

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, November 4, 2015; 5:30 PM

City Hall, 226 West Fourth Street

REVISED November 3, 2015

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for the Ordinance for Case ROW15-09 for the right-of-way vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot wide north-south alley bounded on the south by West 7th Street and on the north by West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley (Palmer College of Chiropractic, petitioner) [Ward 3].
2. Public Hearing to amend Title 17.29 of the Davenport Municipal Code, entitled, Zoning, DDOD Downtown Design Overlay District, regarding the composition and qualifications of the Design Review Board; and Title 17.45 of the Davenport Municipal Code, entitled Zoning, Sign Regulations, regarding standards for Dynamic Display Signs. (City of Davenport, petitioner Case No. ORD15-01).[All Wards]
3. Public Hearing for the Ordinance for Case LL15-02 for the Local Landmark Designation of the Oakdale Cemetery located at 2501 Eastern Avenue, pursuant to the provisions of Chapter 17.23 of the Municipal code of Davenport, Iowa. (Dustin Oliver on behalf of Oakdale Cemetery, petitioner) [Ward 5].

VII. Presentations

- A. Proclamation for Native American/American Indian Proud Culture Month - November 2015

VIII. Petitions and Communications from Council Members and the Mayor

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Jason Gordon, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. Third Consideration: Ordinance for Case No. ROW15-06 being the proposed Right-of-Way vacation of 6160 square feet of unimproved Pleasant Street immediately east of Clark Street.[Ward 4]
2. Third Consideration: Ordinance for Case No. ROW15-07 being the petition of Park Place Five LLC for the vacation (abandonment) and subsequent relocation of a twenty (20) foot wide sanitary sewer easement (2,350+ sq.ft.) and a fifteen (15) foot wide excess stormwater passageway easement (1,730+ sq.ft.) located at 5601 Eastern Avenue. [Ward 8]
3. Second Consideration: Ordinance for Case No. ROW15-08: Request of I.H. Mississippi Valley Credit Union for the vacation (abandonment) of 4,000 square feet of public right-of-way located immediately west of 4645 Brady Street. [Ward 7]
4. First Consideration: Ordinance for Case No. ORD15-01 to amend Title 17.29 of the Davenport Municipal Code, entitled, Zoning, DDOD Downtown Design Overlay District, regarding the composition and qualifications of the Design Review Board; and Title 17.45 of the Davenport Municipal Code, entitled Zoning, Sign Regulations, regarding standards for Dynamic Display Signs. (City of Davenport, petitioner Case No. ORD15-01). [All Wards]
5. First Consideration: Ordinance for Case ROW15-09 for the right-of-way vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot wide north-south alley bounded on the south by West 7th Street and on the north by West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley (Palmer College of Chiropractic, petitioner). [Ward 3]
6. First Consideration: Ordinance for Case LL15-02 for the Local Landmark Designation of the Oakdale Cemetery located at 2501 Eastern Avenue, pursuant to the provisions of Chapter 17.23 of the Municipal code of Davenport, Iowa. (Dustin Oliver on behalf of Oakdale Cemetery, petitioner) [Ward 5].
7. Resolution approving Case No. F15-16 being the final plat of Russell-Crow Valley Office Park Sixth Addition being a one lot final plat on 1.12 acres, more or less, located just north on Lakeview Parkway and E 53rd Street on Lakeview Parkway. [Ward 6]
8. Resolution providing preliminary approval for economic development assistance to CharNor at 3863 West River Drive. [Ward 1]
9. Resolution amending the Plan for the North Urban Renewal Area consistent with the public hearing held in May. [Wards 2,6,7,8]
10. Motion to set a Public Hearing for November 18, 2015 at 5:30pm in the Council Chambers for the purpose of amending and expanding the North Urban Renewal Area and Plan.[Wards 2,6,7,8]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Kerri Tompkins, Vice Chairman

III. PUBLIC SAFETY

1. Third Consideration: Ordinance amending Schedule IV of Chapter 10.96 entitled "3-Way Stop Intersections" by removing the stop sign on 6th Street at Sylvan Avenue. [Ward 3]
2. Second Consideration: Ordinance amending Schedule XVII of Chapter 10.96 entitled "No Stopping, Standing or Parking" by adding South Howell Street along the west side from the railroad tracks south of Rockingham Road south a distance of 550 feet, between the hours of 2:30 AM and 6:00 AM. [Ward 3]
3. Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).
4. Motion approving beer and liquor license applications.

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

Ward 4

The Pour House (Boss Lady Inc.) - 1502 W Locust St. - Outdoor area November 21, 2015 - License Type: C Liquor

Ward 7

CASI (Center for Active Seniors Inc.) - 1035 W Kimberly Rd. - Outdoor area - License Upgrade: C Liquor

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

Ward 4

Stoeger's Bar & Grill (Stoeger's Inc.) - 1520 Washington St. - License Type: C Liquor

Ward 6

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

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St. - License Type: C Liquor

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

Wise Guys Pizza & More (Wise Guys Pizza & More Inc.) - 2408 E 53rd St. - License

Type: C Liquor

Ward 7

Osaka Buffet Inc. (Osaka Buffet Inc.) - 1510 E Kimberly Rd. - License Type: C Liquor

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

V. PUBLIC WORKS

1. Resolution to award the contract for the wet weather optimization project at the Water Pollution Control Plant to Leander Construction of Canton, IL in the amount of \$7,343,500. This project is per the Iowa DNR consent order to rehabilitate the treatment plant process to maximize flow and reduce sanitary sewer overflows. [All Wards]
2. Resolution approving the contract between the City and Veenstra and Kimm, Inc. for the design of Main and Brady Sewer Separation and Repairs for Brady St. Resurfacing, CIP Project #01592, not to exceed \$120,000. [Wards 3 & 5]
3. Resolution awarding the contract and conditionally approving the contract and bond for the Lindsay Park ADA Accessibility and Basketball Court Upgrade Project to Little H Construction of Davenport, IA in the amount of \$76,734 funded from CIP Project #'s 10118 & 64011. The project target start and completion date is Spring 2016. [Ward 6]
4. Resolution approving Change Order #2 to Northwest Mechanical in the amount of \$166,335 for the Central Fire Station Addition and Renovation radiant heating system, CIP Project #02348. [Ward 3]
5. Resolution approving Change Order #3 to Tricon Construction Group in the amount of \$260,518 for the Central Fire Station Addition and Renovation, CIP Project #02348. [Ward 3]
6. Motion awarding the purchase of a Next Generation GPS/AVL System for a citywide real-time fleet plow truck vehicle tracking system from the State of Iowa DOT contract from Blue Oceans Satellite Systems, Inc., St. John's, Canada, also using the city's US Cellular wireless service contract for airtime services. Equipment cost is \$68,017 budgeted in CIP Project #02339, \$1,170 monthly licensing fee for software and \$754 per month for wireless services. [All Wards]
7. Motion approving change order #1 for contract amendment #2R for the EQ Basin/Wet Weather Improvements - Davenport Optimization Project to Veenstra & Kimm, Inc. in the amount Not-To-Exceed \$39,930; CIP Project #02166. This change order adds photographic documentation for baseline conditions. [All Wards]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Jeff Justin, Chairman; Bill Edmond, Vice Chairman

VII. FINANCE

1. Resolution to fix a date for a public hearing on an amended State Revolving Fund Sewer Revenue Loan and Disbursement Agreement. [All Wards]
2. Motion authorizing the Finance Director to prepare and sign documents to submit a Best and Final Offer proposal to the Government Services Administration (GSA) for the construction of a building for the National Weather Service (NWS) building to lease from the City at the Davenport Municipal Airport. The proposal is authorized up to a total construction cost of \$4.5 million and to contain lease payment terms that will fully cover the City's costs. [Ward 8]
3. Motion approving submission of the City of Davenport's Annual Urban Renewal Report. [All Wards]
4. Motion approving the purchase of an endloader for the Compost Facility from Martin Equipment of Rock Island, IL, in the amount of \$312,500. [All Wards]
5. Motion awarding the purchase of a used paver machine for the Streets Division to Road Machinery & Supplies Co of Milan, IL in the amount of \$119,972. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

None.

XI. Other Ordinances, Resolutions and Motions

1. Motion to suspend the rules to vote on the following action item(s):
2. Resolution providing preliminary approval for economic development assistance to the Kraft Heinz Company. [Ward 8]
3. Resolution authorizing the application to the Iowa Department of Transportation's RISE program for assistance to the Kraft Heinz Company's proposed business retention project. [Ward 8]

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group: Community Development
Department: Community Development
Contact Info: Matt Flynn 326-7743
Wards: 3

Action / Date
CD11/4/2015

Subject:

Public Hearing for the Ordinance for Case ROW15-09 for the right-of-way vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot wide north-south alley bounded on the south by West 7th Street and on the north by West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley (Palmer College of Chiropractic, petitioner) [Ward 3].

Recommendation:

The City Plan and Zoning Commission finds that:

1. Adjacent property owners would not be negatively impacted by the alley vacation; and
2. City services, in particular garbage collection, would not be negatively impacted.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Please refer to the Commission's October 21, 2015 letter

The Commission vote for approval was 9-yes and 0-no.

Relationship to Goals:

Strengthen neighborhoods and community connections.

Background:

This is a request to vacate the alley between Brady Street and Main Street and West 7th Street and West 8th Street. The application articulates that that Palmer College of Chiropractic wants to take over maintenance of the alley as it serves as a route for maintenance vehicles, refuse pickup and pedestrian traffic. Palmer College owns or has a contract to purchase all properties on either side of the alley with the exception of the former St. Luke's Hospital at 121 West 8th Street and the Kappa Chi Pi Fraternity at 723 Main Street. Although 121 West 8th Street has access to the alley, it has direct access to West 8th Street.

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

ATTACHMENTS:

Type	Description
▣ Ordinance	ROW15-09 Ordinance
▣ Backup Material	ROW15-09 Plan and Zoning Commission Letter - 10-21-15
▣ Backup Material	ROW15-09 Plan and Zoning Commission Vote Results

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 6:03 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 6:03 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:11 AM

ORDINANCE NO.

AN ORDINANCE for Case ROW15-09 for the right-of-way vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot wide north-south alley bounded on the south by West 7th Street and on the north by West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley (Palmer College of Chiropractic, petitioner) [Ward 3rd].

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 vacated (abandoned). The property has the following legal description:

Part of the Southeast Quarter of Section 26 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at a point on the South line of Out Lot 16 of LeClaire's Section Addition to the City of Davenport, Iowa, and at the intersection of the north line of West 7th Street and west line of Brady Street, as said streets are now laid out; thence west 140 feet along the north line of West 7th Street to the point of beginning, which is also the east line of a 20 foot wide alley; thence north 444 feet along the east line of said 20 foot wide alley to a point, which is also the south line of West 8th Street; thence west 20 feet along the south line of West 8th Street to a point, which is also the west line of said 20 foot wide alley; thence south 445.35 feet along the west line of said 20 foot wide alley to a point, which is the north line of West 7th Street; thence east 20 feet along the north line of West 7th Street to the point of beginning.

Said tract contains 8,880 square feet more or less.

The City Plan and Zoning Commission accepted the listed findings and forwarded Case ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

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 _____

October 21, 2015

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

At its regular meeting of October 20, 2015, the City Plan and Zoning Commission considered Case No. ROW15-09 being the vacation of the alley north of West 7th Street and south of West 8th Street and west of Brady Street and east of Main Street.

Findings:

1. Adjacent property owners would not be negatively impacted by the alley vacation; and
2. City services, in particular garbage collection, would not be negatively impacted.

The City Plan and Zoning Commission accepted the listed finding and forwards Case ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	ORD15-01	ROW15-09 Palmer Alley						
Connell	P	Y	Y						
D'Autremont	P	Y	Y						
Elgatian	EX								
Hepner	P	Y	Y						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martin	P	Y	Y						
Martinez	P	Y	Y						
Tallman	P	Y	Y						
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN						



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

PLAN AND ZONING COMMISSION

Meeting Date: October 20, 2015
Request: Right of Way Vacation (Abandonment)
Location: Alley between Brady Street and Main Street and West 7th Street and West 8th Street
Case No.: ROW15-09
Applicant: Palmer College of Chiropractic

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-09 to the City Council with a recommendation for approval subject to the condition listed below.

Introduction:

This is a request to vacate the alley between Brady Street and Main Street and West 7th Street and West 8th Street.

AREA CHARACTERISTICS:

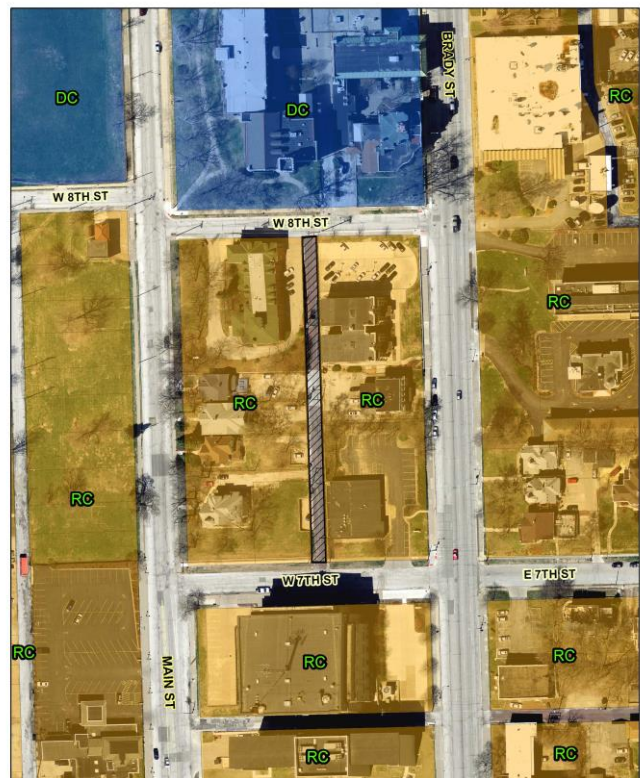
Zoning Map



 Proposed Right of Way Vacation (Abandonment)



Land Use Map



 Proposed Right of Way Vacation (Abandonment)



Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation: Residential Corridor. Residential Corridor is a mixed-use designation, intended for mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corners stores, etc. Neighborhood are typically designated as a whole. *Davenport 2025* encourages the creation of neighborhood planning documents to guide development appropriate for each neighborhood.

Relevant Goals to be considered in this Case: Goal No. 3-*Create a transportation system that provides improved physical connections/access within the community for citizen and visitors.* Objective b.-*Renovate existing transportation systems and design standards to create a more efficient, well-designed, physically attractive multi-modal network.*

The proposed use would comply with the Davenport 2025 proposed land use section.

Zoning:

The surrounding properties are zoned to "C-2" General Commercial District to the east, south and north and "R-6M" High Density Dwelling District to the west and north.

Technical Review:

Streets. The alley between Brady Street and Main Street and West 7th Street and West 8th Street

Storm Water. There are no City maintained storm water facilities within the alley.

Sanitary Sewer. There are no City maintained sanitary sewer facilities within the alley.

Other Utilities. There is are private utilities (electric, telephone, cable, etc.) within the alley.

Emergency Services. The Davenport Fire Department would continue to utilize the alley for emergency services.

Parks/Open Space. The proposed right of way vacation would not impact any existing or planned parks or public open spaces.

Public Input:

Notices were sent to property owners within 200 feet of the subject property notifying of them of the October 6, 2015 Plan and Zoning Commission Public Hearing. To date, there have not been any phone calls for letters concerning the request.

Discussion:

This is a request to vacate the alley between Brady Street and Main Street and West 7th Street and West 8th Street. The application articulates that that Palmer College of Chiropractic wants to take over maintenance of the alley as it serves as a route for maintenance vehicles, refuse pickup and pedestrian traffic. Palmer College owns or has a contract to purchase all properties on either side of the alley with the exception of the former St. Luke's Hospital at 121 West 8th Street and the Kappa Chi Pi Fraternity at 723 Main Street.

Although 121 West 8th Street has access to the alley, it has direct access to West 8th Street.

**Staff Recommendation:****Findings:**

1. Adjacent property owners would not be negatively impacted by the alley vacation; and
2. City services, in particular garbage collection, would not be negatively impacted.

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Prepared by:

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

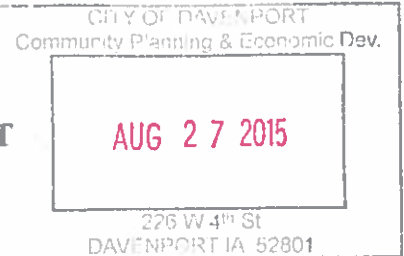
Ryan Rusnak, AICP
Planner III

Attachments:

Application

Public Hearing Notice, Map and Notification List

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION**



PETITIONER: Name: Palmer College of Chiropractic
Address: 1000 Brady Street Davenport IA 52803
Phone: 563-884-5653 FAX: 563-884-5179
Mobile Phone: 563-340-4052 Email: tiemeier_t@palmer.edu
Interest in land: _____ title holder X other**

** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON: Name: Thomas L. Tiemeier
Address: 1000 Brady Street Davenport IA 52803
Phone: 563-884-5653 FAX: 563-884-5179
Mobile Phone: 563-340-4052 Email: tiemeier_t@palmer.edu

LOCATION (DESCRIPTIVE): The alley between 7th and 8th streets, between Main Street and Brady Street

LEGAL DESCRIPTION: See attached pages

AREA: (in square feet) 8,890 square feet

REASON FOR REQUEST: The alley is in need of repair and Palmer

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

College wants to take over its care and maintenance, as it serves as a route for maintenance, garbage and pedestrian traffic to college apartments and facilities,

SIGNATURE OF PETITIONER:  DATE: 8/24/15

PROCESSING FEE: \$400.00

DATE PAID: _____

Thomas
Palmer College of
Chiropractic

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – OCTOBER 6, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-09: Request of Palmer College of Chiropractic for the vacation (abandonment) of 8,890 square feet of public right-of-way known as a 20 foot north-south alley bounded on the north and south by 8th and 7th Streets and on the east and west by Brady and Main Streets to allow for Palmer College to take over the repair and maintenance of the alley.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday October 6, 2015** 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 consider (vote on a recommendation) the petition at its regular meeting on Tuesday October 20, 2015. 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 call the phone number or email the address 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.

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

(detach here)

The undersigned – **opposes / does not oppose** Case No. ROW15-09.

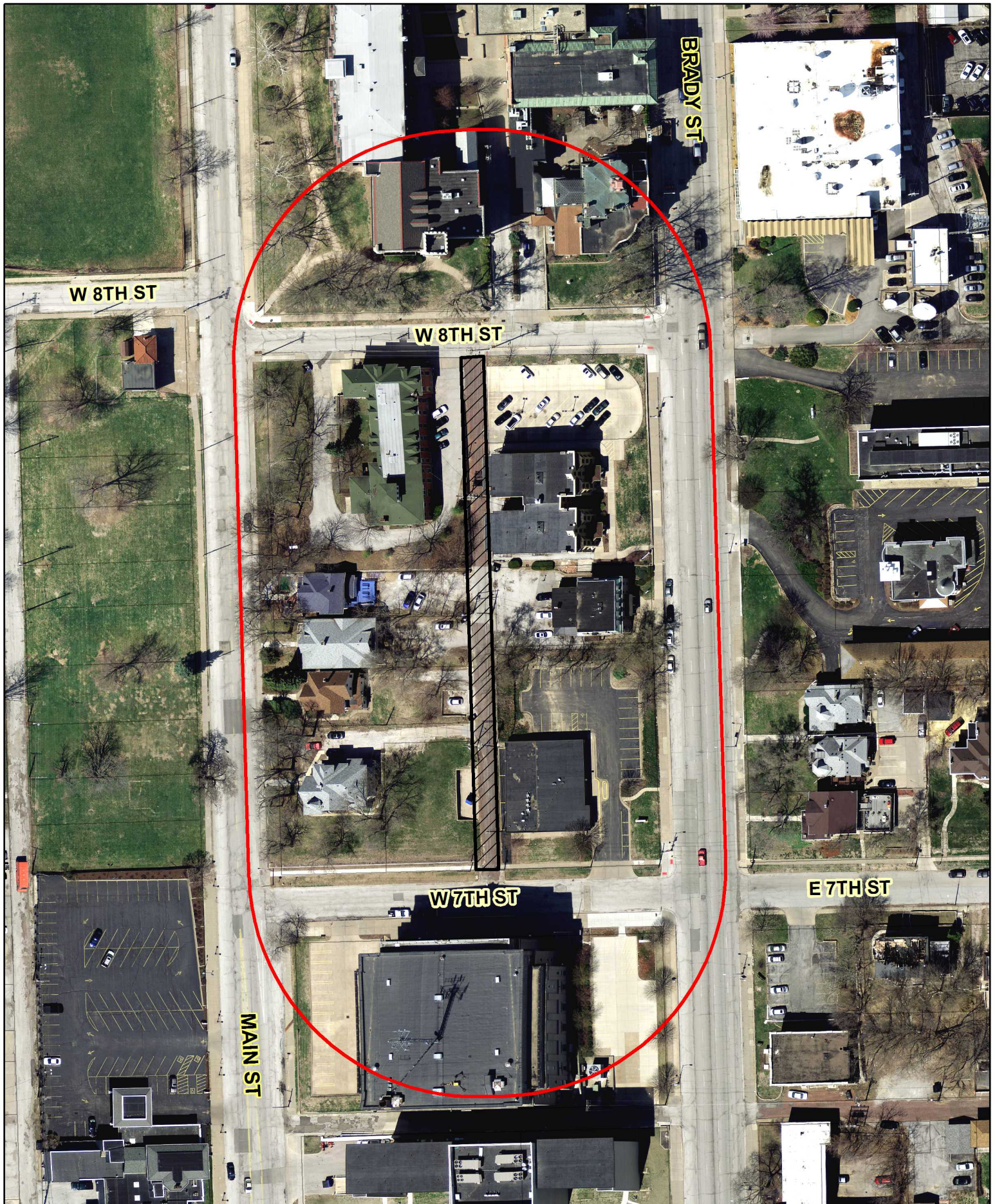
Comments: _____

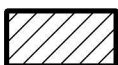
Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



 Proposed Right of Way Vacation (Abandonment)

 200 Foot Notification Radius



FID	Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ
	0 G0039-01A	1000 BRADY ST	PALMER COLLEGE FOUNDATION	1000 N BRADY ST	DAVENPORT IA 52803
	1 G0042-01B	708 BRADY ST	PALMER COLLEGE FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	2 G0042-02	722 BRADY ST	UNIVERSITY FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	3 G0042-03A	732 BRADY ST	UNIVERSITY FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	4 G0042-04A	742 BRADY ST	UNIVERSITY FOUNDATION	1000 BRADY ST	DAVENPORT IA 52803
	5 G0042-09	121 W 8TH ST	BLESSED KINGDOM DISCOUNT OUTLET	108 S 4TH ST	CLINTON IA 52732
	6 G0042-10	723 MAIN ST	PI KAPPA CHI PALMER CHIROPRACTIC	P.C.C. BOX 777	DAVENPORT IA 52803
	7 G0042-11	719 MAIN ST	UNIVERSITY FOUNDATION LEE LEIGH	1000 BRADY ST	DAVENPORT IA 52803
	8 G0042-12	715 MAIN ST	DERREN LEIGH PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	8 G0042-12	715 MAIN ST	UNIVERSITY PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	9 G0042-13	705 MAIN ST	UNIVERSITY FOUNDATION	1000 BRADY ST	DAVENPORT IA 52803
	10 G0042-14	122 W 7TH ST	PALMER COLLEGE FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	11 G0055-24	115 W 7TH ST	UNIVERSITY FOUNDATION	1000 BRADY ST	DAVENPORT IA 52803

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: All

Action / Date
CD11/4/2015

Subject:

Public Hearing to amend Title 17.29 of the Davenport Municipal Code, entitled, Zoning, DDOD Downtown Design Overlay District, regarding the composition and qualifications of the Design Review Board; and Title 17.45 of the Davenport Municipal Code, entitled Zoning, Sign Regulations, regarding standards for Dynamic Display Signs. (City of Davenport, petitioner Case No. ORD15-01).[All Wards]

Recommendation:

Hold the Public Hearing.

Relationship to Goals:

Modernize and regionalize zoning/development codes.

Background:

There is a need to update the zoning ordinance to improve its consistency and functionality. In this case, Dynamic Display sign capabilities are evolving rapidly and Council has requested an update to this section.

Separately, concerning the Design Review Board, two vacancies currently exist. Reducing the number of members and relaxing voting requirements will streamline the Board and reduce confusion regarding who can vote on individual items.

Please refer to the attachments for more information.

ATTACHMENTS:

Type	Description
▣ Ordinance	Proposed Ordinance
▣ Backup Material	P&Z Report plus attachments
▣ Backup Material	Proposed Ordinance changes

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 5:58 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 5:58 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:11 AM

ORDINANCE NO.

ORDINANCE to amend Title 17.29 of the Davenport Municipal Code, entitled, Zoning, DDOD Downtown Design Overlay District, regarding the composition and qualifications of the Design Review Board; and Title 17.45 of the Davenport Municipal Code, entitled Zoning, Sign Regulations, regarding standards for Dynamic Display Signs. (City of Davenport, petitioner Case No. ORD15-01).

WHEREAS, the following amendments to Title 17 were unanimously recommended for approval by the Plan and Zoning Commission at its October 20, 2015 meeting.

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

Section 1. That Title 17.29.070(B) of the Davenport Municipal Code is hereby rescinded and amended to read as follows:

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the City of Davenport or own property or a business in Davenport.

Section 2. That Title 17.45.051 of the Davenport Municipal Code be rescinded and amended to read as follows:

17.45.051 Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational

institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport Board of Adjustment in accordance with section 17.52.

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 upon final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, MMC
Deputy City Clerk

Published in the Quad City Times on Wednesday, October 28, 2015



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

PLAN AND ZONING COMMISSION

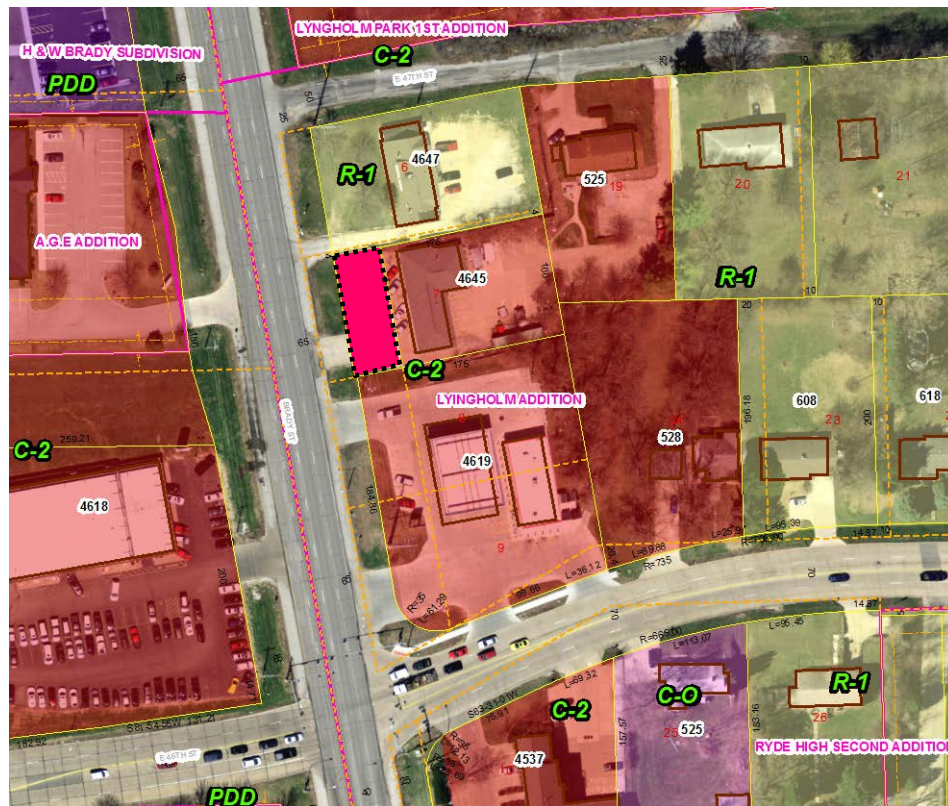
Meeting Date: October 6, 2015
Request: Right of Way Vacation
Location: 4645 Brady Street
Case No.: ROW15-08
Applicant: I.H. Mississippi Valley Credit Union

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-08 to the City Council with a recommendation for approval, with the condition that a general utility easement be preserved upon the entire property.

Introduction:

This is a request to vacate 4000 sq. ft. (40' by 100') of excess right of way adjacent to 4645 Brady Street.



Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation: Right-of-Way

Zoning:

The surrounding properties are zoned "R-1" and "C-2".

Technical Review:

There are utilities located on and above this property. A general utility easement should be maintained.

Public Input:

Letters to 10 adjacent property owners were mailed. One property owner has called with questions. To date, no objections have been raised.

Discussion:

This property was dedicated to the City in 1977, presumably for a frontage road that was never constructed. The property has been used for parking for the adjacent commercial building. The owner of the building wishes to clear the title by vacating the right-of-way and acquiring the property for continued parking.

Given the utilities on-site, a general utility easement should be maintained.

Staff Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-08 to the City Council with a recommendation for approval.

Findings:

1. This is an excess portion of right-of-way no longer needed for roadway purposes.
2. A general utility easement will be maintained; assuring access to existing utilities, if needed.

Condition:

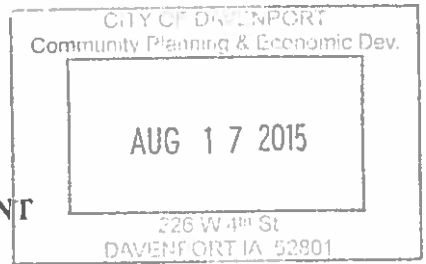
1. A general utility easement be established and maintained upon the entire property.

Prepared by:



Matthew G. Flynn, AICP
Senior Planning Manager
563-326-7743
mflynn@ci.davenport.ia.us

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION**



PETITIONER: Name: I.H. Mississippi Valley Credit Union
Address: 2127 47th St., Moline, IL 61265
Phone: (309) 793-6200 FAX: _____
Mobile Phone: _____ Email: _____
Interest in land: X title holder _____ other**
** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON: Name: Laurie Burkholder
Address: 2127 47th St., Moline, IL 61265
Phone: (309) 793-6200 x80070 FAX: _____
Mobile Phone: _____ Email: lburkholder@ihmvacu.org

LOCATION (DESCRIPTIVE): parking lot of 4645 Brady St., Davenport, Iowa

LEGAL DESCRIPTION: The Easterly 40 feet of the Westerly 65 feet of Lot 7 in the Auditor's Plat of Lyngholm, now an Addition to the City of Davenport, Scott County, Iowa.

AREA: (in square feet) unknown

REASON FOR REQUEST: The parcel was conveyed to the City for a frontage road that was never constructed and therefore it should be conveyed back to the current owner of the adjacent property.

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

SIGNATURE OF PETITIONER: Laurie Burkholder DATE: 8/14/15

PROCESSING FEE: \$400.00

DATE PAID: _____

27994-77

1977 DEC 29 AM 8:30

P.L.#550 paid
RECORDED *Richard L. Hagan*
SCOTT COUNTY, IOWARecording Fee \$4.50
Transfer Fee \$1.00

WARRANTY DEED AND ASSESSMENT WAIVER

KNOW ALL MEN BY THESE PRESENTS: That Truce T. Urdona and Aurora F. Urdona, husband and wife, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration (Less than Five Hundred Dollars....\$500.00) in hand paid do hereby convey unto the City of Davenport, Iowa, the following described real estate, situated in Scott County, Iowa, to-wit:

The Easterly 40 feet of the Westerly 65 feet of Lot 7 in the Auditor's Plat of Lyngholm, now an Addition to the City of Davenport, Scott County, Iowa.

And the Grantors do hereby covenant with the said Grantee, and successors in interest, that said Grantors hold said real estate by title in fee simple; that they have good and lawful authority to convey the same; that said premises are free and clear of all liens and encumbrances except for a certain mortgage dated August 2, 1977 and filed for record August 2, 1977 at Document #16339-77; and said Grantors covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the described premises.

It is agreed that the foregoing conveyance of said real estate is for the purpose of the construction and maintenance of a frontage road thereon at such time as the Grantee determines it to be necessary. The undersigned, for themselves, their

respective heirs, personal representatives and assigns and for all future owners of any part of said lot 7 agree as follows:

1. At such time as said frontage road is constructed the City of Davenport, Iowa, may construct said improvements and assess the total cost thereof against said lot 7, and

2. They do hereby waive all statutory procedures relating to the making of such improvement and the assessing of the cost thereof against said Lot 1, and all notices, and rights of protest to the making of said improvement and the assessing of the cost thereof, and

3. That the entire cost of making said improvements may be assessed against said Lot 1, even though the cost thereof may exceed the amount that can otherwise legally be assessed by the City of Davenport, Iowa, and

4. At such time the frontage road shall be constructed and thereafter, that there shall no longer be any right of direct access to Brady Street from said Lot 1.

Dated this 20th day of December, 1971.

Truce T. Urdona, m.d.
Truce T. Urdona

Aurora F. Urdona
Aurora F. Urdona

State of Iowa)
) SS:
Scott County)

On this 20th day of December, 1971, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Truce T. Urdona and Aurora F. Urdona, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



John M. Brown, Notary Public in and for Scott County, Iowa



DOUGLAS R. LINDSTROM, JR.

ATTORNEY AT LAW

LANE & WATERMAN LLP

220 N. MAIN STREET, STE 600
DAVENPORT, IOWA 52801-1987
EMAIL: dlindstrom@l-wlaw.com

DIRECT: 563/333-6629
OFFICE: 563/324-3246
FAX: 563/324-1616

LANE & WATERMAN LLP

11153

KJD

CITY OF DAVENPORT

111539

Inv.No.	Matter	G/L	Description	Amount Paid	Inv.Date
08142015	14513-00020	273-001	REQUEST FOR PUBLIC RIGHT-OF-WAY VAC	400.00	08-14-2015

\$400.00

11153

LANE & WATERMAN LLP

GENERAL ACCOUNT
220 N. MAIN ST., STE. 600
DAVENPORT, IA 52801
(563) 324-3246

THE NATIONAL BANK
BETTENDORF, IOWA

70-464-711

 E-ZShield™ Check Fraud
Protection for Business

DATE

8/14/2015

CHECK NO.

111539

CHECK AMOUNT

PAY

Four Hundred and No/100 Dollars-----

\$400.00

TO THE
ORDER
OF

CITY OF DAVENPORT

LANE & WATERMAN LLP

VOID AFTER 6 MONTHS

⑈111539⑈ ⑆071104647⑆ 1497684⑈

ROW15-08 - 4645 Brady St - Adjacent Owner Notice List

Parcel#	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	4645 BRADY ST	I.H. MISSISSIPPI VALLEY CREDIT UNION	2121 47TH ST	MOLINE IL 61265
Ward/Ald:	7th Ward	Alderman Matson		Notices Sent: 8
P1216-01	4640 BRADY ST	AJS HOLDINGS LLC	PO BOX 1466	BETTENDORF IA 52722
P1216-07D	4619 BRADY ST	CONVENIENCE STORE INVESTMENTS	1626 OAK ST	LA CROSSE WI 54603
P1216-01G	4618 BRADY ST	GRAPE ROAD LLC	5201 N GRAPE RD	MISHAWAKA IN 46545
P1216-20B		GRAPE ROAD LLC		
P1216-20B		GRAPE ROAD LLC		
P1216-10A	528 E 46TH ST	KERRY L GRUENHAGEN	301 4TH ST W	MILAN IL 61264
P1216-02A	4710 N BRADY ST	PST PROPERTY MANAGEMENT LLC	4710 N BRADY ST	DAVENPORT IA 52806-3903
P1216-05	4647 BRADY ST	TROPICAL BEACH INVESTMENT CO	PO BOX 3708	DAVENPORT IA 52808
P1215-08	525 E 47TH ST	VOTROUBEK JOSEPH K	5130 WOODLAND CT	DAVENPORT IA 52807
P1216-12D	4811 BRADY ST	WALNUT CENTER PROPERTIES LLC	PO BOX 1627	DAVENPORT IA 52809

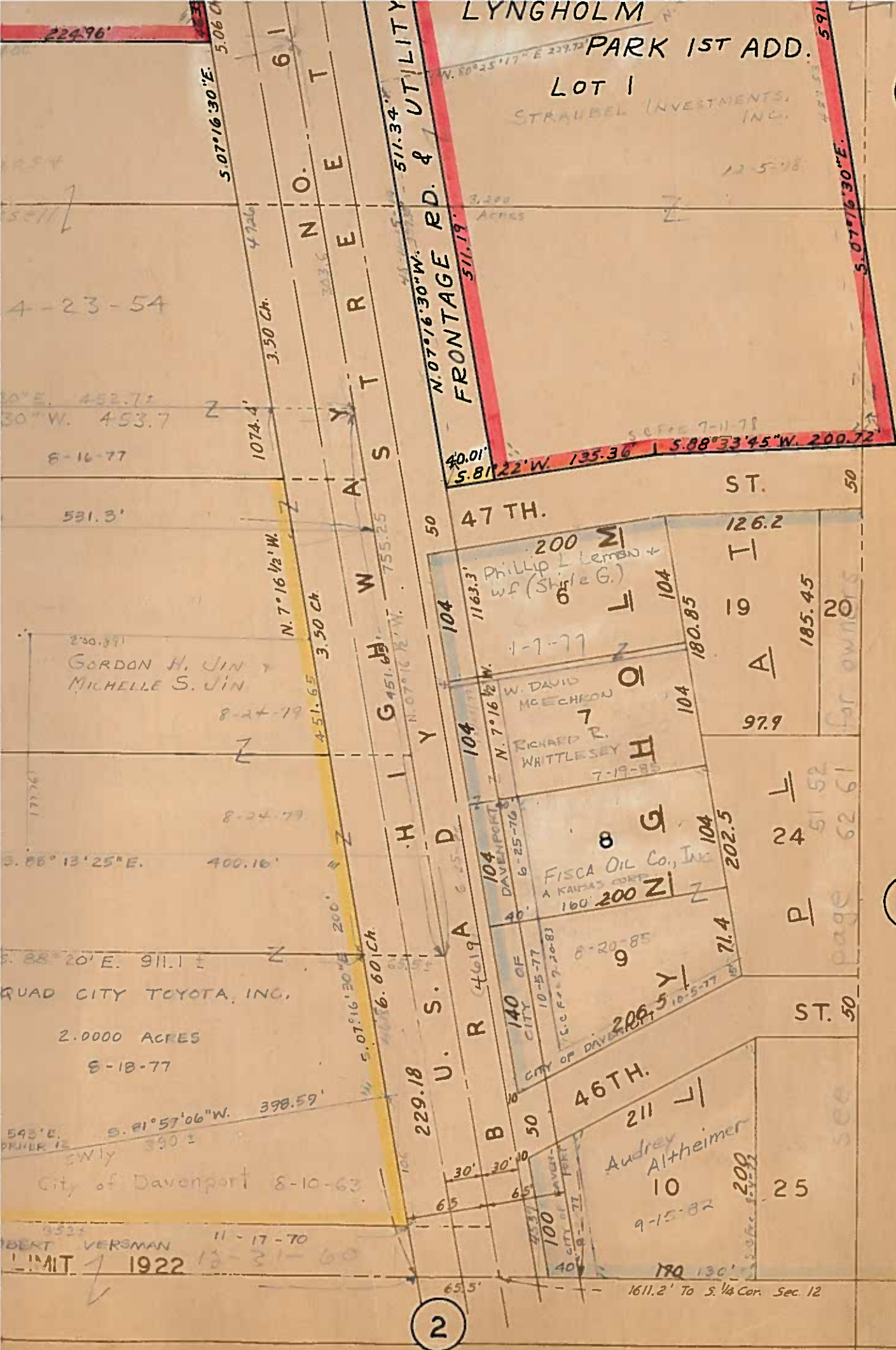
LYNGHOLM

PARK 1ST ADD.

LOT 1

STRAUBEL INVESTMENTS, INC.

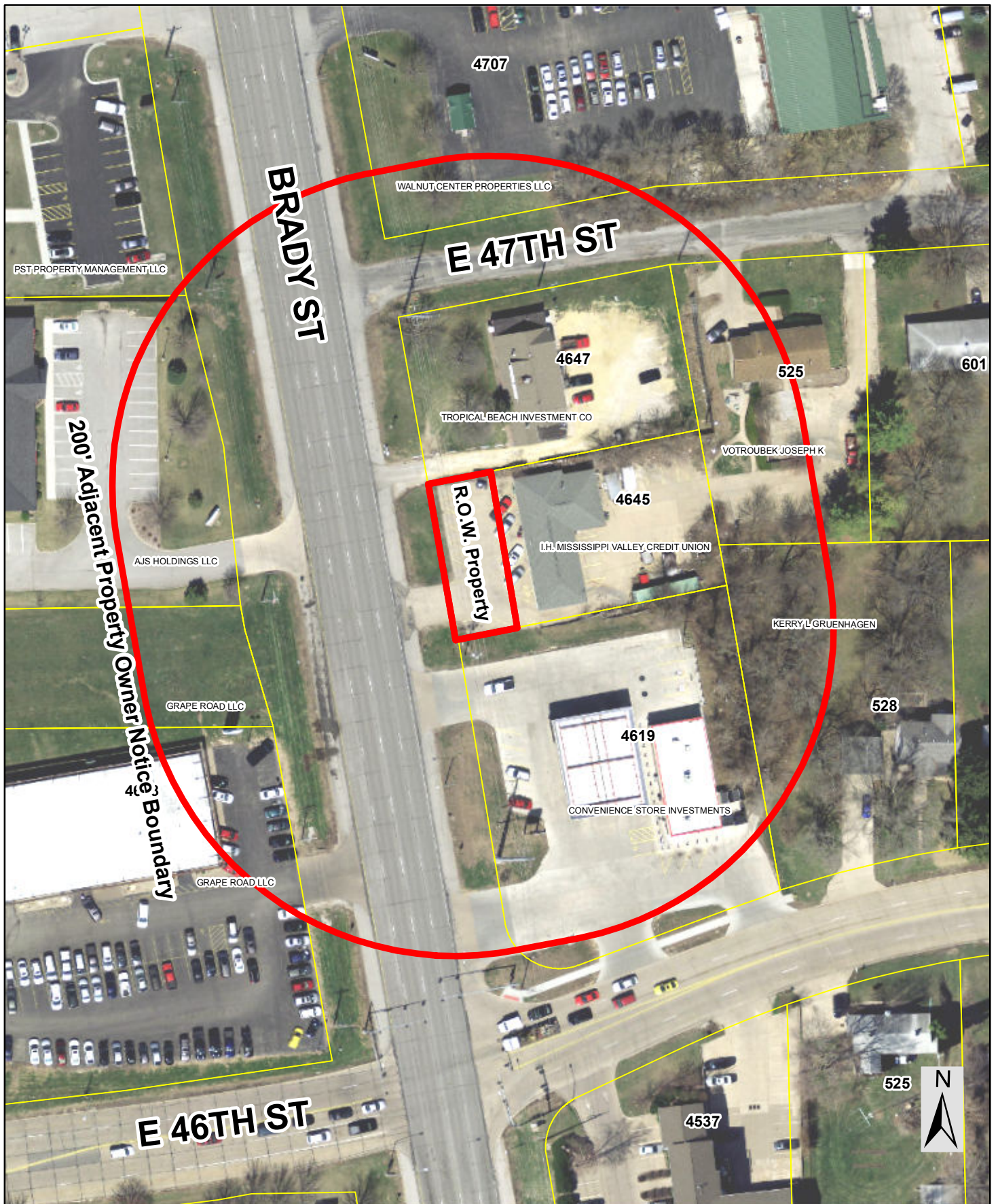
51



2

62

Plan & Zoning Commission: Adjacent Property Owner Notice Area Request for a Right-of-Way Vacation (Abandonment)



**NOTICE
PUBLIC HEARING
TUESDAY – SEPTEMBER 15, 2015 - 5:00 P.M.
DAVENPORT CITY PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA**

There is on file in the office of Community Planning, on behalf of the City Plan and Zoning Commission, the following petition:

Case No. ROW15-08: Request of I.H. Mississippi Valley Credit Union for the right-of-way vacation of 40' by 65' portion of unimproved Brady Street currently utilized as a parking lot.

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, September 15, 2015 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you have any questions, please feel free to contact us.

Community Planning & Economic Development

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

Proposed Amendments to Title 17 (Zoning)

Existing

17.29.070(B) Composition and qualifications. The board, in its voting capacity, shall consist of nine members, including seven "core" members and two members specific to the district in which the subject property is located. All members shall demonstrate a positive interest in urban design and city development. Of the seven "core" members, one position shall be reserved for an architect; one position shall be reserved for a urban designer, urban planner or landscape architect; five positions shall be reserved for members from one of the following fields: architect, attorney, architectural historian, urban designer, urban planner, civil or structural engineer, developer, real estate broker, landscape architect/designer or contractor. Two additional appointments shall be made for property owners within the "DDOD" downtown design overlay district, "HSD" historic shopping district and/or "HCVOD" hilltop campus village overlay district. These additional appointees may attend all meetings but may only vote in cases particular to the district from which they are appointed. All members shall live in the city of Davenport or own property or a business in Davenport. (For the purposes of this chapter "downtown Davenport" shall be defined as being identical to the area included in the downtown design overlay district).

Proposed

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the city of Davenport or own property or a business in Davenport.

Existing

17.45.051 Dynamic display regulations.

A. Dynamic displays are allowed in all zoning districts with the exception of the HSD, historic shopping district, A-1, agricultural and all R, residential districts, provided they are oriented away from the A-1, agricultural and all R, residential districts to the extent possible. Schools and religious institutions are exempt from this restriction, provided they meet the standards contained elsewhere in this article and are turned off between the hours of nine p.m. and seven a.m. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided. Only one, contiguous dynamic display is allowed on a sign face.

C. A static dynamic display shall not change more than once every two seconds. A dynamic display that scrolls is permitted provided it does not operate as described in Section 17.45.051D.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46.

Proposed

17.45.051 Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport board of adjustment in accordance with section 17.5

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 5

Action / Date
CD11/4/2015

Subject:

Public Hearing for the Ordinance for Case LL15-02 for the Local Landmark Designation of the Oakdale Cemetery located at 2501 Eastern Avenue, pursuant to the provisions of Chapter 17.23 of the Municipal code of Davenport, Iowa. (Dustin Oliver on behalf of Oakdale Cemetery, petitioner) [Ward 5].

Recommendation:

The Historic Preservation Commission forwards Case No. LL15-02 to the City Council with a recommendation for approval without any special conditions.

Please refer to the Commission's October 14, 2015 letter.

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

Relationship to Goals:

Strengthen neighborhoods and community connections.

Background:

Oakdale Cemetery is a 78 acre mid-19th Century rural cemetery featuring a landscape of rolling hills, paved roads, grass alleys, a manmade lake and thousands of grave markers and mausoleums.

The property was listed as National Register of Historic Places District in 2015.

Oakdale Cemetery initiated this application because it recognizes its historic significance to the City of Davenport.

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

ATTACHMENTS:

Type	Description
▣ Ordinance	LL15-02 Ordinance
▣ Backup Material	LL15-02 - Historic Preservation Commission Letter
▣ Backup Material	LL15-02 Historic Preservation Commission Staff Report
▣ Backup Material	LL15-02 Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 5:59 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 5:59 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:11 AM

ORDINANCE NO. 2015-

AN ORDINANCE for Case LL15-02 for the Local Landmark Designation of the Oakdale Cemetery located at 2501 Eastern Avenue, pursuant to the provisions of Chapter 17.23 of the Municipal code of Davenport, Iowa. The purpose of the petition is to recognize Oakdale Cemetery's historic significance to the City of Davenport (Dustin Oliver on behalf of Oakdale Cemetery, petitioner) [Ward 5].

WHEREAS, the City of Davenport is one of the oldest Cities in Iowa, and contains many structures of architectural importance; and

WHEREAS, the Local Landmark designation will help document and recognize the individual historical and architectural significance of the property.

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 designated a Local Landmark. The property has the following legal description:

Part of the Northwest and Southwest Quarters of Section 19 – Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M., which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa; thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa; thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate; thence North $18^{\circ} 6' 50''$ East 257.10 feet; thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa; thence North $56^{\circ} 50''$ East 404.13 feet to a point; thence North $43^{\circ} 29'$ East 96.4 feet; thence North $0^{\circ} 34'$ West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa; thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which

point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa; thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10; thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77; thence West along the North line of said real estate to the Northwestern corner of said real estate; thence South 22° 32' West 78.23 feet; thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport; thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15; thence South to the following described line: Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. By Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence Westerly 200 feet more or less to the Northwestern corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less; thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc. of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document # 12256-81 in the office of the Recorder of Scott County, Iowa; thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al; thence West to the West line of Section 19; thence North to the point of beginning. Except those tracts of real estate used for road purposes.

Said tract contains 76.25 acres more or less.

The Historic Preservation forwarded Case LL15-02 to the City Council with a recommendation for approval without any special conditions:

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

October 14, 2015

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

At its regular meeting of October 13, 2015, the Historic Preservation considered Case No. LL15-02 being the Local Landmark Designation of the Oakdale Cemetery located at t 2501 Eastern Avenue.

The Historic Preservation Commission accepted forwards Case LL15-02 to the City Council with a recommendation for approval without any special conditions.

Respectfully submitted,



John L. Frueh, Chairperson
Historic Preservation Commission



City of Davenport
HISTORIC PRESERVATION COMMISSION

Community Planning & Economic Development Department
STAFF REPORT

Meeting Date: October 13, 2015
Location: 2501 Eastern Avenue
Historic Name: None.
Case: LL15-02
Applicant: Dustin Oliver on behalf of Oakdale Cemetery.

Introduction:

Staff is in receipt of an application to nominate the Oakdale Cemetery located at 2501 Eastern Avenue a Local Historic Landmark.

Attachments:

Application

Discussion:

Oakdale Cemetery is a 78 acre mid-19th Century rural cemetery featuring a landscape of rolling hills, paved roads, grass alleys, a manmade lake and thousands of grave markers and mausoleums.



The property was listed as National Register of Historic Places District in 2015.

