running boards.

b.) Protection From Physical Damage. Cable shall be protected from physical damage to a height of 8 feet (2.44 meters) from the floor by rigid metal conduit, electrical metallic tubing, Schedule 80 PVC rigid nonmetallic conduit, Type RTRC marked with suffix -XW, or other approved means.

c.) In Unfinished Basements. Where the cable is run at right angles with the joist in unfinished basements, the cable shall be installed through bored holes in the joist. Nonmetallic-sheathed cable installed on a wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing or shall be protected in accordance with 300.4. Conduit or tubing shall be provided with a suitable insulating bushing or adapter at the point the cable enters the raceway. The sheath of the nonmetallic -sheathed cable shall extend through the conduit or tubing and into the outlet or device box not less than 6 mm (1/4 in.). The cable shall be secured within 300 mm (12 in.) of the point where the cable enters the conduit or tubing. Metal conduit and tubing and metal outlet boxes shall be connected to an equipment grounding conductor complying with the provisions of 250.86 and 250.148.

(F) Delete Paragraph 334.40(B) "Devices of Insulating Material", in its entirety and enact in lieu thereof a new paragraph as follows:

334.40(B) "Devices of Insulating Material"

All switches, outlets, and tap devices must terminate in an outlet box complying with the requirements of Article 314 of the National Electrical Code.

(G) Add to Article 314 "Outlet, Device, Pull and Junction Boxes, Conduit Bodies, and Fittings", a new paragraph as follows:

314.17(E) Insulated Throats.

All fittings for use with EMT conduit, flexible metallic tubing and flexible metallic conduit shall utilize insulated throats.

15.16.060 Chapter 7, modified.

Add to Article 760, "Fire Protection Systems", a new paragraph as follows:

760. 16, "Protection of Fire Alarm Circuit in Hallways and other Public Areas".

All exposed fire alarm and signal wiring in any building shall be installed in raceways or approved metal-clad type cable so as to make the wiring tamper-resistant. Wiring installed 10 feet above finished floor shall be considered tamper resistant by location.

15.16.070 Chapter 10 "Rewires" added.

The 2014 National Electrical Code is hereby amended by adding a new Chapter 10 entitled "Rewires", as follows:

Chapter 10 "Rewires".

When there is an increase in the service entrance ampacity in existing structures, the following minimum requirements shall be conformed to:

(1) All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws and shall be of an approved type.

(2) Every habitable room shall contain at least two receptacle outlets.

(3) Habitable rooms shall contain at least one light fixture controlled by a wall switch or a wall switch controlling one of the receptacle outlets.

(4) Every water closet room, bathroom, laundry room, furnace room, and public hallway shall contain at least one light fixture.

(5) All exposed wiring shall comply with Section 15.16.050.

- (6) A duplex receptacle outlet shall be installed at each kitchen wall counter space that is 24 inches or wider.
- (7) Ground fault protected receptacles shall be required as specified in 210.8 and 210.52(E).
- (8) Bathrooms are to have at least one receptacle outlet as specified in 210.52(D).

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 _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the Quad City Times on _____

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gene Hellige; (563) 327-5153
Wards: 1

Action / Date
PW11/19/2014

Subject:
Resolution of Acceptance for the Credit Island American Discovery / Mississippi River Trails Recreational Bridge CIP Project #01817. *[WARD 1]*

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities.

Background:
All work on the project has been satisfactorily completed by General Constructors, Inc. of the Quad Cities and the project is ready for acceptance. The total construction cost of the project is \$1,965,227.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	PW_RES CREDIT ISLAND BRIDGE PG2

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolution of Acceptance for the Credit Island American Discovery / Mississippi River Trails Recreational Bridge CIP Project #01817.

Whereas, the City of Davenport entered into a contract with General Constructors, Inc. of the Quad Cities for construction of the Credit Island American Discovery / Mississippi River Trails Recreational Bridge, and

Whereas, work, under the contract, has been satisfactorily completed.

Now, therefore, be it resolved, by the City Council of the City of Davenport that the Credit Island American Discovery / Mississippi River Trails Recreational Bridge project is hereby accepted.

Passed and approved this 26th day of November, 2014

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: All

Action / Date
PW11/19/2014

Subject:

Resolution approving the contract for the Birchwood Area Relief Sanitary Sewer Design to HDR Engineering, Inc. in the amount not to exceed \$74,480, CIP Project #01905. *[ALL WARDS]*

Relationship to Goals:

Davenport – The Choice Community for Living
Upgraded City Infrastructure & Public Facilities

Background:

The project includes constructing a parallel sanitary sewer along Clark Street from Locust to Central Park. The added capacity is intended to reduce backups and overflows. This portion of the project is for design and preparation of bid documents.

HDR Engineering, Inc. was selected as a result of their expertise and experience with this type of project. The scope of work is to provide engineering services to the City for the design of the Birchwood Area Parallel Sanitary Sewer Project designated in the FY 2015 CIP. This resolution is the approval of the contract award and is within the budget.

The scope of work addresses the recommendations from the Birchwood Infiltration and Inflow (I&I) Study, which provided recommendations for removal of I&I sources as well as recommendations to alleviate the sanitary sewer surcharging problems in the Birchwood Area.

Funds for the Birchwood Area Parallel Sanitary Sewer Project are budgeted in CIP Project #01905 not to exceed \$74,480.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	PW_RES BIRCHWOOD PG2
☐ Backup Material	Mapping for Birchwood Area - Pg 2

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport.

Resolution approving the contract for the Birchwood Area Relief Sanitary Sewer Design to HDR Engineering, Inc. in the amount not to exceed \$74,480, CIP Project #01905. [ALL WARDS]

Whereas, the City of Davenport previously completed an I & I investigation of the sanitary sewers in the Birchwood Area;

Whereas, as a result of the I & I Study recommendations were made to alleviate the sanitary sewer surcharging problems in the Birchwood Area;

Whereas, the work is to be performed at agreed upon prices;

Now, therefore, be it resolved, by the City Council of the City of Davenport, Iowa: that the Contract is hereby approved, and the Public Works Director is hereby authorized to execute said document.

Passed and approved this 26th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk



Birchwood Area Parallel Sanitary Sewer



City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart (563) 327-5155
Wards: ALL

Action / Date
PW11/19/2014

Subject:

Resolution approving the plans, specifications, forms of contract and estimated cost for Street Micro-Surfacing, FY2015 CIP Project #10550. *[ALL WARDS]*

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

The Micro-Surfacing Program will maintain asphalt streets throughout the City. It will reduce costly, time consuming rehabilitation and reconstruction projects and the associated traffic disruptions. With timely preservation we can provide the traveling public with improved safety and mobility, reduced congestion, and smoother, longer lasting pavements.

The proposed improvements consist of applying a single pass Micro-Surfacing layer over existing hot mix asphalt (HMA) or bituminous seal coat surfaces.

The current estimate is \$405,000. A copy of the list of streets to be completed under this program is attached.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	RES_Street Resurfacing pg2
☐ Backup Material	Micro-surfacing Street List

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, forms of contract and estimated cost for Street Micro-Surfacing, FY2015 CIP Project #10550.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the Deputy City Clerk of Davenport, Iowa, for the FY 2015 Micro-Surfacing Program within the City of Davenport, Iowa; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa, that said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for said project.

Passed and approved the 26th day of November, 2014.

Approved:

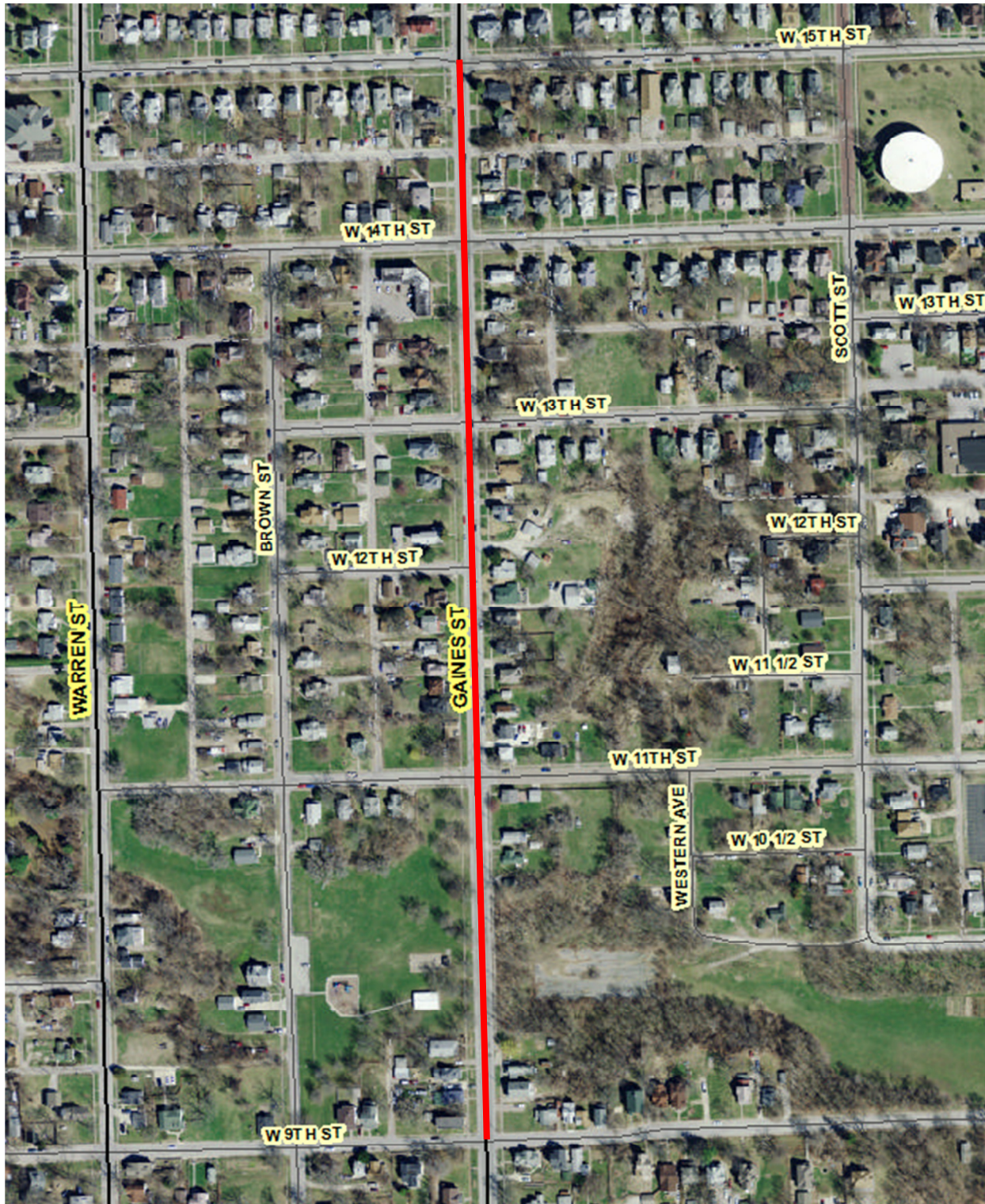
Attest:

William E. Gluba, Mayor

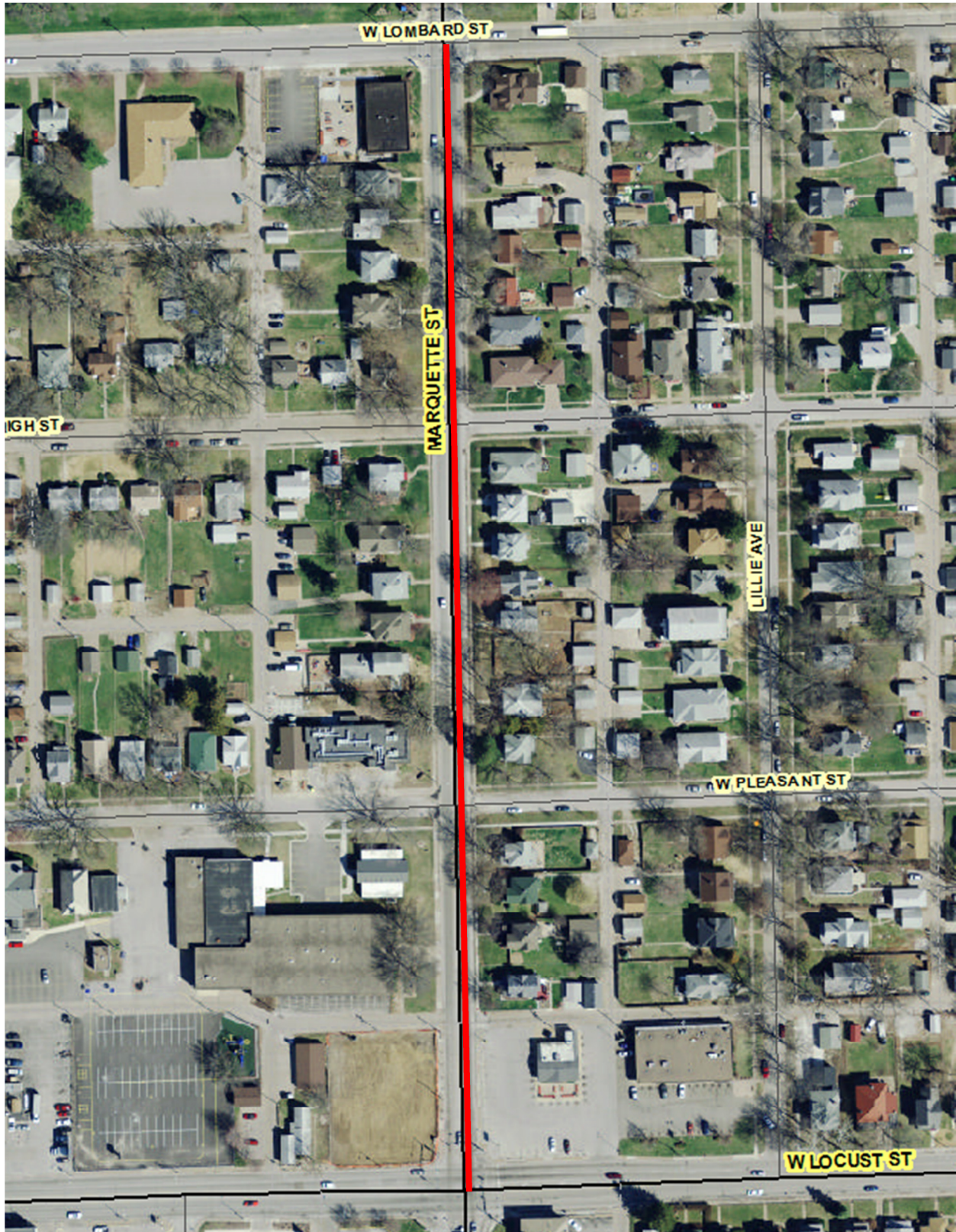
Jackie E. Holecek, Deputy City Clerk

FY 2015 Micro-Surfacing Street List

1) Gaines St. – W. 9th St. to W. 15th St.



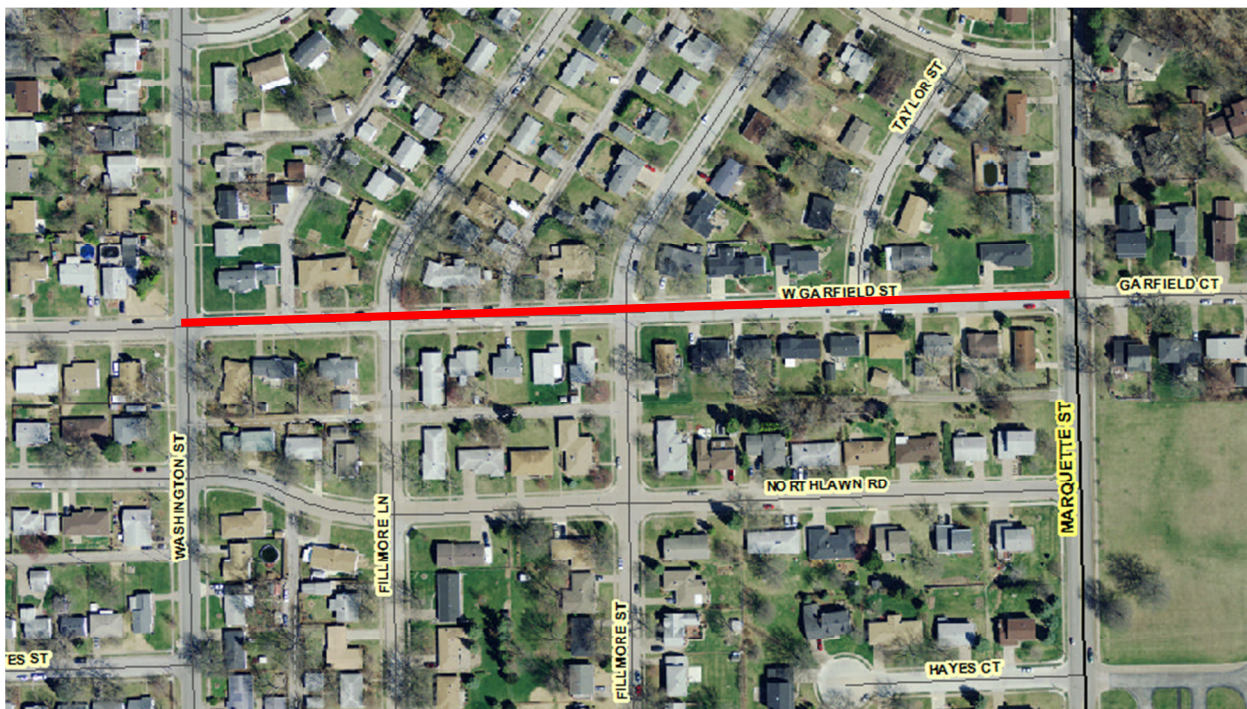
2) Marquette St. – W. Locust St. to W. Lombard St.



3) Ripley St. – W. 4th St. to W. 5th St.



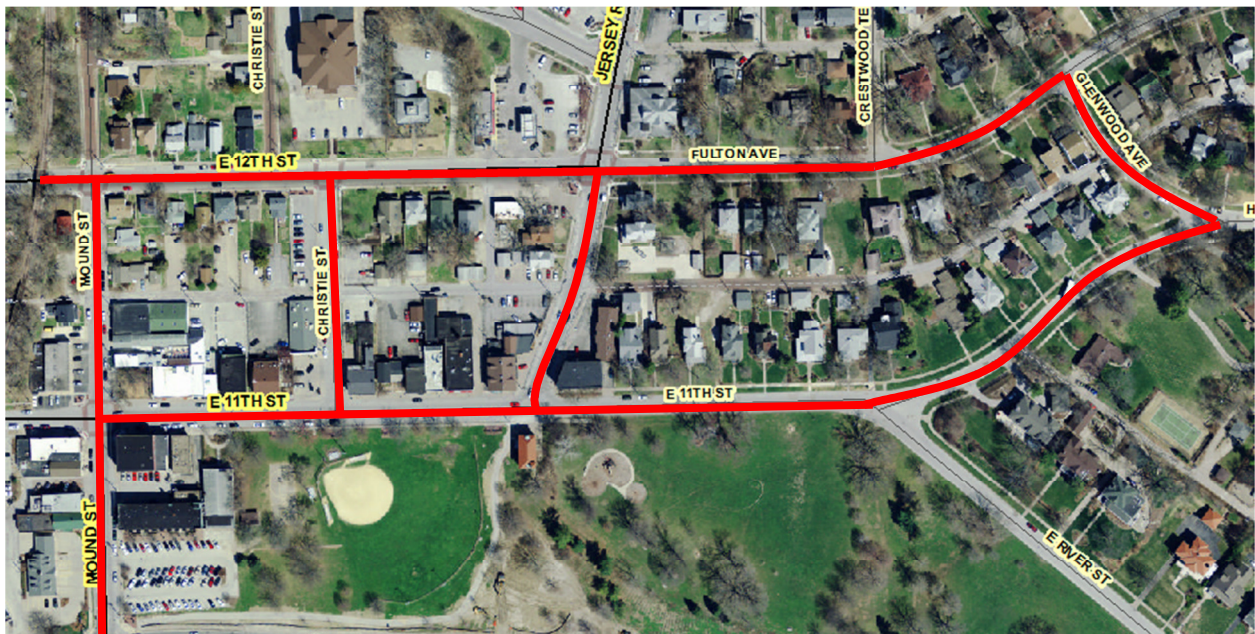
4) W. Garfield St. – Marquette St. to Washington St.



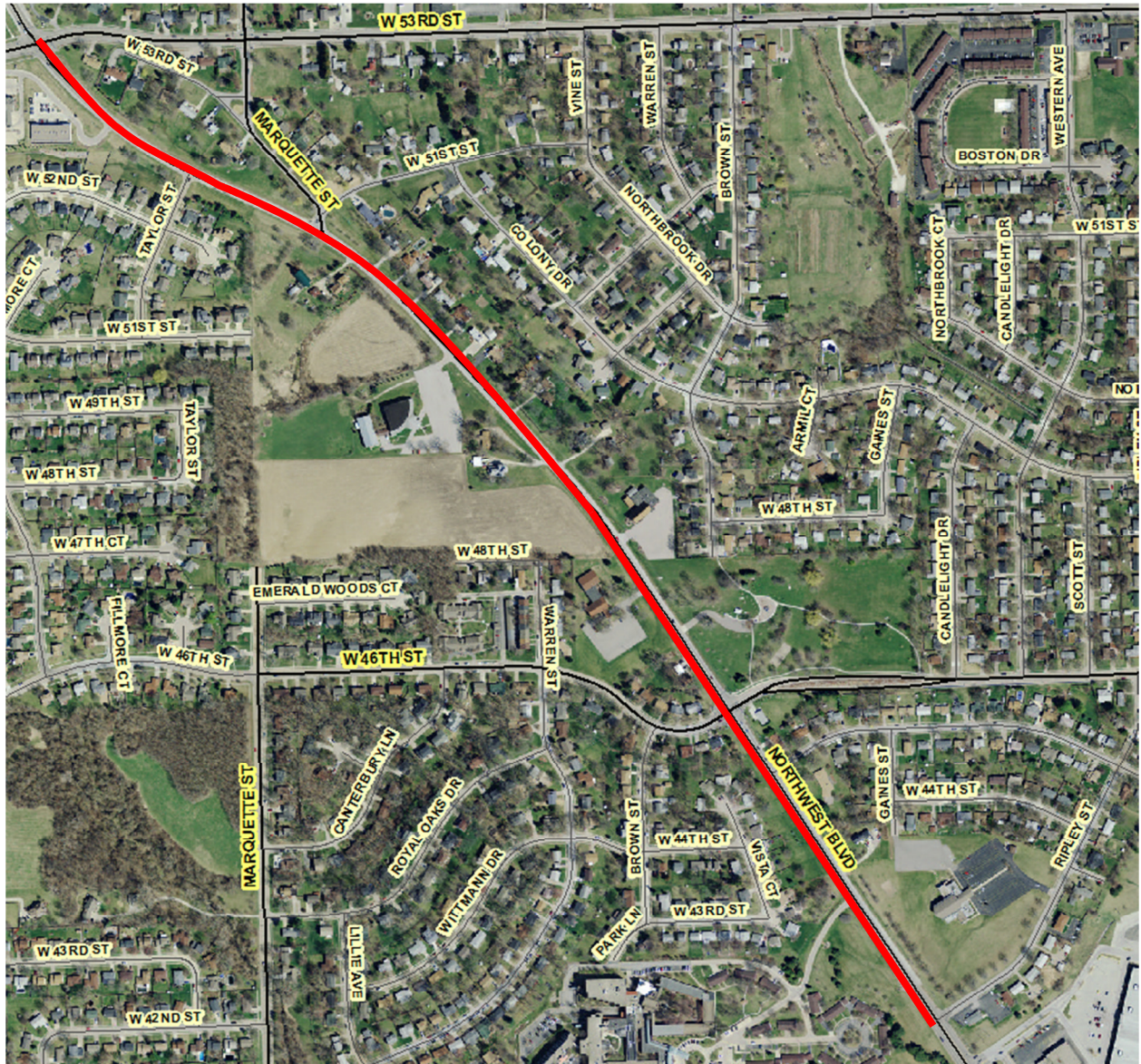
5) W. Central Park Ave. – Division St. to Kelling St.



6) East Village/Criterium Race Route –
E. 12th St. to E. 11th St., Glenwood Ave. to Mound St.
Mound St. – River Dr. to E. 12th St.
E. 12th St – Mound St. to Railroad Bridge
Christie St. – E. 11th St. to E. 12th St.
Jersey Ridge Rd. – E. 11th St. to E. 12th St.



7) Northwest Blvd. – Ripley St. to W. 53rd St.



Cape Seal

Ward	Location	From	To	Length (Ft)	Width (Ft)	Area (SF)	Minimum Pounds of Material (lb)	Area (SY)
3, 4	Gaines	9th St	15th St			0.00	0.00	0.00
4	Marquette St.	Locust St.	Lombard St. (North Intersection)			0.00	0.00	0.00
3	Ripley	4th St (Crosswalk Cape)	5th St	20	54	1,080.00	3,240.00	120.00
4, 7	Garfield	Marquette	Washington	1146	30	34,380.00	103,140.00	3,820.00
2, 4	Central Park Ave	Division St.	Kelling	1449	41.35	59,916.15	179,748.45	6,657.35
5, 6	East Village					0.00	0.00	0.00
7, 8	Northwest Blvd.	Ripley St.	53rd St.	5143	28.87	176,311.00	528,933.00	19,590.11
							Total SY	30,187.46

Single Pass Micro-Surfacing

Ward	Location	From	To	Length (Ft)	Width (Ft)	Area (SF)	Minimum Pounds of Material (lb)	Area (SY)
3, 4	Gaines	9th St	15th St	2250	37	83,250.00	222,000.00	9,250.00
4	Marquette St.	Locust St.	Lombard St. (North Intersection)	1327	39	51,753.00	138,008.00	5,750.33
3	Ripley	4th St (Crosswalk Cape)	5th St	346	54	18,684.00	49,824.00	2,076.00
4, 7	Garfield	Marquette	Washington	143	30	4,290.00	11,440.00	476.67
2, 4	Central Park Ave	Division St.	Kelling			0.00	0.00	0.00
5, 6	East Village			4544	34	154,496.00	411,989.33	17,166.22
7, 8	Northwest Blvd.	Ripley St.	53rd St.			0.00	0.00	0.00
							Total SY	34,719.22

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Mike Atchley; 563-327-5149
Wards: 8

Action / Date
COW11/19/2014

Subject:

Resolution for city council to approve a public hearing for the City of Davenport to grant a Railroad Roll & Hold Easement to SIR Properties Trust. *[Ward 8]*

Relationship to Goals:

Financially Responsible City Government.
A Growing Local Economy.