17.23.060 Commission designation process.

- A. *Application process. The legal owner(s) of record or the commission, may nominate a single structure for designation as a local landmark or an area as a historic district. Upon application, the commission secretary shall inform the applicant of the information needed by the commission to adequately consider the nomination.*

To nominate a district for designation by the legal owners of record, a petition requesting nomination must be signed and submitted by the owners of record representing at least fifty-one percent of the total area of the proposed district, excluding public rights-of-way. After the names on the petition are verified as legal real property owners within the proposed district, the commission secretary shall notify the applicant(s) that the nomination process may continue. A copy of the petition shall also be submitted to the State Historical Society of Iowa for its review and recommendation.

- B. *Designation criteria. The commission shall, after such investigation as it deems necessary, make a recommendation to the city council as to whether a nominated structure or district qualifies for the local register. To qualify, a property must satisfy one or more of the following criteria:*
- 1. It is associated with events or persons that have made a significant contribution to the broad patterns of the history of the city, county, state and/or the nation; and/or*
 - 2. It embodies the distinctive characteristics of an architectural style valuable for the study of a type, period or method of construction; and/or*
 - 3. It represents the work of a master builder, craftsman, architect, engineer or landscape architect or possesses high artistic values.*
- C. *Notification of nomination. Upon receipt of a properly completed application for designation, the commission shall place the nomination on the agenda within sixty calendar days. A notice shall be placed in a newspaper of general circulation not less than four nor more than twenty calendar days prior to the scheduled meeting stating the commission's intent to consider an application for designation. It shall contain, at the minimum, the nominated property's address, legal description and the date, time and location of the public meeting. If a district is nominated, in addition to the published public notice, a letter explaining the proposed designation shall be sent by regular mail to the owner(s) of record of real property within the proposed historic district. The commission's meeting agenda shall also be posted on the first floor city hall bulletin board used for such purposes no less than one business day prior to the scheduled time of the meeting.*
- D. *Designation - public meeting. Upon submittal of a complete application, the commission shall conduct a public meeting to consider the designation of the nominated structure and/or district. Any interested person, group of persons or organization may submit oral and/or written testimony concerning the significance of the nominated property. The commission may also consider staff reports, and request and/or hear expert testimony.*
- E. *Burden of documentation. The nominator(s) shall have the burden of proof to provide sufficient evidence and documentation that the nominated structure and/or district is worthy of local landmark status.*

Pursuant to the City's agreement with the Iowa State Historic Preservation Office (SHPO), staff forwarded the application so it would provide its opinion. To date, SHPO has not provided its opinion. However, it is reasonable that it would recommend that property is eligible to become a Local Historic Landmark because the property was listed on the National Register of Historic Places 2015.

Recommendation:

It is staff's opinion that the property achieves consistency with all the designation criteria enumerated in Section 17.23.060 of the Davenport City Code.

The City appreciates all the work Mr. Oliver and the Oakdale Cemetery have done.

Staff recommends the Historic Preservation Commission forward Case No. LL15-02 to the City Council with a recommendation that the Oakdale Cemetery be designated a Local Historic Landmark.

Prepared by:



Ryan J. Rusnak, AICP
Planner III
563-888-2022
rrusnak@ci.davenport.ia.us



"HISTORIC DISTRICT" NOMINATION

for the

DAVENPORT REGISTER OF HISTORIC PROPERTIES

Historic Preservation Commission
City of Davenport, Iowa

Please provide the following information: (Please type or print)

Contact Person for Petitioners: Dustin Oliver

Address: 2122 Grant Street

City: Bettendorf State: IA ZIP: 52722

Telephone: (Home) 563-441-7743 (Work) 563-343-9687

Name of Proposed Historic District: Oakdale Cemetery Historic District

Is all or part of the proposed historic district contained within an existing National Register of Historic Places historic district?

No _____ Yes X If Yes, which one? Oakdale Cemetery Historic District

On the Continuation Sheets attached, please provide the following information:

- (1) A petition with the signatures of owners of real property within the proposed historic district (In order for the nomination to be placed before the Historic Preservation Commission for consideration, owners representing at least 51% the district's area, excluding public right-of-ways, must sign the petition. City staff will assist the applicant with determining the number of signatures necessary.)
- (2) Legal Description: (Please refer to subdivision(s) name(s), block and lot numbers, if available. Also, please attach a map of the area showing the proposed boundaries of the proposed historic district.)
- (3) List the common street addresses of all properties to be included in the historic district.
- (4) A narrative describing why the property satisfies the "Designation Criteria" listed in Section 17.23.060(B) of the 1990 Municipal Code. Please describe both the property's present and historic physical appearance as it relates to the definitions of Architectural and Historical Significance in contained in Section 17.23.030¹

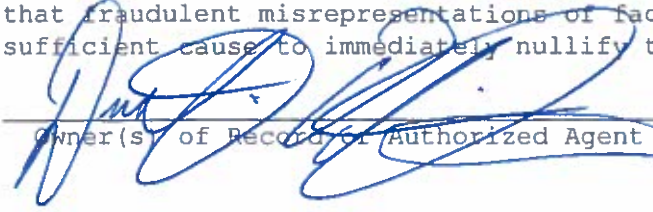
1. Definitions of Architectural and Historical Significance can be found in Sections 17.23.030(3) and 17.23.030(19) respectively.

The "Designation Criteria" are defined in the 1990 Municipal Code as follows:

Designation Criteria: Section 17.23.060(B). The Commission shall, after such investigation as it deems necessary, make a recommendation to the City Council as to whether a nominated structure or district qualifies for the Local Register. To qualify, a property must satisfy one or more of the following criteria:

- (A) It is associated with events or persons that have made a significant contribution to the broad patterns of history of the city, county, state and/or nation; and/or
 - (B) It embodies the distinctive characteristics of an architectural style valuable for the study of a type, period or method of construction; and/or
 - (C) It represents the work of a master builder, craftsman, architect, engineer or landscape architect or possesses high artistic values.
- (5) Any historical photographs of the neighborhood, if available. (Photographs will be returned to their owner upon completion of the nomination process.)
- (6) A list of major bibliographical references

"I, the agent acting on behalf of the petitioners for the historic district nomination of the aforementioned area to the Davenport Register of Historic Properties, do hereby state that all the information contained herein is, to the best of my knowledge, accurate and that there are no negligent or fraudulent misrepresentations of fact. I also understand that fraudulent misrepresentations of fact contained in this nomination form shall be sufficient cause to immediately nullify the nomination process."

 Owner(s) of Record or Authorized Agent

Dustin Oliver, petitioner

Date

8/24/15

Please return the completed application to the:

Historic Preservation Commission
Community & Economic Development Department
226 W. 4th Street
Davenport, Iowa 52801

Direct your questions to the Commission Secretary at 326-7765.

Your Historic District Nomination will be considered by the Historic Preservation Commission at its public meeting scheduled for: _____

All Historic Preservation Commission Public Meetings are held in the City Council Chambers at City Hall on the 2nd Tuesday of every month at 4:30 p.m. unless otherwise notified.

Staff will keep the original signed nomination form and will return to the petitioner a photocopy of the application with staff comments.

PLEASE NOTE: The owner(s) of record, or an agent acting on their behalf (petitioner), should plan to attend the Commission meeting in person. It is important for someone to be present to respond to the Commission's inquiries and comments. If no one is present, the nomination process may be delayed indefinitely.

For Staff Use Only:

Received by: _____

Commission Secretary or Designee

_____ Date

Is application complete? Yes _____ No _____

If not, explain: _____

Continuation Sheet: [use this sheet for question (1)]

Signatures

Address

Telephone #

Size of
Property

78 acres

Historic Preservation Commission
City of Davenport, Iowa
Nomination for the Davenport Register of Historic Properties

Continuation Sheet: [use this sheet and subsequent sheets for questions (2), (3), & (4)]

Question 2:

Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M. which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa;

thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa;

thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate;

thence North 18° 6' 50" East 257.10 feet;

thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa;

thence North 56° 50" East 404.13 feet to a point;

thence North 43° 29' East 96.4 feet;

thence North 0° 34' West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19;5

thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa;

thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa;

thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10;

thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77;

thence West along the North line of said real estate to the Northwesterly corner of said real estate;

thence South 22° 32' West 78.23 feet;

thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport;

thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15;

thence South to the following described line:

Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa;

thence Westerly 200 feet more or less to the Northwesterly corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa;

thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less;

thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document #12256-81 in the office of the Recorder of Scott County, Iowa;

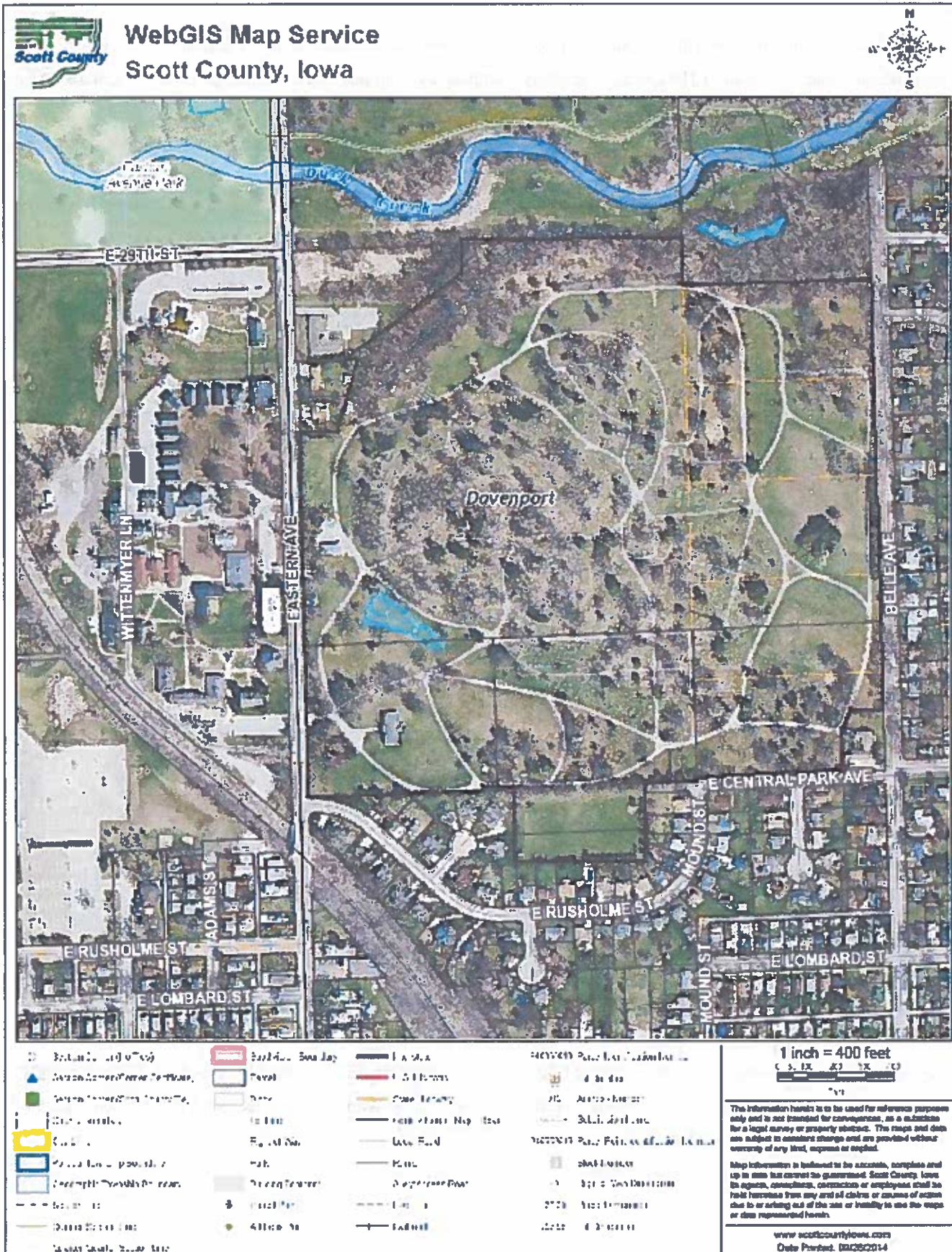
thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al;

thence West to the West line of Section 19;

thence North to the point of beginning.

Except those tracts of real estate used for road purposes.

Historic Preservation Commission
 City of Davenport, Iowa
 Nomination for the Davenport Register of Historic Properties



Continuation Sheet: [use this sheet and subsequent sheets for questions (2), (3), & (4)]

Question 3

2501 Eastern Avenue, Davenport, IA 52803 (cemetery at large)

2601 Eastern Avenue, Davenport, IA 52803 (sexton's residence)

Question 4

Oakdale Cemetery is a 78.1 acre mid 19th Century rural cemetery featuring a designed landscape of rolling hills, paved roadways, grass alleys, a modern man-made lake, thousands of granite, limestone, marble, zinc and bronze grave markers, and community and private mausoleums constructed of granite, marble, brick and concrete with bronze, cast iron and stained glass accents. The cemetery is located in East Central Davenport, directly across the street from the Iowa Soldiers' Orphans' Home Historic District. It has one vehicular entrance along Eastern Avenue, via a granite, limestone and wrought iron monumental gate. It is roughly bounded by Eastern Avenue, two private homes and an office building on the West; Duck Creek Parkway to the North; Belle Avenue and a private residence to the East; East Central Park Avenue, East Rusholme Street, and private homes along East Rusholme Street, Highland Park Court, and Mound Street to the South. The original 40 acre cemetery was located in a rural area North of the city proper. It was expanded in the late 1800s and early 1900s by land purchases, and tracts of undeveloped land were sold for private development at various times in the 20th Century. From the time that burials began, through the present day, the grounds have featured native and exotic plant life varying from grasses and cultivated flowers to evergreen, oak, and fruit trees. A lake that existed on property acquired in the late 19th Century is no longer extant, and was replaced with a man-made lake in 1991. Graves in most areas of the cemetery are arranged in family lots in arrangements that conform to the original landscape design. Other areas contain historic single burial "potter's fields", small lots laid out in the lawn cemetery style in the early to mid 20th century, and a noncontributing modern area for pet burials. Sixteen contributing buildings are extant, including an office, public mausoleum and 14 private mausoleums built in the period of significance. Contributing objects include the entry gate, several unique or culturally important grave markers from throughout the period of significance, and the overall collection of grave markers. Contributing sites include the landscape, a Federally-owned Soldiers' Lot, a lot containing burials from the Iowa Soldiers' Orphans' Home, and a mid 20th century "Babyland". Noncontributing resources include two modern metal maintenance garages, a heavily altered sexton's house dating from the 1860s, a modern private mausoleum, an animal crematory inside a small metal enclosure, a pier in the lake, and a modern columbarium. Roads in the cemetery were graded as early as 1863, covered in macadam by the late 1800s, and paved by circa 1925. Resources that are no longer extant include several past maintenance buildings, a water well, a street car waiting house, a receiving vault, and wooden perimeter fencing. Particular mention should be made of the absence of characteristic iron fencing around family lots common to cemeteries of the era. Such fences were prohibited by the board of directors in 1880, and existing fences were removed at that time. Stone curbing around lots is still extant in many areas of the cemetery.

Oakdale Cemetery is situated on rolling hills in what is currently a residential area of the City of Davenport. The current vehicular entry gate was constructed from a rusticated Romanesque design by Edward S. Hammatt in 1896; some four years after the cemetery acquired the eight acre piece of land it is located on from the estate of Judge James Grant. Before Judge Grant acquired the property, it had served as Scott County's agricultural fairgrounds for five years starting in 1855. The gate consists of four granite pillars supporting a double door vehicular gate and matching pedestrian gates made of cast and wrought iron. Entering the grounds via this gate and following the main perimeter road counter clockwise, two contributing buildings are encountered. First is the Oakdale Cemetery Company Office, built of concrete block by Osborn Construction Company in 1941 from a

minimalist design by architect Raymond C. Whitaker. The area between the office and the lake is the location of a modern columbarium, flat grave markers for burials of cremated remains and a modern private mausoleum with Gothic Revival elements. While these are outside the period of significance, they are an integral part of this fully active cemetery. Next is the Community Mausoleum, built in 1931 by the Heister Mausoleum Company with a Classical Revival design by local architect Seth J. Temple. The Community Mausoleum is built of cast concrete, with a limestone exterior and white marble interior. While recent additions include columbarium niches added in 1991 and a handicapped accessible ramp added in 2014, the building appears largely the same now as at the time of its construction. The land surrounding the mausoleum is section 22 on the sectional plat map and is only beginning to be used for burials. Following the perimeter road, the Joseph W. Bettendorf mausoleum is the next significant structure. It is a fine example of Exotic (Egyptian) Revival architecture, built of white Barre granite with a Georgia marble interior in 1923 by Farrington, Gould & Hoagland, a monument company from New York, with additional construction by Matt Healy & Son of New York and the Iowa Engineering & Construction Company of Davenport. The mausoleum is surrounded by a landscaped area of evergreen hedges and trees. Nearby are the William Hamilton Wilson and Henry F. Petersen mausoleums. The Wilson mausoleum was built circa 1916 in the Richardsonian Romanesque style, the Petersen mausoleum was built circa 1922 in the Romanesque style. These three mausoleums are located in section 23, which contains burials from the late 19th century to the present day with a variety of marker styles, as well as numerous evergreen shrubs and several pine and oak trees. Also of note in this section is the family lot of local realtor Mel Foster, Sr. It occupies the opposite corner from the H.F. Petersen mausoleum and is marked by a large black marble bench and flat marble individual grave markers.

Nearby is section 33, which contains mostly burials from 1968 to the present day, with flat or lawn style markers. Section 24 contains the J. Schricker mausoleum, built in 1899 by the Vermont Marble Company from a Classical Revival design by John Wesley Ross inspired by the White House. The mausoleum is distinctive due to its Sutherland Falls white marble construction, and the green patina of its bronze roof by Winslow Brothers of Chicago. The rest of section 24, which is on a bluff with a slope from South to North, contains numerous landscaped family plots surrounded by yew and other evergreen hedges. These date from the late 19th century to present day, with a variety of marker styles.

Sections 34 and 26 on the sketch map contain burials from the early 20th century to present day with a variety of raised markers reflecting the then-current styles. In between these is "Babyland", a special section set aside for the burial of infants and landscape designed by Philip Tunnicliff in 1947. The first burial in this section was in 1952, and burials continue into the present. Currently, the section is marked by two rows of evergreen hedges that separate it from the two sections to either side as well as a row of evergreen shrubs that separate it from the private homes to the South.

North of Babyland is section 13, which was largely created with the acquisition of eight acres of land from Charles E. Pickering in the summer of 1883. The Western third of this section was on the Judge Grant property, acquired in 1893. Section 13 contains numerous burial lots of wealthy citizens, businessmen and politicians who were active in the late 19th and early 20th centuries. This section became fashionable in the early 1900s, and several graves were moved here from other parts of the cemetery, so some death dates are from before the land was acquired. Markers in this section take on many styles, and most are of massive size, indicating the wealth of those interred here. There are numerous Victorian draped cinerary urns, one large obelisk, and numerous large granite blocks inscribed with well-known names from Davenport history. Also in section 13 is the Sieg mausoleum, the first of the large mausoleums built in the cemetery. It was constructed soon after the section was platted, in late 1883. It is an imposing structure, built of limestone with a brick interior in a rustic form of Gothic Revival. A large oak tree grows in front of the mausoleum and is a frequent roost for a nesting pair of red tailed hawks. Nearby is the Gustav Koester mausoleum, a granite and concrete Richardsonian Romanesque building designed and built in 1915 by the Schricker Marble & Granite Company of Davenport. Adjacent to the Koester mausoleum is a contributing object, the Harris-Greene / Brown family marker. It is carved in the form of a large altar, with a Latin cross on the top and a drape over one end. The entire section is dotted with evergreen shrubs and trees, some of which mark family lots, as well as several mature oaks and other deciduous trees. The road to

the North of section 13 marks the Southern boundary of the original 40 acre cemetery from 1856. The road separating 13 from sections 12 and 20 marks the Eastern border of the cemetery as of 1883.

The perimeter road now turns to the North. In sections 12 and 20, to the West of this avenue, there are more large family lots with various marker styles, including the Watzek family monument, which is intricately carved into the elaborate form of an eight foot tall Celtic cross. To the East of the avenue is section 27, with smaller family lots dating from the early 20th century to present day. It is situated on a gently sloping hill, with most burials being at the higher part to the South. Continuing to the North, section 11 is to the West of the perimeter avenue, and contains three contributing resources. The first is the Oakdale Soldiers' Lot, a federally owned burial ground for Civil War and Spanish American War veterans. The site contains 71 upright Veterans' Administration headstones in three rows. There is a large evergreen tree in the Southeast corner, a flag pole and plaque centered along the avenue to the South, and a large evergreen hedge row separating the lot from the rest of section 11. The Soldiers' Lot was created as the Grand Army of the Republic section between 1896 and 1900 and acquired by the United States government in 1941. The second is the Schlapp family columbarium, built circa 1889. It is a small structure, in a rustic style, with cast iron gates on each open end. Inside are 24 niches for cremated remains. The third is a set of rectangular granite above-ground crypts, containing the remains of the E.H. Ryan family. These are the only above-ground crypts of this style in the cemetery. Immediately West of section 11 is section 8, containing one of the earlier single burial sections and burials dating from the founding of the cemetery. Also in section 8 are a trio of grave markers for the Coventry family, a contributing object demonstrating elaborate Victorian floral sculpture.

North of section 11 is section 15, containing grave markers in various styles, including a single burial section or Potter's Field. Most markers in this section are a small granite block inscribed with a grave number, first initial and last name. Other graves are marked with larger stones placed by families or friends at later dates. Also in section 15 is a contributing building, the Gardiner mausoleum, built in 1926 in the Romanesque style. Across the perimeter road from section 15 is section 21, and two imposing contributing buildings, the Koehler and William D. Petersen mausoleums. Both mausoleums sit atop a hill overlooking sections 15, 11, 8, 12, 13 and 27 and have landscaped stairways leading from the avenue at the bottom of the hill. The Koehler mausoleum was built ca. 1910 in an early Modern Movement style featuring naturalistic bronze doors and a stained glass window in the rear. The William D. Petersen mausoleum is the largest private mausoleum in the cemetery, and is a spectacular example of Gothic Revival architecture. The mausoleum was constructed of limestone and Greek marble in 1921 by the Presbrey Leland Company from a design by Clausen & Kruse, with an interior vaulted ceiling intricately mosaic tiled by the R. Guastavino Company. The interior also features intricately decorated crypts, an altar backed by three stained glass windows, and a wrought iron hanging candelabra.

North of section 21 are sections 29, 30 and 31. Section 31 was platted in the late 1960s and designated as a lawn section with only flat markers. Burials in this section date from the early 1970s to the present day. Section 29 was platted by Philip Tunnicliff in 1947, and contains upright markers for burials from the middle of the 20th century to the present day. Section 30 was platted by Tunnicliff about 1961 and contains upright markers from the early 1960s to the present day.

West of section 31 is section 28, one of the larger sections that was added to and platted as additional land was acquired in this area of the cemetery in the late 19th and early 20th century. The Western part of this section contains tiers of single burials marked with flat stones indicating grave number, first initial and last name. The Eastern part contains more substantial markers in various styles dating from the early 20th century. In the Southwest corner of this section is the Iowa Soldiers' Orphans' Home lot, which was donated to the Home by the cemetery board in 1884, when burials were moved from section 6. It is a contributing site located in the original 40 acre tract. In the center stands a granite monument erected in 1884 to the memory of the orphans buried there. Graves are in several rows to either side of the monument, and were marked with simple numbered stones until 1971, when the Davenport chapter of the Veterans of Foreign Wars paid to have bronze plaques cast with each child's name and date of death. These plaques are set on continuous concrete curbs. A granite bench donated by the American Legion sits in the Southwest corner.

Continuing along the perimeter avenue to the West, section 19 is adjacent to the Northern part of section 28, and consists mostly of tiers of single interments, including an early infant section. North of the avenue in this area is a wooded area separating the cemetery from the Duck Creek Parkway. Some of the trees were planted in this area by the cemetery in the early 20th century to form a natural fence line. Northwest of section 19 is a cleared area that is currently used for burning of fallen tree limbs and other organic waste. As late as 1947, a warehouse and horticultural nursery were located in this area; they are no longer extant. South of section 19 lies section 16, a very large section containing burials from the late 1880s to present. It was the last major section in the original 40 acres to be platted, with platting completed in 1889 by company secretary Israel Hall. Section 16 contains three contributing resources: the Ruch mausoleum, a Richardsonian Romanesque building built in 1913; the Nott mausoleum, a small red brick building designed and constructed in no discernible style but with some Federal style elements by Robert H. Nott (who is interred within) in 1912; and the Chezem family monument, a fine example of the popular "treestone" grave marker from the late 19th century. It is unique in that it is set on a granite Latin cross that acts as a base.

The perimeter avenue continues around as it circles back to the entrance gate. To the Northwest is a noncontributing site, Love of Animals Petland, an area set aside for pet burials in 1992. Southwest of Petland is a contributing building, the minimalist Hartwig vault, built ca. 1882 and remodeled by the Schricker Marble & Granite Company in 1924. As the vault is located in a remote part of the cemetery, the original door was removed in 1980s and the doorway was covered with concrete blocks. Just East of this vault is the location of the no-longer-extant brick receiving vault built in 1874. All that remains of the vault is a storm drain installed in 1875. A temporary wooden receiving vault, no longer extant, was also constructed between the old brick vault and the Hartwig vault in 1918 to accommodate the increased death rate due to the Spanish influenza pandemic.

Before turning East onto the former main avenue, the cemetery maintenance area is on the Western border of the cemetery near Eastern Avenue. This area contains three noncontributing buildings, two of which are 1990s steel frame garages, while the other is the circa 1864 sexton's house, which has been altered to an extent that it is unrecognizable as an historic building. Also in this area is an aluminum enclosure containing the cemetery's animal crematorium, a noncontributing structure. The location of the original entrance gate was just North of the sexton's house, but its use was discontinued upon the construction of the present gates in 1896. Also, three maintenance buildings, a circa 1874 stable and 1910 house and barn, are no longer extant, the latter two having been demolished in 1997 to make way for maintenance garage 2.

Across the perimeter avenue from the sexton's home is the lake, built in 1991. In the center of the lake is a wooden pier, formerly a bridge and gazebo, a noncontributing structure also built in 1991. The Eastern end of this lake roughly corresponds to the location of an historic lake on the property, described in 1897 board minutes as lying near the center of the new avenue from the new entrance to the old portion of the cemetery. The lake was called Lake #2, though no mention has been found of another lake on the property. The avenue is still atop an embankment constructed in 1896 over this no-longer-extant natural lake.

Following the former main avenue up the bluff into the oldest portion of the cemetery, the lots are encountered in concentric circles. The first circle is section 4 to the North and section 5 to the Southeast. Both of these sections contain burials from the mid 19th century to near present day. Section 4 contains a contributing object, the Thompson monument, a splendid example of Gothic Revival funerary art. The monument mimics a spire from a Gothic cathedral building, and is the tallest object in this section. Section 5 contains two contributing objects, the "white bronze" grave markers of Jens Peter von Stibolt and Minnie von Egloffstein. J.P. von Stibolt's marker is small and lettered in an ornate script in German. The English translation is "Convictions are a man's honor" (Stibolt was editor of Davenport German-language newspaper *Der Demokrat* during the Civil War and was an outspoken opponent of slavery). Minnie von Egloffstein's marker is more typical of the style, and features removable panels on four sides for possible addition of other decedent information.

The next circle is section 7 to the North and section 10 to the Southeast. Section 7 contains numerous grave markers for burials dating from 1857 to the early 20th century and three contributing objects: the John Owens white bronze grave marker, a more elaborate example of this style of memorial construction topped with a sculpture of a century plant; the George L. Davenport monument, a large mixed-style construction featuring

Victorian plant sculpture on the plinth and an Egyptian obelisk on the top that is used frequently as a navigation landmark in the cemetery; and the John Vale grave markers, including Mr. Vale's original Victorian scrolled grave marker as well as a more modern federally-supplied veteran's marker indicating his Civil War military service and Medal of Honor. Section 10 contains burials from the same time period as section 7 as well as a contributing object, the David S. True family burial plot. The monument in this location is a Gothic spire similar to the Thompson memorial, and the individual graves are enclosed with headstones, footstones and side stone fencing atop stone slabs covering the graves. The overall appearance resembles a trio of sleigh beds.

Atop the highest point of the cemetery sits section 1, location of many of the oldest burials, including the first numbered burial as well as graves relocated from the overcrowded Davenport City Cemetery. The center of section 1 is an 80 foot diameter circle with a stone curb enclosing the Brandt mausoleum, a massive Classical Revival building of Barre granite constructed in 1901 at the behest of baking powder magnate William Ziegler. This circle was previously the location of a summer house (1881), a 77-foot-deep well (1882), and a water pumping windmill (1884), all no longer extant. These structures were demolished and the well capped by 1901. Along the Northern edge of section 1 sits another massive object, the contributing Dillon monument, a very large obelisk erected circa 1898 in memory of the wife and daughter of Judge John Forrest Dillon, who had been lost in a shipwreck. It is the tallest monument in the cemetery.

Southeast of section 1 is section 2, another circular section containing graves from the mid-19th to early 20th century. The center of section 2 is the former location of a reservoir (1888) which was later repurposed as a fountain. The fountain was removed and the land graded in 1910. The inner circle of graves around the center circle was designated in 1862 for Civil War soldier burials, but many of those burials were removed to the Rock Island and Keokuk National Cemeteries circa 1888. The rest were moved to the current location of the Soldiers' Lot in 1900.

Between sections 1, 2, and 10 is section 14, the smallest section of the cemetery. It is a small triangular patch of ground created by the layout of avenues designed in 1856 by Captain George F. de la Roche, landscape architect. South of section 2 is section 9, another part of the "old cemetery" as it is referred to in the board minutes. This section contains grave markers from the mid-19th and very early 20th century, as well as the first area for single burials, which was abandoned in 1871 while a clump of trees was planted in the area to prevent erosion of the graves.

North of section 2 is another portion of the concentric circles around the section 1 hill, sections 3 and 17. These sections were on the outskirts of the original cemetery and contain burials from the mid-to-late 19th century to the present day. Two contributing objects are extant in section 3: the Mary Coates white bronze grave marker, and the Elizabeth Little Willis grave marker. The Willis marker dates from 1846 and was moved with the burial from the Davenport City Cemetery sometime in the late 19th century. It is one of a small number of limestone shouldered tablet markers still extant in the cemetery and a representative example of the type. There are also two contributing objects in section 17: the Frank family lot, a unique example of a "treestone" with matching individual stones; and grave of legendary jazz musician Leon "Bix" Beiderbecke, the most visited grave in the cemetery and location of an annual jazz concert in his memory since 1971.

Section 6 is an irregular shaped piece of land between sections 2, 9 and 17. It contains burials from the mid 19th century to the present, and a contributing building, the granite Hill Mausoleum, built in a Richardsonian Romanesque style in 1908. Northeast of section 6 is the Masonic Section, a small triangular plot containing flat grave markers for members of the local Masonic lodges. Northeast of that is section 18, another irregular shaped piece of land containing burials from the mid 19th century to the present day.

Overall, the cemetery appears today largely as it did during the period of significance. While several resources, such as the windmill and lot fences, are no longer extant, their absence does not detract from the historic nature of the cemetery, but instead demonstrates the ever-changing nature of Victorian cemeteries and their place in the community. The current boundaries of the cemetery were all acquired during the period of significance, and none of the land that was sold off throughout the 20th Century contained burials. As with almost any cemetery more than a century and a half old, there are many grave markers that have broken or fallen, and there have been instances of vandalism. Recent efforts have been made to right fallen markers and repair broken

ones. There is also an ongoing project wherein the grounds crew is removing over-mature and diseased trees and planting new trees. A local Girl Scout troop is also working to transplant overgrown day lilies that have overtaken grave markers.

The Oakdale Cemetery Historic District maintains a great deal of historic integrity from the period of significance (c. 1855 – 1965). The various aspects of the district's integrity are discussed below.

- **Location:** The Oakdale Cemetery Historic District is located in the same spot as the date of founding, with the original forty acre plot constituting the “heart” of this historic district.
- **Design:** The layout of roads and avenues as they exist today is the same as that on the oldest extant map of the cemetery, dated 1917. It is believed that this layout closely follows the original 1856 landscape design by Captain George F. de la Roche. The district also contains thousands of well-preserved grave markers and a fine collection of well-maintained mausoleums. Original architectural drawings for two private mausoleums, as well as the Community Mausoleum, indicate that the buildings maintain integrity of design.
- **Setting:** Oakdale Cemetery was originally located well North of the Davenport City limits, in a rural area surrounded by several woody thickets. Today, the cemetery has been surrounded by the expansion of the City of Davenport. While it is now located in a residential neighborhood along an arterial street in the city, a city parkway along Duck Creek to the North recreates to some extent the wooded vistas of the earlier years. Also, the presence of the Iowa Soldiers' Orphans' Home Historic District, located directly to the West across Eastern Avenue from the cemetery, greatly contributes to the district's integrity of setting.
- **Materials:** The materials used throughout the period of significance were largely various types of stone and masonry, which have held up very well through the present day. Several stained glass windows and bronze doors on mausoleums are also extant. Special mention should be made of the absence of iron fencing (banned by the cemetery board in 1875 and ordered removed in 1880) and various wooden and brick structures that were demolished during and after the period of significance as a natural part of the cemetery's evolution.
- **Workmanship:** Many of the various grave markers and mausoleums maintain great integrity of workmanship. In particular, the original masonry by Robert Nott is still visible on the Nott Mausoleum. Grave markers, both homemade and professionally designed, appear today largely as they did when they were placed, displaying the workmanship of the designers to varying extents.
- **Feeling:** Oakdale Cemetery Historic District may very well best demonstrate integrity of feeling. Especially in the original forty acre plot, historic markers and mature oak trees combined with grass and gravel pathways evoke the historic feeling of the late-19th Century “glory days” of the cemetery.
- **Association:** The cemetery is directly associated with significant individuals by virtue of being their final resting place. It is also directly associated with historic events such as the Civil War, demonstrated by the presence of the Soldiers' Lot and the grave of Lieutenant Colonel August Wentz, whose funeral was a major event in Davenport during the Civil War. Other historic events, such as the settlement of Davenport and Scott County and Westward Expansion, are demonstrated by the burials of individuals who participated in those events.

Continuation Sheet: (use this sheet and subsequent sheets for questions (2), (3), & (4))

Oakdale Cemetery was incorporated on May 14, 1856, as the Oakdale Cemetery Company, with lot owners as shareholders of the corporation and an elected board of directors. The men who signed the Articles of Incorporation were pioneer settlers and leading citizens of Davenport: John McDowell Burrows, R. M. Prettyman, George B. Sargent, John Dalzell, Dr. J. M. Witherwax, Dr. Charles Cristopher Parry, Henry B. Hoffman, Strong Burnell, William H. Hildreth, Joseph Lambrite, Hiram Price, A. H. Barrow, John M. Cannon, John L. Davies and William H. F. Gurley. The company was founded in response to the inadequacy of the overcrowded and oft-flooded Davenport City Cemetery and as a product of the founders' distaste for the "private speculation" that was the for-profit Pine Hill Cemetery (established by A. C. Fulton in 1855). The corporation purchased 40 acres of land North of the city of Davenport, having the land deeded to founder John McDowell Burrows, who held title to the land until the state legislature met in 1858, upon which point he conveyed the deed to the Oakdale Cemetery Company. All but a small portion of that original 40 acres is still part of the cemetery property, a small corner having been sold for use as two private homes in 1985 and a commercial office building in 1997. In June of 1856, the company hired War of 1812 Navy veteran Captain George F. de la Roche, a civil engineer and landscape architect, to survey and plat the grounds. Captain de la Roche's most famous landscape designs are his 1852 design of Oak Hill Cemetery in the Georgetown neighborhood of Washington, D.C., and his ca. 1854 design of Glenwood Cemetery, also in Washington, D.C. The designs of his cemeteries are very similar, using concentric circles on hill tops and following the natural contours of the land, and were inspired by the most famous cemetery of the Rural Cemetery Movement, Mount Auburn Cemetery in Massachusetts. It is worth noting that both Oak Hill and Oakdale are located in creek valleys – Oak Hill in the Rock Creek valley, Oakdale in the Duck Creek valley. Later additions were designed and platted by others, but the overall design is faithful to de la Roche's original intent.

The first numbered burial in the cemetery was in September 1857. However, recorded burials date from as early as November 1855, but were not added to the numbered burial log until 1857. Many burials were moved to Oakdale Cemetery from Davenport City Cemetery as well, so dates on some grave markers predate the establishment of Oakdale by as much as twelve years. The company struggled along for the first several years, having had to borrow money to purchase the land, but by the outbreak of the Civil War, Oakdale had become the premier burial ground for Davenport. The city of Davenport served as the military headquarters of Iowa during the war, hosting several training camps, including Camp Kinsman, which was directly across the road from Oakdale. Many German immigrants from the city volunteered for military service, eager to fight for their new homeland. Inevitably, soldiers died during training, and local men were killed in battle. By 1862, Oakdale had become the military burying ground for the city. April 1st of that year, the directors designated an area in section 2 for the burial of Civil War dead. The soldiers were to be buried near the first Scott County resident to give his life in battle during the War, Lieutenant Colonel Augustus Wentz.

Augustus Wentz was born in Baden, Germany, around 1829, and immigrated to the United States around 1847. He almost immediately enlisted in the Army, fighting in the Mexican War. After the war, he settled in Missouri, where he met and married Rebecca McMurtrey in 1852. They moved to Davenport in 1854, and Augustus immediately became an important member of Davenport's growing German community. He was elected constable in 1858, and in 1861 he formed an infantry unit of German immigrant volunteers, Company G of the 1st Iowa Infantry. After their three month term of service was up, Wentz was commissioned lieutenant colonel of the 7th Iowa Infantry, Company S by Governor Kirkwood. The 7th saw its first major action at the Battle of Belmont. The 7th was in the heaviest part of the fighting, and Wentz was mortally wounded during the retreat. His dying words were reported as, "Let me alone boys, I want to die on the battle field." His body was retrieved by his wife Rebecca, who had been in the Union camp for a visit with her husband, and sent by train back home to Davenport. The funeral was the most grandly solemn event the then-young city had seen. Wentz's body was dressed in full uniform and displayed in Metropolitan Hall, where thousands of citizens filed by to pay their respects. The Wednesday morning newspapers of November 13 carried complex diagrams of the funeral procession, which including marching units from the Union training camps, Davenport Fire Department, the Turner Society, city officials, and public and

private schools. Businesses were closed, allowing employees to attend the funeral. After the war, Grand Army of the Republic Post 1 was named for August Wentz (the name was rendered both ways in various records).

After the Civil War: Changes Begin

By 1863, the avenues in the original 40 acres had been graded. Board minutes report various plantings of evergreen trees and Osage orange hedges throughout the 1860s and early 1870s, and the erection of a wooden fence along the Northern border (with posts made from trees culled from the cemetery) and the construction of a brick receiving vault (no longer extant) in 1872. A new road was constructed to the vault in 1873, and 1874 saw the first roads begin to be macadamized. The company's charter having expired, the company was re-incorporated in 1876, and in 1878 plans to build a street car depot on the cemetery grounds were discussed. It is unclear if this building was ever built. According to board minutes and dates on graves, nine acres of property were added to the East of the cemetery in 1876, though the quit claim deed for this property is dated March 1, 1883.

By 1880, additions to the "old house" were being discussed in meetings. This likely refers to the current sexton's house, which while still standing, is heavily altered from its historic appearance. 1880 also marked the beginning of Oakdale's evolution from a rural cemetery to a "landscape-lawn" cemetery, with the prohibition and removal of lot fences, and an emphasis on large family markers with small individual stones, all to make maintenance and upkeep easier. Also at this time, 20% of lot purchase prices were invested for the perpetual care of the lot, a practice the cemetery continues to the present day.

Turn of the Century: Construction and Expansion

Throughout the 1880s, several maintenance-related structures were constructed; including a water well, summer house, reservoir and windmill. None of these structures are extant, all having been replaced by more modern facilities (and a city water main) around the turn of the 20th century. A private burial vault was built in 1882 by local mortician Albert Hartwig near the cemetery receiving vault; it is still extant. The first above-ground private mausoleum was constructed the next year by local businessman Reinhold Sieg, followed six years later by the small Schlapp family columbarium. The Iowa Soldiers' Orphans Home plot was donated by the board in 1884. A two acre strip of land to the East of the Orphans' plot location was purchased in a tax sale in 1881. Around 1888, 160 Civil War burials were removed to the Keokuk and Rock Island National Cemeteries. The cemetery was also expanded in this time period, with two eight acre plots being added to the grounds in 1883 and 1892. This new area was platted by landscape gardener A. N. Carpenter of Galesburg, Illinois, and plans were made by the board to move the entrance gate to this new land.

The board commissioned local architect Edward S. Hammatt to design a set of gates, then solicited bids for construction. The contracts were awarded to the Davenport Iron Works and the Hubbard Construction Company of Sioux Falls, South Dakota. Work on the gates was completed in 1896, and a road was constructed connecting the new gates to the "old section" of the cemetery. Newspaper articles of the time praise the beauty and design of this new section. A plot just East of the original Southeast corner of the cemetery was donated to the Grand Army of the Republic August Wentz Post 1 in 1897 (the land was officially deeded to the post in January, 1907).

The next three decades saw a flurry of activity, with the construction of twelve private mausoleums and the purchase of several tracts of land. Notable constructions were the John Wesley Ross designed Schricker mausoleum, the Clausen & Kruse designed William D. Petersen mausoleum and the Farrington Gould & Hoagland designed Bettendorf mausoleum. Board member W. H. Kimball was hired to plat all fallow areas in 1911, and a temporary wooden receiving vault (no longer extant) was built to handle the increase in burials due to the Spanish influenza epidemic of 1918.

The Community Mausoleum, originally advertised as Oakdale Abbey, was designed by local master architect Seth J. Temple and built by the Heister Mausoleum Company in 1931. The creation of Babyland in 1947, the designation of certain areas as "memorial park" sections with flat markers in the 1960s and the sales of various tracts of land throughout the middle of the 20th century left the cemetery in its current state. It has been an active burial ground since its inception, and continues as such to the present day. With over 24,000 burials and about the same amount of spaces available, it is anticipated to last far into the future.

Cultural Significance Past and Present

For many years following the Civil War, Oakdale was the only burial place open to members of the black community in Davenport. For this reason, the cemetery has great significance to this community. Many escaped and freed slaves who made their way to Davenport during and after the war are buried at Oakdale, and the cemetery has been listed on the National Park Service's National Underground Railroad Network to Freedom for its associations with the Underground Railroad. Many noted abolitionists, such as Hiram Price, James Thorington, John L. Davies, Henry Lischer, Jens Peter von Stibolt, Elias Gilbert and Jared Beecher Hitchcock are also interred at Oakdale Cemetery. It is interesting to note that there are no segregated sections in the cemetery. From its earliest days, any person able to buy a lot could be buried wherever they chose. Two of the signatories to the Articles of Incorporation, Hiram Price and John L. Davies, were well-known for their anti-slavery principles, which may be a contributing factor to the integration of Oakdale.

A full 45% of the members of the Pioneer Settler's Association of Scott County, Iowa are interred at Oakdale Cemetery, including George L. Davenport, son of Colonel George Davenport, for whom the City of Davenport was named. The Association limited membership to "old settlers of Scott County, who became residents prior to December 31, 1840." Other members interred at Oakdale include riverboat captain Le Roy Dodge, early bankers Ebenezer Cook (reinterred from City Cemetery in 1920) and George Sargent, Seminole War veteran and pioneer physician Egbert Storrs Barrows, early Davenport postmaster Duncan Campbell Eldridge (also his son, Jacob, for whom the City of Eldridge, Iowa is named) and noted jurists John Forrest Dillon and James Grant. The cemetery is also the final resting place of a large number of Davenport mayors and Scott County sheriffs.

Over the latter half of the 20th century, the cemetery began to take on more community and educational functions. An annual memorial concert at the grave of jazz musician Bix Beiderbecke began in 1971, and newspaper articles on local history and Victorian art/architecture from the 1960s mention Oakdale and feature photos from the grounds. Local schools and colleges use the cemetery grounds to teach history, botany, art and architecture. Veterans groups hold Memorial Day ceremonies, and a semi-regular theatrical living history event portrays the stories of those interred.

Significant Individuals

In addition to Augustus Wentz, there are many other significant people buried at Oakdale Cemetery. The following individuals are historically significant, but have no other properties associated with their lives or productive periods still extant.

Henry Peter Bosse (1844 – 1903), a German immigrant and draughtsman for the U.S. Army Corps of Engineers, was a prolific photographer of the Upper Mississippi River and its environs during the creation of the navigation channel in the late 19th century. His photographs helped him create the most accurate map of the Upper Mississippi River ever drawn by that time, and facilitated the construction of bridges, locks and levees along that turbulent stretch of water, which in turn increased the rate of East-West trade across the river as well as North-South trade along the river. His photography is also an early example of German photo-journalism, with straightforward compositions and a focus on the works of man such as railroad bridges.

The Busey Family: Matilda (1822 – 1899), Nancy (1855 – 1871), Jacob R. (1857 – 1913), Pernicia Ann (ca. 1848 – 1925), and Mary Elizabeth (1844 – 1903) Busey were freedom seekers from Calloway County, Kentucky on the southwestern corner of Kentucky. The Busey family was successful in their escape from slavery and eventually settled in Davenport, Iowa.

Matilda Stubblefield was born on February 12, 1822 in Dansville, North Carolina. She was moved with her master when she was 12 to Zanesville, North Carolina and then to Concord, Calloway County, Kentucky. Once in Kentucky, she married James Busey ca. 1837. Approximately eight years later, Mary Elizabeth was born followed by Pernicia Ann sometime between 1845 and 1848. In 1853 Henry was born, Jerry in 1854, Thomas in 1856, and Jacob in 1857. A precise date for the birth of Nancy was never found, but is assumed to be 1855 based on her 1875 death date shown on her headstone at Oakdale Memorial Gardens. Sources say Matilda and James had ten children, but several of the names were never found. The Busey family, minus Thomas (who had been sold to a nearby plantation owner), lived on the same plantation in Calloway County, Kentucky.

In 1862 both the Union and Confederate armies had moved into Kentucky, a slave state still loyal to the Union. When the nearby Fort Heiman fell to Union forces, the Busey family recognized this as their chance to make haste to northern freedom. Late one night, the family hitched up a team of oxen to their master's wagon and took off on the ten mile journey to Fort Heiman. Unfortunately, the tenth child, Thomas J. Busey, was stranded on a neighboring plantation and couldn't be rescued due to bloodhounds guarding the estate. The family arrived at Fort Heiman, but was lucky to be accepted due to newly enforced laws requiring escaped freedom seekers to be sent away from Union lines. These laws included the second confiscation act. This law stated that freedom seekers that reached Union lines were to be put to work and also made all freedom seekers living behind Union lines free of their previous owners. The next morning, when their previous owner came to reclaim them, he was sent away with only his oxen and wagon due to the belief of many Union soldiers that slavery should not survive past the war. The family continued their trip to the northwest, spending a fair amount of time at a U.S. Army contraband camp in Columbus, Kentucky. Here, James was conscripted to assist in building embankments in rainy conditions. As a result, he contracted pneumonia and died in 1863. After the death of James, Matilda and her children left Fort Heiman and traveled to another camp in Cairo, Illinois and then continued again along the Mississippi River to Iowa. They arrived in Davenport with only two dollars to their name and each other. Thomas J. would later join them in 1869, though there is no supporting evidence that he escaped from enslavement.

Moses Bush (ca. 1845 – 1915) was born into slavery in Mississippi sometime in the 1840s. An article published in the *Davenport Democrat* at the time of his death stated that "after Lincoln issued the Emancipation Proclamation, he made his way North by way of the Underground Railroad." The article also suggested that Bush made his way to Illinois and received assistance from a Mr. Lovejoy in Princeton, Illinois. The Mr. Lovejoy referred to in the *Davenport Democrat* article was referring to Owen Lovejoy, a known abolitionist and documented conductor of the Underground Railroad in Illinois. There is no other evidence that supports this claim other than the article itself.

In January 1865, Bush was working for a farmer named Peter H. Bunning who owned a farm north of Davenport, Iowa. The Bunnings were immigrants from Germany who moved directly to Davenport upon their arrival to the United States. Bunning was a veteran of the Civil War and was more than likely serving in the Union Army in 1865. It was very likely that Bush was working for Bunning's wife as a farm hand which correlates with the broader pattern of wives hiring free blacks and freedom seekers throughout the duration of the Civil War. While employed at the Bunning farm, Bush was approached by a recruiter and enlisted. There were people in Davenport who believed that Bush and another man named Nat Henry enlisted against their will and were swindled out of the money due to them for enlisting. A civil case was brought against the recruiters and they were accused of kidnapping. The charges against the recruiters were dropped. Bush officially enlisted with the 60th USCT on January 13, 1865. He was identified as a slave from Mississippi at the time of his enlistment and was documented as being 21 years of age. After his brief service with the Union army Bush was mustered out of the army in October 15, 1865, returned to Iowa and lived the rest of his life in Davenport, Iowa. He lived at 2323 Farnam Street and was an influential member of the African American community in Davenport.

John Parsons Cook (1817 – 1872) was a pioneer settler of Davenport, arriving in the area with his father in 1836. He studied law and became a lawyer, practicing in Tipton. His political career began with a three year term on the Iowa Territorial Council from 1842 to 1845 and a three year term in the Iowa Senate from 1848 to 1851, after which time he returned to Davenport. He was elected as a member of the Whig Party to the Thirty-Third United States Congress in 1852, serving one two year term before being replaced as a Whig nominee by James Thorington, allegedly due to Cook's pro-slavery views. After the Whig Party collapsed, Mr. Cook joined the Democratic Party then retired from politics, engaging in banking while still practicing law.

George Henry Cram (1838 – 1872) was a merchant from Pennsylvania who enlisted in the 9th Kentucky Infantry at the outset of the Civil War. He was made a captain of Company H of that regiment, and was wounded at the Battle of Shiloh. In April, 1862, he was promoted to lieutenant colonel and fought at the Battle of Perryville. By December of that year, he had command of the 9th Kentucky and led the regiment at the Battle of Stones River, where he was again wounded. He was promoted to colonel in 1863, and commanded the 9th Kentucky at the Battle of Chickamauga, and the East Tennessee Campaign, where he was wounded for the third time. After commanding his regiment during the Atlanta Campaign, he was awarded the Brevet Rank of Brigadier General, U.S. Volunteers,

for meritorious service. He entered the regular Army after the war, and was given command of a post at Galveston, Texas. After his marriage to Frances Dodge of Buffalo, Iowa, he was transferred to the command of a post at the Ponca Agency in the Dakota Territory. After his death, he was interred in his wife's family lot at Oakdale. A Cedar Springs, Kentucky, G.A.R. Post was named for him.