Background:

The rail line was originally designed and constructed to curve north. Canadian Pacific now requires the connection to curve south. This revision has resulted in the need for additional easements to be secured by the City of Davenport.

ATTACHMENTS:

Type	Description
Backup Material	RESOLUTION FOR PUBLIC HEARING PG2
Cover Memo	Easement Plat

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION for city council to approve a public hearing for the City of Davenport to grant a Railroad Roll & Hold Easement to SIR Properties Trust.

WHEREAS, the City of Davenport has negotiated with Canadian Pacific to maintain the Branch Line to the Transload Facility;

WHEREAS, Canadian Pacific required the realignment of the Branch Line connection to the Eldridge Main Line thus requiring the City of Davenport and SIR Properties Trust to acquire permanent easements across the others property;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor is hereby authorized to execute a permanent railroad roll & hold easement allowing SIR Properties Trust access across city property located at 601 Blackhawk Trail Road, Eldridge, IA.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Jim Bengé; (563) 327-5149
Wards: 8

Action / Date
PW11/19/2014

Subject:

Resolution approving Change Order #9 to Langman Construction in the amount of \$1,761,000 for the EIIC Transload Facility Construction, CIP Project #10325. [WARD 8]

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The project includes construction of the Transload Facility and related infrastructure improvements. It will be used to transfer materials between rail cars and semi-trailers that will service the local market through supply of material and shipping of goods manufactured locally. The project includes the construction of rail spur lines connecting the EIIC Rail Spur to the existing Canadian Pacific mainline, a staging and storage pad, warehouse and associated infrastructure.

The budget for this project is estimated to be \$11.3 million which includes land acquisition, design and construction. Grants awarded to the City of Davenport include a Federal Government Economic Development Administration grant of \$6.779 million and an Iowa Transportation Commission grant of \$2 million. The remaining funds will be provided by the City. This project award is contingent on the U.S. Department of Commerce Economic Development Administration approving both the contract with Langman Construction of Rock Island and allocating the grant funds for construction.

Invitations to bid were issued November 26, 2013. Bids were due on February 11, 2013. Purchasing received and opened four bids. Langman Construction of Rock Island, IL was the lowest bidder with a low bid of \$6,997,433.

The rail line was originally designed and constructed to connect to the main track by curving north from the branch line. This design was approved by DMNE as the owners of the rail line at that time. Canadian Pacific purchased the rail line from DMNE and after reviewing the design they now require a revision that requires the connection be reversed to a southern connection to the mainline. This change order approves the purchase and labor to install the new design and some additional west siding track for a locomotive turn-about procedures. This work is an integral part of the Transload Facility installation requirements for service operation by CPR and is part of the requirements set down by the grant agreement by the Economic Development Authority (EDA). The additional cost for this work is \$1,761,000.

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 6,997,433
Previous Change Orders #1-#8	\$ 320,978
Change Order #9	\$ 1,761,000
Amended Contract Amount:	\$ 9,079,411

ATTACHMENTS:

Type	Description
☐ Resolution Letter	RES_TRANSLOAD C/O #9 PG2
☐ Backup Material	RES_TRANSLOAD C/O #9

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION approving Change Order #9 to Langman Construction in the amount of \$1,761,000 for the EIIC Transload Facility Construction, CIP Project #10325.

WHEREAS, the City of Davenport entered into a contract with Langman Construction for the EIIC Transload Facility Construction; and

WHEREAS, changes to the plans have become necessary; and

WHEREAS, the contractor will incur additional costs beyond his original bid due to these changes; and

WHEREAS, pricing has been reviewed and approved by the Public Works Department;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that Change Order #9 in the total amount of \$1,761,000.00 for the EIIC Transload Facility Construction is hereby approved, and the Public Works Director is hereby authorized to execute said document.

Passed and approved this 26th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk



City of Davenport

Public Works Department

1200 East 46th Street • Davenport, Iowa 52807

Telephone: 563-326-7923 Fax: 563-327-5182

CERTIFICATIONS

CITY ENGINEER _____
(Work is Required)

CIP MANAGEMENT ANALYST _____
(Funds are Available)

CHIEF OF CONSTRUCTION _____
(Work is Constructible)

PUBLIC WORKS DIRECTOR _____
(Approval)

Mr. Brian Gaul
Langman Construction
220 – 34th Avenue
Rock Island, Illinois 61201

RE: Transload Facility – Change Order # 9
CIP 10325 - Contract # 75371401

Dear Mr. Gaul:

Description to Contractor

Langman Construction is providing the labor, equipment and materials necessary for the installation of the east mainline rail connection and the west rail siding/run around track section. This work scope revision is associated with the installation of the Transload Facility located at the (EIIC) Eastern Iowa Industrial Center and then part of the area within the (GDRC) Greater Davenport Redevelopment Corporation.

CHANGE ORDER DESCRIPTION:

1. The additional work involves the east rail connection/west rail siding section. Work is referenced by Langman Construction correspondence of 10/8/14. This is to be completed at the agreed price shown below
Cost: \$1,761,000.00 (NTE) Not To Exceed AMOUNT (Increase)
Working Days Adjustment: 0 – all work completed within or by June 2015.

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$6,997,433.00
Previous Change Orders	\$ 320,978.21
<u>This Change Order</u>	<u>\$1,761,000.00</u>
Amended Contract Amount:	\$9,079,411.21

Recommend/Approved: _____
(Up to \$5,000) Project Manager

Date: _____

Recommend/Approved: _____
Contractor

Date: _____

Recommend/Approved: _____
(Up to \$15,000) Michael Clarke, Public Works Director

Date: _____

Recommend/Approved: _____
(Up to \$25,000) Craig Malin, City Administrator

Date: _____

Recommend/Approved: _____
(Up to \$100,000) Chair, Public Works Committee

Date: _____

Required: Green Sheet Motion to Approve

Council Meeting Date: _____

Recommend/Approved: _____
(Over \$100,000) City Clerk, City of Davenport

Date: _____

Required: Green Sheet Resolution to Approve

Council Meeting Date: _____

City of Davenport

Committee: Finance
Department: Finance
Contact Info: Brandon Wright 326-7750
Wards: All

Action / Date
FIN11/19/2014

Subject:
Presentation of Government Finance Officers Association Awards:

1. Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2013
2. Distinguished Budget Presentation Award for the Operating and Capital Improvement Budgets for Fiscal Year 2015

Relationship to Goals:
Financially Responsible City Government.

Background:
The City of Davenport has been awarded the following by the Government Finance Officers Association of the United States and Canada (GFOA):

1. Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2013. This was the 31st consecutive year that the City has received this prestigious award.
2. Distinguished Budget Presentation Award for the Operating and Capital Improvement Budgets for Fiscal Year 2015. This is the 20th consecutive year that the City has received this award.

City of Davenport

Committee: Finance Committee
Department: Finance
Contact Info: Brandon Wright - 7750
Wards: All

Action / Date
FIN11/19/2014

Subject:
Resolution authorizing participation in the Municipalities Continuing Disclosure Cooperation Initiative.

Relationship to Goals:
Financially responsible city government.

Background:
Pursuant to the laws of the State of Iowa, the City of Davenport has publicly offered certain of its municipal securities and has undertaken to comply with the continuing disclosure obligations specified in Rule 15c2-12 under the Securities Exchange Act of 1934. The U.S. Securities and Exchange Commission (SEC) has announced the Municipalities Continuing Disclosure Cooperation Initiative (MCDC Initiative), a program intended to address potentially widespread violations with certain representations about continuing disclosures in bond offering documents.

Under the MCDC Initiative, the SEC will recommend favorable settlement terms to issuers who self-report possible violations to Rule 15c2-12. The city will participate in the MCDC Initiative and will submit the MCDC Initiative Questionnaire for Self-Reporting Entities.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	MCDC Initiative Participation Resolution

MINUTES AUTHORIZING PARTICIPATION IN
THE MUNICIPALITIES CONTINUING
DISCLOSURE COOPERATION INITIATIVE

629872-77

Davenport, Iowa

November 25, 2014

The City Council of the City of Davenport, Iowa, met on November 25, 2014, at ____ o'clock __.m.
at the _____, Davenport, Iowa. The Mayor presided and the roll was called showing the
following members of the City Council present and absent:

Present: _____

Absent: _____.

Alderman _____ introduced the resolution hereinafter next set out and
moved its adoption, seconded by Alderman _____; and after due consideration thereof by
the City Council, the Mayor put the question upon the adoption of the said resolution and the roll being called,
the following named Aldermen voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

• • • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

Deputy City Clerk

RESOLUTION NO. _____

Resolution authorizing participation in the Municipalities Continuing Disclosure Cooperation Initiative

WHEREAS, pursuant to the laws of the State of Iowa, the City of Davenport, Iowa (the “City”) has publicly offered certain of its municipal securities (the “Bonds”), and in connection therewith has undertaken to comply with the continuing disclosure obligations specified in Rule 15c2-12 (the “Rule”) under the Securities Exchange Act of 1934 (the “Exchange Act”); and

WHEREAS, the U.S. Securities and Exchange Commission (the “Commission”) has announced the Municipalities Continuing Disclosure Cooperation Initiative (the “MCDC Initiative”), a program intended to address potentially widespread violations of the federal securities laws by municipal issuers and underwriters of municipal securities in connection with certain representations about continuing disclosures in bond offering documents; and

WHEREAS, under the MCDC Initiative, in the event the Commission proceeds with an enforcement action, the Commission will recommend favorable settlement terms (such settlement terms are attached hereto as Exhibit A) to issuers who self-report to the Commission possible violations involving materially inaccurate statements in bond offering documents relating to prior compliance with the Rule; and

WHEREAS, upon review of the City’s bond offering documents and past continuing disclosure filings during the MCDC Initiative review period, the City has discovered potentially inaccurate statements in its bond offering documents regarding its continuing disclosure compliance; and

WHEREAS, the City has been informed that certain underwriters have self-reported certain of the City’s Bonds to the Commission as part of the MCDC Initiative; and

WHEREAS, in response to the City’s review, the City now deems it necessary and desirable to participate in the MCDC Initiative;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The City shall participate in the MCDC Initiative and shall submit the MCDC Initiative Questionnaire for Self-Reporting Entities (the “Questionnaire”), in substantially the form attached hereto as Exhibit B, with such final changes as are approved by the Finance Director, reflecting the City’s intent to consent to the applicable settlement terms under the MCDC Initiative, if the Commission determines to proceed with an enforcement action against the City.

Section 2. The Finance Director is hereby authorized and directed to complete and submit the Questionnaire to the Commission.

Passed and approved November 25, 2014.

Mayor

Attest:

Deputy City Clerk

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to the City's participation in the Municipalities Continuing Disclosure Cooperation Initiative.

WITNESS MY HAND this _____ day of _____, 2014.

Deputy City Clerk

Exhibit A

Summary of Standard Settlement Terms for Issuers Under MCDC Initiative (from the Securities and Exchange Commission's Website)

<http://www.sec.gov/divisions/enforce/municipalities-continuing-disclosure-cooperation-initiative.shtml>

To the extent an issuer meets the requirements of the MCDC Initiative and the Securities and Exchange Commission (the "Commission") decides to recommend enforcement action, the settlement will include the following terms.

1. Types of Proceedings and Nature of Charges

Under the settlement, the issuer consents to the institution of a cease and desist proceeding under Section 8A of the Securities Act for violation(s) of Section 17(a)(2) of the Securities Act. The settlement is expected to be one in which the issuer neither admits nor denies the findings of the Commission.

2. Undertakings

As part of the settlement, the issuer must undertake to:

- establish appropriate policies and procedures and training regarding continuing disclosure obligations within 180 days of the institution of the proceedings;
- comply with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days of the institution of the proceedings;
- cooperate with any subsequent investigation by the Commission regarding the false statement(s), including the roles of individuals and/or other parties involved;
- disclose in a clear and conspicuous fashion the settlement terms in any final official statement for an offering by the issuer within five years of the date of institution of the proceedings; and
- provide the Commission staff with a compliance certification regarding the applicable undertakings by the issuer on the one year anniversary of the date of institution of the proceedings.

3. Civil Penalties

The settlement will not require payment of any civil penalty by the issuer.

Exhibit B



**U.S. SECURITIES AND EXCHANGE COMMISSION
DIVISION OF ENFORCEMENT**

**MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE
QUESTIONNAIRE FOR SELF-REPORTING ENTITIES**

NOTE: The information being requested in this Questionnaire is subject to the Commission's routine uses. A list of those uses is contained in [SEC Form 1662](#), which also contains other important information.

1. Please provide the official name of the entity that is self-reporting ("Self-Reporting Entity") pursuant to the MCDC Initiative along with contact information for the Self-Reporting Entity:

Individual Contact Name: Brandon Wright

Individual Contact Title: Finance Director

Individual Contact Telephone: 563-326-7750

Individual Contact Fax number: 563-888-2079

Individual Contact email address: bwright@ci.davenport.ia.us

Full Legal Name of Self-Reporting Entity: City of Davenport, Iowa

Mailing Address (number and street): 226 West 4th Street

Mailing Address (city): Davenport

Mailing Address (state): Iowa

Mailing Address (zip): 52802-1318

2. Please identify the municipal bond offering(s) (including name of Issuer and/or Obligor, date of offering and CUSIP number) with official statements that may contain a materially inaccurate certification on compliance regarding prior continuing disclosure obligations (for each additional offering, attach an additional sheet or separate schedule):

See Exhibit A.

3. Please describe the role of the Self-Reporting Entity in connection with the municipal bond offerings identified in Item 2 above (select Issuer, Obligor or Underwriter):

- ☒ Issuer
☐ Obligor
☐ Underwriter

4. Please identify the lead underwriter, municipal advisor, bond counsel, underwriter's counsel and disclosure counsel, if any, and the primary contact person at each entity, for each offering identified in Item 2 above (attach additional sheets if necessary):

See Exhibit A.

5. Please include any facts that the Self-Reporting Entity would like to provide to assist the staff of the Division of Enforcement in understanding the circumstances that may have led to the potentially inaccurate statements (attach additional sheets if necessary):

See Exhibit B.

On behalf of the City of Davenport, Iowa, I hereby certify that the Self-Reporting Entity intends to consent to the applicable settlement terms under the MCDC Initiative.

By: _____

Name of Duly Authorized Signer: Brandon Wright

Title: Finance Director

Exhibit A
Bond Information Relating to Questions 2 & 4

1. \$20,650,000 General Obligation Corporate Bonds, Taxable Series 2010A (the “Series 2010A Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Corporate Bonds, Taxable Series 2010A

Initial Principal Amount of Bond Issuance: \$20,650,000

Date of Offering: 01/05/2010

Date of final official statement (format MMDDYYYY): 12152009

Nine Character CUSIP number of last maturity: 238388HS4

Question 4

Senior Managing Underwriting Firm: Piper Jaffray & Co.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

2. \$10,845,000 General Obligation Refunding Bonds, Series 2010B (the “Series 2010B Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Refunding Bonds, Series 2010B

Initial Principal Amount of Bond Issuance: \$10,845,000

Date of Offering: 03/22/2010

Date of final official statement (format MMDDYYYY): 02162010

Nine Character CUSIP number of last maturity: 238388JD5

Question 4

Senior Managing Underwriting Firm: Stifel, Nicolaus & Co., Inc.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

3. \$3,870,000 General Obligation Refunding Bonds, Taxable Series 2010C (the “Series 2010C Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Refunding Bonds, Taxable Series 2010C

Initial Principal Amount of Bond Issuance: \$3,870,000

Date of Offering: 03/22/2010

Date of final official statement (format MMDDYYYY): 02162010

Nine Character CUSIP number of last maturity: 238388JQ6

Question 4

Senior Managing Underwriting Firm: Hutchinson, Shockey, Erley & Co.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

4. \$33,745,000 General Obligation Corporate Bonds, Series 2010D (the “Series 2010D Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Corporate Bonds, Series 2010D

Initial Principal Amount of Bond Issuance: \$33,745,000

Date of Offering: 12/27/2010

Date of final official statement (format MMDDYYYY): 12162010

Nine Character CUSIP number of last maturity: 238388KF8

Question 4

Senior Managing Underwriting Firm: Baird

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

5. \$6,005,000 General Obligation Refunding Bonds, Series 2011A (the “Series 2011A Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Refunding Bonds, Series 2011A

Initial Principal Amount of Bond Issuance: \$6,005,000

Date of Offering: 01/18/2011

Date of final official statement (format MMDDYYYY): 12162010

Nine Character CUSIP number of last maturity: 238388KM3

Question 4

Senior Managing Underwriting Firm: Baird

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

6. \$31,250,000 General Obligation Corporate Bonds, Series 2012 (the “Series 2012 Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Corporate Bonds, Series 2012

Initial Principal Amount of Bond Issuance: \$31,250,000

Date of Offering: 03/14/2012

Date of final official statement (format MMDDYYYY): 02142012

Nine Character CUSIP number of last maturity: 238388LH3

Question 4

Senior Managing Underwriting Firm: Guggenheim Securities, LLC

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

7. \$4,460,000 Taxable General Obligation Refunding Bonds, Series 2012B (the “Series 2012B Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa Taxable General Obligation Refunding Bonds, Series 2012B

Initial Principal Amount of Bond Issuance: \$4,460,000

Date of Offering: 05/07/2012

Date of final official statement (format MMDDYYYY): 04042012

Nine Character CUSIP number of last maturity: 238388LT7

Question 4

Senior Managing Underwriting Firm: UMB Bank, n.a.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