Thomas H. Doughty (1828 – 1896) was a steamboat pilot and engineer from Pennsylvania who settled in Le Claire, Iowa before the Civil War. In 1862, he joined the United States Navy as acting first assistant engineer under Lieutenant George Brown aboard the *USS Indianola*. In December of that year, he was promoted to acting chief engineer, United States Navy. The *Indianola* participated in the Battle of Vicksburg and was sunk at Grand Gulf, where Doughty was taken as a prisoner to Libby Prison in Richmond, Virginia. After being freed in a prisoner exchange, he served on board the monitor *Osage* in the Red River Campaign, where he fashioned a dual mirror periscope to aid in the aiming of the *Osage's* guns at Confederate troops along the high river bluffs. For this, he is credited by the United States Navy as the inventor of the naval periscope. After the war, he returned to Le Claire, where he was the first person to attempt to use a boat for the towing of lumber rafts on the Mississippi River. The attempt was a financial failure, due to his boat's lack of power, but the process quickly became the primary method of moving lumber along the river, and led directly to the creation of the river barge industry of the present day. Around 1884, he moved to Saint Louis, Missouri, where he died of a diabetic coma at the age of 68. He was cremated there, and his ashes were later interred at Oakdale on October 28, 1912.

Count **Nicholas Fejervary** (1811 – 1895) was a Hungarian noble who fled the country after the failed Revolution of 1848. He eventually settled in Davenport, purchasing 75 acres on a bluff overlooking the Mississippi River in the West end of the city, an area that reminded him of the Danube River vistas of his homeland. Legend has it that his fortune was brought to Davenport in the form of a sack of gold he carried by hand. He increased his fortune by buying and selling land in surrounding counties. He was a leading citizen of Davenport and was described as "one of the makers of Davenport". He served on the board of the Clarissa C. Cook Home for the Friendless, and led the fundraising drive for the Davenport Soldiers' Monument. After his death, his daughter Celestine inherited the Count's property. After moving back to Hungary, she donated the estate to the City of Davenport in 1902. It has been used as a park ever since, the mansion having been used as an inn until its destruction circa 1934. The Fejervary legacy lives on in the name of Fejervary Park and a scholarship fund that awards substantial amounts of money to Scott County students studying agriculture at Iowa State University.

Silas Hopkins (ca. 1833 – 1915) was born into slavery in Tennessee and after he was sold away from his family, he made his escape from Sunflower County, Mississippi. According to newspaper articles that documented his death, Hopkins escaped during the Vicksburg campaign and joined a Union regiment. Hopkins served as a cook in the Union Army and eventually settled in Davenport sometime in 1865. Hopkins became a well known ventriloquist in the area and could do an excellent job imitating several animals. Also, he was known to have spoken several languages including French and German. On the 27th of August in 1915, Hopkins fell seriously ill and was admitted to Mercy Hospital. A day later he died on August 28, 1915 at his home 2118 East Locust Street. Services were held at the Third Baptist Church and he was buried at Oakdale Cemetery.

General Houston (1840 – 1910) was born in Decatur, Tennessee on Troy Chairs' plantation. After Chairs' death, Houston was transferred to the plantation of Dr. Lem Smith, a brother-in-law of Chairs, in Hollow Springs, Mississippi. According to the *Davenport Democrat*, Smith was one of the cruelest masters in the South. However, he taught Houston the art of corn shelling, which he later used in his career of chiropody.

In 1862, Houston ran away from his plantation, and enlisted in the 15th Illinois Infantry at LaGrange, Illinois. The enlistment record shows that Houston was classified as a slave at the time of enlistment. While serving with the Illinois infantry, Houston helped Captain Clark; until he died two years later. Houston went on to enlist as a private in the 29th Colored Regiment at Chicago in February of 1864. With the 29th Regiment, Houston traveled to Quincy, Baltimore, and Washington. He was discharged because of disability on March 28, 1865. The certificate of discharge declared that he had a liver disease and was unfit to work. After the war, he lived for a time in Chicago before locating in Davenport, where he died of dropsy at the age of 69.

Milton Howard (ca. 1845 – 1928) was born a free African American in Muscatine, Iowa. Records conflict and do not agree as to when Howard was born. Most sources agree that Howard was born around the year of 1845. It is

likely that he never knew the exact date he was born. At a young age, Milton and his family were kidnapped from their home in Muscatine County, Iowa by slave-catchers. The kidnapping most likely took place in the early 1850s. He and his family were then transported down the Mississippi River, probably to St. Louis, and later sold into slavery.

The Howard family was divided and sold into slavery. Presumably, Milton Howard was sold to a man named Pickett who resided in Alabama. Although Pickett treated him kindly, Milton escaped near the beginning of the Civil War with a number of other men and went north where he eventually enlisted with the Union Army at McGregor, Clayton County, Iowa on January 21st, 1864. Milton Howard recounted his story in 1916:

“I served in Company F, 60th U.S. Colored infantry. I don’t remember when I enlisted as I could not read nor write. My home was at McGregor, Clayton County, Iowa at the time of enlistment. I was born in Muscatine County, Iowa but was kidnapped and sold in Alabama and was there until the war broke out and then a crowd of us ran off and came North.”

During his time in the army, he became a private in Company F of the 60th U.S Colored Infantry. Missions of the 60th USCT included: trips down the White River and Alligator Bayou and other tasks in the Arkansas/Mississippi area. Howard was seriously injured during the Battle of Big Creek in DeValls Bluff, Arkansas. According to his pension file, Howard was shot in both the right arm and thigh and stabbed in the right side while trying to protect Union artillery that the Rebels had taken. On October 15th, 1865, he was mustered out from DeValls Bluff, Arkansas on medical release. From there, Milton traveled to Davenport, Scott County, Iowa where he lived out the rest of his life. He proceeded to get a job as a janitor at the Rock Island Arsenal. He could not do much labor because of the wounds received at Big Creek. During his time at the Arsenal, Milton saved General Flagler, the commandant at the arsenal, after he fell into an icy river. People of Davenport knew Howard as “the Negro who could speak German”. In 1921, as a reward for 50 years of service at the arsenal and his heroic rescue of Flagler, Milton received a gold medal and a trip to Aberdeen, Maryland. He retired on pension. He was a member of the G.A.R. and Free Masons, and preached at the local Baptist Church. After six years of retirement, on March 18, 1928, he passed away from heart disease on the steps of the Church of Apostolic Faith, at the age of 82.

Joseph Bloomfield Leake (1828 – 1918) was born in Deerfield, New Jersey, and then moved to Cincinnati, Ohio, where he studied law at Miami University. In 1850, he was one of an influx of Davenport settlers from Ohio. He practiced law in the city for a decade and was elected to the Iowa Senate, serving a partial term before resigning to become a captain of Company G of the 20th Iowa Infantry. He was commissioned lieutenant colonel of the regiment and saw action at Vicksburg and Yazoo City. In 1863, he was captured at Stirling’s Farm near Morganza, Louisiana, and spent ten months as a prisoner of war at Camp Ford near Tyler, Texas. He was released in a prisoner exchange in July, 1864, and helped lead his regiment during the Mobile Campaign. He was awarded the rank of Brevet Brigadier General in March, 1865 for meritorious service. He was one of the youngest officers to receive this honor. After the war, he was again elected to the Iowa Senate, served five years as Scott County Attorney, and was president of the Davenport School Board. He moved to Chicago in 1871, where he was the United States Attorney for the Northern District of Illinois from 1879 to 1884 and council for the Chicago Board of Education from 1887 to 1891. At the time of his death at age 90, he was the oldest member of the Chicago Bar Association.

Henry McGaw (died 1915) was born into slavery in Mississippi. In 1865 McGaw was owned and lived on the cotton plantation of Robert Patrick. During the war, Mrs. Patrick, presumably the widow of Robert Patrick, was in charge of the plantation. Her sons had joined the war and she left with her youngest son Robert and her slaves; in 1860 Mrs. Patrick had fifty-seven slaves and it is assumed she remained the owner of many slaves at the time of Henry’s escape. Henry McGaw was “head of the plantation,” which primarily meant he was in charge of the work completed by all the slaves. Scott McGaw, Henry’s son, was a house slave and very close to Mrs. Patrick. One day, Mrs. Patrick took Scotty with her on a short trip and upon their return she found out that most of her slaves had escaped, including Henry McGaw. Soon after, word had reached Mrs. Patrick that General William Tecumseh Sherman was marching through Mississippi and Mrs. Patrick was forced to leave her plantation, which was burnt to

the ground except for the large colonial mansion which was used as a hospital. In a 1902 newspaper interview, Henry McGaw provided a detailed account of his escape:

“We (the negroes owned by Bob Patrick) got about 12 miles or so away when we decided to desert. We were carrying provisions and there was a deal of sugar amongst them. We got away all right when it was dark, 13 of us, and made a straight shoot for the union lines. It took us three days to make it and for one day all that we lived on was sugar and water, but our experiences were not as sweet as the food. The two plantations were cleared of their mules in order to prevent the negroes from escaping. The mules were turned loose but all of them went over to the Yankees, who captured them. It was between Jackson and Canton that we deserted. We were well received by the Yankees when we got to the camp and I was at once attached to the regiment and made officers’ cook.”

McGaw never enlisted with the Union army. In McGaw’s interview he claimed that he was a cook for the 8th Iowa Infantry. According to records, McGaw accompanied a soldier to Iowa which also accounts for his resettlement in Davenport, Iowa after the war had ended. After he made his escape, Henry found his wife but could not reach his son on the Patrick plantation. He was forced to head north with the Iowa regiment but never gave up hope of finding his son, Scott. Sometime prior to 1880, Scott McGaw found his way to his father in Davenport, Iowa where they lived the rest of their lives. Henry McGaw “lived on Fifth Street” and worked as a janitor for a variety of businesses in town. In June of 1905 McGaw’s house burnt to the ground and he lived with his son, Scott McGaw, until his death on March 4, 1915. No records indicate his cause of death. Services were held at the Bethel A.M.E. Church in Davenport.

Dr. **Charles Christopher Parry** (1823 – 1890) was born in Gloucestershire, England. He immigrated to the United States and graduated from New York’s Columbia College of Physicians and Surgeons in 1846, then moved West, settling in Davenport, Iowa. He practiced medicine there for several months before giving up the medical field to study botany. In 1847, he published his first botanical collection, a study of wildflowers found around Davenport. He was the official botanist and geologist for the Mexican Boundary Survey which was completed in the early 1850s and published in 1857. In 1856, he was one of the founders of Oakdale Cemetery, and served for many years on the board of directors of the cemetery, at one point being elected secretary. He was also active in the local community, serving during the late 1850s as Davenport’s City School Superintendent. In 1861, he began his celebrated explorations of the southern Rocky Mountains in Colorado. He discovered and named many plant species, including the Colorado Blue Spruce, the Torrey Pine, and the Englemann Spruce. He was also an avid mountaineer, estimating the height of Longs Peak and being the first to ascend Torreys Peak and Grays Peak (which he also named). His name lives on in the names of the Parry Pinyon, Parry’s Lily, and Parry’s Pestemon plants, as well as Parry Peak, a 13,397 foot summit in the Front Range of the Rocky Mountains in Central Colorado.

Linsey Pitts (ca. 1843 – 1913) was born a slave on a Randolph County, Missouri plantation. The date is not concrete because military records state he was born in 1841, but other sources state he was born in 1845. Pitts was born on the plantation of John A. Pitts. John A. Pitts was born on March 2, 1815 in Kentucky and later established himself in Randolph County, Missouri. He became a successful farmer and cattle man, with 18 slaves to his name, one of which, an 18 year old black male, matches the description of Linsey Pitts. A Davenport newspaper stated that Pitts escaped the plantation and made his way north by way of the “Underground Railway.” On November 20, 1863, at age 18, Pitts volunteered to join the Union Army at Macon City, Missouri. Pitts’ enlistment records indicated that he was a slave of John A. Pitts. There was no indication whether he enlisted with or without the consent of his owner. He fought with the U.S. 60th Colored Infantry for the duration of the war before he was mustered out on October 15, 1865. In 1878, Pitts made his way to Davenport, Iowa where he spent the rest of his life. He was a barber, owned his own saloon and became a well-known black political figure.

Addison Hiatt Sanders (1823 – 1912) was a newspaper printer from Cincinnati, Ohio. He moved to Davenport in 1856, where he became the editor of his brother Alfred’s newspaper, the *Daily Gazette*. At the beginning of the Civil War, he was commissioned as military aide to Iowa Governor Samuel Kirkwood, and then made commissioner of Camp McClellan in East Davenport. In 1862, he declined the command of the 16th Iowa Infantry, and was instead made lieutenant colonel of the regiment. He participated in the Battle of Shiloh, was severely

wounded at the Battle of Corinth, and captured during the Battle of Atlanta. After his release in a prisoner exchange, he was promoted to Brevet Brigadier General for gallant and meritorious service, and then discharged for disability. Back in Davenport, he served for five years as postmaster, before accepting a two year appointment as Secretary of the Montana Territory (and acting governor). He also served briefly as registrar of the United States Land Office in the Montana Territory. He then retired back to Davenport, where he did freelance editorial work for local newspapers. He died at the Iowa Soldiers' Home in Marshalltown, where he was recovering from injuries received when he was struck by a team of horses in West Davenport.

Phebe W. Sudlow (1831 – 1922) was an educator from Poughkeepsie, New York. She received her only formal education at a one-room schoolhouse in Nelsonville Ohio, at which she was employed as a teacher at the age of fifteen. Around 1856, her family moved to the community of Round Grove in rural Scott County, where Phebe taught at the one-room schoolhouse there. She was soon hired as a teacher and assistant principal in the Davenport Schools. She lobbied the school board for equal pay for male and female teachers, which was granted, setting precedent throughout the State of Iowa. She was also was on a committee that granted full membership to female members of the Iowa State Teachers' Association in 1862. In 1874, she was offered the superintendent's position in the Davenport Schools, albeit at a lower salary than her male predecessor. She famously told the board, "Gentlemen, if you are cutting the salary because of my experience, I have nothing to say; but if you are doing this because I am a woman, I'll have nothing more to do with it." The board gave her the higher salary, and she became the first female public school superintendent in the United States. In 1876, she was elected as the first female president of the Iowa State Teachers' Association, and in 1878, was hired as the first female professor at the University of Iowa. She was a member of the Davenport Library Association, which raised funds for the Carnegie Library in Davenport, the first free public library in the city. In 1921, the Davenport Board of Education changed the name of East Intermediate School to Phebe Sudlow Intermediate School. In 1993, she was inducted into the Iowa Women's Hall of Fame.

James Thorington (1816 – 1887) was a frontiersman and lawyer from Wilmington, North Carolina. He was a pioneer settler of Davenport, arriving in 1839. He was elected as the fifth mayor of Davenport in 1846, and was the first Davenport mayor to serve more than one year. He also served as probate judge of Scott County from 1843 to 1851 and clerk of the district court from 1846 to 1854. He was elected as a member of the Whig Party to the Thirty-Fourth United States Congress, and was a charter member of the new Republican Party. He has been called the first Republican congressman from Iowa. During his one term, he was instrumental in obtaining land grants for the aid of the railroads, which gave his district (the Northern half of the state) three trunk lines from the Mississippi River to the Missouri River. After his term in Congress, he was elected Scott County Sheriff, in which position he served from 1859 to 1863. During that time, he provided security and other services to the various military training camps in the county. After serving for four years as Scott County Recorder, Thorington was appointed by President Ulysses Grant as Consul to Aspinwall, Columbia (now Colón, Panama) in 1872. He held the position for ten years. He died at the home of his daughter in Santa Fe, New Mexico during a family visit.

John Vale (1835 – 1909) was a London store clerk before immigrating to Le Claire, Iowa, in 1851. He purchased farmland near Mapleton, Minnesota in 1856, and enlisted in Company H of the 2nd Minnesota Volunteer Infantry in 1861. On February 15, 1863, while his company was foraging for supplies near Nolensville, Tennessee, Vale, who was on picket duty, warned the company of an attack by a 125-strong Confederate Cavalry unit. With the other fifteen members of his company, Vale repulsed the attack, holding the Confederates at bay until help arrived in the form of the 1st East Tennessee Cavalry. After the war, he returned to Minnesota, and then moved to Davenport in 1869. He became the chief mailing clerk in the Davenport Post Office in 1873, and worked in that position for twenty-six years. In 1897, he was awarded the Medal of Honor for being "one of a detachment of sixteen men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack and saved the train."

Other Significant Individuals

The following list of “historic burials”, as maintained by Oakdale Memorial Gardens’ office staff and volunteers, includes individuals who are of local and/or regional significance. They are not listed as significant individuals under criterion A as most have extant properties related to their lives or productive periods.

- **William Larned Allen, Sr.** (1824 – 1975) was a railroad contractor who served as paymaster for the Army of the Cumberland throughout the Civil War.
- **Dr. William Larned Allen, Jr.** (1858 – 1930) was a physician who founded St. Luke’s Hospital (now Genesis Medical Center, East Campus) and brought the first electric rail cars to Davenport.
- **Dr. Egbert Storrs Barrows** (1799 – 1892) was a pioneer settler and physician who served in the Seminole War as a surgeon for the U.S. Army, before settling in Scott County in 1836, where he was the only physician West of the Mississippi River between Dubuque and Burlington. He trained many of the early physicians in Scott County, and was a founder of the Scott County Medical Society. During the Civil War, he served as medical examiner of new recruits at the several training camps in the county, and was also physician for the Rock Island Prison Barracks. His ca. 1850 home is listed on the National Register.
- **Leon “Bix” Beiderbecke** (1903 – 1931) was a jazz musician and composer, famous for his cornet playing as a member of jazz bands led by Frankie Trumbauer, Jean Goldkette, and Paul Whiteman. He was the subject of a loosely biographical 1950 film, “Young Man With A Horn”. The annual Bix Beiderbecke Memorial Jazz Festival was started in 1971, and the first Bix 7 Mile Road Race was held in 1975. There are two National Register-listed properties in Davenport associated with his life: his boyhood home and Saengerfest Halle.
- Brothers **Joseph W.** (1864 – 1933) and **William P. Bettendorf** (1857 – 1910) were the co-owners of the Bettendorf Company, which was a leading manufacturer of rail cars in the early 20th Century. The company’s “Bettendorf Truck” is still in use on rail cars of the present day. The city of Bettendorf in Scott County is named for the Bettendorf brothers. Joseph’s National Register-listed home is now the site of private preparatory school Rivermont Collegiate, and William’s is currently part of the Iowa Masonic Health Care Center.
- Sisters **Clara** (1854 – 1930) and **Emma Brandt** (1850 – 1927) were the half sisters of baking powder magnate William Ziegler, and well-known philanthropists in the early 20th Century. They were founders of the New Era settlement in Muscatine County, Iowa, and donated large tracts of land to the State of Iowa, which are now parts of Wild Cat Den State Park. The sisters are interred in the Brandt mausoleum at Oakdale.
- **John McDowell Burrows** (1814 – 1889) was a pioneer settler and businessman, as well as the original owner of the land that Oakdale Cemetery is located on. His home, Clifton, is listed on the National Register.
- **Parke Tunis Burrows** (1871 – 1953), the grandson of John McDowell Burrows, was an architect, and the designer or co-designer of at least thirteen National Register-listed buildings in Davenport.
- **George W. Cable** (1831 – 1911) was the founder and owner of the Cable Lumber Company, a major lumber company with business dealings throughout the Midwest.
- **Willet L. Carroll** (1827 – 1892) was one of Davenport’s earliest professional architects. His designs include three National Register-listed buildings in Davenport and a contributing building in the West Hill Historic District in Muscatine, Iowa.
- **Frederick George Clausen** (1848 – 1940) was a German-born architect and Davenport city alderman. His architectural firm is the oldest such firm in continual existence in the State of Iowa. Along with his partner Parke Burrows and son Rudolph Clausen, he designed or co-designed more than twenty-five National Register-listed buildings.

- **Rudolph Julius Clausen** (1878 – 1961), the son of Frederick G. Clausen, was an architect who designed or co-designed over twenty National Register-listed buildings. He also co-designed the contributing W. D. Petersen mausoleum.
- **Clarissa C. Bryan Cook** (1811 – 1879) was the wife of Davenport banker and mayor Ebenezer Cook. She was a philanthropist of some note, having donated the funds for the original parish house at Trinity Episcopal Cathedral, as well as the National Register-listed Clarissa C. Cook Home for the Friendless.
- **Ebenezer Cook** (1810 – 1871) was a pioneer settler and the brother of Congressman John Parsons Cook. He was a lawyer by trade, and also served as a bank and railroad president. The Cook & Sargent Bank was the first bank in Davenport. The Cooks' graves were moved to Oakdale from Davenport City Cemetery in the 1920s.
- **George L'Ost Davenport** (1817 – 1885) was the son of trader and City of Davenport namesake Colonel George Davenport. George L. was the first European child born in what is now the Quad Cities, being born shortly after his father's arrival at Fort Armstrong on Rock Island (now Arsenal Island). He became a leading businessman in the city which bore his family name.
- **John Lodwick Davies** (1813 – 1872) was a carpenter from Wales who spent one winter working on a plantation in Louisiana. His experiences there triggered a lifelong hatred of the institution of slavery. After settling in Davenport in 1841, he became active in the lumber trade, opening Davenport's first sawmill. He later partnered with George French (also buried at Oakdale) as French & Davies. He was one of the founders of Oakdale Cemetery and served many years on the board of directors of the cemetery company. He was also a charter member of the Iowa Republican Party, drawn to the party by his anti-slavery and pro-temperance views. His house, Cambria Place, is a contributing property in the St. Katherine's Historic District.
- **John Forrest Dillon** (1831 – 1914) trained as a physician under Dr. E. S. Barrows, but found great renown in the legal field. He was a lawyer by trade, partnering with Ebenezer Cook, before becoming a member of the Iowa Supreme Court for five years (two as Chief Justice). He was then appointed as the first judge in the Eighth Circuit, United States Court of Appeals. He retired from the bench and taught law at Columbia University and Yale. The National Register-listed Dillon Memorial Fountain in downtown Davenport was erected in his memory. The large Dillon monument in Oakdale Cemetery was erected in memory of his wife, Anna Price Dillon, and daughter, Annie Dillon Oliver, who were lost when the French ocean liner SS La Bourgogne sank after colliding with the British sailing ship Cromartyshire in dense fog off Sable Island in the North Atlantic in 1898.
- **Captain Le Roy Dodge** (1811 – 1871) was a pioneer settler of Scott County, residing in the town of Buffalo along the Mississippi River. He worked as a river boat captain and served in the Iowa State Legislature.
- **Duncan Cambell Eldridge** (1801 – 1882) was a pioneer settler and the second postmaster for Davenport (after Antoine Le Claire). At the time of his death, he was the last surviving 1836 settler. His 1865 home is listed on the National Register
- **Jacob Mullen Eldridge** (1824 – 1902), the son of D. C. Eldridge, settled in Davenport in 1845 and quickly made his fortune in buying and selling land. He was a charter member of the Iowa Republican Party, and filed the plat for the town of Eldridge Junction in Sheridan Township, Scott County (now the City of Eldridge).
- **Charles August Ficke** (1850 – 1931) was a leading attorney and developer in Davenport. He served as mayor from 1890 – 91, and was the first mayor to veto an ordinance passed by the city council. His private art collection was the beginning of the Davenport Museum of Art (now the Figge Art Museum). There are two National Register-listed properties associated with his life in Davenport: the J. Monroe Parker-Ficke House and the Ficke Block.
- **Melvon Lampher Foster, Sr.** (1899 – 1970) was a real estate agent and developer. He founded the Mel Foster Real Estate Company, and was instrumental in locating the Alcoa factory in Riverdale, Iowa. He also oversaw the building of employee housing for the factory in nearby Bettendorf.

- **Alice French** (1850 – 1934) was a well-known popular magazine contributor in the 1890s. She was a member of the “Davenport Group” of writers and poets, including Arthur Davison Ficke and George Cram Cook (both of whom are buried elsewhere, but have many family members interred at Oakdale). Her book *Man of the Hour* reached number four on the best seller list in 1905. Her pen name was Octave Thanet. Her Davenport home is listed on the National Register, as was her home in Clover Bend, Arkansas, which was demolished and de-listed in 2002.
- **Edward Seymour Hammatt** (1856 – 1907) was an architect who performed a great deal of work for the Episcopal Diocese of Iowa. Several of his designs are listed on the National Register, including Kemper Hall in the College Square Historic District, 1880 additions to buildings in the St. Katherine’s Historic District, the Connor House in Rock Island, Illinois, and Trinity Episcopal Churches in Mapleton and Ottumwa, Iowa. He also designed Oakdale’s entry gates in 1895.
- **Gustave A. Hanssen** (1869 – 1944) was the designer of several National Register-listed properties in Davenport, including the John C. Schricker and E. A. Shaw Houses, as well as one or more buildings in the Oak Lane Historic District.
- **Walter Otto “Stub” Kruse** (1889 – 1965) was an architect. As a principal architect of Clausen & Kruse, Kruse & Klein, and Kruse & Parish, he co-designed several National Register-listed buildings in Davenport. He was also co-designer of the W. D. Petersen mausoleum in Oakdale.
- **Joseph Reed Lane** (1858 – 1931) was a lawyer and political leader. He served one term in the United States House of Representatives before declining to run for re-election.
- The Right Reverend **Henry Washington Lee** (1815 – 1874) was the first Bishop of the Episcopal Diocese of Iowa. He ministered to Union soldiers and Confederate prisoners in Davenport and Rock Island during the Civil War, and was an attendee at the first Lambeth Conference of the Anglican Communion at Lambeth Palace in London, England. He also served as Provisional Bishop of Kansas and Nebraska. He laid the cornerstone and oversaw the construction of the National Register-listed Trinity Episcopal Cathedral.
- **Thomas W. McClelland** (1831 – 1902) was a builder and businessman active in Davenport in the latter half of the 19th Century. While not formally trained as an architect, he designed and built many homes and public buildings with a blend of Greek Revival and Italianate style features, creating the unique McClelland Style so prevalent in Davenport. Several of his buildings are listed on the National Register. He also built the buildings of Camp McClellan in East Davenport and the Rock Island Prison Barracks on Arsenal Island in Rock Island, Illinois.
- **John Fremont McCullough** (1871 – 1963) was an entrepreneur who developed a formula for soft serve ice cream in 1938. In 1940, along with his son Bradley and business associate Sheb Noble, he opened the first Dairy Queen restaurant in Joliet, Illinois.
- **Paul Norton** (1909 – 1984) was a well-known watercolor artist, famous for his paintings of buildings and railroads. His paintings hang in the White House, United States Capitol Building, and the Iowa Governor’s Mansion.
- **Ernest Carl Oberholtzer** (1884 – 1977) was an explorer, photographer, and conservationist. He is remembered for his efforts to preserve the Boundary Waters area in Northern Minnesota along the Canadian border.
- **Dr. Washington Freeman Peck** (1841 – 1891) was a noted physician, and is credited as the founder of the University of Iowa College of Medicine (he was the first dean and professor of surgery) and Mercy Hospitals in Davenport (now Genesis Medical Center West Campus) and Iowa City.
- **Johann Heinrich Christian Petersen** (1821 – 1910) was a merchant in the late 19th Century. Along with his sons, he opened a dry goods store in 1872. In 1892, the firm expanded into a new department store building, the National Register-listed J.H.C. Petersens’ Sons’ Store.
- **Henry F. Petersen** (1855 – 1915), one of the three sons of J.H.C. Petersen, was a co-owner of the National Register-listed J.H.C. Petersens’ Sons’ Store. He is interred in the H. F. Petersen mausoleum at Oakdale.

- **Max Dortu Petersen** (1850 – 1915), one of the three sons of J.H.C. Petersen, was a co-owner of the National Register-listed J.H.C. Petersens' Sons' Store. His 1888 home is also listed on the National Register.
- **William Dulon Petersen** (1852 – 1928), one of the three sons of J.H.C. Petersen, was a co-owner of the National Register-listed J.H.C. Petersens' Sons' Store. He was an active member of the Davenport Levee Improvement Commission, and is known as "The Father of the Levee". Along with the store, he is also associated with the National Register-listed W. D. Petersen Memorial Music Pavilion, and is interred in the W. D. Petersen mausoleum at Oakdale. The National Register-listed B. J. Palmer House was the Petersen family home from 1905 to 1912.
- **Hiram Price** (1814 – 1910) was a banker and politician. He was a founding member of the Oakdale Cemetery Company in 1856, and founding member of the Iowa Republican Party. He served as Paymaster General for the State of Iowa at the beginning of the Civil War, and then served two separate terms in the United States House of Representatives. He served as United States Commissioner of Indian Affairs under President Garfield. He is associated with two National Register-listed properties in Davenport. His home is listed as the Hiram Price / Henry Vollmer House. He was an original trustee of the Iowa Soldiers' Orphans' Home, and was instrumental in acquiring the donation of Camp Kinsman (now the Iowa Soldiers' Orphans' Home Historic District).
- Reverend **Julius Alexander Reed** (1809 – 1890) was a Congregational minister. He was a founder, trustee, treasurer, and professor of Iowa College (now Grinnell College) at its original location in the National Register-listed College Square Historic District.
- **John Wesley Ross** (1830 – 1914) served as an engineer in the US Navy during the Civil War. In 1874, he settled in Davenport and went into practice as an architect. His National Register-listed designs include Davenport City Hall and Hose Station Number 1, the Nicholas J. Kuhn House, one or more buildings in the Iowa Soldiers' Orphans' Home Historic District, and the South Side School in Geneseo, Illinois. He also designed the Schricker Mausoleum at Oakdale. He is the father of noted architect Albert Randolph Ross.
- **James Renwick** (1804 – 1894) was a lumber magnate and mayor of Davenport. His home is a contributing building in the National Register-listed St. Katherine's Historic District.
- **John C. Schricker** (1863 – 1952) was a stone and marble contractor. His Schricker Marble & Granite Company designed and built the Koester mausoleum at Oakdale. The company also constructed the stone portions of the Soldiers and Sailors Monument on the grounds of the National Register-listed Iowa State Capitol in Des Moines and the National Register-listed Dillon Memorial Fountain in Davenport. As the firm was a leading monument dealer in the city, it is likely that many monuments and grave markers in Oakdale were created by Mr. Schricker. His primary residence on Clay Street and his vacation home on Chapel Hill Road are both listed on the National Register.
- **Seth J. Temple** (1867 – 1949) was an architect. With his associate, Parke Burrows, he co-designed four National Register-listed buildings. After Burrows' death in 1929, Temple designed the Community Mausoleum at Oakdale. **John Whitaker** (1844 – 1931) designed the National Register-listed Isaac Glaspell House, and with Fred Claussen co-designed the National Register-listed Ficke Block.
- **Raymond C. Whitaker** (1891 – 1972) designed the Oakdale Cemetery Company office building, a contributing resource in this property.

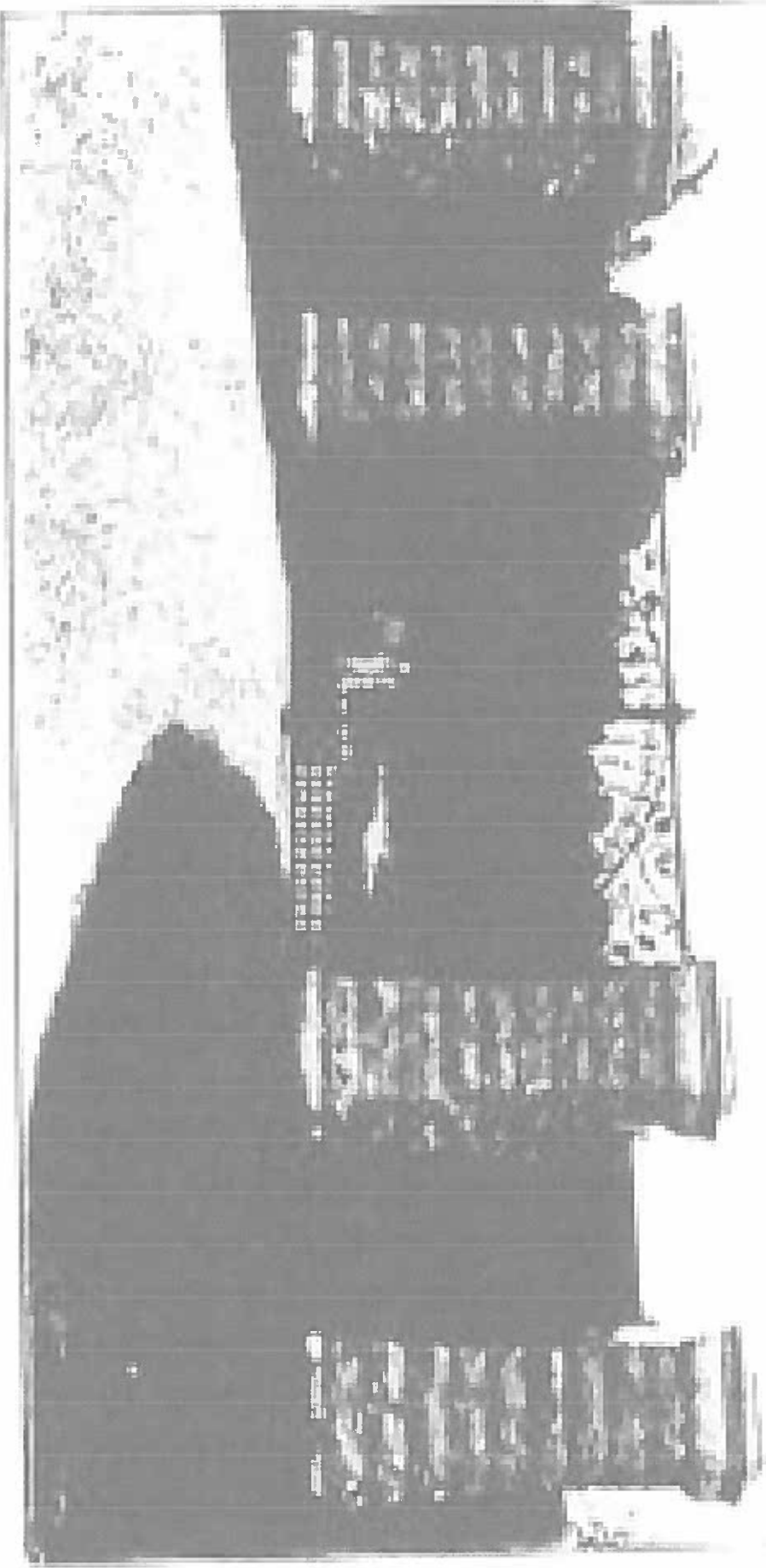
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Historic Preservation Commission
City of Davenport, Iowa
Nomination for the Davenport Register of Historic Properties

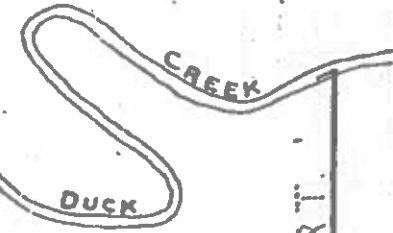
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THE UNIVERSITY OF CHICAGO

**PLAT SHOWING REAL ESTATE HOLDINGS
OF OAKDALE CEMETERY COMPANY
JAN. 1, 1917.**



18-78-4

**SW 1/4 NW 1/4 SEC 19-78-4
DEDICATION ON ORIGINAL PLAT**

ELIZABETH GRANT
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 55 - P 113
DEC. 5, 1892.

CHARLES E. PICKERING
TO
OAKDALE CEMETERY CO.
LAND DEEDS BK 80 P 113
AUG. 1, 1883.

GEORGE H. HAUSE
TO
OAKDALE CEMETERY CO.
LAND DEEDS BK 87, P. 89.
NOV. 1, 1912.

OLIVE A. ALBAUGH
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 85 P. 82.
JULY 2, 1912.

STATE OF IOWA.
TO
OAKDALE CEMETERY CO.
LAND DEEDS BK 68, P. 560
JUNE 28, 1914.

OLIVE A. ALBAUGH
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 85, P. 83.
JUNE 2, 1912.

LOT 10
LOT 11
E. & H. EINFELDT
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 67-167
NOV. 9, 1916.

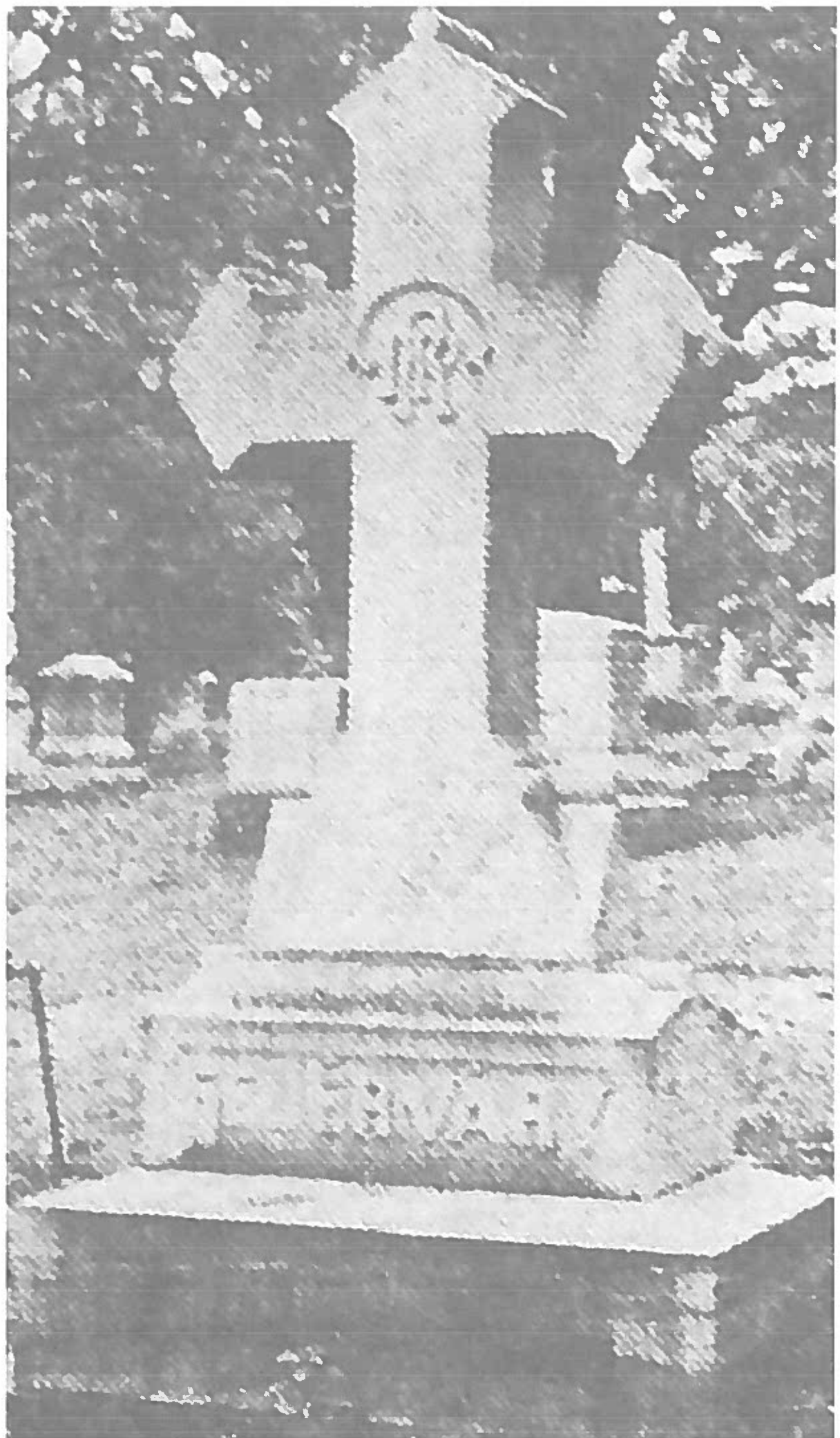
LOT 11
LOT 12
CHAS. H. BOOTH
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 73, P. 301
FEB. 17, 1905.

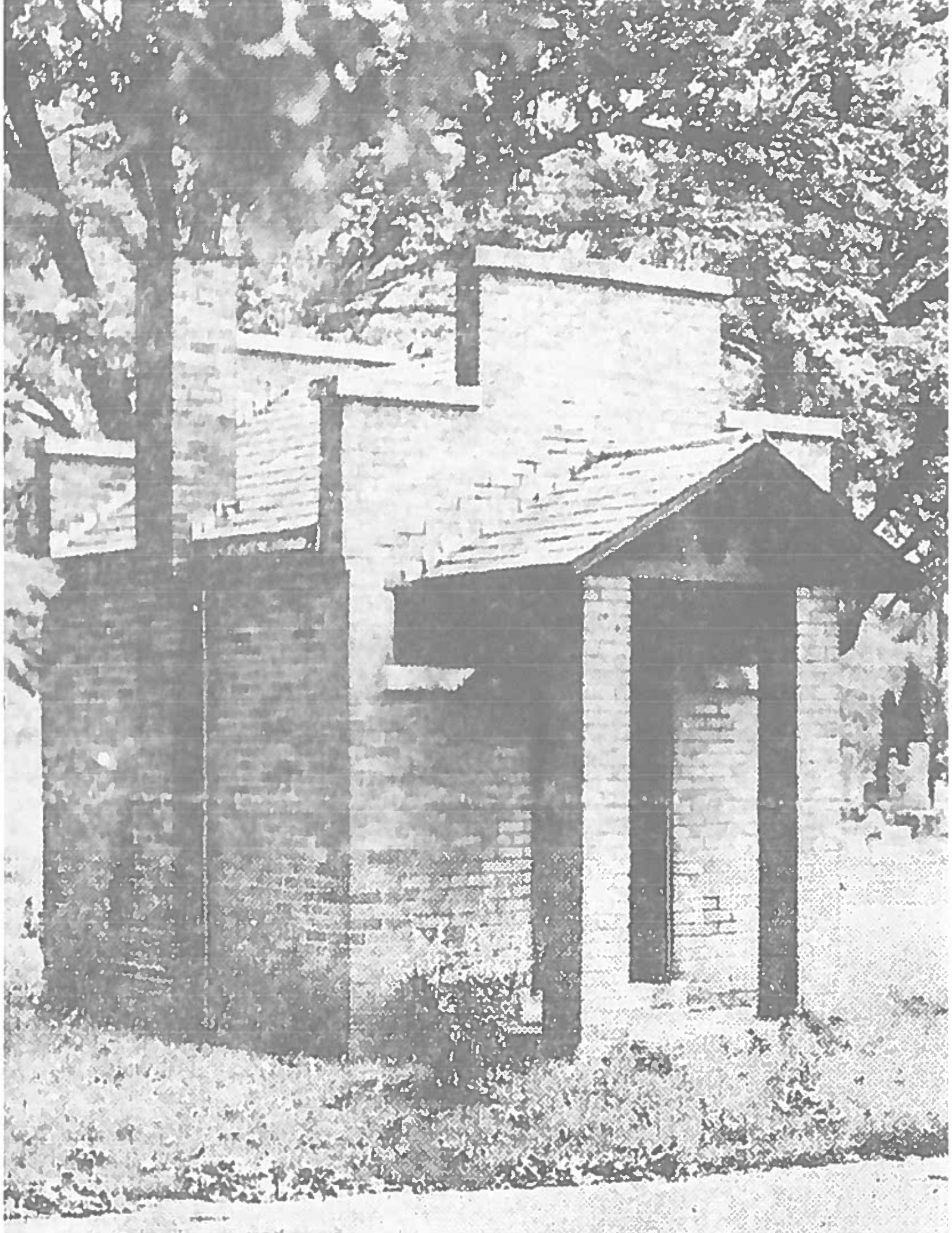
N 1/2 LOT 12
S 1/2 LOT 12
-- TALL SALE BK C-P 95 --
N 1/2 LOT 13
S 1/2 LOT 13

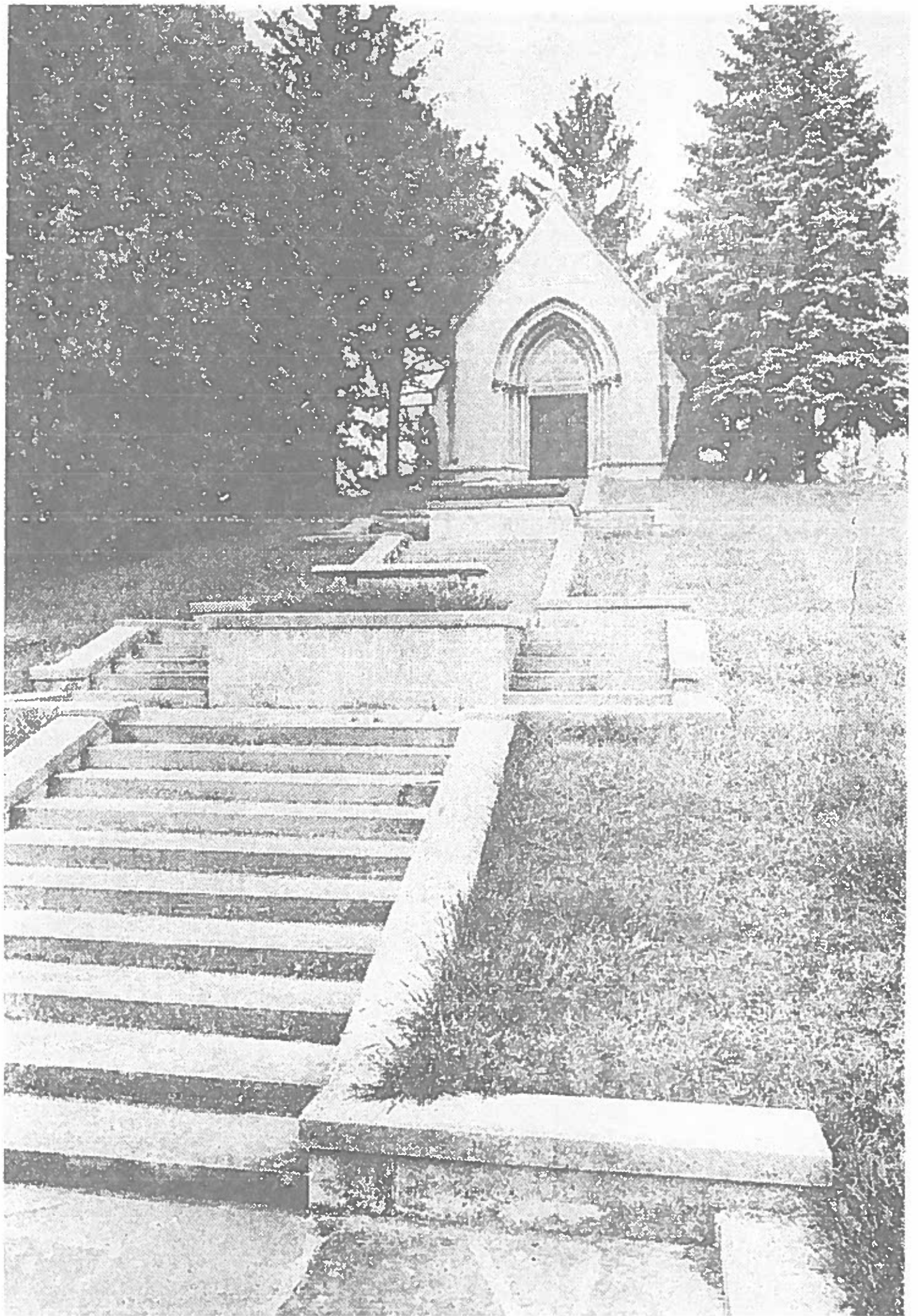
LOT 13
LOT 14
ENOCH T. GAOD & WIFE
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 62, P. 560
AUG. 14, 1905.

LOT 14
LOT 15
EMILY HOUSER
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 72 P. 395.
MAY 1, 1905.

ADDITION TO EAST DAVENPORT.









*Only Oakdale can offer
all of these advantages*

- ✓ One of the most beautiful cemeteries in the Midwest
- ✓ Endowed with natural beauty
- ✓ Perpetual care assured
- ✓ Good taste
- ✓ City bus service
- ✓ Priced for all



CHAPEL

OAKDALE ABBEY

An innovation has been added to Oakdale Cemetery by providing dignity and privacy regardless of weather conditions. This is the establishment of a chapel which shall be known as the Oakdale Abbey.