8. \$11,720,000 General Obligation Refunding Bonds, Series 2012C (the “Series 2012C Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Refunding Bonds, Series 2012C

Initial Principal Amount of Bond Issuance: \$11,720,000

Date of Offering: 05/07/2012

Date of final official statement (format MMDDYYYY): 04042012

Nine Character CUSIP number of last maturity: 238388LZ3

Question 4

Senior Managing Underwriting Firm: UBS Financial Services, Inc.
Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM
Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP
Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A
Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A
Primary Individual Contact at Disclosure Counsel: N/A

9. \$18,745,000 General Obligation Refunding Bonds, Series 2012D (the “Series 2012D Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Refunding Bonds, Series 2012D

Initial Principal Amount of Bond Issuance: \$18,745,000

Date of Offering: 05/07/2012

Date of final official statement (format MMDDYYYY): 04042012

Nine Character CUSIP number of last maturity: 238388ML3

Question 4

Senior Managing Underwriting Firm: Robert W. Baird & Co., Inc.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

10. \$21,870,000 General Obligation Corporate and Refunding Bonds, Series 2013A (the “Series 2013A Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Corporate and Refunding Bonds, Series 2013A

Initial Principal Amount of Bond Issuance: \$21,870,000

Date of Offering: 03/05/2013

Date of final official statement (format MMDDYYYY): 02212013

Nine Character CUSIP number of last maturity: 238388NF5

Question 4

Senior Managing Underwriting Firm: Citigroup Global Markets, Inc.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

11. \$23,125,000 General Obligation Corporate Bonds, Series 2014A (the “Series 2014A Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Corporate Bonds, Series 2014A

Initial Principal Amount of Bond Issuance: \$23,125,000

Date of Offering: 03/05/2014

Date of final official statement (format MMDDYYYY): 02212014

Nine Character CUSIP number of last maturity: 238388NW8

Question 4

Senior Managing Underwriting Firm: Piper Jaffray & Co.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

12. \$10,950,000 General Obligation Refunding Bonds, Series 2014B (the “Series 2014B Bonds” and, together with the Series 2010A Bonds, the Series 2010B Bonds, the Series 2010C Bonds, the Series 2010D Bonds, the Series 2011A Bonds, the Series 2012 Bonds, the Series 2012B Bonds, the Series 2012C Bonds, the Series 2012D Bonds, the Series 2013A Bonds and the Series 2014A Bonds, the “Bonds”)

Question 2

State: Iowa

Full Name of Issuing Entity: City of Davenport, Iowa

Full Legal Name of Obligor (if any): N/A

Full Name of Security Issue: City of Davenport, Iowa General Obligation Refunding Bonds, Series 2014B

Initial Principal Amount of Bond Issuance: \$10,950,000

Date of Offering: 03/05/2014

Date of final official statement (format MMDDYYYY): 02212014

Nine Character CUSIP number of last maturity: 238388PE6

Question 4

Senior Managing Underwriting Firm: Raymond James & Associates, Inc.

Primary Individual Contact at Underwriter: unknown

Financial Advisor: PFM

Primary Individual Contact at Financial Advisor: Leo Karwejna

Bond Counsel Firm: Dorsey & Whitney LLP

Primary Individual Contact at Bond Counsel: Robert E. Josten

Law Firm Serving as Underwriter’s Counsel: N/A

Primary Individual Contact at Underwriter’s Counsel: N/A

Law Firm Serving as Disclosure Counsel: N/A

Primary Individual Contact at Disclosure Counsel: N/A

Exhibit B
Answer to Question #5

The City of Davenport, Iowa (the “Issuer”) has elected to self-report the following issues, further described in Exhibit A, the official statements for which include the following statements regarding compliance with the Issuer’s continuing disclosure requirements:

1. **The Series 2010A Bonds:** “The City has complied in all material respects with any undertaking previously entered into by it under the Rule.” (the “Series 2010A Statement”)
2. **The Series 2010B Bonds:** “The City has complied in all material respects with any undertaking previously entered into by it under the provisions of S.E.C. Rule 15(c)2-12(b)(5).” (the “Series 2010B Statement”)
3. **The Series 2010C Bonds:** “The City has complied in all material respects with any undertaking previously entered into by it under the provisions of S.E.C. Rule 15(c)2-12(b)(5).” (the “Series 2010C Statement”)
4. **The Series 2010D Bonds:** “The City has complied in all material respects with any undertaking previously entered into by it under the provisions of S.E.C. Rule 15(c)2-12(b)(5).” (the “Series 2010D Statement”)
5. **The Series 2011A Bonds:** “The City has complied in all material respects with any undertaking previously entered into by it under the provisions of S.E.C. Rule 15(c)2-12(b)(5).” (the “Series 2011A Statement”)
6. **The Series 2012 Bonds:** “The City has complied in all material respects with its previous continuing disclosure undertakings.” (the “Series 2012 Statement”)
7. **The Series 2012B Bonds:** “The City has complied in all material respects with its previous continuing disclosure undertakings.” (the “Series 2012B Statement”)
8. **The Series 2012C Bonds:** “The City has complied in all material respects with its previous continuing disclosure undertakings.” (the “Series 2012C Statement”)
9. **The Series 2012D Bonds:** “The City has complied in all material respects with its previous continuing disclosure undertakings.” (the “Series 2012D Statement”)
10. **The Series 2013A Bonds:** “In accordance with the reporting requirements of SEC Rule 15c2-12(f)(3), the City has complied in all material respects with its previous continuing disclosure undertakings entered into under the Rule during the last five years.” (the “Series 2013A Statement”)
11. **The Series 2014A Bonds:** “In accordance with the reporting requirements of SEC Rule 15c2-12(f)(3), the City has complied in all material respects with its previous continuing disclosure undertakings entered into under the Rule during the last five years.” (the “Series 2014A Statement”)

12. **The Series 2014B Bonds:** “In accordance with the reporting requirements of SEC Rule 15c2-12(f)(3), the City has complied in all material respects with its previous continuing disclosure undertakings entered into under the Rule during the last five years.” (the “Series 2014B Statement” and, together with the Series 2010A Statement, the Series 2010B Statement, the Series 2010C Statement, the Series 2010D Statement, the Series 2011A Statement, the Series 2012 Statement, the Series 2012B Statement, the Series 2012C Statement, the Series 2012D Statement, the Series 2013A Statement and the Series 2014A Statement, the “Statements”)

The Issuer has been informed that Robert W. Baird, the underwriter of the Series 2010D Bonds, the Series 2011A Bonds and the Series 2012D Bonds, self-reported the Issuer, the Series 2010D Bond transaction, the Series 2011A Bond transaction and the Series 2012D Bond transaction as part of its MCDC Initiative filing, based on filings made beyond the 180-day annual filing requirement in the continuing disclosure certificate of the \$11,690,000 General Obligation Corporate Bonds, Series 2004C (CUSIP 238388AQ5) (the “Series 2004C Bonds”).

As part of the MCDC Initiative, the Issuer has completed a thorough review of its continuing disclosure obligations, with the assistance of PFM, who acts as the Issuer’s municipal advisor and its dissemination agent. In addition to reviewing EMMA, the Issuer has also, with the assistance of PFM, reviewed filings and attempted to confirm filings with NRMSIRS prior to the creation of the EMMA filing system. The Issuer was not able to verify each filing was appropriately received and/or filed with all NRMSIR’s and no statement with respect to this questionnaire should be viewed as complete NRMSIR filing accuracy. The Issuer now shares its own findings and the findings of PFM in order to assist the staff of the Division of Enforcement in understanding the circumstances that may have led to any potentially inaccurate Statements. The Issuer believes the Statements regarding its continuing disclosure compliance for the respective five-year periods made in its official statements for the Bonds are not materially inaccurate.

Pursuant to continuing disclosure certificates executed in connection with the Issuer’s \$1,330,000 Taxable General Obligation Refunding Bonds, Series 2006B (CUSIP 238388CJ9) and its \$14,400,000 General Obligation Corporate Bonds, Series 2007A (CUSIP 238388CZ7) (the “Series 2007A Bonds”), the Issuer’s Comprehensive Annual Financial Report (the “CAFR”) and required disclosure tables are due within 300 days after the Issuer’s June 30 fiscal year end, April 25th or 26th (depending on leap year). The Issuer has relied upon the inclusion of required annual disclosure tables within each CAFR and/or subsequent official statements to meet the Rule. Commencing with the continuing disclosure certificate executed in connection with the Issuer’s \$2,915,000 General Obligation Refunding Bonds, Series 2008A (CUSIP 238388DT6), annual disclosure filings must be made within three hundred 365 days or 12 months past fiscal year end. Additionally, the Series 2004C Bonds continuing disclosure certificate contained a clerical error in which the timeline was misstated as 180 days past fiscal year end, causing the annual filings for fiscal years ending 2005 through 2013 to be filed late by 1 to 35 days.

Notwithstanding the Series 2004C Bonds clerical error, the Issuer has timely provided bondholders complete information as required in each respective continuing disclosure statement by way of making at least one bond offering every year. Although the Issuer did not specifically link the official statements of the bonds offered to each series of bonds subject to continuing disclosure obligations (and the relevant CUSIP linking), for each year, the annual reports were available to investors, and were filed before the deadlines set out above. The following is a listing by fiscal year of the dates on which the CAFR and updating tables were filed:

- **Fiscal year 2005:** The CAFR was timely filed on January 4, 2006, and the tables were timely filed on December 28, 2006 by way of the \$3,615,000 General Obligation Refunding Bonds, Series 2006A (CUSIP 238388BX9) official statement on Bloomberg.
- **Fiscal year 2006:** The CAFR was timely filed on January 31, 2007, and the tables were timely filed on March 8, 2007 by way of the Series 2007A Bonds official statement on Bloomberg.
- **Fiscal year 2007:** The CAFR was timely filed on January 2, 2008, and the tables were timely filed on May 21, 2008 by way of the \$11,230,000 General Obligation Corporate Purpose Bonds, Series 2008C (CUSIP 238388EJ7) official statement on Bloomberg.
- **Fiscal year 2008:** The CAFR was timely filed on January 30, 2009 and the tables were timely filed on March 31, 2009 by way of the \$16,530,000 General Obligation Corporate Bonds, Series 2009A (CUSIP 238388FM9) and the \$7,035,000 General Obligation Urban Renewal Economic Development Bonds, Taxable Series 2009B (CUSIP 238388GG1) official statement on Bloomberg.
- **Fiscal year 2009:** The CAFR was timely filed on December 28, 2009, and the tables were timely filed on November 2, 2009 by way of the \$10,125,000 General Obligation Communication Building Bonds, Taxable Series 2009C (CUSIP 238388HB1).
- **Fiscal year 2010:** The CAFR was timely filed on January 4, 2011, and the tables were timely filed on December 27, 2010 by way of the Series 2010D Bonds official statement on EMMA.
- **Fiscal Year 2011:** The CAFR was timely filed on January 17, 2012, and the tables were timely filed on March 7, 2012 by way of the Series 2012 Bonds official statement on EMMA.
- **Fiscal Year 2012:** The CAFR was timely filed on January 11, 2013, tables posted timely March 5, 2013 by way of the Series 2013A Bonds official statement on EMMA
- **Fiscal Year 2013:** The CAFR was timely filed on January 13, 2014, and the tables were timely filed on March 5, 2014 by way of the Series 2014A Bonds official statement on EMMA.

The Issuer is also obligated to timely file for the occurrence of material events. The Issuer filed for five rating changes, and is aware of no other rating changes for which it was obligated to file. Since EMMA began accepting filings on July 1, 2009, the Issuer has timely filed fifteen notices of defeasance or bond calls, though it admittedly did not file for the June 1, 2010 bond call of its \$19,540,000 General Obligation Corporate Bonds, Series 2001B (CUSIP 238379Z95) and \$5,195,000 General Obligation Taxable Corporate Bonds, Series 2001C (CUSIP 2383793K5). Overall the Issuer has established a timely and diligent event filing practice that has only improved more recently.

The Issuer believes the foregoing review has not identified any instances of material noncompliance but instead demonstrates that the Issuer has a strong, positive history of overall compliance with its continuing disclosure obligations. Notwithstanding its history of meeting the applicable continuing disclosure requirements, to further ensure on-going compliance the Issuer has

adopted specific disclosure policies and procedures in response to this MCDC Initiative review. Additionally, the introduction of EMMA and its enhancements over the past five years has provided the Issuer with a reliable and efficient tool for compliance and monitoring of its continuing disclosure obligations. For the reasons discussed above, the Issuer does not believe these items rise to a level of materiality such that an enforcement action is warranted. In the event that the SEC deems that these prior missteps in its disclosure may be material, the Issuer requests an opportunity to further address these issues with the SEC prior to the filing of any enforcement action. If an enforcement action is taken, however, the Issuer is prepared to accept the standard settlement terms included in the MCDC Initiative.

City of Davenport

Committee: Finance Committee
Department: Finance
Contact Info: Brandon Wright - 7750
Wards: All

Action / Date
FIN11/19/2014

Subject:
Resolution authorizing adoption of policies and procedures regarding municipal securities disclosure.

Relationship to Goals:
Financially responsible city government.

Background:
As the City of Davenport publicly issues bonds on a regular basis, it is necessary and desirable to adopt certain policies and procedures regarding municipal securities disclosure to be followed in connection with the issuance of on-going administration of publicly offered bonds.

Under these policies and procedures, the City of Davenport will ensure that official statements are properly prepared and reviewed through complying with continuing disclosure requirements and providing systematic training of staff and governing body members.

ATTACHMENTS:

Type	Description
 Resolution Letter	MCDC Initiative Policy Changes

MINUTES AUTHORIZING ADOPTION OF
POLICIES AND PROCEDURES RE: MUNICIPAL
SECURITIES DISCLOSURE

629872-77

Davenport, Iowa

November 25, 2014

The City Council of the City of Davenport, Iowa, met on November 25, 2014, at ____ o'clock __.m. at the _____, Davenport, Iowa. The Mayor presided and the roll was called showing the following members of the City Council present and absent:

Present: _____

Absent: _____.

Alderman _____ introduced the resolution hereinafter next set out and moved its adoption, seconded by Alderman _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

• • • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

Deputy City Clerk

RESOLUTION NO. _____

Resolution authorizing adoption of Policies and Procedures Re: Municipal Securities Disclosure

WHEREAS, pursuant to the laws of the State of Iowa, the City of Davenport, Iowa (the “City”) has publicly offered, and likely will issue and publicly offer in the future, its bonds (the “Bonds”); and

WHEREAS, the City deems it necessary and desirable to adopt certain Policies and Procedures Re: Municipal Securities Disclosure to be followed in connection with the issuance and on-going administration of publicly offered Bonds; and

WHEREAS, the proposed Policies and Procedures Re: Municipal Securities Disclosure are attached hereto as Exhibit A (the “Disclosure Policies and Procedures”); and

NOW, THEREFORE, Be It Resolved by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The Disclosure Policies and Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved November 25, 2014.

Mayor

Attest:

Deputy City Clerk

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to the City's adoption of the Policies and Procedures Re: Municipal Securities Disclosure.

WITNESS MY HAND this _____ day of _____, 2014.

Deputy City Clerk

Exhibit A

Davenport

Policies and Procedures Re: Municipal Securities Disclosure

As an issuer of municipal securities (bonds and/or notes, referred to herein as “Bonds”), the City of Davenport, Iowa (the “Issuer”) has adopted the policies and procedures set forth herein (collectively, the “Disclosure Policy”) to guide the Issuer’s actions with respect to (1) the disclosure document (often referred to as the “official statement”) for publicly-offered bond transactions and (2) ongoing disclosures associated with outstanding bond issues (also known as “continuing disclosure”).

This Disclosure Policy includes the following elements: (1) disclosure training for officials responsible for producing, reviewing and approving disclosure; (2) establishment of procedures for review of relevant disclosure, and (3) ensuring that any procedures established are followed.

Background

The anti-fraud provisions of federal securities laws apply to municipal securities such as the Issuer’s Bonds. The U.S. Securities and Exchange Commission (the “SEC”) can bring enforcement actions against the Issuer, members of its governing body, government employees and officials, and professionals working on the bond transaction. This Disclosure Policy is designed to provide the necessary policy framework and accompanying procedures for compliance by the Issuer with its disclosure responsibilities.

When bonds are issued and publicly offered, an official Statement will be prepared on behalf of the Issuer. The official statement is the disclosure document that sets forth the terms associated with the bond issue, and this document will be used to market and sell the Issuer’s bonds.¹ In addition, for transactions larger than \$1 million in size that include an official statement, the Issuer enters into a continuing disclosure certificate, agreement or undertaking (the “CDC”). The CDC is a contractual obligation of the Issuer, pursuant to which the Issuer agrees to provide certain financial information filings (at least annually) and material event notices to the public. The CDC is necessary to allow the bond underwriters to comply with SEC Rule 15c2-12. As noted below, filings under the CDC must be made electronically at the Electronic Municipal Market Access (EMMA) portal (www.emma.msrb.org).

Accordingly, this Disclosure Policy addresses the following three aspects of disclosure: (1) preparation and approval of official statements in connection with new bond issues; (2) on-going continuing disclosure requirements under a CDC; and (3) education of staff and elected officials with respect to disclosure matters.

1. Primary (New) Offerings of Bonds – Official Statements of the Issuer

¹ Under federal law issuers of municipal securities are primarily responsible for the content of their disclosure documents (the official statement), regardless of who prepared the document. An issuer does not discharge its disclosure obligations by hiring professionals to prepare the official statement. An issuer has “an affirmative obligation” to know the contents of its official statement, including the financial statements. Finally, executing an official statement without first reading the document to ascertain whether it is accurate may be reckless (the basis for certain anti-fraud causes of action by the SEC).