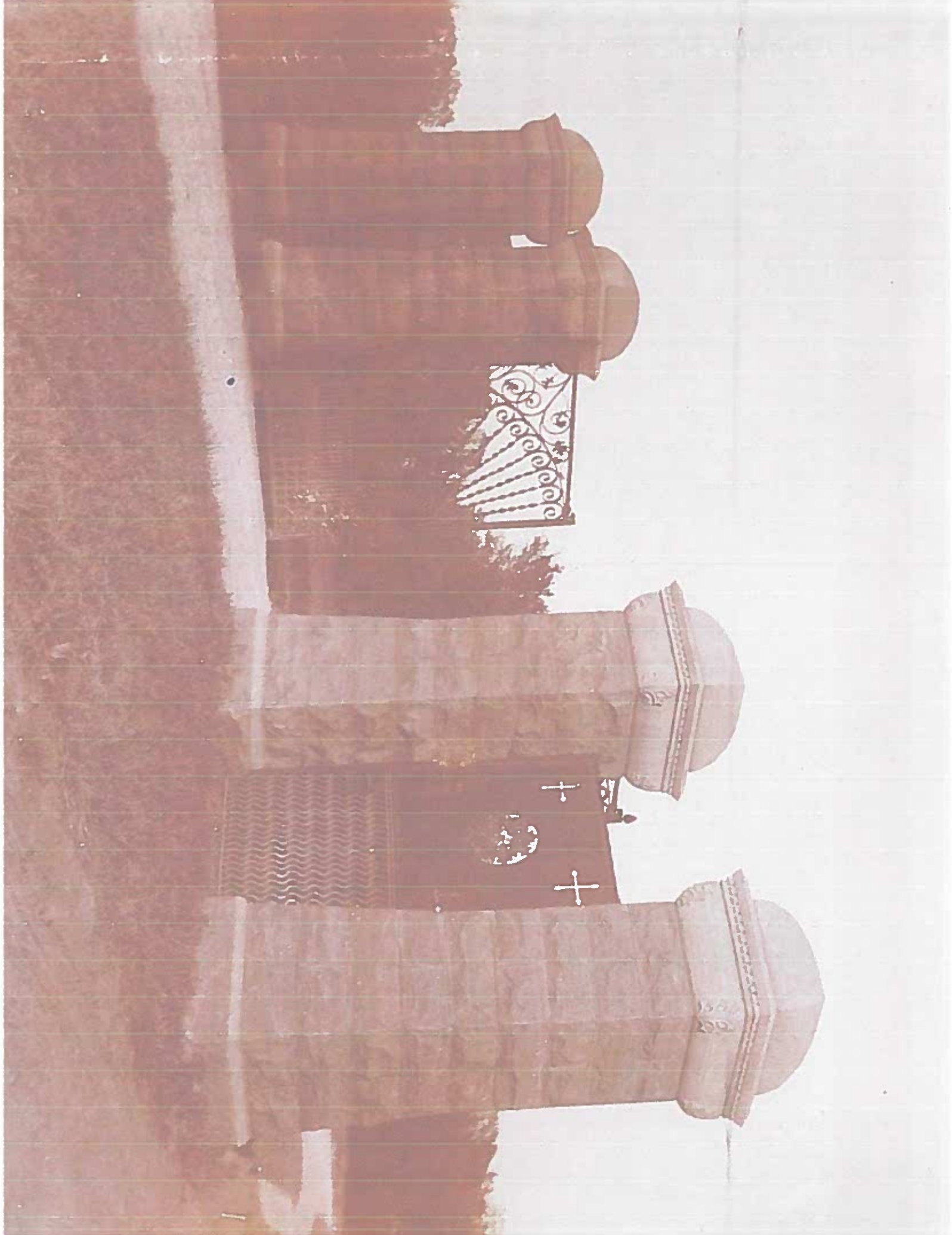
This is but one of the many advantages offered to Oakdale lot owners at no additional expense.

Oakdale Cemetery is a non-profit company that is dedicated to the people of this community. We invite you to call by phone, or visit us at our office located at the entrance of this dignified sanctuary. An illustrated booklet is available upon request.

Telephone 324-5121
Established 1856

Oakdale CEMETERY

2501 EASTERN AVE. DAVENPORT, IOWA



OAKDALE MEMORIAL GARDENS

DAVENPORT - 1922



PETLAND

BELLE AVE

Yellow House

E. CENTRAL PARK

Highland Ct

Mound St

E. Rusholme St

Spring Ct

Wooden Fence

Wooden Fence

E. Highland Park Ct

34

BABY

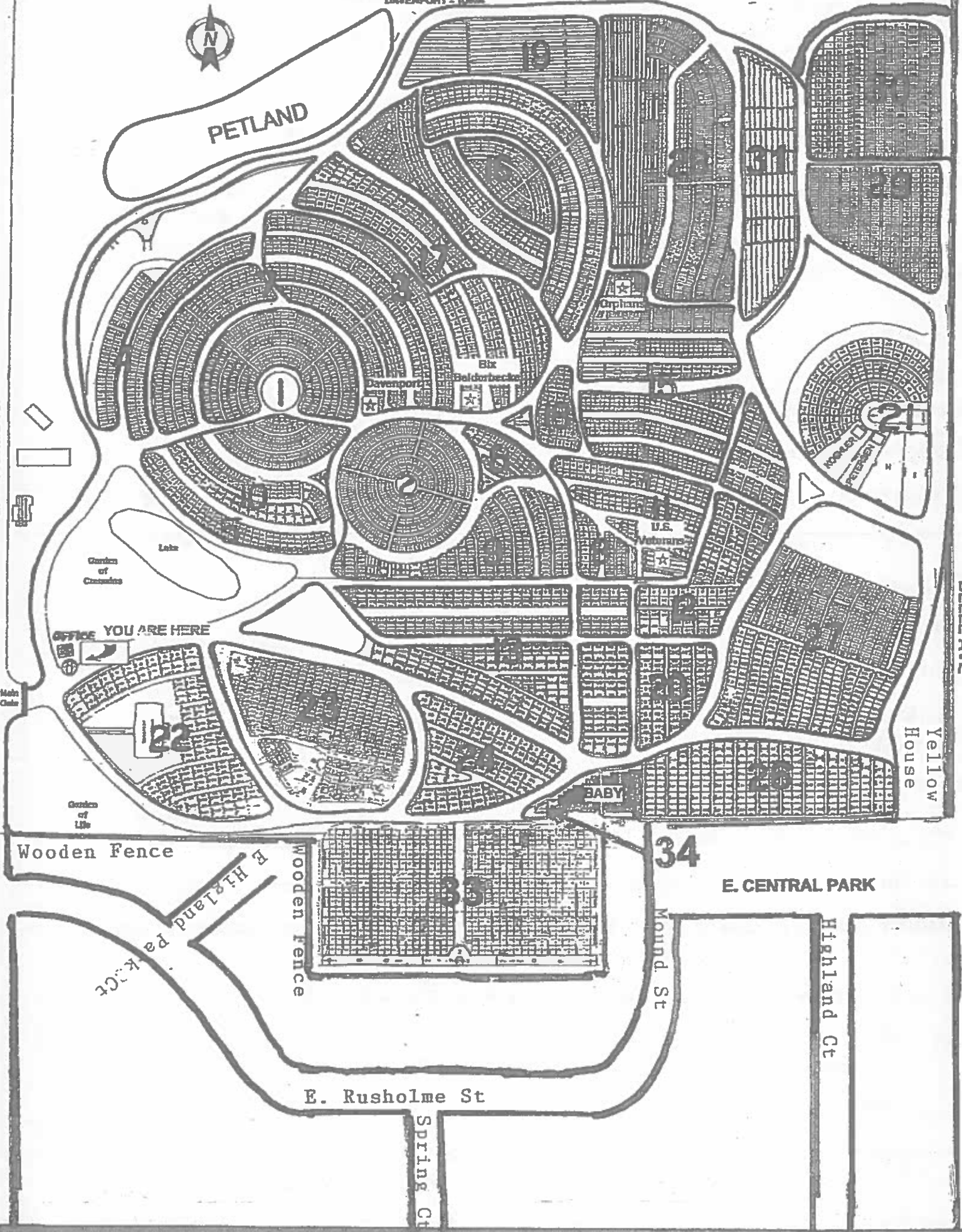
OFFICE YOU ARE HERE

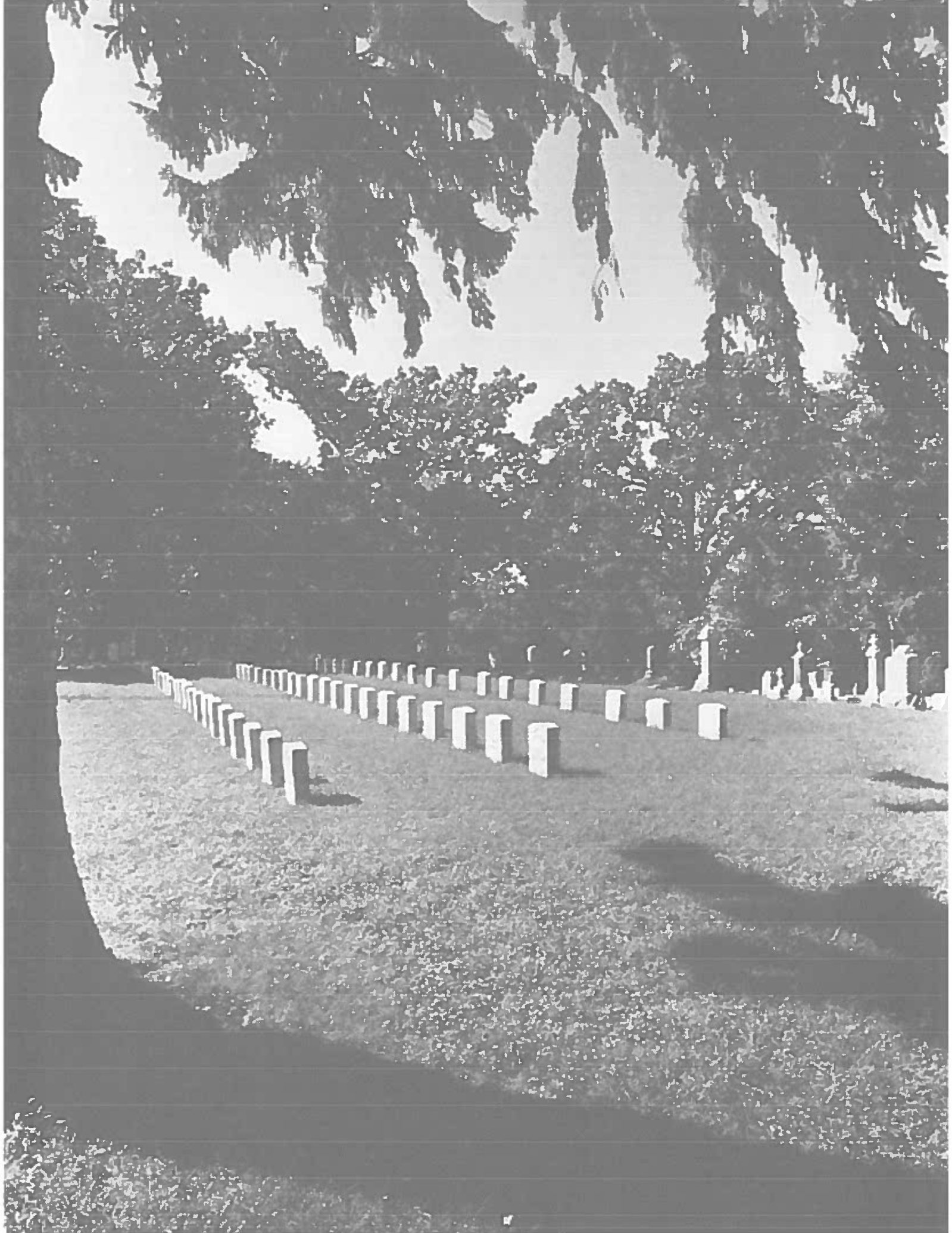
Lehr

Garden of Contending

Main Gate

Garden of Life











ALL WHO SLEEP HERE

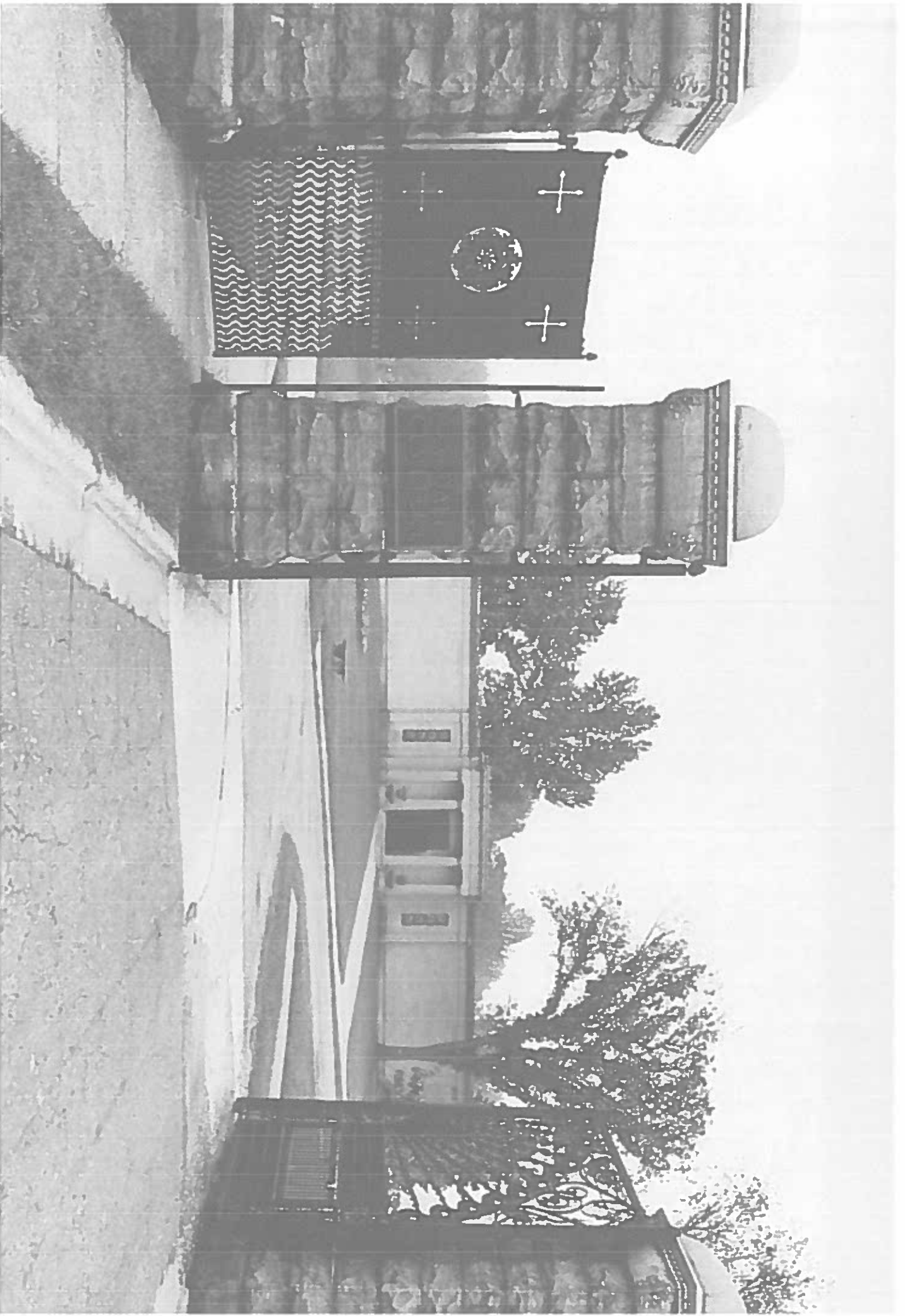
STILL EXIST
NOW AND FOREVER
AS MATERIAL
CONSTITUENTS
OF THE UNIVERSE

HOPE MAY
NOT BELIEVE
COULD NOT
DESCEND EXPERIENCE

ELLEN MONROE
Born Jan. 10, 1844
Died September 18, 1914

ELLEN

E. S. HANNON'S M.D.





TO BE PUBLISHED IN THE OCTOBER 28, 2015 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# 1606541 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 petitions:

Case No. ROW15-09 being a petition of Palmer College of Chiropractic for the vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot north-south alley bounded on the south West 7th Street and north of West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley

The property has the following legal description:

Part of the Southeast Quarter of Section 26 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at a point on the South line of Out Lot 16 of LeClaire's Section Addition to the City of Davenport, Iowa, and at the intersection of the north line of West 7th Street and west line of Brady Street, as said streets are now laid out; thence west 140 feet along the north line of West 7th Street to the point of beginning, which is also the east line of a 20 foot wide alley; thence north 444 feet along the east line of said 20 foot wide alley to the south line of West 8th Street; thence west 20 feet along the south line of West 8th Street to a point, which is also the west line of said 20 foot wide alley; thence south 445.35 feet along the west line of said 20 foot wide alley to the north line of West 7th Street; thence east 20 feet along the north line of West 7th Street to the point of beginning.

Said tract contains 8,880 square feet more or less.

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Case No: LL15-02 being the petition of Dustin Oliver on behalf of Oakdale Cemetery for the Local Landmark Nomination of the Oakdale Cemetery at 2501 Eastern Avenue.

The property has the following legal description:

Part of the Northwest and Southwest Quarters of Section 19 – Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:
Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M., which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa; thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa; thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate; thence North 18° 6' 50" East 257.10 feet; thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa; thence North 56° 50" East 404.13 feet to a point; thence North 43° 29' East 96.4 feet; thence North 0° 34' West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa; thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa; thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10; thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77; thence West along the North line of said real estate to the Northwesterly corner of said real estate; thence South 22° 32' West 78.23 feet; thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport; thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15; thence South to the following described line: Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. By Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence Westerly 200 feet more or less to the Northwesterly corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less; thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc. of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document # 12256-81 in the office of the Recorder of Scott County, Iowa; thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al; thence West to the West line of Section 19; thence North to the point of beginning. Except those tracts of real estate used for road purposes.

Said tract contains 76.25 acres more or less.

The Historic Preservation Commission forwards Case No. LL15-02 to the City Council with a recommendation for approval.

Case No. ORD15-01: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning". Changes contemplated include, but are not limited to the regulations for the makeup of the Design Review Board and Dynamic Display Signs.

Specifically, the proposed changes are as follows:

Title 17.29.070(B) is proposed to be amended and read as follows:

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the city of Davenport or own property or a business in Davenport.

17.45.051 is proposed to be amended and read as follows:

17.45.051: Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport board of adjustment in accordance with section 17.5

The City Plan and Zoning Commission recommends the aforementioned text amendment be forwarded to the City Council with a recommendation for approval.

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 4, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances.

PO# 1606541.

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Kim Hatfield x7701

Wards: All

Action / Date

11/4/2015

Subject:

Proclamation for Native American/American Indian Proud Culture Month - November 2015

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Admin, Default

Approved

10/28/2015 - 3:40 PM

City of Davenport

Agenda Group:
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: 4th

Action / Date
10/7/2015

Subject:

Third Consideration: Ordinance for Case No. ROW15-06 being the proposed Right-of-Way vacation of 6160 square feet of unimproved Pleasant Street immediately east of Clark Street. [Ward 4]

Recommendation:

The Plan and Zoning Commission recommends the proposed Right-of-Way vacation be approved without condition (Vote: 9-0 in favor)

Relationship to Goals:

Neighborhood Improvement

Background:

The west 68 feet of the right-of-way was platted as part of Harter's First Addition in 1960. The easterly 55 feet of the right-of-way was platted in 1964 as part of Ramirez First Addition. The intent was apparently to extend Pleasant Street further east as it existed further to the east. Also of note was the Commission letter indicating that the street was required for the new lots to meet the minimum depth requirement of 100 feet. Elimination of the right-of-way would make the two lots along Clark Street on either side of the right-of-way of Pleasant non-conforming with respect to lot depth (in the east-west dimension). The vacation would also land-lock two lots of Ramirez First Addition though all three lots are owned by the same person and could be tied together through the Assessor's office.

It is not likely the right-of-way would be extended further east through the commercial area. The proposed vacation is supported by adjoining property owners.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	P&Z Staff Report Plus Attachments
▣ Backup Material	Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	10/27/2015 - 4:02 PM

ORDINANCE NO.

AN ORDINANCE for Case No. ROW15-06: Request of the City of Davenport for the vacation (abandonment) of 6,160 square feet of platted but undeveloped public right-of-way known as West Pleasant Street located just east of Clark Street between Locust and Laurel Streets. City of Davenport, petitioner. [4th 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 vacated (abandoned). The property has the following legal description:

Part of the Southeast Quarter of the Southwest Quarter of Section 21, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Beginning in the Northwest Corner of Lot 2 of Harter's First Addition to the City of Davenport, said corner being a point in the East Line of Clark Street as it currently exists; thence Easterly 123.44 feet, more or less along the North Line of Lot 2 of said Harter's First Addition and Lot 2 of Ramirez 1st Addition to the City of Davenport, to a point in the Northeast Corner of Lot 2 of said Ramirez 1st Addition; thence North 01 degree-15'-00" East a distance of 52.42 feet, more or less, along the East Line of said Ramirez 1st Addition to the southeast corner of Lot 1 of said Ramirez 1st Addition; thence Westerly 54.75 feet, more or less, along the South Line of said Lot 1 to a point in the Southwest Corner of said Lot 1; thence continuing Westerly 67.93 feet, more or less, along a curve concave Southerly with a radius of 392.14 feet to a point on the East Line of said Clark Street; thence South 01 degrees-15'-00" West along the East Line of Clark Street a distance of 50.02 feet, more or less, to the point of beginning.

Said property contains 6,160 square feet, more or less.

The City Plan and Zoning Commission forwarded Case ROW15-06 to the City Council with a recommendation for approval without conditions.

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

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

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

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
Community Planning & Economic Development Department
FINAL HEARING STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: September 15, 2015
Request: Right of Way Vacation
Location: West Pleasant Street east of Clarke Street
Case No.: ROW15-06
Applicant: City of Davenport

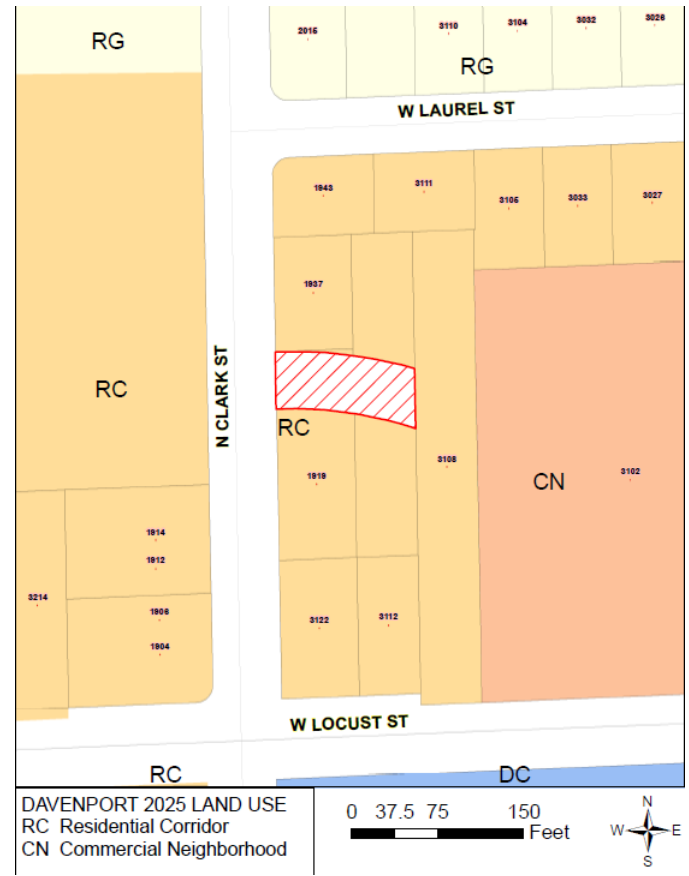
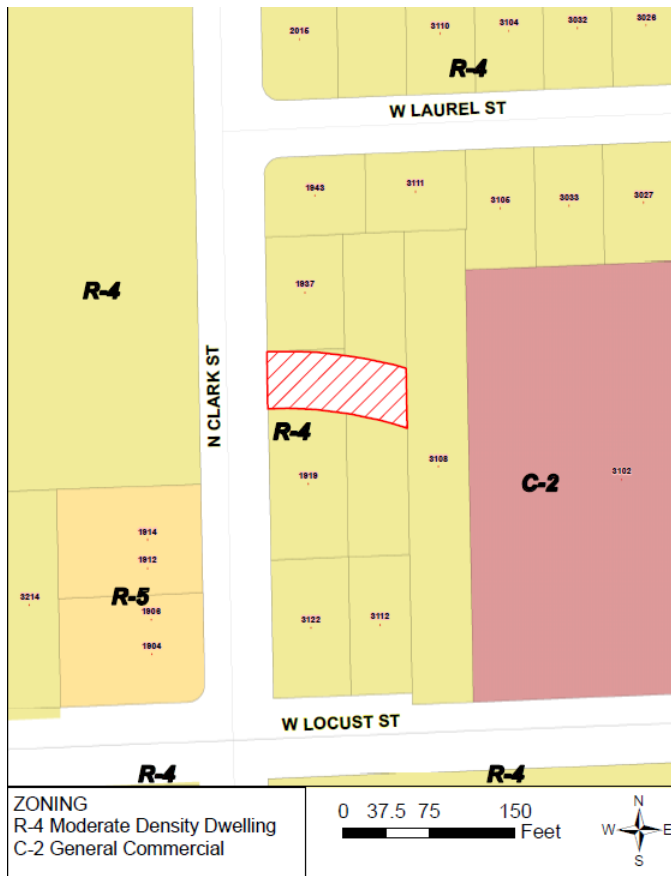
Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case ROW15-06 to the City Council with a recommendation for approval.

Introduction:

This is a request to vacate a platted but undeveloped portion of the West Pleasant Street located east of Clark Street between Locust and Laurel Streets.





Background:

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Right-of-Way

Zoning:

The surrounding properties are zoned "R-4" Moderate Density Dwelling District.

Technical Review:

Technical review comments will be provided at the September 15, 2015 Plan and Zoning Commission regular meeting.

Public Input:

The public hearing is scheduled for the September 01, 2015 meeting. Eighteen notices have been sent to property owners of property within 200 feet of the subject property. At least two property owners with frontage to the right-of-way have indicated support for the vacation.

Discussion:

The west 68 feet of the right-of-way was platted as part of Harter's First Addition in 1960. The easterly 55 feet of the right-of-way was platted in 1964 as part of Ramirez First Addition. The intent was apparently to extend Pleasant Street further east as it existed further to the east. Also of note was the Commission letter indicating that the street was required for the new lots to meet the minimum depth requirement of 100 feet. Elimination of the right-of-way would make the two lots along Clark Street on either side of the right-of-way of Pleasant non-conforming with respect to lot

depth (in the east-west dimension. The vacation would also land-lock two lots of Ramirez First Addition though all three lots are owned by the same person and could be tied together through the Assessor's office. These lots would lose any "lot of record" status since it no longer has frontage on a public right-of-way though future development could be allowed with a replat utilizing panhandle of flag lots.

It is not likely the right-of-way would be extended further east through the commercial area.

Technical review did not reveal any utilities currently within the subject property. However, it is recommended that a general utility easement be maintained in order to facilitate access to properties to the east be established.

Staff Recommendation:

Findings:

1. Pleasant Street is not needed in this location.
2. A general public utility easement will ensure any existing or future utilities in the vicinity will be protected.

Recommendation:

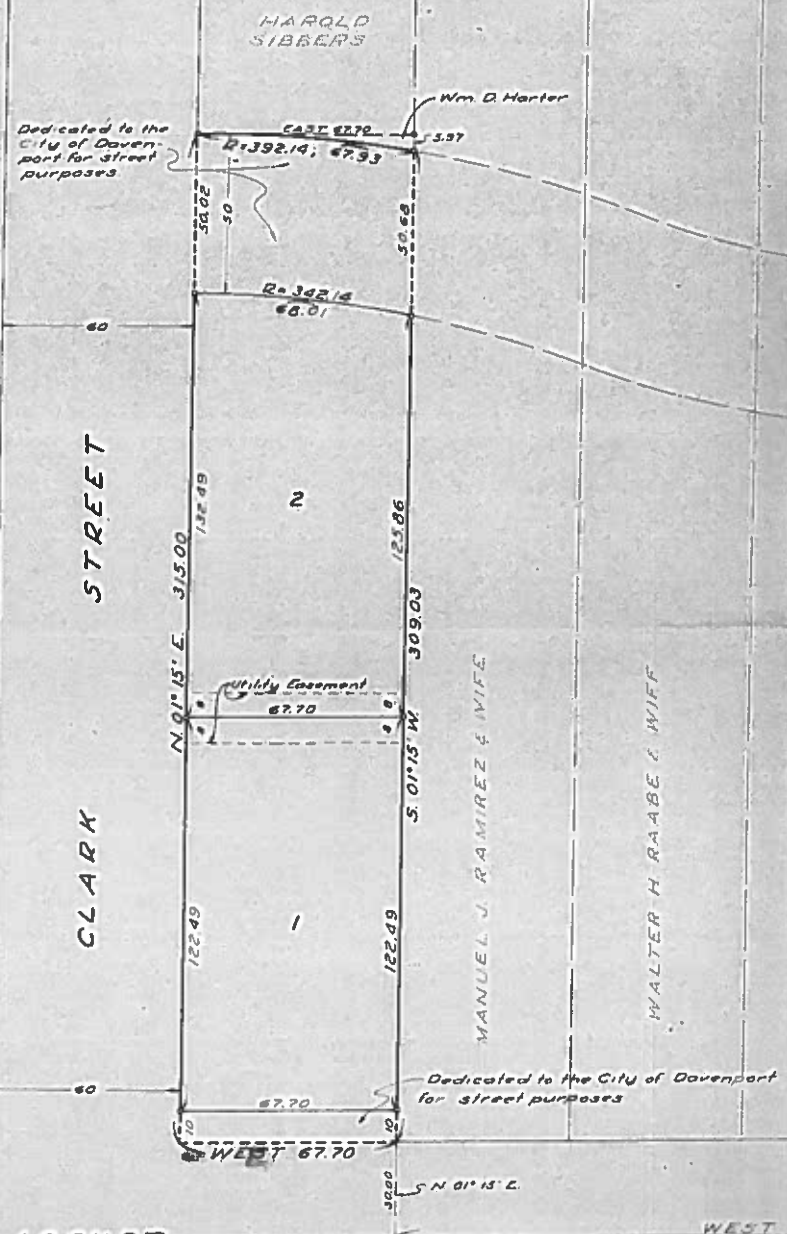
Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case ROW15-06 to the City Council with a recommendation for approval, with the following condition:

1. A general public utility easement be established and maintained on the property.

Prepared by:



Matthew G. Flynn, AICP
Senior Planning Manager
563-326-7743
mflynn@ci.davenport.ia.us



APPROVED
CITY PLAN & ZONING COMMISSION
By W. A. Harter Chairman
Date SEP 27 1960

FINAL PLAT
OF
HARTER'S FIRST ADDITION
BEING A PART OF THE SOUTHEAST QUARTER
OF THE SOUTHWEST QUARTER OF SECTION 21
TOWNSHIP 28 NORTH, RANGE 3 EAST OF THE
5TH P.M. IN THE CITY OF DAVENPORT, IOWA
MADE FOR
WILLIAM D. HARTER

30 20 10 0 10
SCALE IN FEET

UTILITIES
NORTHWESTERN BELL TELEPHONE CO.
By L. A. Bennett, D.P.E.
Date 8-22-60

IOWA-ILLINOIS GAS & ELECTRIC CO.
By Leo D. Miller
Date 8-22-60

15 AUGUST, 1960

CITY OF DAVENPORT
By Philip H. Tunncliffe Mayor
Attest Allyn Finner Clerk
Date DEC 21 1960

LEGEND:
All measurements are in feet & decimals thereof.
Iron monuments set at points marked.

Philip H. Tunncliffe
PHILIP H. TUNNICLIFF
TUNNICLIFF SURVEYORS & ENGINEERS
710 PUTNAM BLDG., DAVENPORT, IOWA
JOB #1928, C. PT 24, P. 40

March 9, 1960

Honorable Mayor and City Council
City Hall
Davenport, Iowa

Gentlemen:

At their regular meeting of March 8, 1960 the City Plan and Zoning Commission reviewed a letter from Mr. William D. Harter requesting that the City accept a 42 foot street through his property.

Mr. Harter infers that the Plan Commission is unreasonable in their request for a 50 foot street and for the dedication of 10 feet for widening Locust Street. These requirements are not felt to be unreasonable since all developers in this area or in any other area are required to do the same thing.

The Commission submits an adverse report on this request for the following reasons:

1. 42 feet is not adequate width to provide pavement and sidewalks within the right-of-way. Driveways could not be permitted into the property since there is not enough distance from the sidewalk to the curb to permit a proper grade.
2. Mr. Harter does not have enough land to plat an additional 2 lots over and above the one he has already sold for \$3000.00 and the one on which his house is located. All new lots would be under the minimum area requirements.

Honorable Mayor and City Council
March 9, 1960
Page 2

3. If this is allowed the lot just north of his house would be in violation of Section IV, subsection E, paragraph 2 of the Subdivision Ordinance which requires a minimum depth of 100 feet.
4. In view of number 3 above, the street required by the Plan Commission is necessary in order for Mr. Harter to subdivide his land.
5. While it is true that the subdivider has been assessed for paving and sewer, he was also paid a considerable sum in damages for the acquisition of Clark Street.

The attached plat indicates how the subdivider could subdivide his property which would provide an adequate right-of-way and lots which conform in size and shape to other lots in the general area.

Respectfully submitted,

CITY PLAN AND ZONING COMMISSION

By: _____
W. A. Priestor
Chairman

WAP:ce

CC: Mr. R. x Matthews, Director of Public Works

City Plan

CLARK STREET

LAUREL ST.

FINAL PLAT OF
RAMIREZ 1ST ADDITION
TO THE CITY OF DAVENPORT, IA
PART OF THE S.W. 1/4, SEC. 21
T-78N, R-3E, 5TH P.M.

SPIESS 1ST ADD

SUBDIVIDED BY
MANUEL J. RAMIREZ & WF.

APPROVED BY
CITY PLAN & ZONING COMMISSION

BY: [Signature] CHAIRMAN

DATE: APR 15

CITY OF DAVENPORT, IOWA

BY: [Signature] MAYOR

ATTEST: [Signature] CITY CLERK

DATE: APR 7 1965

NORTHWESTERN BELL TELE. CO.

BY: [Signature]

DATE: 4-10-64

IOWA - ILLINOIS GAS & ELEC. CO.

BY: [Signature]

DATE: 4-10-64

NOTE: Blanket overhang easement granted
for street lights & service wires.



SCALE 1" = 100'

PLAT & SURVEY BY
MAJOR ENGINEERING CO.
[Signature]
IOWA L.S. NO. 3244
DATE: Mar. 23, 1964

S.E. - Cor., S.W. 1/4
Sec. 21-78-3

**NOTICE
PUBLIC HEARING
TUESDAY – SEPTEMBER 1, 2015 - 5:00 P.M.
DAVENPORT CITY PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA**

There is on file in the office of Community Planning, on behalf of the City Plan and Zoning Commission, the following petition:

Case No. ROW15-06: Request of the City of Davenport for the right-of-way vacation of a portion of unimproved West Pleasant Street, located south of Laurel Street, north of West Locust Street and East of Clark Street.

Public hearings on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, September 1, 2015 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you have any questions, please feel free to contact us.

Department of Community Planning & Economic Development

Phone: (563) 326-7765 FAX: (563) 328-6714

E-MAIL: planning@ci.davenport.ia.us

PO # 1602445

2015 3110 3104 3032 3026 3020

2002

W LAUREL ST

3105 3033 3027 3019

SCOTT LARSON ROBERT LANTZ LISA M WHITE DAVID L CAMPBELL SCHAEFFER JANSEN BRENDA J

DAVENPORT COMMUNITY SCHOOL DIST

200' Adjacent Property Owner Notice Boundary

3102

MC DONALD'S CORP

N CLARK ST

3214 1906

SWANSON NICHOLAS P SWANSON LISA

3122 3112

GAIL L BRAET SUSAN LUENSE

W LOCUST ST

R.O.W. Property

N

ROW15-06 - Pleasant St east of N Clark St - Adjacent Owner Notice List

Parcel#	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:		City of Davenport		
Ward/Ald:	4th Ward	Alderman Ambrose		Notices Sent: 18
Ward/Ald:	1st Ward	Alderman Dunn		Notices Sent: 18
O2115A11	2002 N CLARK ST	DAVENPORT COMMUNITY SCHOOLS	1002 W KIMBERLY RD	DAVENPORT IA 52806
O2115C13	3027 W LAUREL ST	BRENDA J SCHAEFFER HANSEN	2642 N STARK ST	DAVENPORT IA 52804
O2115C14	3033 W LAUREL ST	DAVID L CAMPBELL	3033 W LAUREL	DAVENPORT IA 52806
O2115C15	3105 W LAUREL ST	LISA M WHITE	3105 W LAUREL ST	DAVENPORT IA 52804
O2115C16	3111 W LAUREL ST	ROBERT LANTZ	PO BOX 2241	DAVENPORT IA 52809
O2115C17	1943 N CLARK ST	SCOTT LARSON	1943 N CLARK ST	DAVENPORT IA 52804
O2115C18	1937 N CLARK ST	TODD A NEECE	1937 N CLARK ST	DAVENPORT IA 52804
O2115C19	1919 N CLARK ST	DERICK D SEBRING	1919 N CLARK ST	DAVENPORT IA 52804
O2115C20	3122 W LOCUST ST	GAIL L BRAET	3122 W LOCUST ST	DAVENPORT IA 52804
O2115C21A	3112 W LOCUST ST	SUSAN LUENSE	1101 WAVERLY RD	DAVENPORT IA 52804
O2115C22	3108 W LOCUST ST	STEVEN K WAGSCHAL	3108 W LOCUST ST	DAVENPORT IA 52804
O2115C23A	3102 W LOCUST ST	MCDONALD'S CORP	3121 52ND AVE CT	BETTENDORF IA 52722
O2115C25		GEORGE A KANZAKI	6790 RIDGES CT	BETTENDORF IA 52722
O2115C26		SUSAN LUENSE	1101 WAVERLY RD	DAVENPORT IA 52804
O2115C27		SUSAN LUENSE	1101 WAVERLY RD	DAVENPORT IA 52804
O2115D01A	1912 N CLARK ST	SWANSON NICHOLAS P	1914 N CLARK ST	DAVENPORT IA 52804
O2115D03A	1904 N CLARK ST	LISA SWANSON	5420 W 11TH ST	DAVENPORT IA 52804
O2115D16	3214 W LOCUST ST	LISA SWANSON	5420 W 11TH ST	DAVENPORT IA 52804

April 15, 1964

Honorable Mayor and City Council
City Hall
Davenport, Iowa

Gentlemen:

At their regular meeting of April 14, 1964 the City Plan and Zoning Commission considered the final plat of Ramirez First Addition located on West Pleasant Street East of Clark Street.

The Commission recommends that the Subdivision be approved subject to the following conditions:

1. That all street improvements including plans, grades, and pavement shall be in accordance with City standard requirements and shall have approval of the Department of Public Works.
2. That all storm and sanitary sewers required by the City shall be installed by the Subdivider and the plans and profiles for the same shall be submitted to the Department of Public Works.
3. That deed restrictions shall require the installation of all public sidewalks and the cost thereof paid by the then owner, when so ordered by the Department of Public Works.
4. That ten feet be dedicated along the North side of Locust Street for future widening.

Respectfully submitted,

CITY PLAN AND ZONING COMMISSION

H. W. Bischman
Chairman

HWB:lw

PUBLIC HEARING NOTICE
DAVENPORT CITY COUNCIL - COMMITTEE OF THE WHOLE
WEDNESDAY, OCTOBER 7, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-06: Request of the City of Davenport for the right-of-way vacation (abandonment) of the unimproved Pleasant Street located south of West Laurel Street, east of Clark Street and north of West Locust Street.

The City of Davenport Committee of the Whole will conduct a public hearing concerning this matter at **5:30 p.m., Wednesday October 7, 2015** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

The City Council will consider this matter at its regular meeting on October 14, 2015. 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 call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. 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.

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

(detach here)

The undersigned – **opposes / does not oppose** Case No. ROW15-06: Request of the City of Davenport for the right-of-way vacation (abandonment) of the unimproved Pleasant Street located south of West Laurel Street, east of Clark Street and north of West Locust Street.

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

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 8th

Action / Date
10/7/2015

Subject:

Third Consideration: Ordinance for Case No. ROW15-07 being the petition of Park Place Five LLC for the vacation (abandonment) and subsequent relocation of a twenty (20) foot wide sanitary sewer easement (2,350+ sq.ft.) and a fifteen (15) foot wide excess stormwater passageway easement (1,730+ sq.ft.) located at 5601 Eastern Avenue. [Ward 8]

Recommendation:

Findings:

- There is no loss of service through the vacation of these easements as they will be relocated.
- The vacation allows the completion of the multiple-family phase of the apartment complex.

Recommendation The City Plan and Zoning Commission forwards Case No. ROW15-07 to the City Council for approval subject to the following conditions:

1. That in conjunction with complying with Chapter 17.56 of the Zoning Code entitled "Site Plans" a detailed screening plan for the parking and drive access along the north property line be submitted;
2. That due to grade changes the pattern of proposed stormwater flows be shown.

The Commission vote was 9-yes and 0-no with 0-abstention.

Relationship to Goals:

Neighborhood Improvement

Background:

The developer is proposing the vacation (abandonment) and subsequent relocation of these easements to accommodate relocation of the buildings with the development. The number of buildings and units remain the same the configuration and location of the buildings is changing.

With respect to Condition No. 2 the developer has submitted revised plan showing the drainage flows and storm sewer infrastructure for the development.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	ROW 15-07 Ordinance only
▣ Backup Material	ROW 15-07 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	10/27/2015 - 4:02 PM

ORDINANCE NO.

ORDINANCE for Case No. ROW15-07 being the petition of Park Place Five LLC for the vacation (abandonment) and subsequent relocation of a twenty (20) foot wide sanitary sewer easement (2,350± sq.ft.) and a fifteen (15) foot wide excess stormwater passageway easement (1,730± sq.ft.) located at 5601 Eastern Avenue. [8th 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 vacated (abandoned). The property has the following legal description:

The property has the following legal description:

Part of the Northwest Quarter of Section 7, Township 78 North, Range 04 East of the 5th P.M. being more particularly described as follows:

Sanitary Sewer Easement

Commencing at a point in the Southeast Corner of the Park Place Apartments Second Addition to the City of Davenport; thence North 00 degrees-03'-48" West along the East Line of Park Place Apartments Second Addition a distance of 5.43 feet; thence North 84 degrees-59'-06" West a distance of 237.64 feet; thence North 12 degrees-39'-13" West a distance of 208.00 feet; thence North 81 degrees-57'-46 " West a distance of 125.00 feet; thence North 06 degrees-25'-55" East a distance of 10.00 feet to the point of beginning of the tract being an easement 20.00 feet wide the centerline being described as follows: continuing North 06 degrees-25'-55" East a distance of 117.50 feet. Said easement contains 2,350 square feet, more or less.

Excess Stormwater Passage Easement

A tract of land being 15 feet wide the centerline being described as follow: beginning at a point in the Northeast Corner of Lot 8 and the Northwest Corner of Lot 9 of Park Place Apartments Second Addition to the City of Davenport; thence South 38 degrees-03'-42" East for a distance of 115.31 feet to a point in

the Southeast Corner of Lot 8 and the Southwest Corner of Lot 9 of Said Park Place Apartments Second Addition. Said easement contains 1,730 square feet, more or less.

The City Plan and Zoning Commission accepted the listed finding and forwarded Case ROW15-07 to the City Council with a recommendation for approval subject to the following conditions:

1. That in conjunction with complying with Chapter 17.56 of the Zoning Code entitled "Site Plans" a detailed screening plan for the parking and drive access along the north property line be submitted;
2. That due to grade changes the pattern of proposed stormwater flows be shown.

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 _____



September 16, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of September 15, 2015, the City Plan and Zoning Commission considered Case No. ROW15-07 being the request of Park Place Five LLC for the vacation (abandonment) and subsequent relocation of a 20-foot wide (2,350± sq. ft.) sanitary sewer easement and a 15-foot wide (1,730± sq. ft.) excess stormwater passage way located at 5601 Eastern Avenue.

The original zoning limited the development to eight unit buildings of two & one-half stories. The development plan approval did not limit the type of buildings to a specific style or look (building elevation), or to specific locations. While that is the case, the moving of at least one easement (sanitary sewer) does allow the layout of buildings to change and therefore a tie can be made to certain conditions of the development and site plan review, specifically along the north boundary of the property.

Findings:

- There is no loss of service through the vacation of these easements as they will be relocated.
- The vacation allows the completion of the multiple-family phase of the apartment complex.

The City Plan and Zoning Commission forwards Case No. ROW15-07 to the City Council for approval subject to the following conditions:

1. That in conjunction with complying with Chapter 17.56 of the Zoning Code entitled "Site Plans" a detailed screening plan for the parking and drive access along the north property line be submitted;
2. That due to grade changes the pattern of proposed stormwater flows be shown;

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	ROW15-06 Pleasant St	ROW15-07 Park Place Apt Easements	F15-16 Russell- CrowValley Off Pk 6th					
Connell	P	Y	Y	Y					
D'Autremont	P	Y	Y	Y					
Elgatian	P	Y	Y	Y					
Hepner	P	Y	Y	AB					
Inghram	P								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Maness	P	Y	Y	Y					
Martin	P	Y	Y	Y					
Martinez	P	Y	Y	Y					
Tallman	EX								
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	8-YES 0-NO 1-ABSTAIN					



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

PLAN AND ZONING COMMISSION

Meeting Date: September 15, 2015
Request: Vacate Sanitary Sewer and Stormwater Easements
Location: 5601 Eastern Avenue
Case No.: ROW15-07
Applicant: Park Place Five LLC

Recommendation:

Staff recommends the Commission forward Case No. ROW15-07 to the City Council for approval subject to the listed conditions.

Introduction:

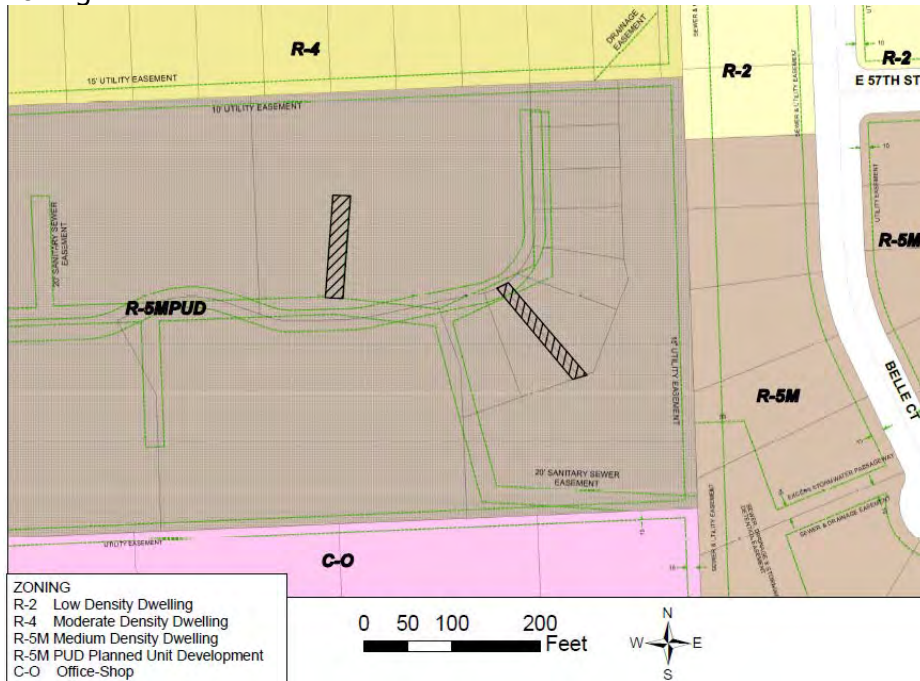
The petitioner is seeking vacation of the sanitary sewer easement to allow changes in building placement. The stormwater easement would accommodate better placement of buildings in the future.



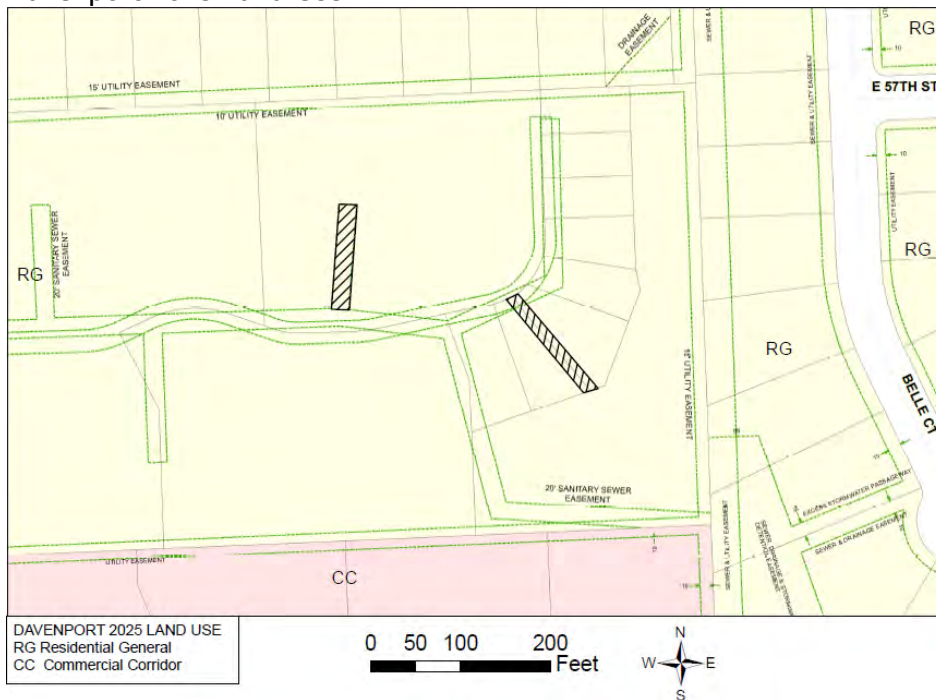
Background:

Park Place Five LLC is proposing the vacation (ultimate relocation) of the sanitary sewer easement to accommodate shifting of building locations within the multiple-family development area. There is no change in the number of units being proposed nor in the number of multi-family buildings.

Zoning



Davenport 2025 Land Use



Technical Review:

Technical review comments will be provided at the September 15, 2015 Plan and Zoning Commission regular meeting. No additional comments have been received, the two easements are for City utilities sanitary and stormwater. The easements were established as part of the original platting for Park Place Apartments and made part of the Second Addition as well. These easements will be relocated with the locations being reviewed by the Public Works Department; they do not need to be part of a plat.

Public Input & Analysis:

Notices were sent to the 12 owners of property within 200 feet of the subject easements. Comments were received from two adjacent owners. Neither comment was specifically related to the vacation (abandonment) of these easements, the process just affords a venue for comment on a development or raise other concerns. The first was from a new owner to the area (August 2015 purchase) commenting on stormwater problems in the area. Of note is that a portion of this owner's lot contains a drainage/stormwater easement. The second was commenting on specifics of the overall development which are primarily associated with the administrative site plan review such as changing grades affecting stormwater flows, vehicle lights, and overall screening. Both these comments are attached.

During staff's presentation at the public hearing the location of several detention basins and drainage easements as well as the overall drainage pattern was described. The staff review of the site plan is also attached and covers several of the concerns of the second commenter.

Discussion:

The original zoning limited the development to eight unit buildings of two & one-half stories. The development plan approval did not limit the type of buildings to a specific style or look (building elevation), or to specific locations. While that is the case, the moving of at least one easement (sanitary sewer) does allow the layout of buildings to change and therefore a tie can be made to certain conditions of the development and site plan review, specifically along the north boundary of the property.

Staff Recommendation:

Findings:

- There is no loss of service through the vacation of these easements as they will be relocated.
- The vacation allows the completion of the multiple-family phase of the apartment complex.

Recommendation: Staff recommends the Commission forward Case No. ROW15-07 to the City Council for approval subject to the following conditions:

1. That in conjunction with complying with Chapter 17.56 of the Zoning Code entitled "Site Plans" a detailed screening plan for the parking and drive access along the north property line be submitted;
2. That due to grade changes the pattern of proposed stormwater flows be shown;

Prepared by:

Wayne Wille, CFM

Planner II

Community Planning Division

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – SEPTEMBER 01, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-07: Request of Park Place Five LLC for the vacation (abandonment) and subsequent relocation of a 20-foot wide (2,350± sqft) sanitary sewer easement and a 15-foot wide (1,730± sqft) excess stormwater passage way located at 5601 Eastern Avenue.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday September 01, 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 consider (vote on a recommendation) the petition at its regular meeting on Tuesday September 15, 2015. 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 call the phone number 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.

Office of Community Planning
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) the Park Place Five LLC (ROW15-07)

Comments: PARK PLACE FIVE LLC SHOULD HAVE MORE "ON SITE" DETENTION ON

THEIR PROPERTY. THERE WILL BE A LOT MORE RUN OFF WATER FROM

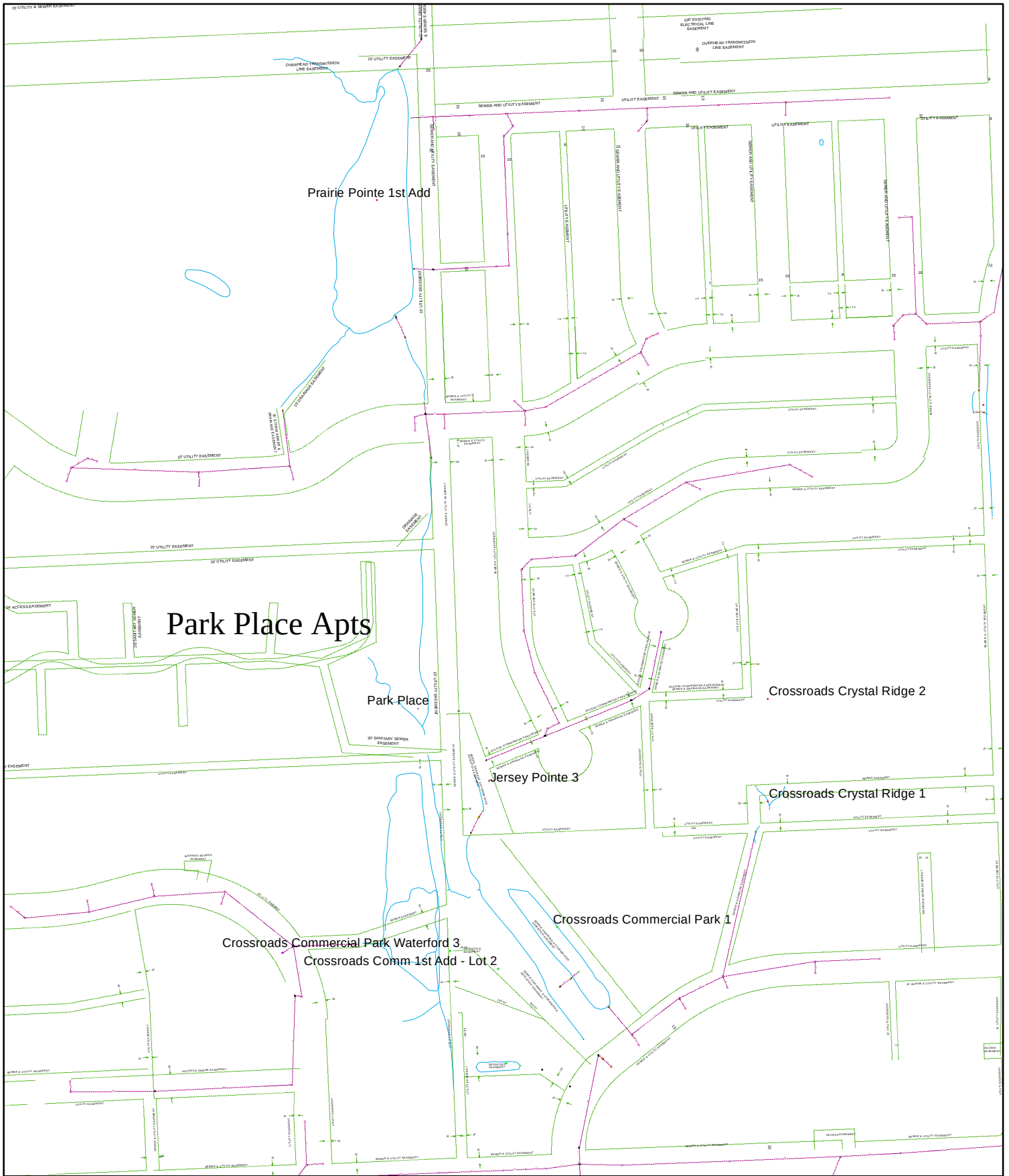
THESE NEW BUILDINGS & FINISHED CONCRETE. A UNDERGROUND DETENTION
SYSTEM SHOULD BE CONSIDERED. NORTH OF LOCATION THERE ARE STORM WATER
ISSUES, WE DO NOT NEED MORE PROBLEMS

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

NAME FRANK CORYN
ADDRESS 5648 BELLE CT. DAV, IA 52807
DATE 8-31-15

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



0 150 300 600
Feet



From: [Wille, Wayne](#)
To: theking411@aol.com; [Tompkins, Kerri](#)
Cc: [Berger, Bruce](#); [Flynn, Matt](#); [Spiegel, Corri](#)
Subject: FW: Tonight's public hearing of the Davenport Plan and Zoning Commission
Date: Friday, September 04, 2015 12:02:00 PM

Mr. & Mrs. King: You have inquired of Ald. Tompkins several questions related to the Park Place Apartments development and I have been asked to respond.

First, this is one forum in which to raise questions and concern regarding a project, to the specific office or offices with authority to review of the project. Also, since the current request was before the Plan and Zoning Commission as a public hearing and will be before the City Council as a public hearing, either of those forums are also available to comment at as well.

Second, with respect to this development no additional re-zoning being necessary. The approved zoning concept and final development plan conditioned the approvals on the number of units and buildings, and the number of stories. No of these are changing so no addition Commission or Council review is required. If the zoning or development plan was conditioned upon a specific site plan or building type then this would have needed to have been brought back to the Commission and Council for review. Again that is not the case with the previous reviews.

Third, with respect to stormwater movement on the property, again it would be best to direct your questions to Brian Stineman or Billy Fisher of the City's Natural Resources office. Brian may be contacted at 563-888-2173 or bstineman@ci.davenport.ia.us and Billy at 563-888-2107 or bfisher@ci.davenport.ia.us.

Fourth the zoning ordinance chapter regarding site plans does cover most of the other concerns though maybe not to a neighboring owner's satisfaction.

- Dumpsters are required to be fenced with gate for reduce and trash blowing fee from the area. These may be located within the buildable areas of the lot with may be as close as five feet from a property line. The developer has shown a concrete knee-wall with board on board fence on top.
- There are some concerns with respect to the north parking lot placement and retaining wall as these are within a utility easement. A parking lot can be as closes as five feet to a property line but does need solid screening within that five foot setback. As part of our offices review we are requesting the utility company sign-offs allowing the placement of the retaining wall within the easement. Parking lots can be placed within an easement.
- No site lighting plan has been submitted, City Code requires no more than one foot-candle at the property line. Staff is also asking the developer for information regarding site and building security lighting. If your question is related to existing lighting in the Prairie Pointe area, such as street lighting, that question needs to be directed to our Traffic Engineering office Gary Statz 563-326-7754 or gjs@ci.davenport.ia.us.
- In addition, while the specific type of screening is not yet determined though staff will likely be requiring either a fence or additional landscaping along the north property in the area of this new construction.

Wayne Wille, CFM
Planner II
Community Planning Division
226 W 4th Street

Davenport IA 52801
563-326-6172
wtw@ci.davenport.ia.us

From: Wille, Wayne
Sent: Tuesday, September 01, 2015 4:01 PM
To: 'theking411@aol.com'
Cc: Flynn, Matt
Subject: RE: Tonight's public hearing of the Davenport Plan and Zoning Commission

Mr. & Mrs. King: We will try to have more specifics and answers as part of the staff's recommendation at the next Commission meeting scheduled for the 15th. As of now, staff will be placing conditions regarding screening of the parking area as part of the easement vacation since the building layout is driving the vacation request. Staff has other issues with this parking and retaining wall as well but those are subject to the administrative review of the site plan and not the specific vacation. It appears the stormwater for the parking would flow to the drive aisle and then to the storm sewer in the development private drive. This would be away from the common property line between you and the apartment complex. At this time I cannot be more definitive.

If you have any questions, please contact me.

Wayne Wille, CFM
Planner II
Community Planning Division
226 W 4th Street
Davenport IA 52801
563-326-6172
wtw@ci.davenport.ia.us

From: theking411@aol.com [mailto:theking411@aol.com]
Sent: Tuesday, September 01, 2015 11:37 AM
To: Wille, Wayne
Subject: Tonight's public hearing of the Davenport Plan and Zoning Commission

Dear Wayne,

Thank you for taking the time to answer some of the questions that we had yesterday concerning the new addition at the Park Place Apartments on Eastern Avenue. We do plan to attend the meeting tonight and wanted to submit some of our questions/concerns in writing.

One main concern is the water run-off plan for the new area. We would like an explanation of how that will look and, specifically, how the build up of soil and the retaining wall will impact the neighboring property with water run-off. We know how the water runs at this point in time, but are unsure how the retaining wall/build up of soil will impact that flow. Also we would like answers to the following: How much will the area be built up (what is the elevation change?) How high will the retaining wall be and how high above the parking grade will it extend?

Another concern we have is the placement of the extra parking spots on the north side. We are not sure if this hearing is the appropriate venue to discuss this. If not, could you tell us when and where that might be addressed.

If you could reply so we know you have received this email, we would appreciate it. We realize there is a deadline of noon to have these submitted and want to make sure we have met this deadline. Thank you very much for your help. See you tonight.

Francie and Ted King
2011 East 58th Street

563-940-3519 (Francie's cell if you have any questions)

September 8, 2015

Zoning Site Plan Review
September 02, 2015
Park Place Apartments

While there have been conflicting submittals and information which has raised concerns regarding the initial considerations regarding this phase of the development, the review is based on the plans dated 07/13/15 and 07/25/15.

Concerns which require correction (Please reference Chapter 17.56 of the Davenport Municipal Code):

- Retaining wall - A retaining wall is shown as located within a utility easement. This needs approval letters from each of the utility companies for construction of a permanent structure in their dedicated easement.
- Parking lot - The parking lot for which the above referenced retaining wall is for, is located less than ten feet from the property line. This requires a minimum of a 42 inch solid shrubbery hedge, fence or wall as a screening buffer. A portion of the parking lot is actually less than five feet from the property which is not allowed by ordinance.
- No access from overflow parking is shown to the buildings except within the drive aisles.
- Grades - The grades are not clear as to their elevations or as to what are the existing or proposed grades. This makes it difficult to determine storm water flows and the impact on the abutting properties to the north.
- Stormwater – Stormwater flows are not indicated on the plans. A concern is the elevation of the parking lot with respect to stormwater flows along the north property line.
- Landscaping – No landscaping plan has been submitted. See below for ordinance requirements. Additional screening will need to be located along the north property line to screen lights from traffic within the parking area as well as the access drive.
- Dumpster pads – While three side are shown as enclosed, the dumpster pads require gates as well.
- No exterior lighting is shown; either building mounted or parking or driveway.

Landscape review:

West – no buffer required – like impervious surface ratio
South – no buffer required – like impervious surface ratio
East – “G” buffer required
North – “G” buffer required



Required Planting:	Canopy Trees	Understory Trees	Evergreen/ Conifers	Shrubs
East Buffer -----	12	17	35	70
North Buffer -----	8	11	23	46
Parking Lot ----- (1 canopy tree/5-spaces)	9	---	---	---
Building Perimeter --- (based on # of D.U.)	13	13	---	64

Additional screening will be required along the northerly parking area and access road at a minimum.

Existing plantings within the buffer yard areas may count toward the above totals. Note: The East Buffer area contains some existing plantings.

Please submit the above information so that the administrative site plan review may be completed.

Respectfully,

Wayne Wille

Wayne Wille, CFM
Planner II
Community Planning Division

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 7

Action / Date
CD10/21/2015

Subject:

Second Consideration: Ordinance for Case No. ROW15-08: Request of I.H. Mississippi Valley Credit Union for the vacation (abandonment) of 4,000 square feet of public right-of-way located immediately west of 4645 Brady Street. [Ward 7]

Recommendation:

The Plan and Zoning Commission accepted the listed finding(s) and forwarded Case No. ROW15-08 to the City Council for approval subject to the following condition:

Findings:

1. This is an excess portion of right-of-way no longer needed for roadway purposes.
2. A general utility easement will be maintained; assuring access to existing utilities, if needed.

1. That a general utility easement be maintained upon the entire property..

The Commission vote was 9-yes and 0-no.

Relationship to Goals:

Strengthen neighborhoods and community connections.

Background:

This Right-of-Way was dedicated to the City in the 1970's, presumably for a frontage road for Brady Street that was never built. The property is currently used for parking. Vacating the property would allow for the parking use to be maintained, while clearing the title for the land.

A public utility easement will be maintained to support facilities within the existing right-of-way.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
□ Backup Material	Background Material

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/26/2015 - 11:48 AM



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

PLAN AND ZONING COMMISSION

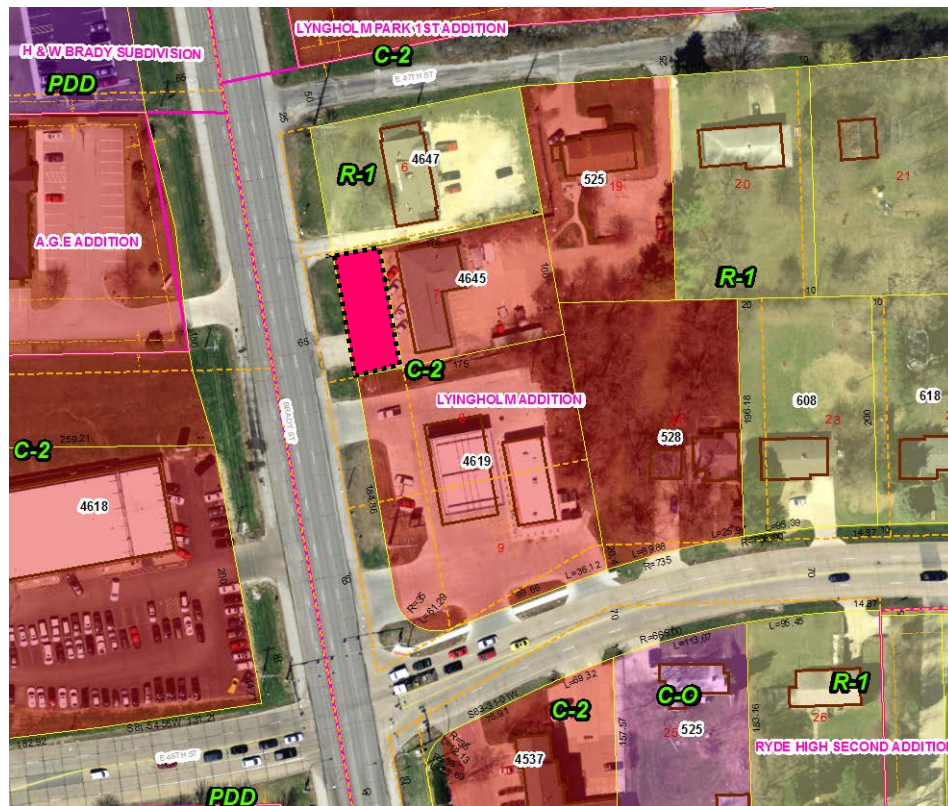
Meeting Date: October 6, 2015
Request: Right of Way Vacation
Location: 4645 Brady Street
Case No.: ROW15-08
Applicant: I.H. Mississippi Valley Credit Union

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-08 to the City Council with a recommendation for approval, with the condition that a general utility easement be preserved upon the entire property.

Introduction:

This is a request to vacate 4000 sq. ft. (40' by 100') of excess right of way adjacent to 4645 Brady Street.



Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation: Right-of-Way

Zoning:

The surrounding properties are zoned "R-1" and "C-2".

Technical Review:

There are utilities located on and above this property. A general utility easement should be maintained.

Public Input:

Letters to 10 adjacent property owners were mailed. One property owner has called with questions. To date, no objections have been raised.

Discussion:

This property was dedicated to the City in 1977, presumably for a frontage road that was never constructed. The property has been used for parking for the adjacent commercial building. The owner of the building wishes to clear the title by vacating the right-of-way and acquiring the property for continued parking.

Given the utilities on-site, a general utility easement should be maintained.

Staff Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-08 to the City Council with a recommendation for approval.

Findings:

1. This is an excess portion of right-of-way no longer needed for roadway purposes.
2. A general utility easement will be maintained; assuring access to existing utilities, if needed.

Condition:

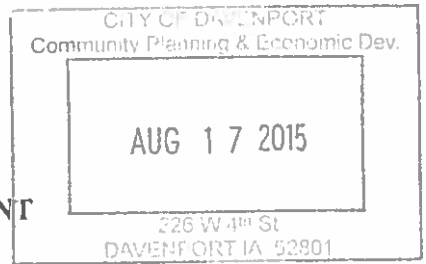
1. A general utility easement be established and maintained upon the entire property.

Prepared by:



Matthew G. Flynn, AICP
Senior Planning Manager
563-326-7743
mflynn@ci.davenport.ia.us

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION**



PETITIONER: Name: I.H. Mississippi Valley Credit Union
Address: 2127 47th St., Moline, IL 61265
Phone: (309) 793-6200 FAX: _____
Mobile Phone: _____ Email: _____
Interest in land: X title holder _____ other**
** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON: Name: Laurie Burkholder
Address: 2127 47th St., Moline, IL 61265
Phone: (309) 793-6200 x80070 FAX: _____
Mobile Phone: _____ Email: lburkholder@ihmvacu.org

LOCATION (DESCRIPTIVE): parking lot of 4645 Brady St., Davenport, Iowa

LEGAL DESCRIPTION: The Easterly 40 feet of the Westerly 65 feet of Lot 7 in the Auditor's Plat of Lyngholm, now an Addition to the City of Davenport, Scott County, Iowa.

AREA: (in square feet) unknown

REASON FOR REQUEST: The parcel was conveyed to the City for a frontage road that was never constructed and therefore it should be conveyed back to the current owner of the adjacent property.

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

SIGNATURE OF PETITIONER: Laurie Burkholder DATE: 8/14/15

PROCESSING FEE: \$400.00

DATE PAID: _____

27994-77

1977 DEC 29 AM 8:30

#550 paid
RECORDED
SCOTT COUNTY, IOWA

Recording Fee \$4.50
Transfer Fee \$1.00

WARRANTY DEED AND ASSESSMENT WAIVER

KNOW ALL MEN BY THESE PRESENTS: That Truce T. Urdona and Aurora F. Urdona, husband and wife, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration (Less than Five Hundred Dollars....\$500.00) in hand paid do hereby convey unto the City of Davenport, Iowa, the following described real estate, situated in Scott County, Iowa, to-wit:

The Easterly 40 feet of the Westerly 65 feet of Lot 7 in the Auditor's Plat of Lyngholm, now an Addition to the City of Davenport, Scott County, Iowa.

And the Grantors do hereby covenant with the said Grantee, and successors in interest, that said Grantors hold said real estate by title in fee simple; that they have good and lawful authority to convey the same; that said premises are free and clear of all liens and encumbrances except for a certain mortgage dated August 2, 1977 and filed for record August 2, 1977 at Document #16339-77; and said Grantors covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the described premises.

It is agreed that the foregoing conveyance of said real estate is for the purpose of the construction and maintenance of a frontage road thereon at such time as the Grantee determines it to be necessary. The undersigned, for themselves, their

respective heirs, personal representatives and assigns and for all future owners of any part of said lot 7 agree as follows:

1. At such time as said frontage road is constructed the City of Davenport, Iowa, may construct said improvements and assess the total cost thereof against said lot 7, and

2. They do hereby waive all statutory procedures relating to the making of such improvement and the assessing of the cost thereof against said Lot 1, and all notices, and rights of protest to the making of said improvement and the assessing of the cost thereof, and

3. That the entire cost of making said improvements may be assessed against said Lot 1, even though the cost thereof may exceed the amount that can otherwise legally be assessed by the City of Davenport, Iowa, and

4. At such time the frontage road shall be constructed and thereafter, that there shall no longer be any right of direct access to Brady Street from said Lot 1.

Dated this 20th day of December, 1971.

Truce T. Urdona, m.d.
Truce T. Urdona

Aurora F. Urdona
Aurora F. Urdona

State of Iowa)
) SS:
Scott County)

On this 20th day of December, 1971, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Truce T. Urdona and Aurora F. Urdona, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



John M. Brown, Notary Public in and for Scott County, Iowa



Scott County, Iowa

Date Printed: July 17, 2015

This map is for illustrative purposes only and does not represent a survey. It is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction and revision. No liability is assumed by Scott County as to the accuracy of the data delineated hereon.



DOUGLAS R. LINDSTROM, JR.

ATTORNEY AT LAW

LANE & WATERMAN LLP

220 N. MAIN STREET, STE 600
DAVENPORT, IOWA 52801-1987
EMAIL: dlindstrom@l-wlaw.com

DIRECT: 563/333-6629
OFFICE: 563/324-3246
FAX: 563/324-1616

LANE & WATERMAN LLP

11153

KJD

CITY OF DAVENPORT

111539

Inv.No.	Matter	G/L	Description	Amount Paid	Inv.Date
08142015	14513-00020	273-001	REQUEST FOR PUBLIC RIGHT-OF-WAY VAC	400.00	08-14-2015

\$400.00

11153

LANE & WATERMAN LLP

GENERAL ACCOUNT
220 N. MAIN ST., STE. 600
DAVENPORT, IA 52801
(563) 324-3246

THE NATIONAL BANK
BETTENDORF, IOWA

70-464-711

 E-ZShield™ Check Fraud
Protection for Business

DATE

8/14/2015

CHECK NO.

111539

CHECK AMOUNT

PAY

Four Hundred and No/100 Dollars-----

\$400.00

TO THE
ORDER
OF

CITY OF DAVENPORT

LANE & WATERMAN LLP

VOID AFTER 6 MONTHS

⑈111539⑈ ⑆071104647⑆ 1497684⑈

ROW15-08 - 4645 Brady St - Adjacent Owner Notice List

Parcel#	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	4645 BRADY ST	I.H. MISSISSIPPI VALLEY CREDIT UNION	2121 47TH ST	MOLINE IL 61265
Ward/Ald:	7th Ward	Alderman Matson		Notices Sent: 8
P1216-01	4640 BRADY ST	AJS HOLDINGS LLC	PO BOX 1466	BETTENDORF IA 52722
P1216-07D	4619 BRADY ST	CONVENIENCE STORE INVESTMENTS	1626 OAK ST	LA CROSSE WI 54603
P1216-01G	4618 BRADY ST	GRAPE ROAD LLC	5201 N GRAPE RD	MISHAWAKA IN 46545
P1216-20B		GRAPE ROAD LLC		
P1216-20B		GRAPE ROAD LLC		
P1216-10A	528 E 46TH ST	KERRY L GRUENHAGEN	301 4TH ST W	MILAN IL 61264
P1216-02A	4710 N BRADY ST	PST PROPERTY MANAGEMENT LLC	4710 N BRADY ST	DAVENPORT IA 52806-3903
P1216-05	4647 BRADY ST	TROPICAL BEACH INVESTMENT CO	PO BOX 3708	DAVENPORT IA 52808
P1215-08	525 E 47TH ST	VOTROUBEK JOSEPH K	5130 WOODLAND CT	DAVENPORT IA 52807
P1216-12D	4811 BRADY ST	WALNUT CENTER PROPERTIES LLC	PO BOX 1627	DAVENPORT IA 52809

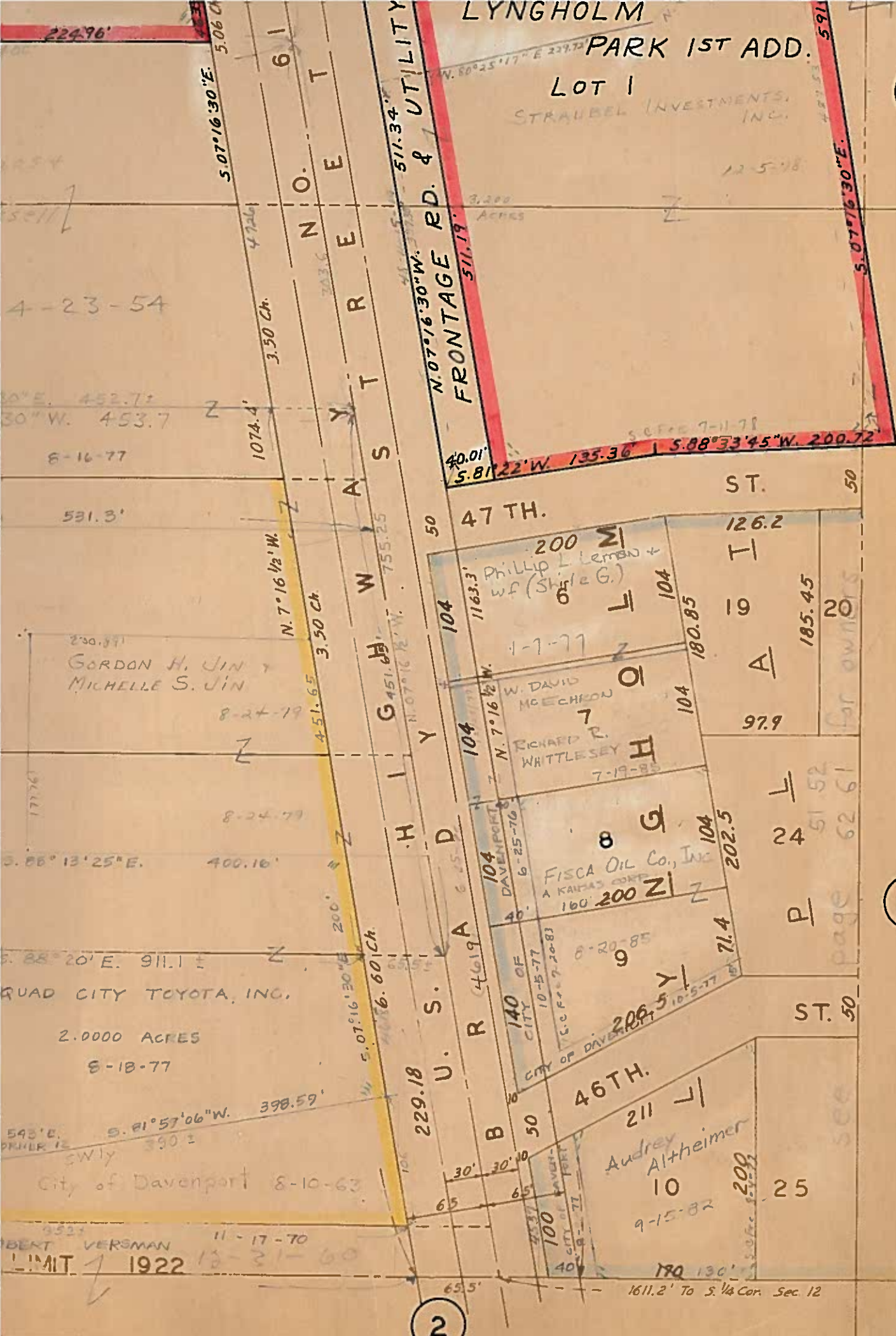
LYNGHOLM

PARK 1ST ADD.

LOT 1

STRAUBEL INVESTMENTS, INC.

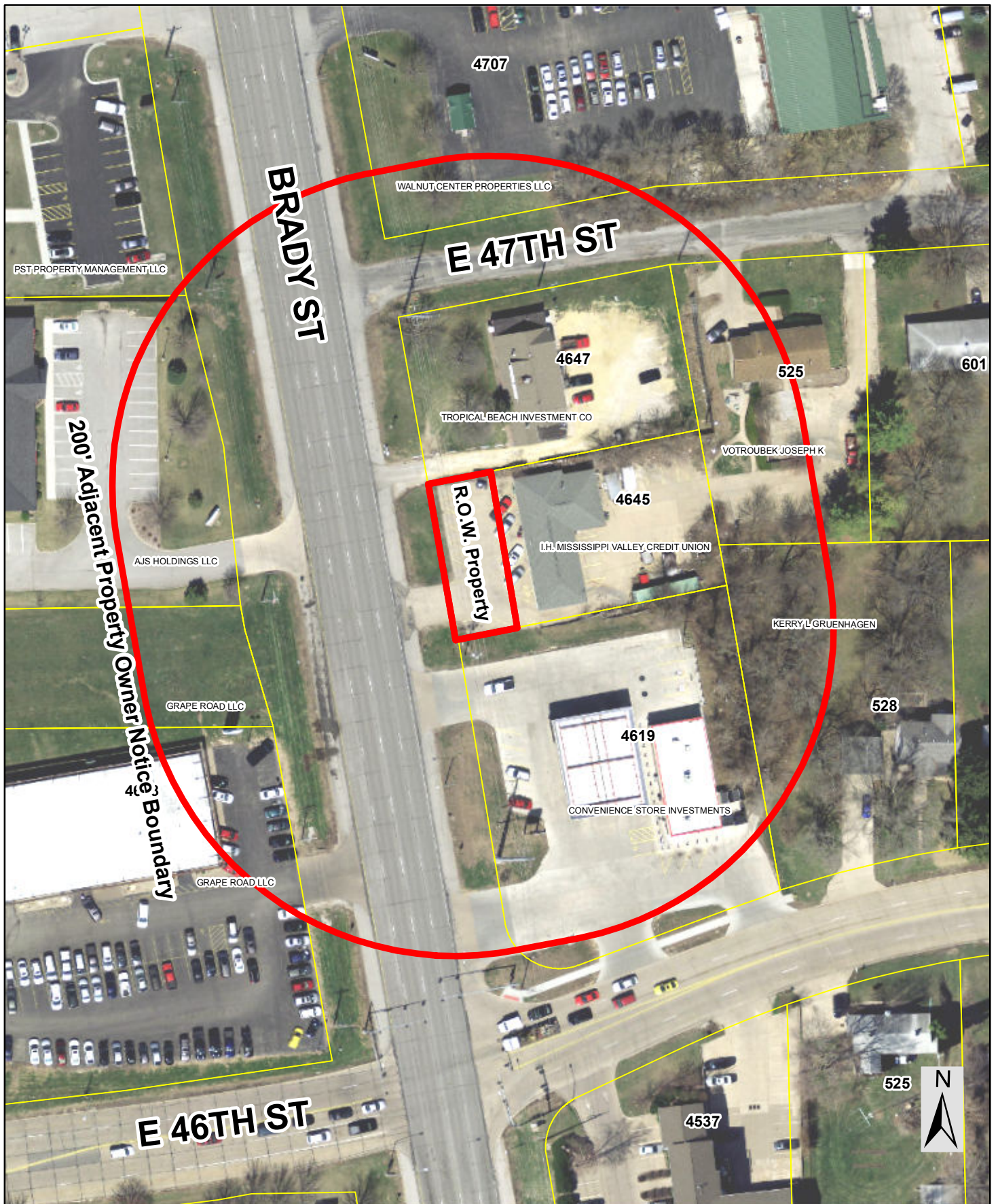
51



62

2

Plan & Zoning Commission: Adjacent Property Owner Notice Area Request for a Right-of-Way Vacation (Abandonment)



**NOTICE
PUBLIC HEARING
TUESDAY – SEPTEMBER 15, 2015 - 5:00 P.M.
DAVENPORT CITY PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA**

There is on file in the office of Community Planning, on behalf of the City Plan and Zoning Commission, the following petition:

Case No. ROW15-08: Request of I.H. Mississippi Valley Credit Union for the right-of-way vacation of 40' by 65' portion of unimproved Brady Street currently utilized as a parking lot.

A public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, September 15, 2015 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments (which can be sent via email) to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s).

If you have any questions, please feel free to contact us.

Community Planning & Economic Development

E-MAIL: planning@ci.davenport.ia.us

Phone: (563) 326-7765

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: All

Action / Date
CD11/4/2015

Subject:

First Consideration: Ordinance for Case No. ORD15-01 to amend Title 17.29 of the Davenport Municipal Code, entitled, Zoning, DDOD Downtown Design Overlay District, regarding the composition and qualifications of the Design Review Board; and Title 17.45 of the Davenport Municipal Code, entitled Zoning, Sign Regulations, regarding standards for Dynamic Display Signs. (City of Davenport, petitioner Case No. ORD15-01). [All Wards]

Recommendation:

Findings:

- The text amendments address an immediate need.
- The language concerning the Design Review Board provides flexibility on who can serve and reduces confusion on voting requirements.
- The language concerning Dynamic Display Signs updates the code and allows for objective interpretation of their operating characteristics.

The City Plan and Zoning Commission accepts the listed findings and forwards Case No. ORD15-01 to the City Council for approval.

The Commission vote was unanimous 9-yes and 0-no.

Relationship to Goals:

Modernize and regionalize zoning/development codes.

Background:

There is a need to update the zoning ordinance to improve its consistency and functionality.

In this case, Dynamic Display sign capabilities are evolving rapidly and Council has requested an update to this section.

Separately, concerning the Design Review Board, two vacancies currently exist. Reducing the number of members and relaxing voting requirements will streamline the Board and reduce confusion regarding who can vote on individual items.

Please refer to the attachments for more information.

ATTACHMENTS:

Type	Description
□ Ordinance	Proposed Ordinance
□ Backup Material	P&Z Report plus attachments
□ Backup Material	P&Z Vote
□ Backup Material	Proposed Changes

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 5:57 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 5:57 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:10 AM

ORDINANCE NO.

ORDINANCE to amend Title 17.29 of the Davenport Municipal Code, entitled, Zoning, DDOD Downtown Design Overlay District, regarding the composition and qualifications of the Design Review Board; and Title 17.45 of the Davenport Municipal Code, entitled Zoning, Sign Regulations, regarding standards for Dynamic Display Signs. (City of Davenport, petitioner Case No. ORD15-01).

WHEREAS, the following amendments to Title 17 were unanimously recommended for approval by the Plan and Zoning Commission at its October 20, 2015 meeting.

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

Section 1. That Title 17.29.070(B) of the Davenport Municipal Code is hereby rescinded and amended to read as follows:

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the City of Davenport or own property or a business in Davenport.

Section 2. That Title 17.45.051 of the Davenport Municipal Code be rescinded and amended to read as follows:

17.45.051 Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational

institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport Board of Adjustment in accordance with section 17.52.

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 upon final passage and publication as by law provided.

First Consideration _____

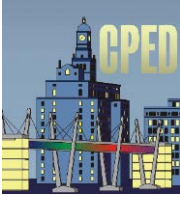
Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, MMC
Deputy City Clerk

Published in the Quad City Times on Wednesday, October 28, 2015



**Community Planning & Economic Development Department
City of Davenport**

PUBLIC HEARING STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: October 20, 2015
Request: Zoning Ordinance Text Amendment Revising Composition and Qualifications of the Design Review Board and Regulations for Dynamic Display Signs
Case No.: ORD15-01
Applicant: City of Davenport
Contact: Matthew G. Flynn, AICP
Senior Planning Manager
mflynn@ci.davenport.ia.us
563-326-7743

Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. ORD15-01 to the City Council for approval.

Background:

Two amendments to the Zoning Ordinance are proposed:

1. An amendment to Chapter 17.29.070(B) concerning the makeup and qualifications of the Design Review Board.

Currently the Board consists of 13 members, seven 'core' members and two each from the distinct design districts: Downtown, Historic Shopping District (East Village), and Hilltop Campus Village. The proposed change will do the following:

- Reduce the membership from 13 to 11 members.
 - Require one, not two people minimum from each of the three design districts and allow them to vote on all cases.
 - Generalize the requirements to serve on the Board.
2. An amendment to Chapter 17.45.051 revising the standards for Dynamic Display Signs (DDS).

Among the proposed changes to the regulations:

- Prohibition of most live-action video.
- Prohibition of DDS's on roofs.
- Requiring DDS's to have automating dimming capacity
- Establishing standards and appeal process for excessively DDS's

Public Input:

Staff invited 15 sign companies to attend a public meeting to discuss the proposed changes to the Dynamic Display regulations. Two companies came to the meeting and had no major concerns about the proposed changes. No comments were made at the public hearing held before the Plan and Zoning Commission on October 6, 2015.

Discussion:

Staff has noted the serious need to completely update the zoning ordinance. In recent years, Staff has been resistant to proposing numerous interim amendments in favor of a complete re-write in the near future.

In this case, Dynamic Display capabilities are evolving rapidly and Council has requested an update to this section.

Concerning the Design Review Board, two vacancies currently exist. Trimming the membership and relaxing voting requirements will streamline the board and reduce confusion on who can vote on individual items.

Staff Recommendation:

Findings:

The text amendments address an immediate need.

The language concerning the Design Review Board provides flexibility on who can serve and reduces confusion on voting requirements.

The language concerning Dynamic Display Signs updates the code and allows for objective interpretation of their operating characteristics.

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. ORD15-01 to the City Council for approval.

		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	ORD15-01	ROW15-09 Palmer Alley						
Connell	P	Y	Y						
D'Autremont	P	Y	Y						
Elgatian	EX								
Hepner	P	Y	Y						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martin	P	Y	Y						
Martinez	P	Y	Y						
Tallman	P	Y	Y						
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN						

Proposed Amendments to Title 17 (Zoning)

Existing

17.29.070(B) Composition and qualifications. The board, in its voting capacity, shall consist of nine members, including seven "core" members and two members specific to the district in which the subject property is located. All members shall demonstrate a positive interest in urban design and city development. Of the seven "core" members, one position shall be reserved for an architect; one position shall be reserved for a urban designer, urban planner or landscape architect; five positions shall be reserved for members from one of the following fields: architect, attorney, architectural historian, urban designer, urban planner, civil or structural engineer, developer, real estate broker, landscape architect/designer or contractor. Two additional appointments shall be made for property owners within the "DDOD" downtown design overlay district, "HSD" historic shopping district and/or "HCVOD" hilltop campus village overlay district. These additional appointees may attend all meetings but may only vote in cases particular to the district from which they are appointed. All members shall live in the city of Davenport or own property or a business in Davenport. (For the purposes of this chapter "downtown Davenport" shall be defined as being identical to the area included in the downtown design overlay district).

Proposed

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the city of Davenport or own property or a business in Davenport.

Existing

17.45.051 Dynamic display regulations.

A. Dynamic displays are allowed in all zoning districts with the exception of the HSD, historic shopping district, A-1, agricultural and all R, residential districts, provided they are oriented away from the A-1, agricultural and all R, residential districts to the extent possible. Schools and religious institutions are exempt from this restriction, provided they meet the standards contained elsewhere in this article and are turned off between the hours of nine p.m. and seven a.m. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided. Only one, contiguous dynamic display is allowed on a sign face.

C. A static dynamic display shall not change more than once every two seconds. A dynamic display that scrolls is permitted provided it does not operate as described in Section 17.45.051D.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46.

Proposed

17.45.051 Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport board of adjustment in accordance with section 17.5

City of Davenport

Agenda Group: Community Development
Department: Community Development
Contact Info: Matt Flynn 326-7743
Wards: 3

Action / Date
CD11/4/2015

Subject:

First Consideration: Ordinance for Case ROW15-09 for the right-of-way vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot wide north-south alley bounded on the south by West 7th Street and on the north by West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley (Palmer College of Chiropractic, petitioner). [Ward 3]

Recommendation:

The City Plan and Zoning Commission finds that:

1. Adjacent property owners would not be negatively impacted by the alley vacation; and
2. City services, in particular garbage collection, would not be negatively impacted.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Please refer to the Commission's October 21, 2015 letter

The Commission vote for approval was 9-yes and 0-no.

Relationship to Goals:

Strengthen neighborhoods and community connections.

Background:

This is a request to vacate the alley between Brady Street and Main Street and West 7th Street and West 8th Street. The application articulates that that Palmer College of Chiropractic wants to take over maintenance of the alley as it serves as a route for maintenance vehicles, refuse pickup and pedestrian traffic. Palmer College owns or has a contract to purchase all properties on either side of the alley with the exception of the former St. Luke's Hospital at 121 West 8th Street and the Kappa Chi Pi Fraternity at 723 Main Street. Although 121 West 8th Street has access to the alley, it has direct access to West 8th Street.

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

ATTACHMENTS:

Type	Description
▣ Cover Memo	ROW 15-09 Ordinance
▣ Backup Material	ROW 15-09 Plan and Zoning Commission Letter
	ROW 15-09 Plan and Zoning Commission Vote

- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material

Results
 ROW 15-09 Plan and Zoning Commission Staff
 Report
 ROW 15-09 Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 6:02 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 6:02 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:10 AM

ORDINANCE NO.

AN ORDINANCE for Case ROW15-09 for the right-of-way vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot wide north-south alley bounded on the south by West 7th Street and on the north by West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley (Palmer College of Chiropractic, petitioner) [Ward 3rd].

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 vacated (abandoned). The property has the following legal description:

Part of the Southeast Quarter of Section 26 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at a point on the South line of Out Lot 16 of LeClaire's Section Addition to the City of Davenport, Iowa, and at the intersection of the north line of West 7th Street and west line of Brady Street, as said streets are now laid out; thence west 140 feet along the north line of West 7th Street to the point of beginning, which is also the east line of a 20 foot wide alley; thence north 444 feet along the east line of said 20 foot wide alley to a point, which is also the south line of West 8th Street; thence west 20 feet along the south line of West 8th Street to a point, which is also the west line of said 20 foot wide alley; thence south 445.35 feet along the west line of said 20 foot wide alley to a point, which is the north line of West 7th Street; thence east 20 feet along the north line of West 7th Street to the point of beginning.

Said tract contains 8,880 square feet more or less.

The City Plan and Zoning Commission accepted the listed findings and forwarded Case ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

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 _____

October 21, 2015

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

At its regular meeting of October 20, 2015, the City Plan and Zoning Commission considered Case No. ROW15-09 being the vacation of the alley north of West 7th Street and south of West 8th Street and west of Brady Street and east of Main Street.

Findings:

1. Adjacent property owners would not be negatively impacted by the alley vacation; and
2. City services, in particular garbage collection, would not be negatively impacted.

The City Plan and Zoning Commission accepted the listed finding and forwards Case ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	ORD15-01	ROW15-09 Palmer Alley						
Connell	P	Y	Y						
D'Autremont	P	Y	Y						
Elgatian	EX								
Hepner	P	Y	Y						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Maness	P	Y	Y						
Martin	P	Y	Y						
Martinez	P	Y	Y						
Tallman	P	Y	Y						
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN						



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

PLAN AND ZONING COMMISSION

Meeting Date: October 20, 2015
Request: Right of Way Vacation (Abandonment)
Location: Alley between Brady Street and Main Street and West 7th Street and West 8th Street
Case No.: ROW15-09
Applicant: Palmer College of Chiropractic

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-09 to the City Council with a recommendation for approval subject to the condition listed below.

Introduction:

This is a request to vacate the alley between Brady Street and Main Street and West 7th Street and West 8th Street.

AREA CHARACTERISTICS:

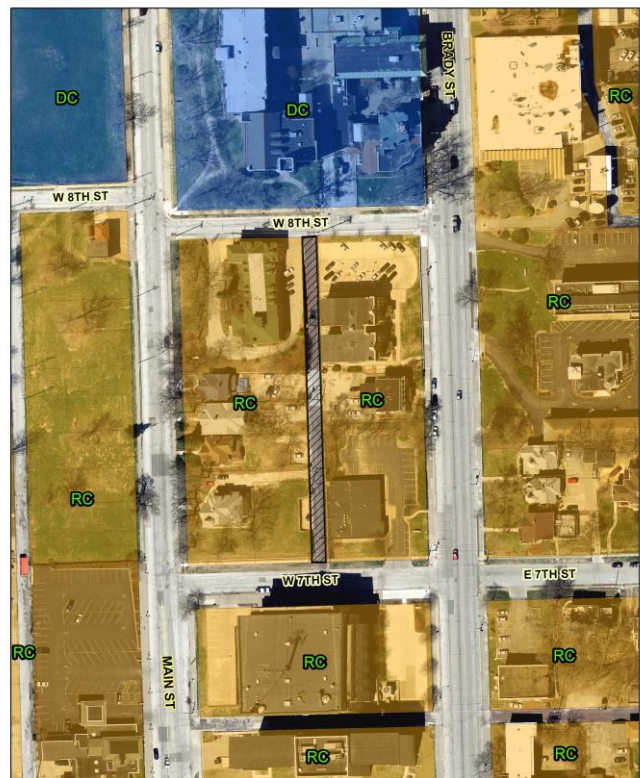
Zoning Map



 Proposed Right of Way Vacation (Abandonment)



Land Use Map



 Proposed Right of Way Vacation (Abandonment)



Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation: Residential Corridor. Residential Corridor is a mixed-use designation, intended for mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corners stores, etc. Neighborhood are typically designated as a whole. *Davenport 2025* encourages the creation of neighborhood planning documents to guide development appropriate for each neighborhood.

Relevant Goals to be considered in this Case: Goal No. 3-*Create a transportation system that provides improved physical connections/access within the community for citizen and visitors.* Objective b.-*Renovate existing transportation systems and design standards to create a more efficient, well-designed, physically attractive multi-modal network.*

The proposed use would comply with the Davenport 2025 proposed land use section.

Zoning:

The surrounding properties are zoned to "C-2" General Commercial District to the east, south and north and "R-6M" High Density Dwelling District to the west and north.

Technical Review:

Streets. The alley between Brady Street and Main Street and West 7th Street and West 8th Street

Storm Water. There are no City maintained storm water facilities within the alley.

Sanitary Sewer. There are no City maintained sanitary sewer facilities within the alley.

Other Utilities. There is are private utilities (electric, telephone, cable, etc.) within the alley.

Emergency Services. The Davenport Fire Department would continue to utilize the alley for emergency services.

Parks/Open Space. The proposed right of way vacation would not impact any existing or planned parks or public open spaces.

Public Input:

Notices were sent to property owners within 200 feet of the subject property notifying of them of the October 6, 2015 Plan and Zoning Commission Public Hearing. To date, there have not been any phone calls for letters concerning the request.

Discussion:

This is a request to vacate the alley between Brady Street and Main Street and West 7th Street and West 8th Street. The application articulates that that Palmer College of Chiropractic wants to take over maintenance of the alley as it serves as a route for maintenance vehicles, refuse pickup and pedestrian traffic. Palmer College owns or has a contract to purchase all properties on either side of the alley with the exception of the former St. Luke's Hospital at 121 West 8th Street and the Kappa Chi Pi Fraternity at 723 Main Street.

Although 121 West 8th Street has access to the alley, it has direct access to West 8th Street.

**Staff Recommendation:**

Findings:

1. Adjacent property owners would not be negatively impacted by the alley vacation; and
2. City services, in particular garbage collection, would not be negatively impacted.

Staff recommends the Plan and Zoning Commission forward Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Prepared by:

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

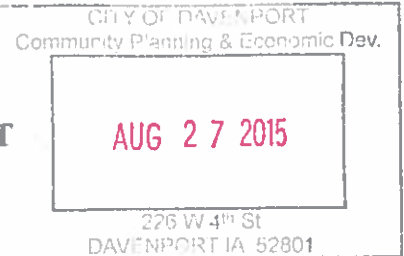
Ryan Rusnak, AICP
Planner III

Attachments:

Application

Public Hearing Notice, Map and Notification List

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION**



PETITIONER: Name: Palmer College of Chiropractic
Address: 1000 Brady Street Davenport IA 52803
Phone: 563-884-5653 FAX: 563-884-5179
Mobile Phone: 563-340-4052 Email: tiemeier_t@palmer.edu
Interest in land: _____ title holder X other**

** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON: Name: Thomas L. Tiemeier
Address: 1000 Brady Street Davenport IA 52803
Phone: 563-884-5653 FAX: 563-884-5179
Mobile Phone: 563-340-4052 Email: tiemeier_t@palmer.edu

LOCATION (DESCRIPTIVE): The alley between 7th and 8th streets, between Main Street and Brady Street

LEGAL DESCRIPTION: See attached pages

AREA: (in square feet) 8,890 square feet

REASON FOR REQUEST: The alley is in need of repair and Palmer

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

College wants to take over its care and maintenance, as it serves as a route for maintenance, garbage and pedestrian traffic to college apartments and facilities,

SIGNATURE OF PETITIONER:  DATE: 8/24/15

PROCESSING FEE: \$400.00

DATE PAID: _____

Thomas
Palmer College of
Chiropractic

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – OCTOBER 6, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-09: Request of Palmer College of Chiropractic for the vacation (abandonment) of 8,890 square feet of public right-of-way known as a 20 foot north-south alley bounded on the north and south by 8th and 7th Streets and on the east and west by Brady and Main Streets to allow for Palmer College to take over the repair and maintenance of the alley.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday October 6, 2015** 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 consider (vote on a recommendation) the petition at its regular meeting on Tuesday October 20, 2015. 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 call the phone number or email the address 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.

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

(detach here)

The undersigned – **opposes / does not oppose** Case No. ROW15-09.

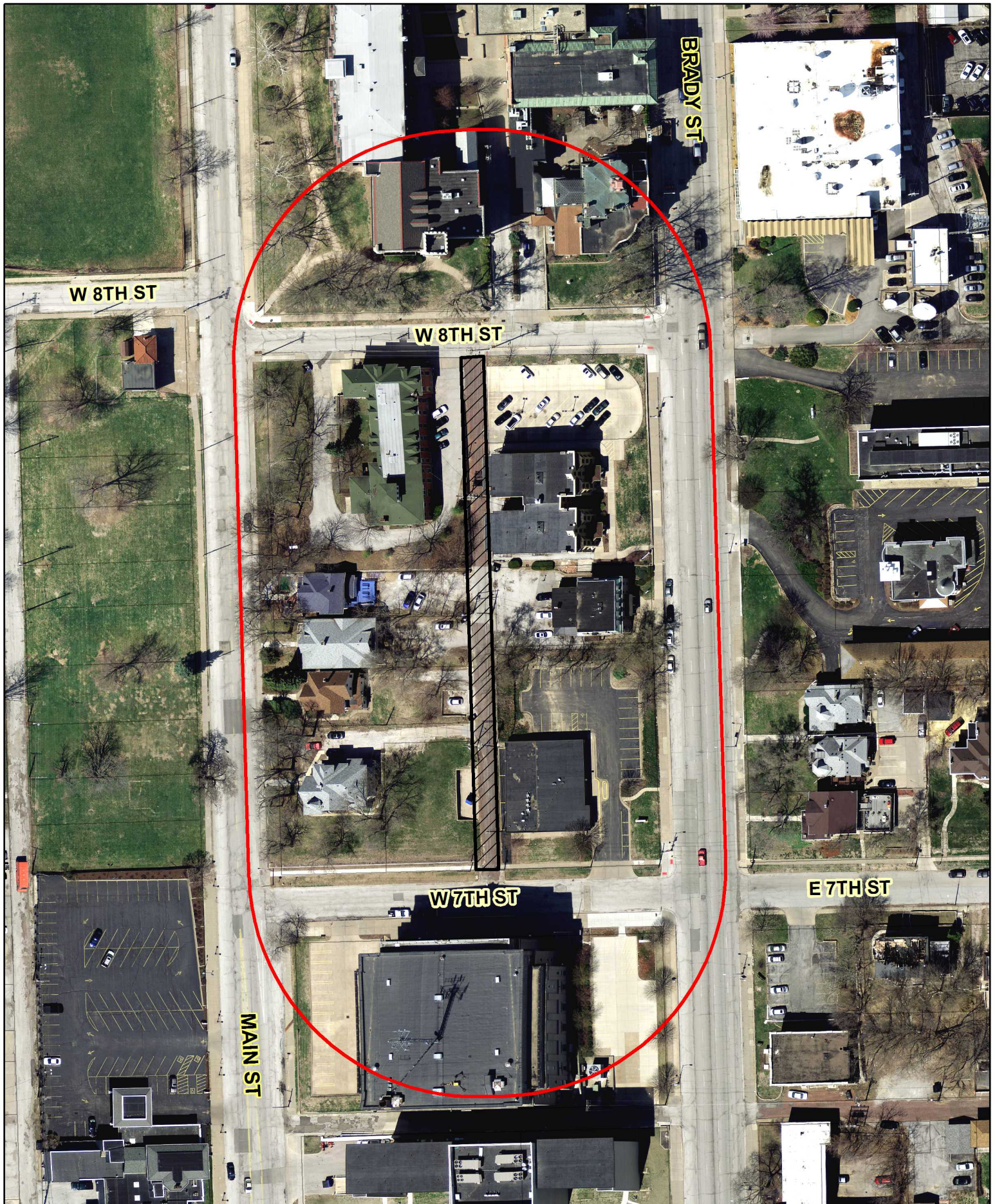
Comments: _____

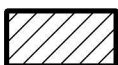
Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



 Proposed Right of Way Vacation (Abandonment)

 200 Foot Notification Radius



FID	Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ
	0 G0039-01A	1000 BRADY ST	PALMER COLLEGE FOUNDATION	1000 N BRADY ST	DAVENPORT IA 52803
	1 G0042-01B	708 BRADY ST	PALMER COLLEGE FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	2 G0042-02	722 BRADY ST	UNIVERSITY FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	3 G0042-03A	732 BRADY ST	UNIVERSITY FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	4 G0042-04A	742 BRADY ST	UNIVERSITY FOUNDATION	1000 BRADY ST	DAVENPORT IA 52803
	5 G0042-09	121 W 8TH ST	BLESSED KINGDOM DISCOUNT OUTLET	108 S 4TH ST	CLINTON IA 52732
	6 G0042-10	723 MAIN ST	PI KAPPA CHI PALMER CHIROPRACTIC	P.C.C. BOX 777	DAVENPORT IA 52803
	7 G0042-11	719 MAIN ST	UNIVERSITY FOUNDATION LEE LEIGH	1000 BRADY ST	DAVENPORT IA 52803
	8 G0042-12	715 MAIN ST	DERREN LEIGH PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	8 G0042-12	715 MAIN ST	UNIVERSITY PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	9 G0042-13	705 MAIN ST	UNIVERSITY FOUNDATION	1000 BRADY ST	DAVENPORT IA 52803
	10 G0042-14	122 W 7TH ST	PALMER COLLEGE FOUNDATION PALMER CHIROPRACTIC	1000 BRADY ST	DAVENPORT IA 52803
	11 G0055-24	115 W 7TH ST	UNIVERSITY FOUNDATION	1000 BRADY ST	DAVENPORT IA 52803

TO BE PUBLISHED IN THE OCTOBER 28, 2015 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# 1606541 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 petitions:

Case No. ROW15-09 being a petition of Palmer College of Chiropractic for the vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot north-south alley bounded on the south West 7th Street and north of West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley

The property has the following legal description:

Part of the Southeast Quarter of Section 26 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at a point on the South line of Out Lot 16 of LeClaire's Section Addition to the City of Davenport, Iowa, and at the intersection of the north line of West 7th Street and west line of Brady Street, as said streets are now laid out; thence west 140 feet along the north line of West 7th Street to the point of beginning, which is also the east line of a 20 foot wide alley; thence north 444 feet along the east line of said 20 foot wide alley to the south line of West 8th Street; thence west 20 feet along the south line of West 8th Street to a point, which is also the west line of said 20 foot wide alley; thence south 445.35 feet along the west line of said 20 foot wide alley to the north line of West 7th Street; thence east 20 feet along the north line of West 7th Street to the point of beginning.

Said tract contains 8,880 square feet more or less.

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Case No: LL15-02 being the petition of Dustin Oliver on behalf of Oakdale Cemetery for the Local Landmark Nomination of the Oakdale Cemetery at 2501 Eastern Avenue.

The property has the following legal description:

Part of the Northwest and Southwest Quarters of Section 19 – Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:
Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M., which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa; thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa; thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate; thence North 18° 6' 50" East 257.10 feet; thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa; thence North 56° 50" East 404.13 feet to a point; thence North 43° 29' East 96.4 feet; thence North 0° 34' West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa; thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa; thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10; thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77; thence West along the North line of said real estate to the Northwesterly corner of said real estate; thence South 22° 32' West 78.23 feet; thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport; thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15; thence South to the following described line: Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. By Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence Westerly 200 feet more or less to the Northwesterly corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less; thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc. of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document # 12256-81 in the office of the Recorder of Scott County, Iowa; thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al; thence West to the West line of Section 19; thence North to the point of beginning. Except those tracts of real estate used for road purposes.

Said tract contains 76.25 acres more or less.

The Historic Preservation Commission forwards Case No. LL15-02 to the City Council with a recommendation for approval.

Case No. ORD15-01: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning". Changes contemplated include, but are not limited to the regulations for the makeup of the Design Review Board and Dynamic Display Signs.

Specifically, the proposed changes are as follows:

Title 17.29.070(B) is proposed to be amended and read as follows:

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the city of Davenport or own property or a business in Davenport.

17.45.051 is proposed to be amended and read as follows:

17.45.051: Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport board of adjustment in accordance with section 17.5

The City Plan and Zoning Commission recommends the aforementioned text amendment be forwarded to the City Council with a recommendation for approval.

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 4, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances.

PO# 1606541.

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 5

Action / Date
CD11/4/2015

Subject:

First Consideration: Ordinance for Case LL15-02 for the Local Landmark Designation of the Oakdale Cemetery located at 2501 Eastern Avenue, pursuant to the provisions of Chapter 17.23 of the Municipal code of Davenport, Iowa. (Dustin Oliver on behalf of Oakdale Cemetery, petitioner) [Ward 5].

Recommendation:

The Historic Preservation Commission forwards Case No. LL15-02 to the City Council with a recommendation for approval without any special conditions.

Please refer to the Commission's October 14, 2015 letter.

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

Relationship to Goals:

Strengthen neighborhoods and community connections.

Background:

Oakdale Cemetery is a 78 acre mid-19th Century rural cemetery featuring a landscape of rolling hills, paved roads, grass alleys, a manmade lake and thousands of grave markers and mausoleums.

The property was listed as National Register of Historic Places District in 2015.

Oakdale Cemetery initiated this application because it recognizes its historic significance to the City of Davenport.

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

ATTACHMENTS:

Type	Description
▣ Cover Memo	LL15-02 Ordinance
▣ Cover Memo	LL15-02 Historic Preservation Commission Letter
▣ Cover Memo	LL15-02 Historic Preservation Commission Staff Report
▣ Cover Memo	LL15-02 - Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 6:00 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 6:00 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:10 AM

ORDINANCE NO. 2015-

AN ORDINANCE for Case LL15-02 for the Local Landmark Designation of the Oakdale Cemetery located at 2501 Eastern Avenue, pursuant to the provisions of Chapter 17.23 of the Municipal code of Davenport, Iowa. The purpose of the petition is to recognize Oakdale Cemetery's historic significance to the City of Davenport (Dustin Oliver on behalf of Oakdale Cemetery, petitioner) [Ward 5].

WHEREAS, the City of Davenport is one of the oldest Cities in Iowa, and contains many structures of architectural importance; and

WHEREAS, the Local Landmark designation will help document and recognize the individual historical and architectural significance of the property.

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 designated a Local Landmark. The property has the following legal description:

Part of the Northwest and Southwest Quarters of Section 19 – Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M., which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa; thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa; thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate; thence North $18^{\circ} 6' 50''$ East 257.10 feet; thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa; thence North $56^{\circ} 50''$ East 404.13 feet to a point; thence North $43^{\circ} 29'$ East 96.4 feet; thence North $0^{\circ} 34'$ West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa; thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which

point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa; thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10; thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77; thence West along the North line of said real estate to the Northwestern corner of said real estate; thence South 22° 32' West 78.23 feet; thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport; thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15; thence South to the following described line: Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. By Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence Westerly 200 feet more or less to the Northwestern corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less; thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc. of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document # 12256-81 in the office of the Recorder of Scott County, Iowa; thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al; thence West to the West line of Section 19; thence North to the point of beginning. Except those tracts of real estate used for road purposes.

Said tract contains 76.25 acres more or less.

The Historic Preservation forwarded Case LL15-02 to the City Council with a recommendation for approval without any special conditions:

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

October 14, 2015

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

At its regular meeting of October 13, 2015, the Historic Preservation considered Case No. LL15-02 being the Local Landmark Designation of the Oakdale Cemetery located at t 2501 Eastern Avenue.

The Historic Preservation Commission accepted forwards Case LL15-02 to the City Council with a recommendation for approval without any special conditions.

Respectfully submitted,



John L. Frueh, Chairperson
Historic Preservation Commission



City of Davenport
HISTORIC PRESERVATION COMMISSION

Community Planning & Economic Development Department
STAFF REPORT

Meeting Date: October 13, 2015
Location: 2501 Eastern Avenue
Historic Name: None.
Case: LL15-02
Applicant: Dustin Oliver on behalf of Oakdale Cemetery.

Introduction:

Staff is in receipt of an application to nominate the Oakdale Cemetery located at 2501 Eastern Avenue a Local Historic Landmark.

Attachments:

Application

Discussion:

Oakdale Cemetery is a 78 acre mid-19th Century rural cemetery featuring a landscape of rolling hills, paved roads, grass alleys, a manmade lake and thousands of grave markers and mausoleums.



The property was listed as National Register of Historic Places District in 2015.

17.23.060 Commission designation process.

- A. *Application process. The legal owner(s) of record or the commission, may nominate a single structure for designation as a local landmark or an area as a historic district. Upon application, the commission secretary shall inform the applicant of the information needed by the commission to adequately consider the nomination.*

To nominate a district for designation by the legal owners of record, a petition requesting nomination must be signed and submitted by the owners of record representing at least fifty-one percent of the total area of the proposed district, excluding public rights-of-way. After the names on the petition are verified as legal real property owners within the proposed district, the commission secretary shall notify the applicant(s) that the nomination process may continue. A copy of the petition shall also be submitted to the State Historical Society of Iowa for its review and recommendation.

- B. *Designation criteria. The commission shall, after such investigation as it deems necessary, make a recommendation to the city council as to whether a nominated structure or district qualifies for the local register. To qualify, a property must satisfy one or more of the following criteria:*
- 1. It is associated with events or persons that have made a significant contribution to the broad patterns of the history of the city, county, state and/or the nation; and/or*
 - 2. It embodies the distinctive characteristics of an architectural style valuable for the study of a type, period or method of construction; and/or*
 - 3. It represents the work of a master builder, craftsman, architect, engineer or landscape architect or possesses high artistic values.*
- C. *Notification of nomination. Upon receipt of a properly completed application for designation, the commission shall place the nomination on the agenda within sixty calendar days. A notice shall be placed in a newspaper of general circulation not less than four nor more than twenty calendar days prior to the scheduled meeting stating the commission's intent to consider an application for designation. It shall contain, at the minimum, the nominated property's address, legal description and the date, time and location of the public meeting. If a district is nominated, in addition to the published public notice, a letter explaining the proposed designation shall be sent by regular mail to the owner(s) of record of real property within the proposed historic district. The commission's meeting agenda shall also be posted on the first floor city hall bulletin board used for such purposes no less than one business day prior to the scheduled time of the meeting.*
- D. *Designation - public meeting. Upon submittal of a complete application, the commission shall conduct a public meeting to consider the designation of the nominated structure and/or district. Any interested person, group of persons or organization may submit oral and/or written testimony concerning the significance of the nominated property. The commission may also consider staff reports, and request and/or hear expert testimony.*
- E. *Burden of documentation. The nominator(s) shall have the burden of proof to provide sufficient evidence and documentation that the nominated structure and/or district is worthy of local landmark status.*

Pursuant to the City's agreement with the Iowa State Historic Preservation Office (SHPO), staff forwarded the application so it would provide its opinion. To date, SHPO has not provided its opinion. However, it is reasonable that it would recommend that property is eligible to become a Local Historic Landmark because the property was listed on the National Register of Historic Places 2015.

Recommendation:

It is staff's opinion that the property achieves consistency with all the designation criteria enumerated in Section 17.23.060 of the Davenport City Code.

The City appreciates all the work Mr. Oliver and the Oakdale Cemetery have done.

Staff recommends the Historic Preservation Commission forward Case No. LL15-02 to the City Council with a recommendation that the Oakdale Cemetery be designated a Local Historic Landmark.

Prepared by:

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

Ryan J. Rusnak, AICP

Planner III

563-888-2022

rrusnak@ci.davenport.ia.us



"HISTORIC DISTRICT" NOMINATION

for the

DAVENPORT REGISTER OF HISTORIC PROPERTIES

Historic Preservation Commission
City of Davenport, Iowa

Please provide the following information: (Please type or print)

Contact Person for Petitioners: Dustin Oliver

Address: 2122 Grant Street

City: Bettendorf State: IA ZIP: 52722

Telephone: (Home) 563-441-7743 (Work) 563-343-9687

Name of Proposed Historic District: Oakdale Cemetery Historic District

Is all or part of the proposed historic district contained within an existing National Register of Historic Places historic district?

No _____ Yes X If Yes, which one? Oakdale Cemetery Historic District

On the Continuation Sheets attached, please provide the following information:

- (1) A petition with the signatures of owners of real property within the proposed historic district (In order for the nomination to be placed before the Historic Preservation Commission for consideration, owners representing at least 51% the district's area, excluding public right-of-ways, must sign the petition. City staff will assist the applicant with determining the number of signatures necessary.)
- (2) Legal Description: (Please refer to subdivision(s) name(s), block and lot numbers, if available. Also, please attach a map of the area showing the proposed boundaries of the proposed historic district.)
- (3) List the common street addresses of all properties to be included in the historic district.
- (4) A narrative describing why the property satisfies the "Designation Criteria" listed in Section 17.23.060(B) of the 1990 Municipal Code. Please describe both the property's present and historic physical appearance as it relates to the definitions of Architectural and Historical Significance in contained in Section 17.23.030¹

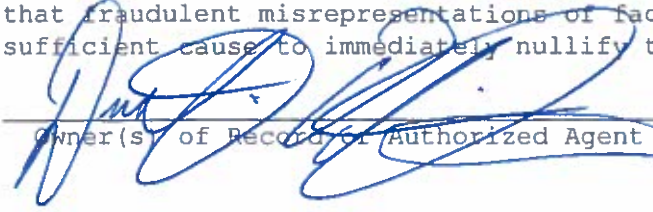
1. Definitions of Architectural and Historical Significance can be found in Sections 17.23.030(3) and 17.23.030(19) respectively.

The "Designation Criteria" are defined in the 1990 Municipal Code as follows:

Designation Criteria: Section 17.23.060(B). The Commission shall, after such investigation as it deems necessary, make a recommendation to the City Council as to whether a nominated structure or district qualifies for the Local Register. To qualify, a property must satisfy one or more of the following criteria:

- (A) It is associated with events or persons that have made a significant contribution to the broad patterns of history of the city, county, state and/or nation; and/or
 - (B) It embodies the distinctive characteristics of an architectural style valuable for the study of a type, period or method of construction; and/or
 - (C) It represents the work of a master builder, craftsman, architect, engineer or landscape architect or possesses high artistic values.
- (5) Any historical photographs of the neighborhood, if available. (Photographs will be returned to their owner upon completion of the nomination process.)
- (6) A list of major bibliographical references

"I, the agent acting on behalf of the petitioners for the historic district nomination of the aforementioned area to the Davenport Register of Historic Properties, do hereby state that all the information contained herein is, to the best of my knowledge, accurate and that there are no negligent or fraudulent misrepresentations of fact. I also understand that fraudulent misrepresentations of fact contained in this nomination form shall be sufficient cause to immediately nullify the nomination process."


Owner(s) of Record or Authorized Agent

Dustin Oliver, petitioner

Date

8/24/15

Please return the completed application to the:

Historic Preservation Commission
Community & Economic Development Department
226 W. 4th Street
Davenport, Iowa 52801

Direct your questions to the Commission Secretary at 326-7765.

Your Historic District Nomination will be considered by the Historic Preservation Commission at its public meeting scheduled for: _____

All Historic Preservation Commission Public Meetings are held in the City Council Chambers at City Hall on the 2nd Tuesday of every month at 4:30 p.m. unless otherwise notified.

Staff will keep the original signed nomination form and will return to the petitioner a photocopy of the application with staff comments.

PLEASE NOTE: The owner(s) of record, or an agent acting on their behalf (petitioner), should plan to attend the Commission meeting in person. It is important for someone to be present to respond to the Commission's inquiries and comments. If no one is present, the nomination process may be delayed indefinitely.

For Staff Use Only:

Received by: _____

Commission Secretary or Designee

Date

Is application complete? Yes _____ No _____

If not, explain: _____



Continuation Sheet: [use this sheet for question (1)]

Signatures

AddressTelephone #

Size of
Property

78 acres

Historic Preservation Commission
City of Davenport, Iowa
Nomination for the Davenport Register of Historic Properties

Continuation Sheet: [use this sheet and subsequent sheets for questions (2), (3), & (4)]

Question 2:

Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M. which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa;

thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa;

thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate;

thence North 18° 6' 50" East 257.10 feet;

thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa;

thence North 56° 50" East 404.13 feet to a point;

thence North 43° 29' East 96.4 feet;

thence North 0° 34' West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19;5

thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa;

thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa;

thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10;

thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77;

thence West along the North line of said real estate to the Northwesterly corner of said real estate;

thence South 22° 32' West 78.23 feet;

thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport;

thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15;

thence South to the following described line:

Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa;

thence Westerly 200 feet more or less to the Northwesterly corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa;

thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less;

thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document #12256-81 in the office of the Recorder of Scott County, Iowa;

thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al;

thence West to the West line of Section 19;

thence North to the point of beginning.

Except those tracts of real estate used for road purposes.



Continuation Sheet: [use this sheet and subsequent sheets for questions (2), (3), & (4)]

Question 3

2501 Eastern Avenue, Davenport, IA 52803 (cemetery at large)

2601 Eastern Avenue, Davenport, IA 52803 (sexton's residence)

Question 4

Oakdale Cemetery is a 78.1 acre mid 19th Century rural cemetery featuring a designed landscape of rolling hills, paved roadways, grass alleys, a modern man-made lake, thousands of granite, limestone, marble, zinc and bronze grave markers, and community and private mausoleums constructed of granite, marble, brick and concrete with bronze, cast iron and stained glass accents. The cemetery is located in East Central Davenport, directly across the street from the Iowa Soldiers' Orphans' Home Historic District. It has one vehicular entrance along Eastern Avenue, via a granite, limestone and wrought iron monumental gate. It is roughly bounded by Eastern Avenue, two private homes and an office building on the West; Duck Creek Parkway to the North; Belle Avenue and a private residence to the East; East Central Park Avenue, East Rusholme Street, and private homes along East Rusholme Street, Highland Park Court, and Mound Street to the South. The original 40 acre cemetery was located in a rural area North of the city proper. It was expanded in the late 1800s and early 1900s by land purchases, and tracts of undeveloped land were sold for private development at various times in the 20th Century. From the time that burials began, through the present day, the grounds have featured native and exotic plant life varying from grasses and cultivated flowers to evergreen, oak, and fruit trees. A lake that existed on property acquired in the late 19th Century is no longer extant, and was replaced with a man-made lake in 1991. Graves in most areas of the cemetery are arranged in family lots in arrangements that conform to the original landscape design. Other areas contain historic single burial "potter's fields", small lots laid out in the lawn cemetery style in the early to mid 20th century, and a noncontributing modern area for pet burials. Sixteen contributing buildings are extant, including an office, public mausoleum and 14 private mausoleums built in the period of significance. Contributing objects include the entry gate, several unique or culturally important grave markers from throughout the period of significance, and the overall collection of grave markers. Contributing sites include the landscape, a Federally-owned Soldiers' Lot, a lot containing burials from the Iowa Soldiers' Orphans' Home, and a mid 20th century "Babyland". Noncontributing resources include two modern metal maintenance garages, a heavily altered sexton's house dating from the 1860s, a modern private mausoleum, an animal crematory inside a small metal enclosure, a pier in the lake, and a modern columbarium. Roads in the cemetery were graded as early as 1863, covered in macadam by the late 1800s, and paved by circa 1925. Resources that are no longer extant include several past maintenance buildings, a water well, a street car waiting house, a receiving vault, and wooden perimeter fencing. Particular mention should be made of the absence of characteristic iron fencing around family lots common to cemeteries of the era. Such fences were prohibited by the board of directors in 1880, and existing fences were removed at that time. Stone curbing around lots is still extant in many areas of the cemetery.

Oakdale Cemetery is situated on rolling hills in what is currently a residential area of the City of Davenport. The current vehicular entry gate was constructed from a rusticated Romanesque design by Edward S. Hammatt in 1896; some four years after the cemetery acquired the eight acre piece of land it is located on from the estate of Judge James Grant. Before Judge Grant acquired the property, it had served as Scott County's agricultural fairgrounds for five years starting in 1855. The gate consists of four granite pillars supporting a double door vehicular gate and matching pedestrian gates made of cast and wrought iron. Entering the grounds via this gate and following the main perimeter road counter clockwise, two contributing buildings are encountered. First is the Oakdale Cemetery Company Office, built of concrete block by Osborn Construction Company in 1941 from a

minimalist design by architect Raymond C. Whitaker. The area between the office and the lake is the location of a modern columbarium, flat grave markers for burials of cremated remains and a modern private mausoleum with Gothic Revival elements. While these are outside the period of significance, they are an integral part of this fully active cemetery. Next is the Community Mausoleum, built in 1931 by the Heister Mausoleum Company with a Classical Revival design by local architect Seth J. Temple. The Community Mausoleum is built of cast concrete, with a limestone exterior and white marble interior. While recent additions include columbarium niches added in 1991 and a handicapped accessible ramp added in 2014, the building appears largely the same now as at the time of its construction. The land surrounding the mausoleum is section 22 on the sectional plat map and is only beginning to be used for burials. Following the perimeter road, the Joseph W. Bettendorf mausoleum is the next significant structure. It is a fine example of Exotic (Egyptian) Revival architecture, built of white Barre granite with a Georgia marble interior in 1923 by Farrington, Gould & Hoagland, a monument company from New York, with additional construction by Matt Healy & Son of New York and the Iowa Engineering & Construction Company of Davenport. The mausoleum is surrounded by a landscaped area of evergreen hedges and trees. Nearby are the William Hamilton Wilson and Henry F. Petersen mausoleums. The Wilson mausoleum was built circa 1916 in the Richardsonian Romanesque style, the Petersen mausoleum was built circa 1922 in the Romanesque style. These three mausoleums are located in section 23, which contains burials from the late 19th century to the present day with a variety of marker styles, as well as numerous evergreen shrubs and several pine and oak trees. Also of note in this section is the family lot of local realtor Mel Foster, Sr. It occupies the opposite corner from the H.F. Petersen mausoleum and is marked by a large black marble bench and flat marble individual grave markers.

Nearby is section 33, which contains mostly burials from 1968 to the present day, with flat or lawn style markers. Section 24 contains the J. Schricker mausoleum, built in 1899 by the Vermont Marble Company from a Classical Revival design by John Wesley Ross inspired by the White House. The mausoleum is distinctive due to its Sutherland Falls white marble construction, and the green patina of its bronze roof by Winslow Brothers of Chicago. The rest of section 24, which is on a bluff with a slope from South to North, contains numerous landscaped family plots surrounded by yew and other evergreen hedges. These date from the late 19th century to present day, with a variety of marker styles.

Sections 34 and 26 on the sketch map contain burials from the early 20th century to present day with a variety of raised markers reflecting the then-current styles. In between these is "Babyland", a special section set aside for the burial of infants and landscape designed by Philip Tunnicliff in 1947. The first burial in this section was in 1952, and burials continue into the present. Currently, the section is marked by two rows of evergreen hedges that separate it from the two sections to either side as well as a row of evergreen shrubs that separate it from the private homes to the South.

North of Babyland is section 13, which was largely created with the acquisition of eight acres of land from Charles E. Pickering in the summer of 1883. The Western third of this section was on the Judge Grant property, acquired in 1893. Section 13 contains numerous burial lots of wealthy citizens, businessmen and politicians who were active in the late 19th and early 20th centuries. This section became fashionable in the early 1900s, and several graves were moved here from other parts of the cemetery, so some death dates are from before the land was acquired. Markers in this section take on many styles, and most are of massive size, indicating the wealth of those interred here. There are numerous Victorian draped cinerary urns, one large obelisk, and numerous large granite blocks inscribed with well-known names from Davenport history. Also in section 13 is the Sieg mausoleum, the first of the large mausoleums built in the cemetery. It was constructed soon after the section was platted, in late 1883. It is an imposing structure, built of limestone with a brick interior in a rustic form of Gothic Revival. A large oak tree grows in front of the mausoleum and is a frequent roost for a nesting pair of red tailed hawks. Nearby is the Gustav Koester mausoleum, a granite and concrete Richardsonian Romanesque building designed and built in 1915 by the Schricker Marble & Granite Company of Davenport. Adjacent to the Koester mausoleum is a contributing object, the Harris-Greene / Brown family marker. It is carved in the form of a large altar, with a Latin cross on the top and a drape over one end. The entire section is dotted with evergreen shrubs and trees, some of which mark family lots, as well as several mature oaks and other deciduous trees. The road to

the North of section 13 marks the Southern boundary of the original 40 acre cemetery from 1856. The road separating 13 from sections 12 and 20 marks the Eastern border of the cemetery as of 1883.

The perimeter road now turns to the North. In sections 12 and 20, to the West of this avenue, there are more large family lots with various marker styles, including the Watzek family monument, which is intricately carved into the elaborate form of an eight foot tall Celtic cross. To the East of the avenue is section 27, with smaller family lots dating from the early 20th century to present day. It is situated on a gently sloping hill, with most burials being at the higher part to the South. Continuing to the North, section 11 is to the West of the perimeter avenue, and contains three contributing resources. The first is the Oakdale Soldiers' Lot, a federally owned burial ground for Civil War and Spanish American War veterans. The site contains 71 upright Veterans' Administration headstones in three rows. There is a large evergreen tree in the Southeast corner, a flag pole and plaque centered along the avenue to the South, and a large evergreen hedge row separating the lot from the rest of section 11. The Soldiers' Lot was created as the Grand Army of the Republic section between 1896 and 1900 and acquired by the United States government in 1941. The second is the Schlapp family columbarium, built circa 1889. It is a small structure, in a rustic style, with cast iron gates on each open end. Inside are 24 niches for cremated remains. The third is a set of rectangular granite above-ground crypts, containing the remains of the E.H. Ryan family. These are the only above-ground crypts of this style in the cemetery. Immediately West of section 11 is section 8, containing one of the earlier single burial sections and burials dating from the founding of the cemetery. Also in section 8 are a trio of grave markers for the Coventry family, a contributing object demonstrating elaborate Victorian floral sculpture.

North of section 11 is section 15, containing grave markers in various styles, including a single burial section or Potter's Field. Most markers in this section are a small granite block inscribed with a grave number, first initial and last name. Other graves are marked with larger stones placed by families or friends at later dates. Also in section 15 is a contributing building, the Gardiner mausoleum, built in 1926 in the Romanesque style. Across the perimeter road from section 15 is section 21, and two imposing contributing buildings, the Koehler and William D. Petersen mausoleums. Both mausoleums sit atop a hill overlooking sections 15, 11, 8, 12, 13 and 27 and have landscaped stairways leading from the avenue at the bottom of the hill. The Koehler mausoleum was built ca. 1910 in an early Modern Movement style featuring naturalistic bronze doors and a stained glass window in the rear. The William D. Petersen mausoleum is the largest private mausoleum in the cemetery, and is a spectacular example of Gothic Revival architecture. The mausoleum was constructed of limestone and Greek marble in 1921 by the Presbrey Leland Company from a design by Clausen & Kruse, with an interior vaulted ceiling intricately mosaic tiled by the R. Guastavino Company. The interior also features intricately decorated crypts, an altar backed by three stained glass windows, and a wrought iron hanging candelabra.

North of section 21 are sections 29, 30 and 31. Section 31 was platted in the late 1960s and designated as a lawn section with only flat markers. Burials in this section date from the early 1970s to the present day. Section 29 was platted by Philip Tunnicliff in 1947, and contains upright markers for burials from the middle of the 20th century to the present day. Section 30 was platted by Tunnicliff about 1961 and contains upright markers from the early 1960s to the present day.

West of section 31 is section 28, one of the larger sections that was added to and platted as additional land was acquired in this area of the cemetery in the late 19th and early 20th century. The Western part of this section contains tiers of single burials marked with flat stones indicating grave number, first initial and last name. The Eastern part contains more substantial markers in various styles dating from the early 20th century. In the Southwest corner of this section is the Iowa Soldiers' Orphans' Home lot, which was donated to the Home by the cemetery board in 1884, when burials were moved from section 6. It is a contributing site located in the original 40 acre tract. In the center stands a granite monument erected in 1884 to the memory of the orphans buried there. Graves are in several rows to either side of the monument, and were marked with simple numbered stones until 1971, when the Davenport chapter of the Veterans of Foreign Wars paid to have bronze plaques cast with each child's name and date of death. These plaques are set on continuous concrete curbs. A granite bench donated by the American Legion sits in the Southwest corner.

Continuing along the perimeter avenue to the West, section 19 is adjacent to the Northern part of section 28, and consists mostly of tiers of single interments, including an early infant section. North of the avenue in this area is a wooded area separating the cemetery from the Duck Creek Parkway. Some of the trees were planted in this area by the cemetery in the early 20th century to form a natural fence line. Northwest of section 19 is a cleared area that is currently used for burning of fallen tree limbs and other organic waste. As late as 1947, a warehouse and horticultural nursery were located in this area; they are no longer extant. South of section 19 lies section 16, a very large section containing burials from the late 1880s to present. It was the last major section in the original 40 acres to be platted, with platting completed in 1889 by company secretary Israel Hall. Section 16 contains three contributing resources: the Ruch mausoleum, a Richardsonian Romanesque building built in 1913; the Nott mausoleum, a small red brick building designed and constructed in no discernible style but with some Federal style elements by Robert H. Nott (who is interred within) in 1912; and the Chezem family monument, a fine example of the popular "treestone" grave marker from the late 19th century. It is unique in that it is set on a granite Latin cross that acts as a base.

The perimeter avenue continues around as it circles back to the entrance gate. To the Northwest is a noncontributing site, Love of Animals Petland, an area set aside for pet burials in 1992. Southwest of Petland is a contributing building, the minimalist Hartwig vault, built ca. 1882 and remodeled by the Schricker Marble & Granite Company in 1924. As the vault is located in a remote part of the cemetery, the original door was removed in 1980s and the doorway was covered with concrete blocks. Just East of this vault is the location of the no-longer-extant brick receiving vault built in 1874. All that remains of the vault is a storm drain installed in 1875. A temporary wooden receiving vault, no longer extant, was also constructed between the old brick vault and the Hartwig vault in 1918 to accommodate the increased death rate due to the Spanish influenza pandemic.

Before turning East onto the former main avenue, the cemetery maintenance area is on the Western border of the cemetery near Eastern Avenue. This area contains three noncontributing buildings, two of which are 1990s steel frame garages, while the other is the circa 1864 sexton's house, which has been altered to an extent that it is unrecognizable as an historic building. Also in this area is an aluminum enclosure containing the cemetery's animal crematorium, a noncontributing structure. The location of the original entrance gate was just North of the sexton's house, but its use was discontinued upon the construction of the present gates in 1896. Also, three maintenance buildings, a circa 1874 stable and 1910 house and barn, are no longer extant, the latter two having been demolished in 1997 to make way for maintenance garage 2.

Across the perimeter avenue from the sexton's home is the lake, built in 1991. In the center of the lake is a wooden pier, formerly a bridge and gazebo, a noncontributing structure also built in 1991. The Eastern end of this lake roughly corresponds to the location of an historic lake on the property, described in 1897 board minutes as lying near the center of the new avenue from the new entrance to the old portion of the cemetery. The lake was called Lake #2, though no mention has been found of another lake on the property. The avenue is still atop an embankment constructed in 1896 over this no-longer-extant natural lake.

Following the former main avenue up the bluff into the oldest portion of the cemetery, the lots are encountered in concentric circles. The first circle is section 4 to the North and section 5 to the Southeast. Both of these sections contain burials from the mid 19th century to near present day. Section 4 contains a contributing object, the Thompson monument, a splendid example of Gothic Revival funerary art. The monument mimics a spire from a Gothic cathedral building, and is the tallest object in this section. Section 5 contains two contributing objects, the "white bronze" grave markers of Jens Peter von Stibolt and Minnie von Egloffstein. J.P. von Stibolt's marker is small and lettered in an ornate script in German. The English translation is "Convictions are a man's honor" (Stibolt was editor of Davenport German-language newspaper *Der Demokrat* during the Civil War and was an outspoken opponent of slavery). Minnie von Egloffstein's marker is more typical of the style, and features removable panels on four sides for possible addition of other decedent information.

The next circle is section 7 to the North and section 10 to the Southeast. Section 7 contains numerous grave markers for burials dating from 1857 to the early 20th century and three contributing objects: the John Owens white bronze grave marker, a more elaborate example of this style of memorial construction topped with a sculpture of a century plant; the George L. Davenport monument, a large mixed-style construction featuring

Victorian plant sculpture on the plinth and an Egyptian obelisk on the top that is used frequently as a navigation landmark in the cemetery; and the John Vale grave markers, including Mr. Vale's original Victorian scrolled grave marker as well as a more modern federally-supplied veteran's marker indicating his Civil War military service and Medal of Honor. Section 10 contains burials from the same time period as section 7 as well as a contributing object, the David S. True family burial plot. The monument in this location is a Gothic spire similar to the Thompson memorial, and the individual graves are enclosed with headstones, footstones and side stone fencing atop stone slabs covering the graves. The overall appearance resembles a trio of sleigh beds.

Atop the highest point of the cemetery sits section 1, location of many of the oldest burials, including the first numbered burial as well as graves relocated from the overcrowded Davenport City Cemetery. The center of section 1 is an 80 foot diameter circle with a stone curb enclosing the Brandt mausoleum, a massive Classical Revival building of Barre granite constructed in 1901 at the behest of baking powder magnate William Ziegler. This circle was previously the location of a summer house (1881), a 77-foot-deep well (1882), and a water pumping windmill (1884), all no longer extant. These structures were demolished and the well capped by 1901. Along the Northern edge of section 1 sits another massive object, the contributing Dillon monument, a very large obelisk erected circa 1898 in memory of the wife and daughter of Judge John Forrest Dillon, who had been lost in a shipwreck. It is the tallest monument in the cemetery.

Southeast of section 1 is section 2, another circular section containing graves from the mid-19th to early 20th century. The center of section 2 is the former location of a reservoir (1888) which was later repurposed as a fountain. The fountain was removed and the land graded in 1910. The inner circle of graves around the center circle was designated in 1862 for Civil War soldier burials, but many of those burials were removed to the Rock Island and Keokuk National Cemeteries circa 1888. The rest were moved to the current location of the Soldiers' Lot in 1900.

Between sections 1, 2, and 10 is section 14, the smallest section of the cemetery. It is a small triangular patch of ground created by the layout of avenues designed in 1856 by Captain George F. de la Roche, landscape architect. South of section 2 is section 9, another part of the "old cemetery" as it is referred to in the board minutes. This section contains grave markers from the mid-19th and very early 20th century, as well as the first area for single burials, which was abandoned in 1871 while a clump of trees was planted in the area to prevent erosion of the graves.

North of section 2 is another portion of the concentric circles around the section 1 hill, sections 3 and 17. These sections were on the outskirts of the original cemetery and contain burials from the mid-to-late 19th century to the present day. Two contributing objects are extant in section 3: the Mary Coates white bronze grave marker, and the Elizabeth Little Willis grave marker. The Willis marker dates from 1846 and was moved with the burial from the Davenport City Cemetery sometime in the late 19th century. It is one of a small number of limestone shouldered tablet markers still extant in the cemetery and a representative example of the type. There are also two contributing objects in section 17: the Frank family lot, a unique example of a "treestone" with matching individual stones; and grave of legendary jazz musician Leon "Bix" Beiderbecke, the most visited grave in the cemetery and location of an annual jazz concert in his memory since 1971.

Section 6 is an irregular shaped piece of land between sections 2, 9 and 17. It contains burials from the mid 19th century to the present, and a contributing building, the granite Hill Mausoleum, built in a Richardsonian Romanesque style in 1908. Northeast of section 6 is the Masonic Section, a small triangular plot containing flat grave markers for members of the local Masonic lodges. Northeast of that is section 18, another irregular shaped piece of land containing burials from the mid 19th century to the present day.

Overall, the cemetery appears today largely as it did during the period of significance. While several resources, such as the windmill and lot fences, are no longer extant, their absence does not detract from the historic nature of the cemetery, but instead demonstrates the ever-changing nature of Victorian cemeteries and their place in the community. The current boundaries of the cemetery were all acquired during the period of significance, and none of the land that was sold off throughout the 20th Century contained burials. As with almost any cemetery more than a century and a half old, there are many grave markers that have broken or fallen, and there have been instances of vandalism. Recent efforts have been made to right fallen markers and repair broken

ones. There is also an ongoing project wherein the grounds crew is removing over-mature and diseased trees and planting new trees. A local Girl Scout troop is also working to transplant overgrown day lilies that have overtaken grave markers.

The Oakdale Cemetery Historic District maintains a great deal of historic integrity from the period of significance (c. 1855 – 1965). The various aspects of the district's integrity are discussed below.

- **Location:** The Oakdale Cemetery Historic District is located in the same spot as the date of founding, with the original forty acre plot constituting the “heart” of this historic district.
- **Design:** The layout of roads and avenues as they exist today is the same as that on the oldest extant map of the cemetery, dated 1917. It is believed that this layout closely follows the original 1856 landscape design by Captain George F. de la Roche. The district also contains thousands of well-preserved grave markers and a fine collection of well-maintained mausoleums. Original architectural drawings for two private mausoleums, as well as the Community Mausoleum, indicate that the buildings maintain integrity of design.
- **Setting:** Oakdale Cemetery was originally located well North of the Davenport City limits, in a rural area surrounded by several woody thickets. Today, the cemetery has been surrounded by the expansion of the City of Davenport. While it is now located in a residential neighborhood along an arterial street in the city, a city parkway along Duck Creek to the North recreates to some extent the wooded vistas of the earlier years. Also, the presence of the Iowa Soldiers' Orphans' Home Historic District, located directly to the West across Eastern Avenue from the cemetery, greatly contributes to the district's integrity of setting.
- **Materials:** The materials used throughout the period of significance were largely various types of stone and masonry, which have held up very well through the present day. Several stained glass windows and bronze doors on mausoleums are also extant. Special mention should be made of the absence of iron fencing (banned by the cemetery board in 1875 and ordered removed in 1880) and various wooden and brick structures that were demolished during and after the period of significance as a natural part of the cemetery's evolution.
- **Workmanship:** Many of the various grave markers and mausoleums maintain great integrity of workmanship. In particular, the original masonry by Robert Nott is still visible on the Nott Mausoleum. Grave markers, both homemade and professionally designed, appear today largely as they did when they were placed, displaying the workmanship of the designers to varying extents.
- **Feeling:** Oakdale Cemetery Historic District may very well best demonstrate integrity of feeling. Especially in the original forty acre plot, historic markers and mature oak trees combined with grass and gravel pathways evoke the historic feeling of the late-19th Century “glory days” of the cemetery.
- **Association:** The cemetery is directly associated with significant individuals by virtue of being their final resting place. It is also directly associated with historic events such as the Civil War, demonstrated by the presence of the Soldiers' Lot and the grave of Lieutenant Colonel August Wentz, whose funeral was a major event in Davenport during the Civil War. Other historic events, such as the settlement of Davenport and Scott County and Westward Expansion, are demonstrated by the burials of individuals who participated in those events.

Continuation Sheet: (use this sheet and subsequent sheets for questions (2), (3), & (4))

Oakdale Cemetery was incorporated on May 14, 1856, as the Oakdale Cemetery Company, with lot owners as shareholders of the corporation and an elected board of directors. The men who signed the Articles of Incorporation were pioneer settlers and leading citizens of Davenport: John McDowell Burrows, R. M. Prettyman, George B. Sargent, John Dalzell, Dr. J. M. Witherwax, Dr. Charles Cristopher Parry, Henry B. Hoffman, Strong Burnell, William H. Hildreth, Joseph Lambrite, Hiram Price, A. H. Barrow, John M. Cannon, John L. Davies and William H. F. Gurley. The company was founded in response to the inadequacy of the overcrowded and oft-flooded Davenport City Cemetery and as a product of the founders' distaste for the "private speculation" that was the for-profit Pine Hill Cemetery (established by A. C. Fulton in 1855). The corporation purchased 40 acres of land North of the city of Davenport, having the land deeded to founder John McDowell Burrows, who held title to the land until the state legislature met in 1858, upon which point he conveyed the deed to the Oakdale Cemetery Company. All but a small portion of that original 40 acres is still part of the cemetery property, a small corner having been sold for use as two private homes in 1985 and a commercial office building in 1997. In June of 1856, the company hired War of 1812 Navy veteran Captain George F. de la Roche, a civil engineer and landscape architect, to survey and plat the grounds. Captain de la Roche's most famous landscape designs are his 1852 design of Oak Hill Cemetery in the Georgetown neighborhood of Washington, D.C., and his ca. 1854 design of Glenwood Cemetery, also in Washington, D.C. The designs of his cemeteries are very similar, using concentric circles on hill tops and following the natural contours of the land, and were inspired by the most famous cemetery of the Rural Cemetery Movement, Mount Auburn Cemetery in Massachusetts. It is worth noting that both Oak Hill and Oakdale are located in creek valleys – Oak Hill in the Rock Creek valley, Oakdale in the Duck Creek valley. Later additions were designed and platted by others, but the overall design is faithful to de la Roche's original intent.

The first numbered burial in the cemetery was in September 1857. However, recorded burials date from as early as November 1855, but were not added to the numbered burial log until 1857. Many burials were moved to Oakdale Cemetery from Davenport City Cemetery as well, so dates on some grave markers predate the establishment of Oakdale by as much as twelve years. The company struggled along for the first several years, having had to borrow money to purchase the land, but by the outbreak of the Civil War, Oakdale had become the premier burial ground for Davenport. The city of Davenport served as the military headquarters of Iowa during the war, hosting several training camps, including Camp Kinsman, which was directly across the road from Oakdale. Many German immigrants from the city volunteered for military service, eager to fight for their new homeland. Inevitably, soldiers died during training, and local men were killed in battle. By 1862, Oakdale had become the military burying ground for the city. April 1st of that year, the directors designated an area in section 2 for the burial of Civil War dead. The soldiers were to be buried near the first Scott County resident to give his life in battle during the War, Lieutenant Colonel Augustus Wentz.

Augustus Wentz was born in Baden, Germany, around 1829, and immigrated to the United States around 1847. He almost immediately enlisted in the Army, fighting in the Mexican War. After the war, he settled in Missouri, where he met and married Rebecca McMurtrey in 1852. They moved to Davenport in 1854, and Augustus immediately became an important member of Davenport's growing German community. He was elected constable in 1858, and in 1861 he formed an infantry unit of German immigrant volunteers, Company G of the 1st Iowa Infantry. After their three month term of service was up, Wentz was commissioned lieutenant colonel of the 7th Iowa Infantry, Company S by Governor Kirkwood. The 7th saw its first major action at the Battle of Belmont. The 7th was in the heaviest part of the fighting, and Wentz was mortally wounded during the retreat. His dying words were reported as, "Let me alone boys, I want to die on the battle field." His body was retrieved by his wife Rebecca, who had been in the Union camp for a visit with her husband, and sent by train back home to Davenport. The funeral was the most grandly solemn event the then-young city had seen. Wentz's body was dressed in full uniform and displayed in Metropolitan Hall, where thousands of citizens filed by to pay their respects. The Wednesday morning newspapers of November 13 carried complex diagrams of the funeral procession, which including marching units from the Union training camps, Davenport Fire Department, the Turner Society, city officials, and public and

private schools. Businesses were closed, allowing employees to attend the funeral. After the war, Grand Army of the Republic Post 1 was named for August Wentz (the name was rendered both ways in various records).

After the Civil War: Changes Begin

By 1863, the avenues in the original 40 acres had been graded. Board minutes report various plantings of evergreen trees and Osage orange hedges throughout the 1860s and early 1870s, and the erection of a wooden fence along the Northern border (with posts made from trees culled from the cemetery) and the construction of a brick receiving vault (no longer extant) in 1872. A new road was constructed to the vault in 1873, and 1874 saw the first roads begin to be macadamized. The company's charter having expired, the company was re-incorporated in 1876, and in 1878 plans to build a street car depot on the cemetery grounds were discussed. It is unclear if this building was ever built. According to board minutes and dates on graves, nine acres of property were added to the East of the cemetery in 1876, though the quit claim deed for this property is dated March 1, 1883.

By 1880, additions to the "old house" were being discussed in meetings. This likely refers to the current sexton's house, which while still standing, is heavily altered from its historic appearance. 1880 also marked the beginning of Oakdale's evolution from a rural cemetery to a "landscape-lawn" cemetery, with the prohibition and removal of lot fences, and an emphasis on large family markers with small individual stones, all to make maintenance and upkeep easier. Also at this time, 20% of lot purchase prices were invested for the perpetual care of the lot, a practice the cemetery continues to the present day.

Turn of the Century: Construction and Expansion

Throughout the 1880s, several maintenance-related structures were constructed; including a water well, summer house, reservoir and windmill. None of these structures are extant, all having been replaced by more modern facilities (and a city water main) around the turn of the 20th century. A private burial vault was built in 1882 by local mortician Albert Hartwig near the cemetery receiving vault; it is still extant. The first above-ground private mausoleum was constructed the next year by local businessman Reinhold Sieg, followed six years later by the small Schlapp family columbarium. The Iowa Soldiers' Orphans Home plot was donated by the board in 1884. A two acre strip of land to the East of the Orphans' plot location was purchased in a tax sale in 1881. Around 1888, 160 Civil War burials were removed to the Keokuk and Rock Island National Cemeteries. The cemetery was also expanded in this time period, with two eight acre plots being added to the grounds in 1883 and 1892. This new area was platted by landscape gardener A. N. Carpenter of Galesburg, Illinois, and plans were made by the board to move the entrance gate to this new land.

The board commissioned local architect Edward S. Hammatt to design a set of gates, then solicited bids for construction. The contracts were awarded to the Davenport Iron Works and the Hubbard Construction Company of Sioux Falls, South Dakota. Work on the gates was completed in 1896, and a road was constructed connecting the new gates to the "old section" of the cemetery. Newspaper articles of the time praise the beauty and design of this new section. A plot just East of the original Southeast corner of the cemetery was donated to the Grand Army of the Republic August Wentz Post 1 in 1897 (the land was officially deeded to the post in January, 1907).

The next three decades saw a flurry of activity, with the construction of twelve private mausoleums and the purchase of several tracts of land. Notable constructions were the John Wesley Ross designed Schricker mausoleum, the Clausen & Kruse designed William D. Petersen mausoleum and the Farrington Gould & Hoagland designed Bettendorf mausoleum. Board member W. H. Kimball was hired to plat all fallow areas in 1911, and a temporary wooden receiving vault (no longer extant) was built to handle the increase in burials due to the Spanish influenza epidemic of 1918.

The Community Mausoleum, originally advertised as Oakdale Abbey, was designed by local master architect Seth J. Temple and built by the Heister Mausoleum Company in 1931. The creation of Babyland in 1947, the designation of certain areas as "memorial park" sections with flat markers in the 1960s and the sales of various tracts of land throughout the middle of the 20th century left the cemetery in its current state. It has been an active burial ground since its inception, and continues as such to the present day. With over 24,000 burials and about the same amount of spaces available, it is anticipated to last far into the future.

Cultural Significance Past and Present

For many years following the Civil War, Oakdale was the only burial place open to members of the black community in Davenport. For this reason, the cemetery has great significance to this community. Many escaped and freed slaves who made their way to Davenport during and after the war are buried at Oakdale, and the cemetery has been listed on the National Park Service's National Underground Railroad Network to Freedom for its associations with the Underground Railroad. Many noted abolitionists, such as Hiram Price, James Thorington, John L. Davies, Henry Lischer, Jens Peter von Stibolt, Elias Gilbert and Jared Beecher Hitchcock are also interred at Oakdale Cemetery. It is interesting to note that there are no segregated sections in the cemetery. From its earliest days, any person able to buy a lot could be buried wherever they chose. Two of the signatories to the Articles of Incorporation, Hiram Price and John L. Davies, were well-known for their anti-slavery principles, which may be a contributing factor to the integration of Oakdale.

A full 45% of the members of the Pioneer Settler's Association of Scott County, Iowa are interred at Oakdale Cemetery, including George L. Davenport, son of Colonel George Davenport, for whom the City of Davenport was named. The Association limited membership to "old settlers of Scott County, who became residents prior to December 31, 1840." Other members interred at Oakdale include riverboat captain Le Roy Dodge, early bankers Ebenezer Cook (reinterred from City Cemetery in 1920) and George Sargent, Seminole War veteran and pioneer physician Egbert Storrs Barrows, early Davenport postmaster Duncan Campbell Eldridge (also his son, Jacob, for whom the City of Eldridge, Iowa is named) and noted jurists John Forrest Dillon and James Grant. The cemetery is also the final resting place of a large number of Davenport mayors and Scott County sheriffs.

Over the latter half of the 20th century, the cemetery began to take on more community and educational functions. An annual memorial concert at the grave of jazz musician Bix Beiderbecke began in 1971, and newspaper articles on local history and Victorian art/architecture from the 1960s mention Oakdale and feature photos from the grounds. Local schools and colleges use the cemetery grounds to teach history, botany, art and architecture. Veterans groups hold Memorial Day ceremonies, and a semi-regular theatrical living history event portrays the stories of those interred.

Significant Individuals

In addition to Augustus Wentz, there are many other significant people buried at Oakdale Cemetery. The following individuals are historically significant, but have no other properties associated with their lives or productive periods still extant.

Henry Peter Bosse (1844 – 1903), a German immigrant and draughtsman for the U.S. Army Corps of Engineers, was a prolific photographer of the Upper Mississippi River and its environs during the creation of the navigation channel in the late 19th century. His photographs helped him create the most accurate map of the Upper Mississippi River ever drawn by that time, and facilitated the construction of bridges, locks and levees along that turbulent stretch of water, which in turn increased the rate of East-West trade across the river as well as North-South trade along the river. His photography is also an early example of German photo-journalism, with straightforward compositions and a focus on the works of man such as railroad bridges.

The Busey Family: Matilda (1822 – 1899), Nancy (1855 – 1871), Jacob R. (1857 – 1913), Pernicia Ann (ca. 1848 – 1925), and Mary Elizabeth (1844 – 1903) Busey were freedom seekers from Calloway County, Kentucky on the southwestern corner of Kentucky. The Busey family was successful in their escape from slavery and eventually settled in Davenport, Iowa.

Matilda Stubblefield was born on February 12, 1822 in Dansville, North Carolina. She was moved with her master when she was 12 to Zanesville, North Carolina and then to Concord, Calloway County, Kentucky. Once in Kentucky, she married James Busey ca. 1837. Approximately eight years later, Mary Elizabeth was born followed by Pernicia Ann sometime between 1845 and 1848. In 1853 Henry was born, Jerry in 1854, Thomas in 1856, and Jacob in 1857. A precise date for the birth of Nancy was never found, but is assumed to be 1855 based on her 1875 death date shown on her headstone at Oakdale Memorial Gardens. Sources say Matilda and James had ten children, but several of the names were never found. The Busey family, minus Thomas (who had been sold to a nearby plantation owner), lived on the same plantation in Calloway County, Kentucky.

In 1862 both the Union and Confederate armies had moved into Kentucky, a slave state still loyal to the Union. When the nearby Fort Heiman fell to Union forces, the Busey family recognized this as their chance to make haste to northern freedom. Late one night, the family hitched up a team of oxen to their master's wagon and took off on the ten mile journey to Fort Heiman. Unfortunately, the tenth child, Thomas J. Busey, was stranded on a neighboring plantation and couldn't be rescued due to bloodhounds guarding the estate. The family arrived at Fort Heiman, but was lucky to be accepted due to newly enforced laws requiring escaped freedom seekers to be sent away from Union lines. These laws included the second confiscation act. This law stated that freedom seekers that reached Union lines were to be put to work and also made all freedom seekers living behind Union lines free of their previous owners. The next morning, when their previous owner came to reclaim them, he was sent away with only his oxen and wagon due to the belief of many Union soldiers that slavery should not survive past the war. The family continued their trip to the northwest, spending a fair amount of time at a U.S. Army contraband camp in Columbus, Kentucky. Here, James was conscripted to assist in building embankments in rainy conditions. As a result, he contracted pneumonia and died in 1863. After the death of James, Matilda and her children left Fort Heiman and traveled to another camp in Cairo, Illinois and then continued again along the Mississippi River to Iowa. They arrived in Davenport with only two dollars to their name and each other. Thomas J. would later join them in 1869, though there is no supporting evidence that he escaped from enslavement.

Moses Bush (ca. 1845 – 1915) was born into slavery in Mississippi sometime in the 1840s. An article published in the *Davenport Democrat* at the time of his death stated that "after Lincoln issued the Emancipation Proclamation, he made his way North by way of the Underground Railroad." The article also suggested that Bush made his way to Illinois and received assistance from a Mr. Lovejoy in Princeton, Illinois. The Mr. Lovejoy referred to in the *Davenport Democrat* article was referring to Owen Lovejoy, a known abolitionist and documented conductor of the Underground Railroad in Illinois. There is no other evidence that supports this claim other than the article itself.

In January 1865, Bush was working for a farmer named Peter H. Bunning who owned a farm north of Davenport, Iowa. The Bunnings were immigrants from Germany who moved directly to Davenport upon their arrival to the United States. Bunning was a veteran of the Civil War and was more than likely serving in the Union Army in 1865. It was very likely that Bush was working for Bunning's wife as a farm hand which correlates with the broader pattern of wives hiring free blacks and freedom seekers throughout the duration of the Civil War. While employed at the Bunning farm, Bush was approached by a recruiter and enlisted. There were people in Davenport who believed that Bush and another man named Nat Henry enlisted against their will and were swindled out of the money due to them for enlisting. A civil case was brought against the recruiters and they were accused of kidnapping. The charges against the recruiters were dropped. Bush officially enlisted with the 60th USCT on January 13, 1865. He was identified as a slave from Mississippi at the time of his enlistment and was documented as being 21 years of age. After his brief service with the Union army Bush was mustered out of the army in October 15, 1865, returned to Iowa and lived the rest of his life in Davenport, Iowa. He lived at 2323 Farnam Street and was an influential member of the African American community in Davenport.

John Parsons Cook (1817 – 1872) was a pioneer settler of Davenport, arriving in the area with his father in 1836. He studied law and became a lawyer, practicing in Tipton. His political career began with a three year term on the Iowa Territorial Council from 1842 to 1845 and a three year term in the Iowa Senate from 1848 to 1851, after which time he returned to Davenport. He was elected as a member of the Whig Party to the Thirty-Third United States Congress in 1852, serving one two year term before being replaced as a Whig nominee by James Thorington, allegedly due to Cook's pro-slavery views. After the Whig Party collapsed, Mr. Cook joined the Democratic Party then retired from politics, engaging in banking while still practicing law.

George Henry Cram (1838 – 1872) was a merchant from Pennsylvania who enlisted in the 9th Kentucky Infantry at the outset of the Civil War. He was made a captain of Company H of that regiment, and was wounded at the Battle of Shiloh. In April, 1862, he was promoted to lieutenant colonel and fought at the Battle of Perryville. By December of that year, he had command of the 9th Kentucky and led the regiment at the Battle of Stones River, where he was again wounded. He was promoted to colonel in 1863, and commanded the 9th Kentucky at the Battle of Chickamauga, and the East Tennessee Campaign, where he was wounded for the third time. After commanding his regiment during the Atlanta Campaign, he was awarded the Brevet Rank of Brigadier General, U.S. Volunteers,

for meritorious service. He entered the regular Army after the war, and was given command of a post at Galveston, Texas. After his marriage to Frances Dodge of Buffalo, Iowa, he was transferred to the command of a post at the Ponca Agency in the Dakota Territory. After his death, he was interred in his wife's family lot at Oakdale. A Cedar Springs, Kentucky, G.A.R. Post was named for him.

Thomas H. Doughty (1828 – 1896) was a steamboat pilot and engineer from Pennsylvania who settled in Le Claire, Iowa before the Civil War. In 1862, he joined the United States Navy as acting first assistant engineer under Lieutenant George Brown aboard the *USS Indianola*. In December of that year, he was promoted to acting chief engineer, United States Navy. The *Indianola* participated in the Battle of Vicksburg and was sunk at Grand Gulf, where Doughty was taken as a prisoner to Libby Prison in Richmond, Virginia. After being freed in a prisoner exchange, he served on board the monitor *Osage* in the Red River Campaign, where he fashioned a dual mirror periscope to aid in the aiming of the *Osage's* guns at Confederate troops along the high river bluffs. For this, he is credited by the United States Navy as the inventor of the naval periscope. After the war, he returned to Le Claire, where he was the first person to attempt to use a boat for the towing of lumber rafts on the Mississippi River. The attempt was a financial failure, due to his boat's lack of power, but the process quickly became the primary method of moving lumber along the river, and led directly to the creation of the river barge industry of the present day. Around 1884, he moved to Saint Louis, Missouri, where he died of a diabetic coma at the age of 68. He was cremated there, and his ashes were later interred at Oakdale on October 28, 1912.

Count **Nicholas Fejervary** (1811 – 1895) was a Hungarian noble who fled the country after the failed Revolution of 1848. He eventually settled in Davenport, purchasing 75 acres on a bluff overlooking the Mississippi River in the West end of the city, an area that reminded him of the Danube River vistas of his homeland. Legend has it that his fortune was brought to Davenport in the form of a sack of gold he carried by hand. He increased his fortune by buying and selling land in surrounding counties. He was a leading citizen of Davenport and was described as "one of the makers of Davenport". He served on the board of the Clarissa C. Cook Home for the Friendless, and led the fundraising drive for the Davenport Soldiers' Monument. After his death, his daughter Celestine inherited the Count's property. After moving back to Hungary, she donated the estate to the City of Davenport in 1902. It has been used as a park ever since, the mansion having been used as an inn until its destruction circa 1934. The Fejervary legacy lives on in the name of Fejervary Park and a scholarship fund that awards substantial amounts of money to Scott County students studying agriculture at Iowa State University.

Silas Hopkins (ca. 1833 – 1915) was born into slavery in Tennessee and after he was sold away from his family, he made his escape from Sunflower County, Mississippi. According to newspaper articles that documented his death, Hopkins escaped during the Vicksburg campaign and joined a Union regiment. Hopkins served as a cook in the Union Army and eventually settled in Davenport sometime in 1865. Hopkins became a well known ventriloquist in the area and could do an excellent job imitating several animals. Also, he was known to have spoken several languages including French and German. On the 27th of August in 1915, Hopkins fell seriously ill and was admitted to Mercy Hospital. A day later he died on August 28, 1915 at his home 2118 East Locust Street. Services were held at the Third Baptist Church and he was buried at Oakdale Cemetery.

General Houston (1840 – 1910) was born in Decatur, Tennessee on Troy Chairs' plantation. After Chairs' death, Houston was transferred to the plantation of Dr. Lem Smith, a brother-in-law of Chairs, in Hollow Springs, Mississippi. According to the *Davenport Democrat*, Smith was one of the cruelest masters in the South. However, he taught Houston the art of corn shelling, which he later used in his career of chiropody.

In 1862, Houston ran away from his plantation, and enlisted in the 15th Illinois Infantry at LaGrange, Illinois. The enlistment record shows that Houston was classified as a slave at the time of enlistment. While serving with the Illinois infantry, Houston helped Captain Clark; until he died two years later. Houston went on to enlist as a private in the 29th Colored Regiment at Chicago in February of 1864. With the 29th Regiment, Houston traveled to Quincy, Baltimore, and Washington. He was discharged because of disability on March 28, 1865. The certificate of discharge declared that he had a liver disease and was unfit to work. After the war, he lived for a time in Chicago before locating in Davenport, where he died of dropsy at the age of 69.

Milton Howard (ca. 1845 – 1928) was born a free African American in Muscatine, Iowa. Records conflict and do not agree as to when Howard was born. Most sources agree that Howard was born around the year of 1845. It is

likely that he never knew the exact date he was born. At a young age, Milton and his family were kidnapped from their home in Muscatine County, Iowa by slave-catchers. The kidnapping most likely took place in the early 1850s. He and his family were then transported down the Mississippi River, probably to St. Louis, and later sold into slavery.

The Howard family was divided and sold into slavery. Presumably, Milton Howard was sold to a man named Pickett who resided in Alabama. Although Pickett treated him kindly, Milton escaped near the beginning of the Civil War with a number of other men and went north where he eventually enlisted with the Union Army at McGregor, Clayton County, Iowa on January 21st, 1864. Milton Howard recounted his story in 1916:

“I served in Company F, 60th U.S. Colored infantry. I don’t remember when I enlisted as I could not read nor write. My home was at McGregor, Clayton County, Iowa at the time of enlistment. I was born in Muscatine County, Iowa but was kidnapped and sold in Alabama and was there until the war broke out and then a crowd of us ran off and came North.”

During his time in the army, he became a private in Company F of the 60th U.S Colored Infantry. Missions of the 60th USCT included: trips down the White River and Alligator Bayou and other tasks in the Arkansas/Mississippi area. Howard was seriously injured during the Battle of Big Creek in DeValls Bluff, Arkansas. According to his pension file, Howard was shot in both the right arm and thigh and stabbed in the right side while trying to protect Union artillery that the Rebels had taken. On October 15th, 1865, he was mustered out from DeValls Bluff, Arkansas on medical release. From there, Milton traveled to Davenport, Scott County, Iowa where he lived out the rest of his life. He proceeded to get a job as a janitor at the Rock Island Arsenal. He could not do much labor because of the wounds received at Big Creek. During his time at the Arsenal, Milton saved General Flagler, the commandant at the arsenal, after he fell into an icy river. People of Davenport knew Howard as “the Negro who could speak German”. In 1921, as a reward for 50 years of service at the arsenal and his heroic rescue of Flagler, Milton received a gold medal and a trip to Aberdeen, Maryland. He retired on pension. He was a member of the G.A.R. and Free Masons, and preached at the local Baptist Church. After six years of retirement, on March 18, 1928, he passed away from heart disease on the steps of the Church of Apostolic Faith, at the age of 82.

Joseph Bloomfield Leake (1828 – 1918) was born in Deerfield, New Jersey, and then moved to Cincinnati, Ohio, where he studied law at Miami University. In 1850, he was one of an influx of Davenport settlers from Ohio. He practiced law in the city for a decade and was elected to the Iowa Senate, serving a partial term before resigning to become a captain of Company G of the 20th Iowa Infantry. He was commissioned lieutenant colonel of the regiment and saw action at Vicksburg and Yazoo City. In 1863, he was captured at Stirling’s Farm near Morganza, Louisiana, and spent ten months as a prisoner of war at Camp Ford near Tyler, Texas. He was released in a prisoner exchange in July, 1864, and helped lead his regiment during the Mobile Campaign. He was awarded the rank of Brevet Brigadier General in March, 1865 for meritorious service. He was one of the youngest officers to receive this honor. After the war, he was again elected to the Iowa Senate, served five years as Scott County Attorney, and was president of the Davenport School Board. He moved to Chicago in 1871, where he was the United States Attorney for the Northern District of Illinois from 1879 to 1884 and council for the Chicago Board of Education from 1887 to 1891. At the time of his death at age 90, he was the oldest member of the Chicago Bar Association.

Henry McGaw (died 1915) was born into slavery in Mississippi. In 1865 McGaw was owned and lived on the cotton plantation of Robert Patrick. During the war, Mrs. Patrick, presumably the widow of Robert Patrick, was in charge of the plantation. Her sons had joined the war and she left with her youngest son Robert and her slaves; in 1860 Mrs. Patrick had fifty-seven slaves and it is assumed she remained the owner of many slaves at the time of Henry’s escape. Henry McGaw was “head of the plantation,” which primarily meant he was in charge of the work completed by all the slaves. Scott McGaw, Henry’s son, was a house slave and very close to Mrs. Patrick. One day, Mrs. Patrick took Scotty with her on a short trip and upon their return she found out that most of her slaves had escaped, including Henry McGaw. Soon after, word had reached Mrs. Patrick that General William Tecumseh Sherman was marching through Mississippi and Mrs. Patrick was forced to leave her plantation, which was burnt to

the ground except for the large colonial mansion which was used as a hospital. In a 1902 newspaper interview, Henry McGaw provided a detailed account of his escape:

“We (the negroes owned by Bob Patrick) got about 12 miles or so away when we decided to desert. We were carrying provisions and there was a deal of sugar amongst them. We got away all right when it was dark, 13 of us, and made a straight shoot for the union lines. It took us three days to make it and for one day all that we lived on was sugar and water, but our experiences were not as sweet as the food. The two plantations were cleared of their mules in order to prevent the negroes from escaping. The mules were turned loose but all of them went over to the Yankees, who captured them. It was between Jackson and Canton that we deserted. We were well received by the Yankees when we got to the camp and I was at once attached to the regiment and made officers’ cook.”

McGaw never enlisted with the Union army. In McGaw’s interview he claimed that he was a cook for the 8th Iowa Infantry. According to records, McGaw accompanied a soldier to Iowa which also accounts for his resettlement in Davenport, Iowa after the war had ended. After he made his escape, Henry found his wife but could not reach his son on the Patrick plantation. He was forced to head north with the Iowa regiment but never gave up hope of finding his son, Scott. Sometime prior to 1880, Scott McGaw found his way to his father in Davenport, Iowa where they lived the rest of their lives. Henry McGaw “lived on Fifth Street” and worked as a janitor for a variety of businesses in town. In June of 1905 McGaw’s house burnt to the ground and he lived with his son, Scott McGaw, until his death on March 4, 1915. No records indicate his cause of death. Services were held at the Bethel A.M.E. Church in Davenport.

Dr. **Charles Christopher Parry** (1823 – 1890) was born in Gloucestershire, England. He immigrated to the United States and graduated from New York’s Columbia College of Physicians and Surgeons in 1846, then moved West, settling in Davenport, Iowa. He practiced medicine there for several months before giving up the medical field to study botany. In 1847, he published his first botanical collection, a study of wildflowers found around Davenport. He was the official botanist and geologist for the Mexican Boundary Survey which was completed in the early 1850s and published in 1857. In 1856, he was one of the founders of Oakdale Cemetery, and served for many years on the board of directors of the cemetery, at one point being elected secretary. He was also active in the local community, serving during the late 1850s as Davenport’s City School Superintendent. In 1861, he began his celebrated explorations of the southern Rocky Mountains in Colorado. He discovered and named many plant species, including the Colorado Blue Spruce, the Torrey Pine, and the Englemann Spruce. He was also an avid mountaineer, estimating the height of Longs Peak and being the first to ascend Torreys Peak and Grays Peak (which he also named). His name lives on in the names of the Parry Pinyon, Parry’s Lily, and Parry’s Pestemon plants, as well as Parry Peak, a 13,397 foot summit in the Front Range of the Rocky Mountains in Central Colorado.

Linsey Pitts (ca. 1843 – 1913) was born a slave on a Randolph County, Missouri plantation. The date is not concrete because military records state he was born in 1841, but other sources state he was born in 1845. Pitts was born on the plantation of John A. Pitts. John A. Pitts was born on March 2, 1815 in Kentucky and later established himself in Randolph County, Missouri. He became a successful farmer and cattle man, with 18 slaves to his name, one of which, an 18 year old black male, matches the description of Linsey Pitts. A Davenport newspaper stated that Pitts escaped the plantation and made his way north by way of the “Underground Railway.” On November 20, 1863, at age 18, Pitts volunteered to join the Union Army at Macon City, Missouri. Pitts’ enlistment records indicated that he was a slave of John A. Pitts. There was no indication whether he enlisted with or without the consent of his owner. He fought with the U.S. 60th Colored Infantry for the duration of the war before he was mustered out on October 15, 1865. In 1878, Pitts made his way to Davenport, Iowa where he spent the rest of his life. He was a barber, owned his own saloon and became a well-known black political figure.

Addison Hiatt Sanders (1823 – 1912) was a newspaper printer from Cincinnati, Ohio. He moved to Davenport in 1856, where he became the editor of his brother Alfred’s newspaper, the *Daily Gazette*. At the beginning of the Civil War, he was commissioned as military aide to Iowa Governor Samuel Kirkwood, and then made commissioner of Camp McClellan in East Davenport. In 1862, he declined the command of the 16th Iowa Infantry, and was instead made lieutenant colonel of the regiment. He participated in the Battle of Shiloh, was severely

wounded at the Battle of Corinth, and captured during the Battle of Atlanta. After his release in a prisoner exchange, he was promoted to Brevet Brigadier General for gallant and meritorious service, and then discharged for disability. Back in Davenport, he served for five years as postmaster, before accepting a two year appointment as Secretary of the Montana Territory (and acting governor). He also served briefly as registrar of the United States Land Office in the Montana Territory. He then retired back to Davenport, where he did freelance editorial work for local newspapers. He died at the Iowa Soldiers' Home in Marshalltown, where he was recovering from injuries received when he was struck by a team of horses in West Davenport.

Phebe W. Sudlow (1831 – 1922) was an educator from Poughkeepsie, New York. She received her only formal education at a one-room schoolhouse in Nelsonville Ohio, at which she was employed as a teacher at the age of fifteen. Around 1856, her family moved to the community of Round Grove in rural Scott County, where Phebe taught at the one-room schoolhouse there. She was soon hired as a teacher and assistant principal in the Davenport Schools. She lobbied the school board for equal pay for male and female teachers, which was granted, setting precedent throughout the State of Iowa. She was also was on a committee that granted full membership to female members of the Iowa State Teachers' Association in 1862. In 1874, she was offered the superintendent's position in the Davenport Schools, albeit at a lower salary than her male predecessor. She famously told the board, "Gentlemen, if you are cutting the salary because of my experience, I have nothing to say; but if you are doing this because I am a woman, I'll have nothing more to do with it." The board gave her the higher salary, and she became the first female public school superintendent in the United States. In 1876, she was elected as the first female president of the Iowa State Teachers' Association, and in 1878, was hired as the first female professor at the University of Iowa. She was a member of the Davenport Library Association, which raised funds for the Carnegie Library in Davenport, the first free public library in the city. In 1921, the Davenport Board of Education changed the name of East Intermediate School to Phebe Sudlow Intermediate School. In 1993, she was inducted into the Iowa Women's Hall of Fame.

James Thorington (1816 – 1887) was a frontiersman and lawyer from Wilmington, North Carolina. He was a pioneer settler of Davenport, arriving in 1839. He was elected as the fifth mayor of Davenport in 1846, and was the first Davenport mayor to serve more than one year. He also served as probate judge of Scott County from 1843 to 1851 and clerk of the district court from 1846 to 1854. He was elected as a member of the Whig Party to the Thirty-Fourth United States Congress, and was a charter member of the new Republican Party. He has been called the first Republican congressman from Iowa. During his one term, he was instrumental in obtaining land grants for the aid of the railroads, which gave his district (the Northern half of the state) three trunk lines from the Mississippi River to the Missouri River. After his term in Congress, he was elected Scott County Sheriff, in which position he served from 1859 to 1863. During that time, he provided security and other services to the various military training camps in the county. After serving for four years as Scott County Recorder, Thorington was appointed by President Ulysses Grant as Consul to Aspinwall, Columbia (now Colón, Panama) in 1872. He held the position for ten years. He died at the home of his daughter in Santa Fe, New Mexico during a family visit.

John Vale (1835 – 1909) was a London store clerk before immigrating to Le Claire, Iowa, in 1851. He purchased farmland near Mapleton, Minnesota in 1856, and enlisted in Company H of the 2nd Minnesota Volunteer Infantry in 1861. On February 15, 1863, while his company was foraging for supplies near Nolensville, Tennessee, Vale, who was on picket duty, warned the company of an attack by a 125-strong Confederate Cavalry unit. With the other fifteen members of his company, Vale repulsed the attack, holding the Confederates at bay until help arrived in the form of the 1st East Tennessee Cavalry. After the war, he returned to Minnesota, and then moved to Davenport in 1869. He became the chief mailing clerk in the Davenport Post Office in 1873, and worked in that position for twenty-six years. In 1897, he was awarded the Medal of Honor for being "one of a detachment of sixteen men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack and saved the train."

Other Significant Individuals

The following list of “historic burials”, as maintained by Oakdale Memorial Gardens’ office staff and volunteers, includes individuals who are of local and/or regional significance. They are not listed as significant individuals under criterion A as most have extant properties related to their lives or productive periods.

- **William Larned Allen, Sr.** (1824 – 1975) was a railroad contractor who served as paymaster for the Army of the Cumberland throughout the Civil War.
- **Dr. William Larned Allen, Jr.** (1858 – 1930) was a physician who founded St. Luke’s Hospital (now Genesis Medical Center, East Campus) and brought the first electric rail cars to Davenport.
- **Dr. Egbert Storrs Barrows** (1799 – 1892) was a pioneer settler and physician who served in the Seminole War as a surgeon for the U.S. Army, before settling in Scott County in 1836, where he was the only physician West of the Mississippi River between Dubuque and Burlington. He trained many of the early physicians in Scott County, and was a founder of the Scott County Medical Society. During the Civil War, he served as medical examiner of new recruits at the several training camps in the county, and was also physician for the Rock Island Prison Barracks. His ca. 1850 home is listed on the National Register.
- **Leon “Bix” Beiderbecke** (1903 – 1931) was a jazz musician and composer, famous for his cornet playing as a member of jazz bands led by Frankie Trumbauer, Jean Goldkette, and Paul Whiteman. He was the subject of a loosely biographical 1950 film, “Young Man With A Horn”. The annual Bix Beiderbecke Memorial Jazz Festival was started in 1971, and the first Bix 7 Mile Road Race was held in 1975. There are two National Register-listed properties in Davenport associated with his life: his boyhood home and Saengerfest Halle.
- Brothers **Joseph W.** (1864 – 1933) and **William P. Bettendorf** (1857 – 1910) were the co-owners of the Bettendorf Company, which was a leading manufacturer of rail cars in the early 20th Century. The company’s “Bettendorf Truck” is still in use on rail cars of the present day. The city of Bettendorf in Scott County is named for the Bettendorf brothers. Joseph’s National Register-listed home is now the site of private preparatory school Rivermont Collegiate, and William’s is currently part of the Iowa Masonic Health Care Center.
- Sisters **Clara** (1854 – 1930) and **Emma Brandt** (1850 – 1927) were the half sisters of baking powder magnate William Ziegler, and well-known philanthropists in the early 20th Century. They were founders of the New Era settlement in Muscatine County, Iowa, and donated large tracts of land to the State of Iowa, which are now parts of Wild Cat Den State Park. The sisters are interred in the Brandt mausoleum at Oakdale.
- **John McDowell Burrows** (1814 – 1889) was a pioneer settler and businessman, as well as the original owner of the land that Oakdale Cemetery is located on. His home, Clifton, is listed on the National Register.
- **Parke Tunis Burrows** (1871 – 1953), the grandson of John McDowell Burrows, was an architect, and the designer or co-designer of at least thirteen National Register-listed buildings in Davenport.
- **George W. Cable** (1831 – 1911) was the founder and owner of the Cable Lumber Company, a major lumber company with business dealings throughout the Midwest.
- **Willet L. Carroll** (1827 – 1892) was one of Davenport’s earliest professional architects. His designs include three National Register-listed buildings in Davenport and a contributing building in the West Hill Historic District in Muscatine, Iowa.
- **Frederick George Clausen** (1848 – 1940) was a German-born architect and Davenport city alderman. His architectural firm is the oldest such firm in continual existence in the State of Iowa. Along with his partner Parke Burrows and son Rudolph Clausen, he designed or co-designed more than twenty-five National Register-listed buildings.

- **Rudolph Julius Clausen** (1878 – 1961), the son of Frederick G. Clausen, was an architect who designed or co-designed over twenty National Register-listed buildings. He also co-designed the contributing W. D. Petersen mausoleum.
- **Clarissa C. Bryan Cook** (1811 – 1879) was the wife of Davenport banker and mayor Ebenezer Cook. She was a philanthropist of some note, having donated the funds for the original parish house at Trinity Episcopal Cathedral, as well as the National Register-listed Clarissa C. Cook Home for the Friendless.
- **Ebenezer Cook** (1810 – 1871) was a pioneer settler and the brother of Congressman John Parsons Cook. He was a lawyer by trade, and also served as a bank and railroad president. The Cook & Sargent Bank was the first bank in Davenport. The Cooks' graves were moved to Oakdale from Davenport City Cemetery in the 1920s.
- **George L'Ost Davenport** (1817 – 1885) was the son of trader and City of Davenport namesake Colonel George Davenport. George L. was the first European child born in what is now the Quad Cities, being born shortly after his father's arrival at Fort Armstrong on Rock Island (now Arsenal Island). He became a leading businessman in the city which bore his family name.
- **John Lodwick Davies** (1813 – 1872) was a carpenter from Wales who spent one winter working on a plantation in Louisiana. His experiences there triggered a lifelong hatred of the institution of slavery. After settling in Davenport in 1841, he became active in the lumber trade, opening Davenport's first sawmill. He later partnered with George French (also buried at Oakdale) as French & Davies. He was one of the founders of Oakdale Cemetery and served many years on the board of directors of the cemetery company. He was also a charter member of the Iowa Republican Party, drawn to the party by his anti-slavery and pro-temperance views. His house, Cambria Place, is a contributing property in the St. Katherine's Historic District.
- **John Forrest Dillon** (1831 – 1914) trained as a physician under Dr. E. S. Barrows, but found great renown in the legal field. He was a lawyer by trade, partnering with Ebenezer Cook, before becoming a member of the Iowa Supreme Court for five years (two as Chief Justice). He was then appointed as the first judge in the Eighth Circuit, United States Court of Appeals. He retired from the bench and taught law at Columbia University and Yale. The National Register-listed Dillon Memorial Fountain in downtown Davenport was erected in his memory. The large Dillon monument in Oakdale Cemetery was erected in memory of his wife, Anna Price Dillon, and daughter, Annie Dillon Oliver, who were lost when the French ocean liner SS La Bourgogne sank after colliding with the British sailing ship Cromartyshire in dense fog off Sable Island in the North Atlantic in 1898.
- **Captain Le Roy Dodge** (1811 – 1871) was a pioneer settler of Scott County, residing in the town of Buffalo along the Mississippi River. He worked as a river boat captain and served in the Iowa State Legislature.
- **Duncan Cambell Eldridge** (1801 – 1882) was a pioneer settler and the second postmaster for Davenport (after Antoine Le Claire). At the time of his death, he was the last surviving 1836 settler. His 1865 home is listed on the National Register
- **Jacob Mullen Eldridge** (1824 – 1902), the son of D. C. Eldridge, settled in Davenport in 1845 and quickly made his fortune in buying and selling land. He was a charter member of the Iowa Republican Party, and filed the plat for the town of Eldridge Junction in Sheridan Township, Scott County (now the City of Eldridge).
- **Charles August Ficke** (1850 – 1931) was a leading attorney and developer in Davenport. He served as mayor from 1890 – 91, and was the first mayor to veto an ordinance passed by the city council. His private art collection was the beginning of the Davenport Museum of Art (now the Figge Art Museum). There are two National Register-listed properties associated with his life in Davenport: the J. Monroe Parker-Ficke House and the Ficke Block.
- **Melvon Lampher Foster, Sr.** (1899 – 1970) was a real estate agent and developer. He founded the Mel Foster Real Estate Company, and was instrumental in locating the Alcoa factory in Riverdale, Iowa. He also oversaw the building of employee housing for the factory in nearby Bettendorf.

- **Alice French** (1850 – 1934) was a well-known popular magazine contributor in the 1890s. She was a member of the “Davenport Group” of writers and poets, including Arthur Davison Ficke and George Cram Cook (both of whom are buried elsewhere, but have many family members interred at Oakdale). Her book *Man of the Hour* reached number four on the best seller list in 1905. Her pen name was Octave Thanet. Her Davenport home is listed on the National Register, as was her home in Clover Bend, Arkansas, which was demolished and de-listed in 2002.
- **Edward Seymour Hammatt** (1856 – 1907) was an architect who performed a great deal of work for the Episcopal Diocese of Iowa. Several of his designs are listed on the National Register, including Kemper Hall in the College Square Historic District, 1880 additions to buildings in the St. Katherine’s Historic District, the Connor House in Rock Island, Illinois, and Trinity Episcopal Churches in Mapleton and Ottumwa, Iowa. He also designed Oakdale’s entry gates in 1895.
- **Gustave A. Hanssen** (1869 – 1944) was the designer of several National Register-listed properties in Davenport, including the John C. Schricker and E. A. Shaw Houses, as well as one or more buildings in the Oak Lane Historic District.
- **Walter Otto “Stub” Kruse** (1889 – 1965) was an architect. As a principal architect of Clausen & Kruse, Kruse & Klein, and Kruse & Parish, he co-designed several National Register-listed buildings in Davenport. He was also co-designer of the W. D. Petersen mausoleum in Oakdale.
- **Joseph Reed Lane** (1858 – 1931) was a lawyer and political leader. He served one term in the United States House of Representatives before declining to run for re-election.
- The Right Reverend **Henry Washington Lee** (1815 – 1874) was the first Bishop of the Episcopal Diocese of Iowa. He ministered to Union soldiers and Confederate prisoners in Davenport and Rock Island during the Civil War, and was an attendee at the first Lambeth Conference of the Anglican Communion at Lambeth Palace in London, England. He also served as Provisional Bishop of Kansas and Nebraska. He laid the cornerstone and oversaw the construction of the National Register-listed Trinity Episcopal Cathedral.
- **Thomas W. McClelland** (1831 – 1902) was a builder and businessman active in Davenport in the latter half of the 19th Century. While not formally trained as an architect, he designed and built many homes and public buildings with a blend of Greek Revival and Italianate style features, creating the unique McClelland Style so prevalent in Davenport. Several of his buildings are listed on the National Register. He also built the buildings of Camp McClellan in East Davenport and the Rock Island Prison Barracks on Arsenal Island in Rock Island, Illinois.
- **John Fremont McCullough** (1871 – 1963) was an entrepreneur who developed a formula for soft serve ice cream in 1938. In 1940, along with his son Bradley and business associate Sheb Noble, he opened the first Dairy Queen restaurant in Joliet, Illinois.
- **Paul Norton** (1909 – 1984) was a well-known watercolor artist, famous for his paintings of buildings and railroads. His paintings hang in the White House, United States Capitol Building, and the Iowa Governor’s Mansion.
- **Ernest Carl Oberholtzer** (1884 – 1977) was an explorer, photographer, and conservationist. He is remembered for his efforts to preserve the Boundary Waters area in Northern Minnesota along the Canadian border.
- **Dr. Washington Freeman Peck** (1841 – 1891) was a noted physician, and is credited as the founder of the University of Iowa College of Medicine (he was the first dean and professor of surgery) and Mercy Hospitals in Davenport (now Genesis Medical Center West Campus) and Iowa City.
- **Johann Heinrich Christian Petersen** (1821 – 1910) was a merchant in the late 19th Century. Along with his sons, he opened a dry goods store in 1872. In 1892, the firm expanded into a new department store building, the National Register-listed J.H.C. Petersens’ Sons’ Store.
- **Henry F. Petersen** (1855 – 1915), one of the three sons of J.H.C. Petersen, was a co-owner of the National Register-listed J.H.C. Petersens’ Sons’ Store. He is interred in the H. F. Petersen mausoleum at Oakdale.

- **Max Dortu Petersen** (1850 – 1915), one of the three sons of J.H.C. Petersen, was a co-owner of the National Register-listed J.H.C. Petersens' Sons' Store. His 1888 home is also listed on the National Register.
- **William Dulon Petersen** (1852 – 1928), one of the three sons of J.H.C. Petersen, was a co-owner of the National Register-listed J.H.C. Petersens' Sons' Store. He was an active member of the Davenport Levee Improvement Commission, and is known as "The Father of the Levee". Along with the store, he is also associated with the National Register-listed W. D. Petersen Memorial Music Pavilion, and is interred in the W. D. Petersen mausoleum at Oakdale. The National Register-listed B. J. Palmer House was the Petersen family home from 1905 to 1912.
- **Hiram Price** (1814 – 1910) was a banker and politician. He was a founding member of the Oakdale Cemetery Company in 1856, and founding member of the Iowa Republican Party. He served as Paymaster General for the State of Iowa at the beginning of the Civil War, and then served two separate terms in the United States House of Representatives. He served as United States Commissioner of Indian Affairs under President Garfield. He is associated with two National Register-listed properties in Davenport. His home is listed as the Hiram Price / Henry Vollmer House. He was an original trustee of the Iowa Soldiers' Orphans' Home, and was instrumental in acquiring the donation of Camp Kinsman (now the Iowa Soldiers' Orphans' Home Historic District).
- Reverend **Julius Alexander Reed** (1809 – 1890) was a Congregational minister. He was a founder, trustee, treasurer, and professor of Iowa College (now Grinnell College) at its original location in the National Register-listed College Square Historic District.
- **John Wesley Ross** (1830 – 1914) served as an engineer in the US Navy during the Civil War. In 1874, he settled in Davenport and went into practice as an architect. His National Register-listed designs include Davenport City Hall and Hose Station Number 1, the Nicholas J. Kuhn House, one or more buildings in the Iowa Soldiers' Orphans' Home Historic District, and the South Side School in Geneseo, Illinois. He also designed the Schricker Mausoleum at Oakdale. He is the father of noted architect Albert Randolph Ross.
- **James Renwick** (1804 – 1894) was a lumber magnate and mayor of Davenport. His home is a contributing building in the National Register-listed St. Katherine's Historic District.
- **John C. Schricker** (1863 – 1952) was a stone and marble contractor. His Schricker Marble & Granite Company designed and built the Koester mausoleum at Oakdale. The company also constructed the stone portions of the Soldiers and Sailors Monument on the grounds of the National Register-listed Iowa State Capitol in Des Moines and the National Register-listed Dillon Memorial Fountain in Davenport. As the firm was a leading monument dealer in the city, it is likely that many monuments and grave markers in Oakdale were created by Mr. Schricker. His primary residence on Clay Street and his vacation home on Chapel Hill Road are both listed on the National Register.
- **Seth J. Temple** (1867 – 1949) was an architect. With his associate, Parke Burrows, he co-designed four National Register-listed buildings. After Burrows' death in 1929, Temple designed the Community Mausoleum at Oakdale. **John Whitaker** (1844 – 1931) designed the National Register-listed Isaac Glaspell House, and with Fred Claussen co-designed the National Register-listed Ficke Block.
- **Raymond C. Whitaker** (1891 – 1972) designed the Oakdale Cemetery Company office building, a contributing resource in this property.

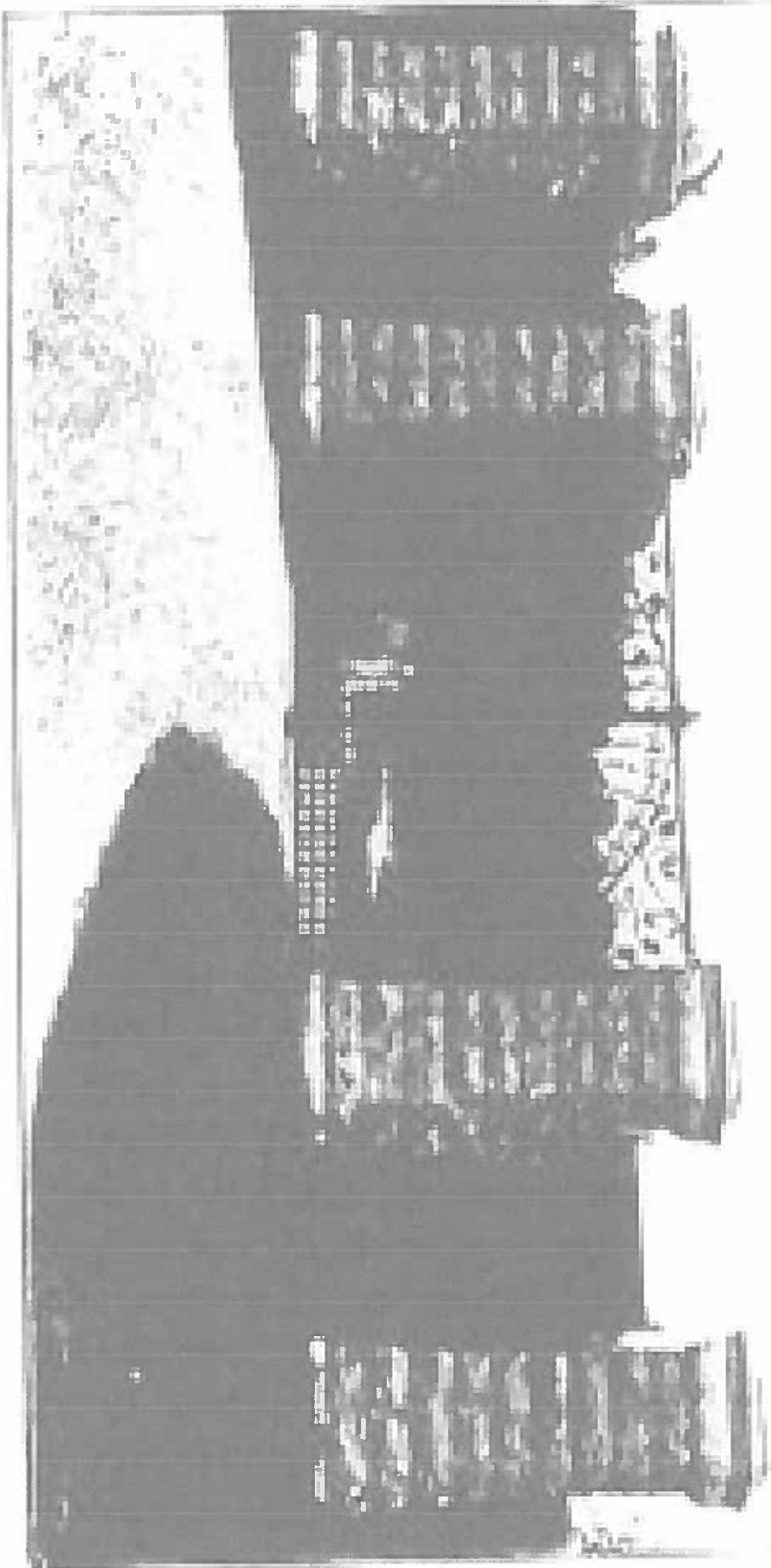
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Historic Preservation Commission
City of Davenport, Iowa
Nomination for the Davenport Register of Historic Properties

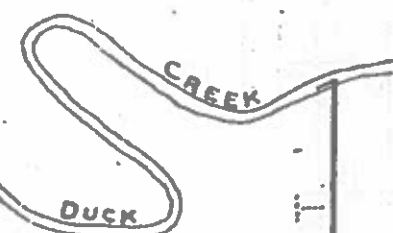
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THE NATIONAL ARCHIVES

**PLAT SHOWING REAL ESTATE HOLDINGS
OF OAKDALE CEMETERY COMPANY
JAN. 1, 1917.**



18-78-4

SW 1/4 NW 1/4 SEC 19-78-4

DEDICATION ON ORIGINAL PLAT

ELIZABETH GRANT
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 55 - P 113
DEC. 5, 1892.

CHARLES E. PICKERING
TO
OAKDALE CEMETERY CO.
LAND DEEDS BK 80 P 113
AUG. 1, 1883.

GEORGE H. HAUSE
TO
OAKDALE CEMETERY CO.
LAND DEEDS BK 87, P. 89.
NOV. 1, 1912.

OLIVE A. ALBAUGH
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 85 P. 82.
JULY 2, 1912.

STATE OF IOWA.
TO
OAKDALE CEMETERY CO.
LAND DEEDS BK 68, P. 560
JUNE 28, 1914.

OLIVE A. ALBAUGH
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 85, P. 83.
JUNE 2, 1912.

LOT 10
LOT 11
E. & H. EINFELDT
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 67-167
NOV. 9, 1916.

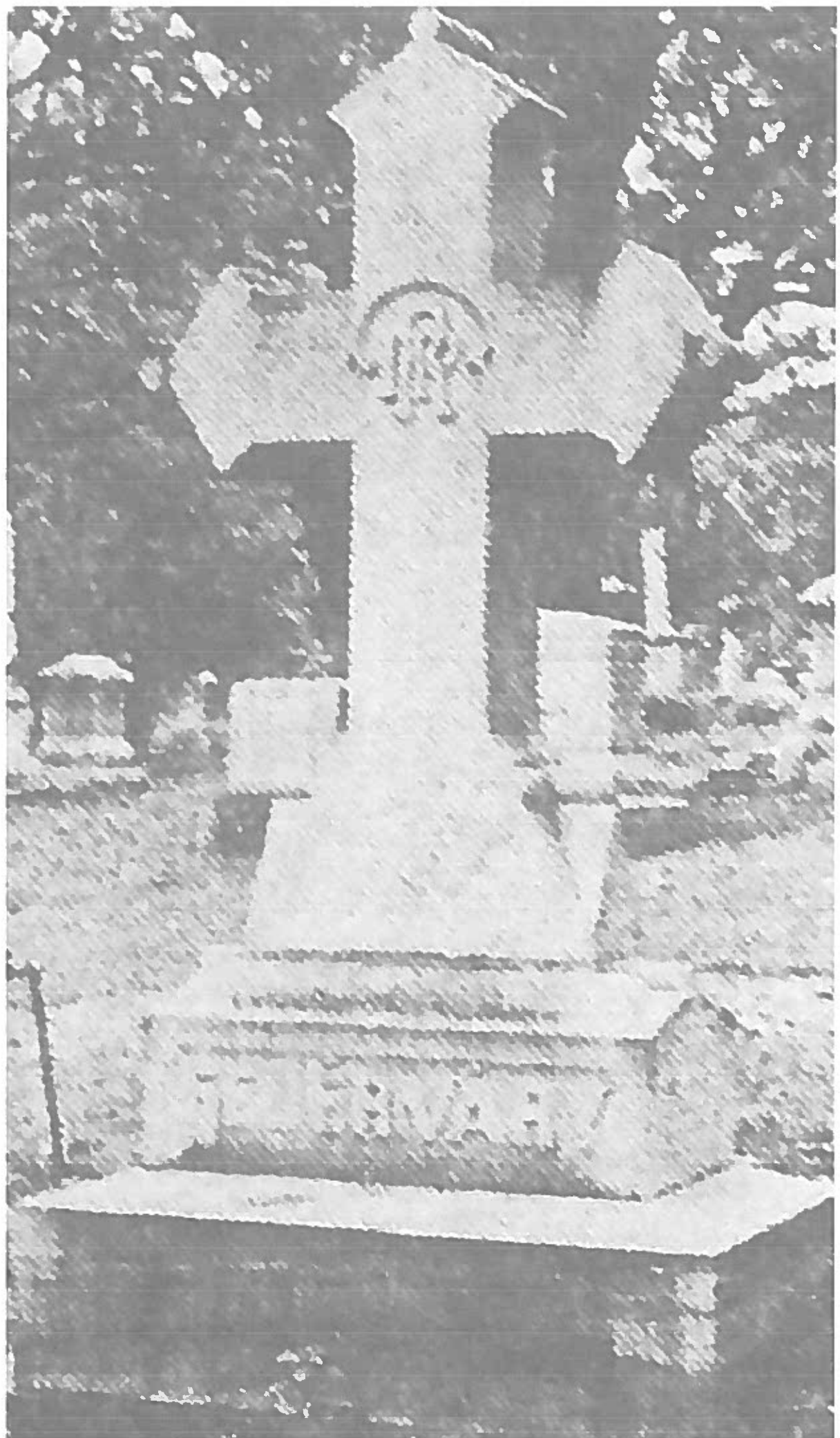
LOT 11
LOT 12
CHAS. H. BOOTH
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 73, P. 301
FEB. 17, 1905.

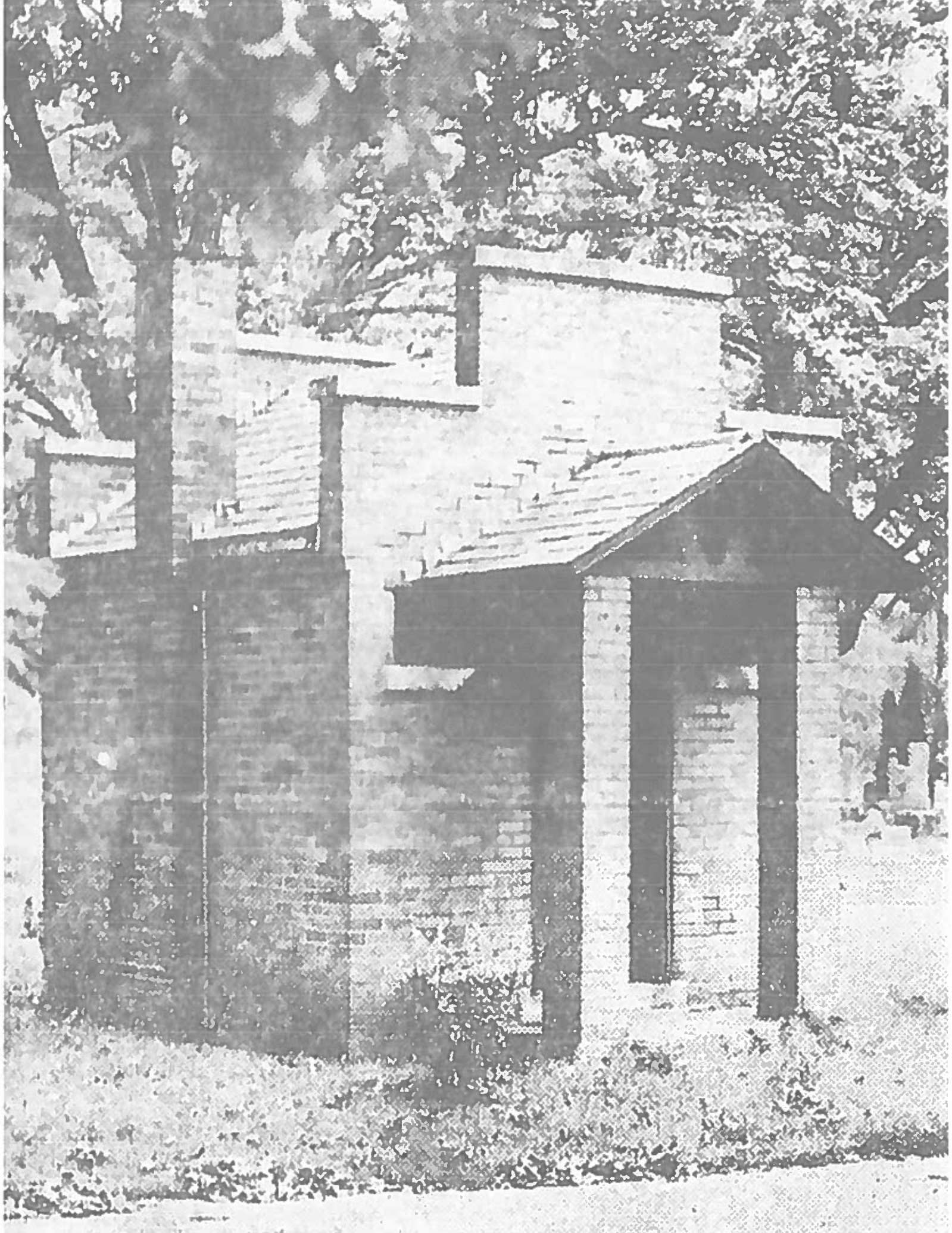
N 1/2 LOT 12
S 1/2 LOT 12
-- TALL SALE BK C-P 95 --
N 1/2 LOT 13
S 1/2 LOT 13

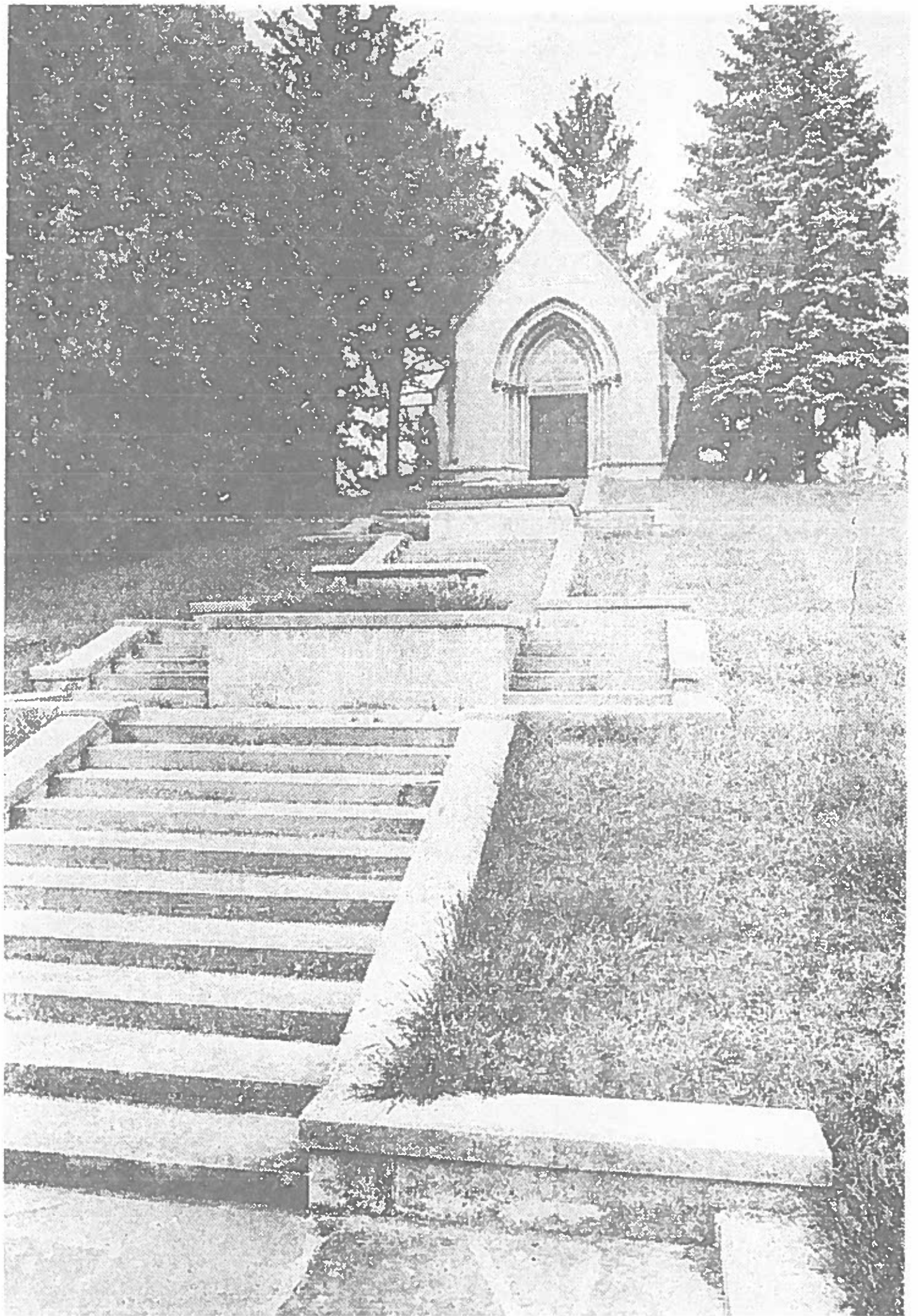
LOT 13
LOT 14
ENOCH T. GAOD & WIFE
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 62, P. 560
AUG. 14, 1905.

LOT 14
LOT 15
EMILY HOUSER
TO
OAKDALE CEMETERY CO.
LOT DEEDS BK 72 P. 395.
MAY 1, 1905.

ADDITION TO EAST DAVENPORT.









*Only Oakdale can offer
all of these advantages*

- ✓ One of the most beautiful cemeteries in the Midwest
- ✓ Endowed with natural beauty
- ✓ Perpetual care assured
- ✓ Good taste
- ✓ City bus service
- ✓ Priced for all



CHAPEL

OAKDALE ABBEY

An innovation has been added to Oakdale Cemetery by providing dignity and privacy regardless of weather conditions. This is the establishment of a chapel which shall be known as the Oakdale Abbey.

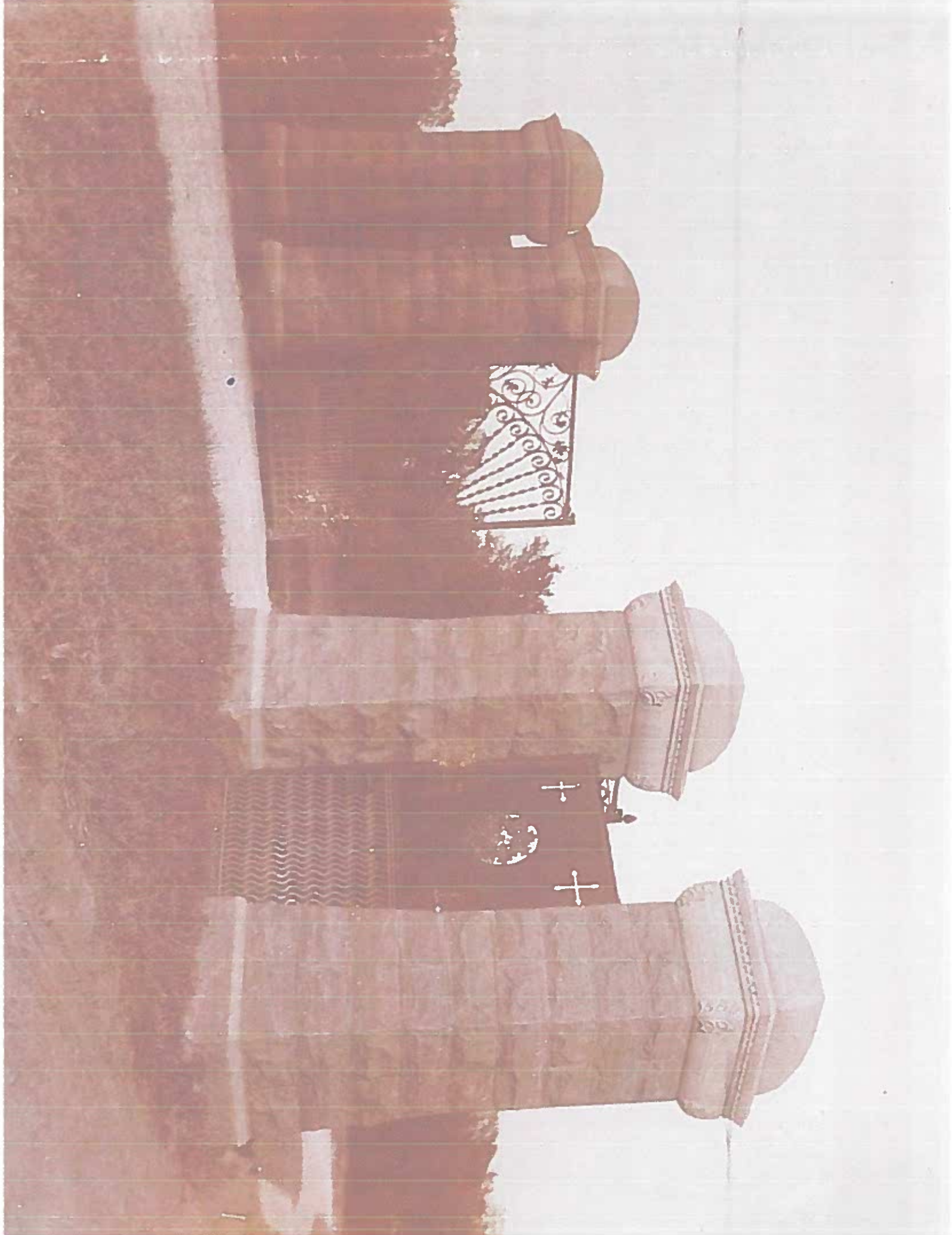
This is but one of the many advantages offered to Oakdale lot owners at no additional expense.

Oakdale Cemetery is a non-profit company that is dedicated to the people of this community. We invite you to call by phone, or visit us at our office located at the entrance of this dignified sanctuary. An illustrated booklet is available upon request.

Telephone 324-5121
Established 1856

Oakdale CEMETERY

2501 EASTERN AVE. DAVENPORT, IOWA



OAKDALE MEMORIAL GARDENS

DAVENPORT - 1922



PETLAND

BELLE AVE

Yellow House

E. CENTRAL PARK

Highland Ct

Mound St

E. Rusholme St

Spring Ct

Wooden Fence

Wooden Fence

E. Highland Park Ct

34

BABY

YOU ARE HERE

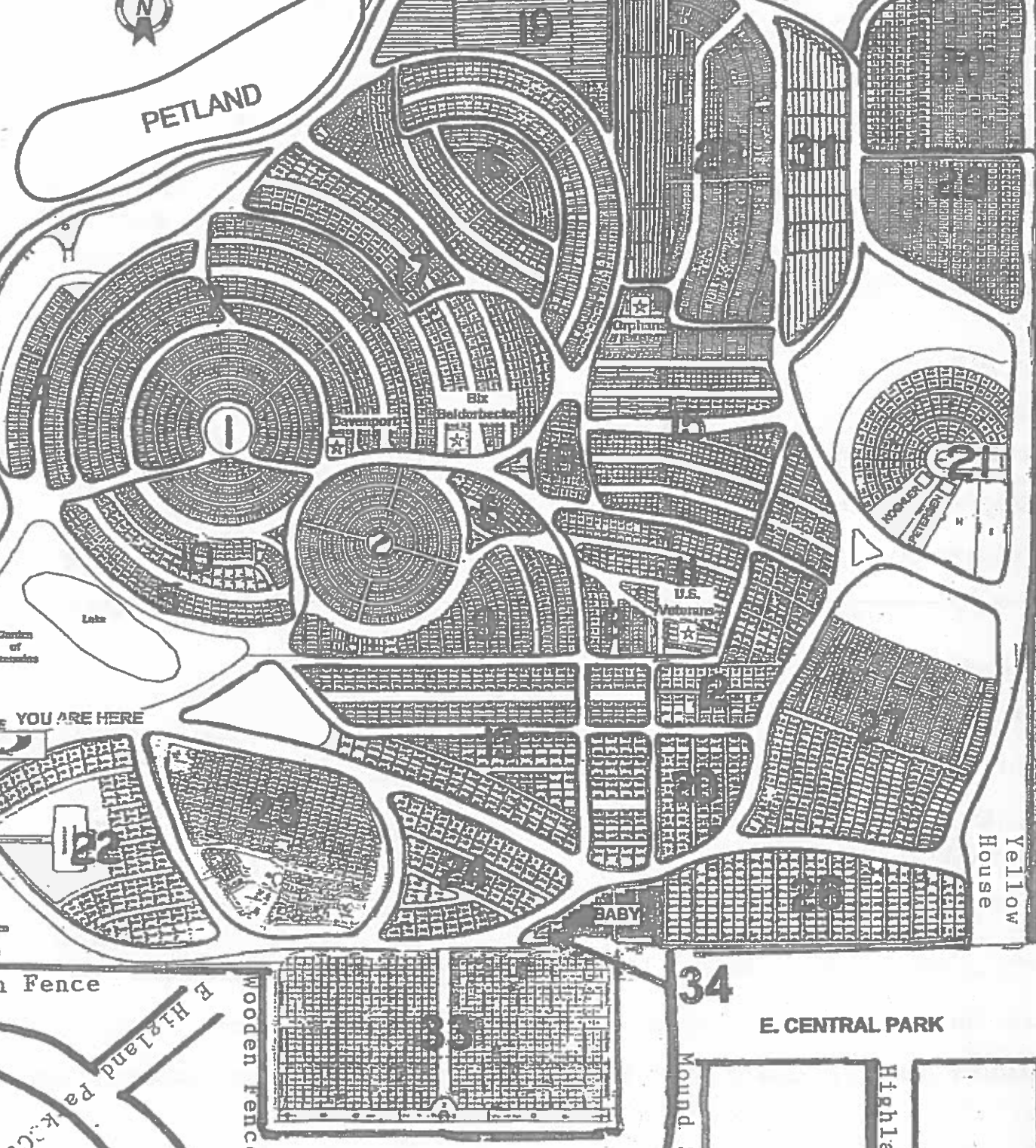


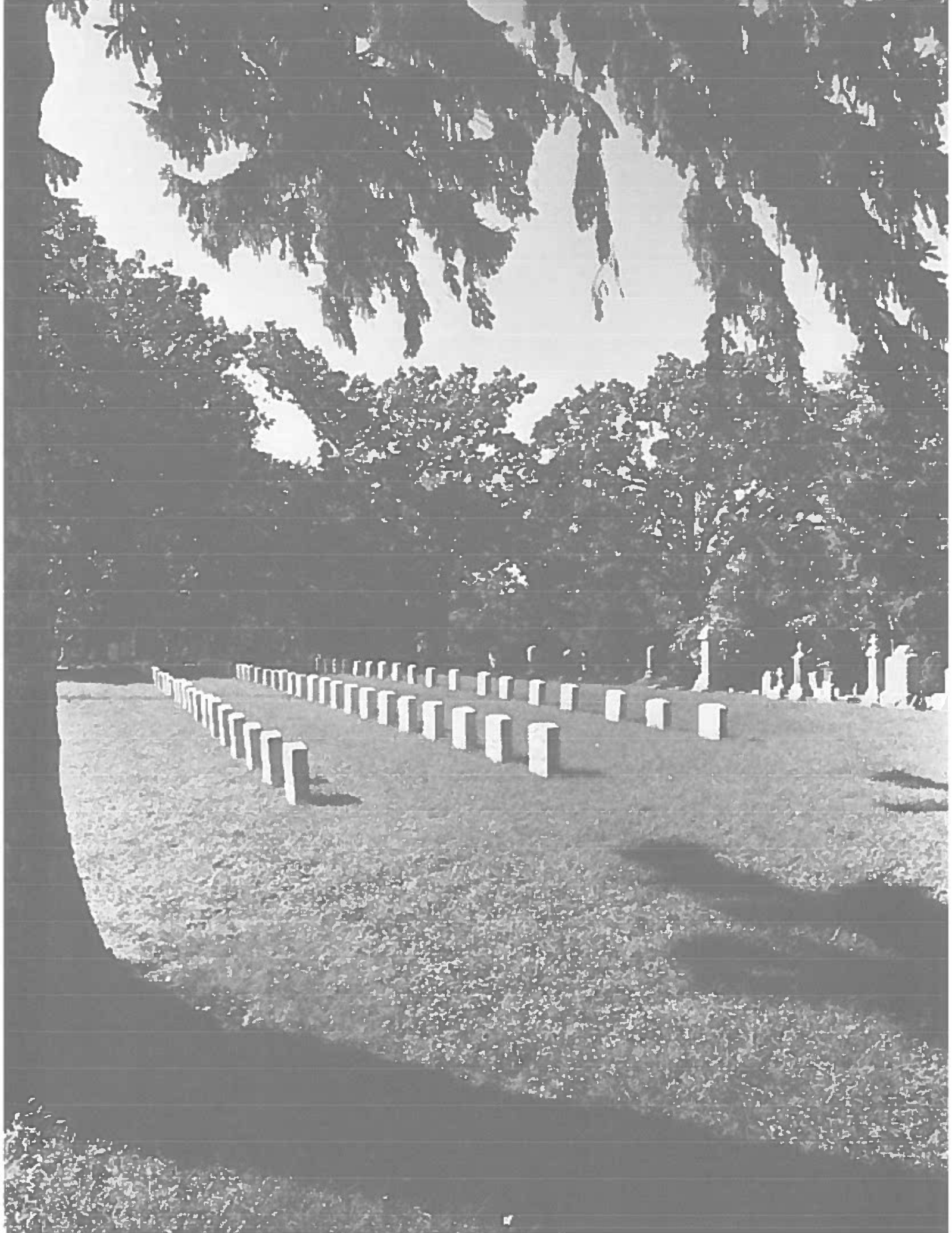
Garden of Contending

Lehr

Garden of Life

Main Gate











ALL WHO SLEEP HERE

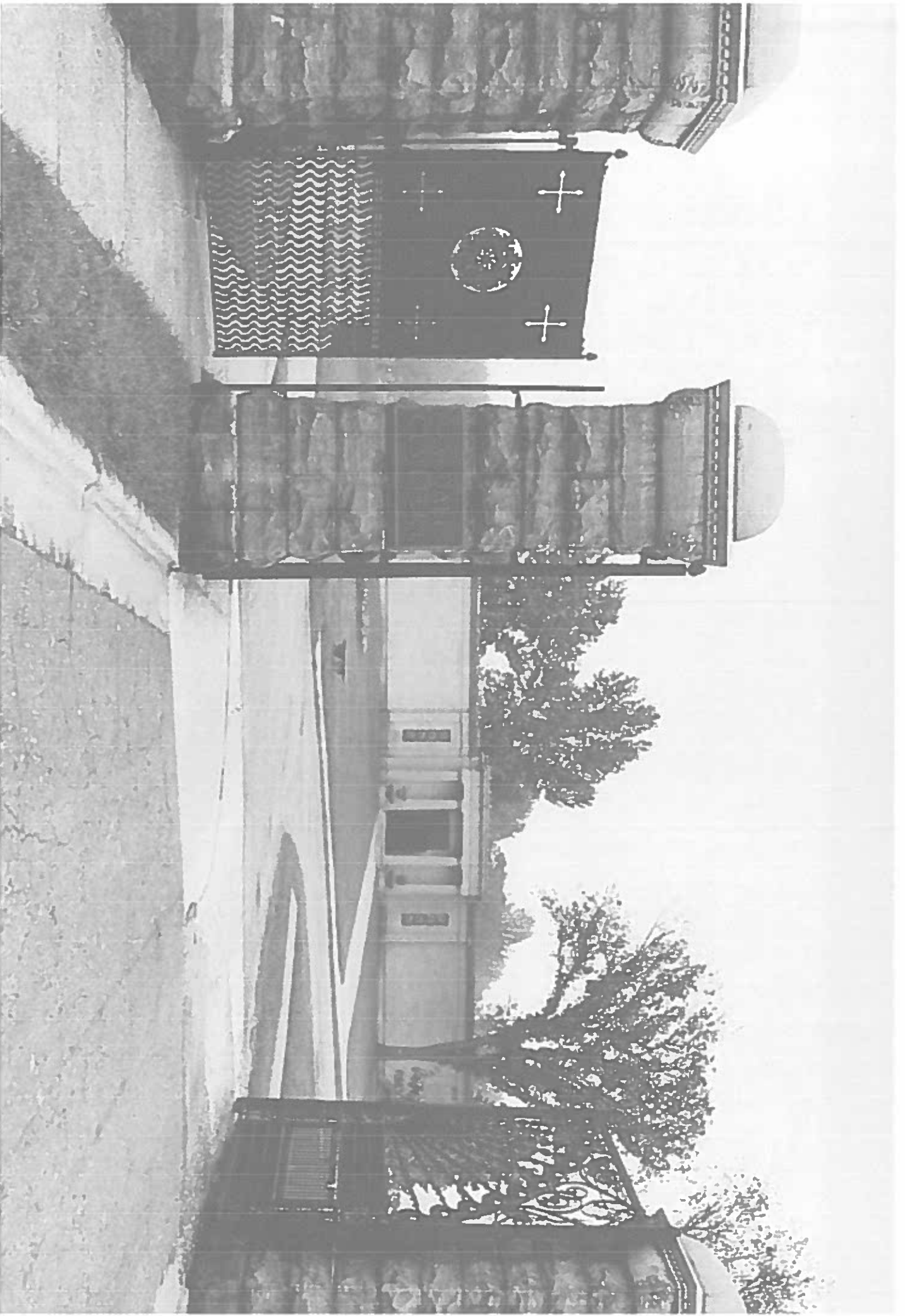
STILL EXIST
NOW AND FOREVER
AS MATERIAL
CONSTITUENTS
OF THE UNIVERSE

HOPE MAY
NOT BELIEVE
COULD NOT
DESCEND EXPERIENCE

ELLEN MONROE
Born Jan. 10, 1844
Died September 10, 1914

ELLEN

E. S. HANNON'S M.D.





TO BE PUBLISHED IN THE OCTOBER 28, 2015 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# 1606541 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 petitions:

Case No. ROW15-09 being a petition of Palmer College of Chiropractic for the vacation (abandonment) of 8,880 square feet of public right-of-way known as a 20 foot north-south alley bounded on the south West 7th Street and north of West 8th Street and is located west of Brady Street and East of Main Street. The purpose of the vacation is to allow for Palmer College to take over the repair and maintenance of the alley

The property has the following legal description:

Part of the Southeast Quarter of Section 26 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at a point on the South line of Out Lot 16 of LeClaire's Section Addition to the City of Davenport, Iowa, and at the intersection of the north line of West 7th Street and west line of Brady Street, as said streets are now laid out; thence west 140 feet along the north line of West 7th Street to the point of beginning, which is also the east line of a 20 foot wide alley; thence north 444 feet along the east line of said 20 foot wide alley to the south line of West 8th Street; thence west 20 feet along the south line of West 8th Street to a point, which is also the west line of said 20 foot wide alley; thence south 445.35 feet along the west line of said 20 foot wide alley to the north line of West 7th Street; thence east 20 feet along the north line of West 7th Street to the point of beginning.

Said tract contains 8,880 square feet more or less.

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW15-09 to the City Council with a recommendation for approval subject to the following condition:

1. A general utility easement be established and maintained over and across the entire property.

Case No: LL15-02 being the petition of Dustin Oliver on behalf of Oakdale Cemetery for the Local Landmark Nomination of the Oakdale Cemetery at 2501 Eastern Avenue.

The property has the following legal description:

Part of the Northwest and Southwest Quarters of Section 19 – Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:
Commencing at the Southwest corner of the Northwest Quarter of Section 19, Township 78 North, Range 4 East of 5th P.M., which is also the Southwest corner of real estate conveyed to The Oakdale Cemetery Company by Warranty Deed recorded in Book "S" of Land Deeds at page 170 in the office of the Recorder of Scott County, Iowa; thence North to the South line of real estate conveyed to Lawrence C. Swanson by Warranty Deed recorded as Document #12948-84 in the office of the Recorder of Scott County, Iowa; thence Easterly to the Southeast corner of said Lawrence C. Swanson's real estate; thence North 18° 6' 50" East 257.10 feet; thence West along the Northerly line of said Lawrence C. Swanson's real estate to the intersection of said real estate with the Southeast corner of real estate conveyed to Grimes Investments, Ltd. by Quit Claim Deed recorded as Document #8846-76 in the office of the Recorder of Scott County, Iowa; thence North 56° 50" East 404.13 feet to a point; thence North 43° 29' East 96.4 feet; thence North 0° 34' West 84.00 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence Easterly along said North line to the intersection of said line with the Westerly line of real estate conveyed to the City of Davenport, Iowa by Court Officer Deed recorded as Document #23175-77 in the office of the Recorder of Scott County, Iowa; thence South to the Southwest corner of Lot 10 of Eldridge's Addition to East Davenport, which point is also the Southwest corner of said real estate conveyed to the City of Davenport, Iowa; thence East along the line between Lots 10 and 11 of Eldridge's Addition to East Davenport to the Southeast corner of said Lot 10; thence South along the East line of Lots 11, 12, 13, 14 and 15 in Eldridge's Addition to East Davenport to the Northerly line of real estate conveyed to Charles E. Slack by Court Officer Deed recorded as Document #27061-77; thence West along the North line of said real estate to the Northwesterly corner of said real estate; thence South 22° 32' West 78.23 feet; thence South 130 feet to the Southerly line of Lot 15 in Eldridge's Addition to East Davenport; thence West along the Southerly line of Eldridge's Addition to East Davenport 595 feet to the Southwest corner of said Lot 15; thence South to the following described line: Said line is described as the line extended Easterly from the Northerly line of real estate conveyed to Midland Enterprises, Ltd. By Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence Westerly 200 feet more or less to the Northwesterly corner of said real estate conveyed to Midland Enterprises, Ltd. by Court Officer Deed recorded as Document #1594-78 in the office of the Recorder of Scott County, Iowa; thence South along the Westerly line of Lots 42, 41, 40, 39 and part of 38 in Deerfield Heights First Addition to the City of Davenport, Iowa 254 feet more or less; thence West 439.56 feet more or less along the Northerly line of Lots 37, 36, 35, etc. of the said Deerfield Heights First Addition to the City of Davenport, Iowa to the Easterly line of real estate conveyed to Ernest Grothe, et al by Warranty Deed recorded as Document # 12256-81 in the office of the Recorder of Scott County, Iowa; thence North to the Northwest corner of said real estate conveyed to Ernest Grothe, et al; thence West to the West line of Section 19; thence North to the point of beginning. Except those tracts of real estate used for road purposes.

Said tract contains 76.25 acres more or less.

The Historic Preservation Commission forwards Case No. LL15-02 to the City Council with a recommendation for approval.

Case No. ORD15-01: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning". Changes contemplated include, but are not limited to the regulations for the makeup of the Design Review Board and Dynamic Display Signs.

Specifically, the proposed changes are as follows:

Title 17.29.070(B) is proposed to be amended and read as follows:

17.29.070(B) Composition and qualifications. The board shall consist of eleven members. All members shall exhibit strong, positive experience or interest in urban design and development. At least one member shall be affiliated as a property or business owner within each of the following: 1) "DDOD" Downtown Design Overlay District, 2) "HSD" Historic Shopping District and/or 3) "HCVOD" Hilltop Campus Village Overlay District. All members shall live in the city of Davenport or own property or a business in Davenport.

17.45.051 is proposed to be amended and read as follows:

17.45.051: Dynamic display regulations.

A. Dynamic displays are allowed in the following districts: all 'C' or Commercial districts, all 'M' or Industrial districts, and all Planned districts commercial, institutional, and industrial). All dynamic displays must be oriented away from 'A-1' Agricultural districts and any 'R' residential districts. All schools, religious institutions, and civic institutions all allowed to have one of its allowed signs be a dynamic display regardless of which zoning district it is located in, provided the dynamic displays are turned off between the hours of 10:00 PM and 7:00 AM; such uses are exempt from the ordination restrictions. On properties, or within districts where design review by a city board, committee or commission is required for sign approval, said design review process shall remain in effect.

B. Only one dynamic display is permitted per lot. The dynamic display may be two-sided, only one side shall be counted toward area calculations. One contiguous dynamic display shall constitute a sign face.

C. A static dynamic display shall not change more than once every two seconds.

D. Dynamic display animation shall not be operated in a way that flashes, blinks, flutters, mimics traffic control devices or emergency vehicles, or purposely is designed to distract the public without providing content to the message. Live-action video is not allowed except the depiction of flags bearing the official design of national, state, municipality, educational institution or non-profit organization. A dynamic display that scrolls is permitted provided it does not operate as described in this subsection.

E. Where applicable, dynamic displays shall meet the requirements of Chapter 17.41, HCOD, highway corridor overlay district.

F. Dynamic displays existing on November 10, 2009 (the effective date of this section), must comply with the operational standards listed above to the extent possible. An existing dynamic display that does not meet the structural or orientation requirements listed in 17.45.051A may continue as a nonconforming use pursuant to Chapter 17.46. (Ord. 2009-471 § 5).

G. Dynamic displays shall not be allowed as roof signs.

H. All digital displays are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

I. No lighting shall be used in any way in connection with any sign unless it is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no case shall any sign exceed a maximum illumination of five thousand (5,000) candelas per square meter during daylight hours and a maximum of five hundred (500) candelas per square meter between dusk to dawn as measured from the sign's face at maximum brightness.

J. The above illumination levels are not a guaranteed allowable level of brightness, only a maximum potential level of brightness. When a complaint of a violation of this subsection I. has been confirmed by the zoning administrator, said sign shall have its illumination permanently reduced to satisfy compliance with this subsection I. as directed by the zoning administrator regardless of the above state maximum allowable levels. An appeal of the zoning administrator's decision regarding this subsection I. may be presented to the Davenport board of adjustment in accordance with section 17.5

The City Plan and Zoning Commission recommends the aforementioned text amendment be forwarded to the City Council with a recommendation for approval.

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 4, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances.

PO# 1606541.

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

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

Action / Date
CD11/4/2015

Subject:

Resolution approving Case No. F15-16 being the final plat of Russell-Crow Valley Office Park Sixth Addition being a one lot final plat on 1.12 acres, more or less, located just north on Lakeview Parkway and E 53rd Street on Lakeview Parkway. [Ward 6]

Recommendation:

The City Plan and Zoning Commission finds that:

1. the plat conforms to the comprehensive plan
2. the plat conforms (or will conform) to subdivision/zoning requirements

The City Plan and Zoning Commission accepted the listed findings and forwards Case F15-16 to the City Council with a recommendation for approval subject to the following conditions:

1. That all stormwater calculations and any required detention structures shall be provide to the City of Davenport per Natural Resource Office;
2. That all existing utility easements shall be maintained or otherwise accommodated;
3. The surveyor and the utility companies shall sign the plat.

Please refer to the Commission's September 22nd, 2015 letter for more information.

The Commission vote for approval was 8-yes, 0-no, and 1 abstention.

Relationship to Goals:

Diversify revenue and eliminate liabilities.

Background:

This is a final plat of a one lot commercial subdivision. Cross access and parking easements will be required for this development. No streets are proposed with this subdivision. The proposed sixth Addition replats Lot 1 of Russell-Crow Valley Office Park 4th Addition which was platted in 2012.

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

ATTACHMENTS:

Type	Description
▣ Backup Material	Background Material
▣ Resolution Letter	Resolution F15-16

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 5:47 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 5:51 PM

City Clerk

Admin, Default

Approved

10/27/2015 - 5:53 PM

		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	ROW15-06 Pleasant St	ROW15-07 Park Place Apt Easements	F15-16 Russell- CrowValley Off Pk 6th					
Connell	P	Y	Y	Y					
D'Autremont	P	Y	Y	Y					
Elgatian	P	Y	Y	Y					
Hepner	P	Y	Y	AB					
Inghram	P								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Maness	P	Y	Y	Y					
Martin	P	Y	Y	Y					
Martinez	P	Y	Y	Y					
Tallman	EX								
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	8-YES 0-NO 1-ABSTAIN					



City of Davenport
Community Planning & Economic Development Department
PREVIEW REPORT

PLAN AND ZONING COMMISSION

Meeting Date: September 15, 2015
Request: Final Plat Russell-Crow Valley Office Park Sixth Addition
Address: 4520 E 53rd St (NE corner Lakeview Parkway & East 53th)
Case No.: F15-16
Applicant: Russell Construction Co, Inc

RECOMMENDATION:

The staff recommends the City Plan and Zoning Commission accepts the listed findings and forward F15-16 to the City Council for approval subject to the conditions stated below.

INTRODUCTION

Request of Russell Construction Company, Inc. for a one lot final plat on 1.12 acres, more or less, located just north on Lakeview Parkway and E 53rd Street on Lakeview Parkway, east side of said street. The proposed sixth Addition replats Lot 1 of Russell – Crow Valley Office Park 4th Addition which was platted in 2012. The property is zoned "C-2" General Commercial District.

Aerial Photo:

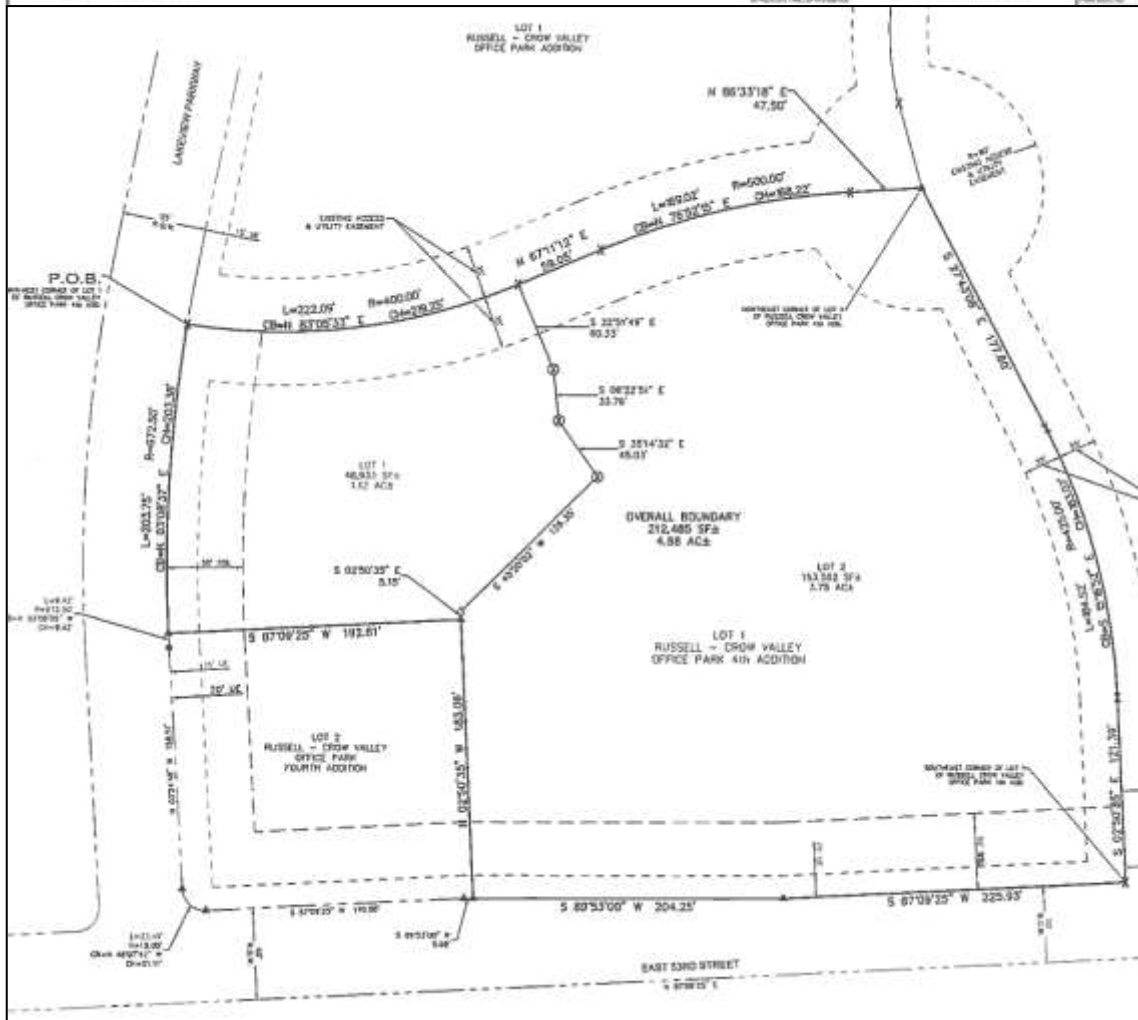
Zoning





Land Use





BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes
Within Existing Service Area: Yes
Proposed Land Use Designation: Commercial Office (CO)

Descriptions:

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

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 proposed plat is located at the intersection of Lakeview Parkway and East 53th Street, a local street and a arterial street.

Storm Water. There is existing stormwater infrastructure in the local street system. New retention requirements may be applicable.

Sanitary Sewer. Sanitary sewer service is located to the east in in Lakeview Parkway. Extension of the line may be necessary.

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

Emergency Services. The property is located approximately one and one-half (1-1/2) mile from Fire Station No. 8, which is located at 2802 East 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 plat and no notification is required.

DISCUSSION

The plat divides this large lot creating an additional office site. Cross access and parking easements will be required for this development.

STAFF RECOMMENDATION**Findings:**

- the plat conforms to the comprehensive plan
- the plat conforms (or will conform) to subdivision/zoning requirements

Recommendation:

The staff recommends the City Plan and Zoning Commission accepts the listed findings and forward F15-16 to the City Council for approval subject to the conditions stated below:

1. That all stormwater calculations and any required detention structures shall be provide to the City of Davenport per Natural Resource Office;
2. That all existing utility easements shall be maintained or otherwise accommodated;
3. The surveyor and the utility companies shall sign the plat.

Prepared by:



Scott Koops, AICP
Planner II

City of Davenport

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

Action / Date
CD 11/4/15

Subject:

RESOLUTION approving Case No. F15-16 being a one lot final plat on 1.12 acres, more or less, located just north on Lakeview Parkway and E 53rd Street on Lakeview Parkway. The proposed sixth Addition replats Lot 1 of Russell – Crow Valley Office Park 4th Addition which was platted in 2012. [6th Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

1. the plat conforms to the comprehensive plan
2. the plat conforms (or will conform) to subdivision/zoning requirements

The City Plan and Zoning Commission accepted the listed findings and forwards Case F15-16 to the City Council with a recommendation for approval subject to the following conditions:

1. That all stormwater calculations and any required detention structures shall be provide to the City of Davenport per Natural Resource Office;
2. That all existing utility easements shall be maintained or otherwise accommodated;
3. The surveyor and the utility companies shall sign the plat.

Please refer to the Commission's September 22nd, 2015 letter for more information.

The Commission vote for approval was 8-yes, 0-no, and 1 abstention.

Relationship to Goals:

Added emphasis on economic development

Background:

This is a final plat of a one lot commercial subdivision. Cross access and parking easements will be required for this development. No streets are proposed with this subdivision.

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

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Bruce Berger 326-7769
Wards: 1

Action / Date
CD11/4/2015

Subject:

Resolution providing preliminary approval for economic development assistance to CharNor at 3863 West River Drive. [Ward 1]

Recommendation:

Approve the resolution.

Relationship to Goals:

Added emphasis on economic development.

Background:

For over 35 years CharNor has provided quality remanufactured forklift parts to industrial equipment dealers. Now under new company ownership, CharNor is primed for growth and no longer has sufficient capacity in their Milan, Illinois facility and is planning on moving operations to 3863 West River Drive.

CharNor's project budget is approximately \$1.5 million and includes tenant improvements to the facility as well as machinery and equipment purchases. They will be creating 10 new full time positions over the next three years and retaining 64 existing positions.

In support of the project, the City will be offering partial tax exemption through the Urban Revitalization Tax Exemption Program (URTE) as well as a \$100,000 Economic Development loan through the Community Development Block Grant Program. CharNor is also seeking assistance from the State of Iowa High Quality Jobs program.

The approval of this resolution documents the following items:

1. City Council's preliminary approval of City participation in the project in support of the company's application to the Iowa Department of Economic Development for financial assistance and serves as the proposed source of any State required local match.
2. Authorizes the Mayor to sign documents as related to the project.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution CharNor

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 5:53 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 5:53 PM
City Clerk	Admin, Default	Approved	10/27/2015 - 5:53 PM

Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION providing preliminary approval for the economic development assistance to CharNor at 3863 West River Drive.

WHEREAS, in the City of Davenport, an urban revitalization plan under the provisions of Urban Renewal has been in effect since 1980; and

WHEREAS, this plan has been amended from time to time and provides incentives in the form of property tax exemption for both new construction and rehabilitation in order to encourage private investment and to help reverse the trend toward disinvestment; and

WHEREAS the tax exemption programs, together with the other economic development programs of the City, have been used to increase assistance for projects which otherwise would not occur.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, that the City Council does hereby provide preliminary approval through the Urban Revitalization Tax Exemption Program and the City's Economic Development Loan Program and supports seeking financial economic development assistance through the State of Iowa.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek,

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: 2, 6, 7, 8

Action / Date
CD11/4/2015

Subject:

Resolution amending the Plan for the North Urban Renewal Area consistent with the public hearing held in May. [Wards 2,6,7,8]

Recommendation:

Approve the resolution.

Relationship to Goals:

Diversify revenue and eliminate liabilities.

Background:

This resolution amends the Plan for the North Urban Renewal Area. A public hearing on this matter was held on May 6, 2015; however, this resolution was inadvertently omitted from the subsequent agenda. The amendment will include the addition of land in the Eastern Iowa Industrial Park that incorporates the rail line, as well as the right of way for the rail line located outside of City limits in Scott County and the City of Eldridge. It is permissible by State code to include land within two miles of City limits into an Urban Renewal Area when the governing body of those jurisdictions supports the inclusion. Both Scott County and the City of Eldridge have passed resolutions of support to allow the City of Davenport to include the rail right of way in Scott County and the City of Eldridge into the North Urban Renewal Area. The amended plan is attached.

The City of Davenport will also be amending the North Urban Renewal plan to combine the 74/53rd Economic Development Area and the North Urban Renewal Area into a single combined North Urban Renewal Area plan. This updated plan will include projects approved in 2014 and will also include Veteran's Memorial public safety infrastructure improvements, the extension of Elmore Ave, the construction of Transload Facility and associated rail line, and the 2014 Internal TIF.

Public hearing was held on May 6, 2015, at Committee of the Whole.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution North URA
▣ Exhibit	North URA Plan

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/29/2015 - 10:59 AM
Community Development Committee	Berger, Bruce	Approved	10/29/2015 - 10:59 AM
City Clerk	Admin, Default	Approved	10/29/2015 - 11:02 AM

Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION amending the Plan for the North Urban Renewal Area.

WHEREAS, the City of Davenport is planning to use TIF funds for a variety of projects in the North Urban Renewal Area totaling \$19.7 million.

WHEREAS, the State requires that Urban Renewal Plans be amended when the use of tax increment financing is being considered for a project; and

WHEREAS, the proposed project will add benefits to the tax base and meets the established policy for using tax increment financing to assist in primary business expansion; and

WHEREAS, in accordance with Section 403.9 of the Code of Iowa, a public hearing was held on May 6, 2015, to review and receive public comment on the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davenport, Iowa approves the amendments and consolidation of the North Urban Renewal Area.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

Consolidation of the I-74/53rd Street and North Davenport Urban Renewal Areas Into the North Davenport Urban Renewal Area & Corresponding Amendments through the Addition of Land and New Projects

The Plan for the North Davenport Urban Renewal Area is Amended to Read as Follows:

1. Introduction

The I-74/53rd Street Urban Renewal Area (URA) was established in 1985 and the North Davenport URA in 1986. These two areas are being amended by the consolidation of the I-74/53rd St and North Davenport URAs. The consolidated area will be known as the North Davenport Urban Renewal Area. Land will also be added in addition to the consolidation. This plan also includes amendments of proposed new projects within the Combined North Davenport Urban Renewal Area.

Now and therefore, the Amended and Restated Urban Renewal Plan is hereby amended as follows:

2. Description of the Urban Renewal Area

The legal description of the North Davenport Urban Renewal Area follows as Exhibit A.

3. Area Designation

The City continues to designate the Urban Renewal Area as an economic development area that is appropriate for the promotion of new commercial and/or industrial development.

4. Project Area Objectives and Activities

This Urban Renewal Plan is intended to strengthen the economy, enhance the viability of and stimulate development of the area. Objectives of the area are as follows:

Objectives

1. Preserve and enhance the physical/ecological assets of the project area.
2. Assist and retain local industries and commercial enterprises.
3. Promote and assist private investment in industrial development.
4. Develop a vehicular circulation system that is designed to provide for free and safe vehicular and pedestrian movement.
5. Further develop park and recreational facilities for service to the area and the City.
6. Install and improve the quality of public improvements to complement development activities and thereby create a sound physical environment and infrastructure for economic growth.
7. Promote and assist in the development of an Interstate 74 and 53rd Street exchange to promote economic development.
8. Provide expanded opportunities for employment for Davenport residents.
9. Encourage the location and expansion of commercial enterprises to more conveniently provide needed services and facilities to the residents of the City.
10. Provide for the acquisition and creation of public open spaces, such as park and trails, intended to support development and other plan objectives that will improve the aesthetic quality of the community.
11. Provide for adequate utility services to ensure the private development of the area.

Activities: The proposed actions in the Urban Renewal Project Area will consist of one or more of the following actions as outlined by Chapter 403 of the Iowa Code.

1. Construction or rehabilitation of buildings.
2. Contracting for the furnishing or repair by any person of services, privileges, works, streets, roads public and private utilities.
3. Vacation and dedication of public rights-of-way.
4. Provision of necessary public works and improvements.
5. Continuing evaluation of the condition of project area buildings, streets, utilities and other improvements necessary to support the development and rehabilitation of the area.
6. Undertaking additional surveys, inspections, City staff work, engineering, and planning studies necessary to the fulfillment of the intent of this Economic Development Plan.
7. Implementation of controls, restrictions, and guidelines to effectuate and preserve the objectives enumerated above.
8. Provision of direct economic development assistance to businesses that meet criteria involving investment and job creation, as established by the City Council and amended from time to time, including, but not limited to grants and loans, specifically supported through the use of Tax Increment Financing.
9. To use any or all other powers granted by Chapter 403 of the Iowa Code to develop and provide for improved economic conditions for the City of Davenport.

5. Previous Urban Renewal Projects

- i. Heart of America: New hotel development with associated mixed use power center
- ii. Revitalize Iowa's Sound Economy (RISE): Payment for road costs
- iii. Hardi North America: Manufacturing expansion with additional employees
- iv. Miracle Tools America: Manufacturing expansion with additional employees

6. Proposed New Projects (Amendments to Plan)

- i. Veteran's Memorial Public Safety Infrastructure Improvements
 - Location: Along Veteran's Memorial Parkway from Eastern Avenue to Elmore Avenue
 - Cost: \$2, 345,000
 - Rationale: To provide public safety and infrastructure improvements in the Veteran's Memorial Parkway corridor. Improvements include enhancing crosswalks and intersections at Jersey Ridge Road and Crumwell Circle as well as bike path enhancements for pedestrian safety.
- ii. Elmore Avenue Extension
 - Location: Extension of the current Elmore Avenue north to Veteran's Memorial Parkway
 - Cost: \$13,000,000
 - Rationale: To provide the road infrastructure to previously undeveloped land and provide access to 250 acres of land along the Elmore Avenue corridor.

iii. Transload Facility and Rail Line Construction

- Location: Eastern Iowa Industrial Center, beginning at the Transload Facility and continuing along the rail right of way through Scott County and the City of Eldridge
- Cost: \$4,100,000
- Rationale: To provide a publically owned facility for loading and unloading from truck to train or vice versa for regional industries and to assist with business growth. Also providing the rail line connection from the existing rail line to the transload facility.

iv. 2014 Internal TIF

- Cost: \$275,000
- Rationale: To reimburse the General Fund for Economic Development staff costs and other economic development related activities such as economic research tools and training.

7. Proposed New Area (Amendments to Plan):

Parts of Sections 26, 27, 28 and 33 all in Township 79 North Range 3 East of the 5th P.M. being more particularly described as follows:

Tract 1 (City of Davenport): Parcel No. W3307-01 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 22, 2011 as Document 2011-36630 with the following legal description:

Part of the North Half of the Northeast Quarter of Section 33 in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: Lot 1 of Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport Iowa. Said tract contains 13.64 acres, more or less.

Tract 2 (City of Davenport): Parcel No. W2801-01 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 22, 2011 as Document 2011-36628 with the following legal description:

Part of the Southeast Quarter of the Southeast Quarter of Section 28, in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: The Eastern 390.00 feet of the Southeast Quarter of the Southeast Quarter of Section 28, in Township 79 North Range 3 East, excluding the Rail Road Right-of-Way per document 2011-1922. Said tract contains 10.00 acres, more or less.

Tract 3 (City of Davenport): Parcel No. W2801-02 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922 and;

Tract 4 (Scott County): Parcel No. 932839005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

Tract 3 and 4 are legally described as follows:

Part of the Southeast Quarter of Section 28 and the Southwest Quarter of Section 27, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A variable width right-of-way, the centerline of which is divided into equal stations of 100.00 feet in length; said centerline is described as follows: Commencing at the West Quarter Corner of said Section 27; thence South 02 degrees 09 minutes 53 seconds East 2.85 feet on the west line of the Southwest Quarter of said Section 27; thence North 87 degrees 50 minutes 11 seconds East 0.60 feet to the east line of described right-of-way line of Slopertown Road; thence on said southerly line and the arc of a 1943.00 foot radius curve, concave northeasterly 25.98 feet, with a chord bearing and distance of North 81 degrees 38 minutes 28 seconds East 25.98 feet to the point of beginning; said point being centerline Station 219+36.05; thence South 02 degrees 09 minutes 49 seconds East on said centerline 2660.95 feet to the intersection with the south line of the Southeast Quarter of said Section 28 and there terminating a centerline Station 245+96.97. The east line of the proposed right-of-way line is 25.00 feet easterly of a parallel with the aforesaid centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet left of Station 219+40.80 and runs southerly to Station 239+99.14; thence said right-of-way widens to 35 feet easterly of and parallel with said centerline to Station 245+97.37 at the intersection with the south line of the