In connection with issuance of its publicly-offered Bonds (Bonds sold via the public market, through a broker-dealer known as an “underwriter”), the Issuer will prepare (or cause its hired professionals to prepare) a disclosure document commonly known as an “official statement.” This official statement is the document that describes the issuance of the Bonds to the marketplace and as such, *under federal law, the official statement cannot contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.*

To ensure the Issuer’s official statements are properly prepared and reviewed, the Issuer adopts the procedures set forth in Appendix I hereto.

2. Continuing Disclosure Compliance (CDC Compliance)

The Issuer has entered into, or may in the future enter into, CDCs in connection with its bond issues. Under these contractual agreements, the Issuer has agreed to provide to the marketplace certain financial information and notices of material events. The Issuer will file, or cause to be filed, necessary items under the CDCs in a searchable electronic format at the Electronic Municipal Market Access (EMMA) portal (www.emma.msrb.org).

To ensure compliance with its contractual continuing disclosure obligations, the Issuer adopts the procedures set forth in Appendix II hereto.

3. Systematic Training of Staff and Governing Body Members

In addition to the specific procedures adopted under this Disclosure Policy, the Issuer understands that on-going training of both staff and members of the governing body is essential to successful compliance with the Issuer’s disclosure obligations. Accordingly, the Issuer has implemented the following training procedures (which may be implemented with the assistance of counsel to the Issuer):

A. *Annual Training.* The Finance Director is responsible for scheduling annual training of Issuer employees regarding disclosure and financial reporting requirements of the federal securities laws. Such training shall include a complete review of this Disclosure Policy, Rule 15c2-12 and the material events required to be reported pursuant to such Rule, and a complete overview of the Issuer’s obligations under the federal securities laws. Not later than six months after the end of each fiscal year, the Finance Director shall provide written certification to the Council that the annual disclosure training has been completed.

B. *Specific Training.* When appropriate, the Finance Director shall conduct (or cause to be conducted) training with individuals on those persons’ specific roles and responsibilities in the disclosure and financial reporting process.

C. *Governing Body Training.* Not less than once every two years, the Finance Director shall schedule a training session for the Issuer’s governing body on this Disclosure Policy and the disclosure and financial reporting requirements of the federal securities laws.

Appendix I

Written Procedures for Preparing Official Statements

1. At the commencement of a financing, the Finance Director shall develop or cause its finance team to develop a plan for preparation of the official statement and a schedule that allows sufficient time for all required work, including appropriate review and participation by members of the financing team and knowledgeable issuer staff.

2. The Finance Director shall be responsible for managing the preparation process for the official statement, and shall obtain the assistance of other participants within the Issuer and legal and financial professionals, as necessary and appropriate.

3. The Finance Director shall be responsible for developing a program for coordinating staff review of the disclosure information and obtaining formal sign-off from staff on the disclosure documents.

4. The Finance Director shall ensure that any previous failure to fully comply with continuing disclosure obligations during the prior five year period is disclosed in the official statement.

5. The Issuer's governing body shall be given not less than 7 days to review an official statement prior to being asked to vote on its approval, absent extenuating circumstances. Elected representatives on the governing body shall be directed to contact the Finance Director during the review period to discuss potential issues or comments on the official statement.

Appendix II

Written Procedures Re: Continuing Disclosure

1. The Finance Director shall be responsible for compliance with the Issuer's obligations under continuing disclosure agreements, undertakings or certificates (the "CDC"), including without limitation annual filings, material event notice filings, voluntary filings and other filings required by the CDC.
2. Prior to execution of a CDC in connection with a bond issue, the CDC shall be discussed with bond counsel, the underwriter and financial advisor to ensure a full understanding of issuer obligations.
3. The Finance Director shall have primary responsibility for ensuring that statements or releases of information relating to the Issuer's finances to the public that are reasonably expected to reach investors and the financial markets, including website updates, press releases and market notices, are accurate and not misleading in any material respect. The Finance Director and City Administrator shall work together to ensure that all public statements and information released by the Issuer are accurate and not misleading in all material respects.
4. The Finance Director shall be responsible for compiling and maintaining a list of all outstanding bond issues subject to continuing disclosure, noting the applicable filing dates [see attached table format, Part I, for tracking this information (the "Disclosure Table")].
5. The Finance Director shall be responsible for assembling and maintaining copies of the final CDC and final Official Statements for each applicable bond issue, together with any third-party Dissemination Agent Agreements, if applicable.
6. The Finance Director shall document and track the required information to be filed, including dates such information is filed [see attached Disclosure Table, Part II].
7. The Finance Director shall be responsible for registering for continuing disclosure filing email reminders from the "EMMA" website (<http://emma.msrb.org>).
8. At least 30 days prior to the earliest filing deadline listed on the Disclosure Table, the Finance Director shall begin the process of compiling necessary information required by the CDCs (and coordinate with outside professionals hired to compile this information, if applicable).
9. At least 10 days prior to each filing deadline, the Finance Director shall determine whether all necessary items have been compiled for filing pursuant to the CDC requirements (including review with outside professionals if applicable).
10. At least 3 days prior to each filing deadline, Finance Director shall file (or cause any Dissemination Agent to file) the necessary items on the EMMA website. After filing, the Finance Director shall confirm that all items have, in fact, been filed on EMMA as required, and shall note the filing date on the Disclosure Table.
11. In addition to the continuing disclosure filings, the Finance Director shall be responsible for determining whether any of the following "listed events" has taken place and if so, discuss the same with its

external legal and financial professionals and cause the filing of notice to be made on EMMA within ten business days of such events:

- a. Principal and interest payment delinquencies;
 - b. Non-payment related defaults, if material;
 - c. Unscheduled draws on debt service reserves reflecting financial difficulties;
 - d. Unscheduled draws on credit enhancements reflecting financial difficulties;
 - e. Substitution of credit or liquidity providers, or their failure to perform;
 - f. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
 - g. Modifications to rights of security holders, if material;
 - h. Bond calls, if material, and tender offers;
 - i. Defeasances;
 - j. Release, substitution, or sale of property securing repayment of the securities, if material;
 - k. Rating changes;
 - l. Bankruptcy, insolvency, receivership or similar event of the obligated person;
 - m. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
 - n. Appointment of a successor or additional trustee or the change of name of a trustee, if material.
12. The Finance Director shall be the primary contact person for responding to inquiries from investors and for maintaining the investor relations portion of the Issuer's website, if any.
13. The Finance Director shall be responsible for coordinating and filing any voluntary information with EMMA, after consultation with the Issuer's legal and financial professionals.

Form of Disclosure Table

Part I – Master Tracking Table (list of deadlines for all bond issues)

Name of Bond Issue	Date of Issue	Final Maturity Date	Dissemination Agent?	CUSIP for Final Maturity	Deadline for Annual Report

Part II – Separate Table for Each Bond Issue (tracks details of filings for each issue)

[Name of Bonds][date of issue]		Reporting Periods			
		[inset date info was filed on EMMA]			
Description of Financial Information / Operating Data to file on EMMA		FY2013	FY2014	FY2015	FY2016
[audit]					
[list applicable tables in Official Statement]					
[unaudited financials, if audit not available by deadline]					
[other information]					

City of Davenport

Committee: Finance
Department: Fire
Contact Info: Jim Bickford
Wards: All

Action / Date
FIN11/19/2014

Subject:

Motion approving the sole source purchase of of nine (9) No Smoke Diesel Exhaust Removal Systems to Ward Diesel Filter Systems of Elmira, NY in the amount of \$78,651.54

Relationship to Goals:

Continued public safety improvements.

Background:

Ward Diesel Filter Systems is a company that specializes in vehicle mounted diesel exhaust removal systems. The "No Smoke" filter system is designed specifically for the fire and emergency service industry. The device will automatically operate as the vehicle leaves and returns to the station. The added benefit to this system is that it can also serve to protect personnel and the community members from harmful diesel fumes being emitted into the air. This system will replace the current venting system that some stations use that is very costly to maintain. The "No Smoke" system is low maintenance, easy to operate, and easy to maintain. The exhaust removal systems exceed standards set by the Occupational Safety and Health Administration (OSHA), the National Institute for Occupational Safety and Health (NIOSH), and the National Fire Protection Association (NFPA).

The installation of these units on fire response vehicles housed at the Central Fire Station will reduce future construction costs by more than \$125,000 on the capital improvement project to remodel and add onto the existing building.

Efforts were made to find other companies that offered similar equipment. Ward Diesel Filter Systems and their No Smoke filter system was verified to be a sole source provider of this product.

Funding for this purchase is from CIP project accounts 02348 and 02196, and 54913031-530303.

City of Davenport

Committee: Finance
Department: Finance/Purchasing
Contact Info: Kristi Keller 888-2077
Wards: All

Action / Date
FIN11/19/2014

Subject:

BWF Tree Farm & Nursery, Inc. - Trees and plantings for Veterans Memorial Parkway - Amount: \$22,979

Little Construction - Sidewalk and curbs at Annie Wittenmyer Complex - Amount: \$21,778

Relationship to Goals:

Background: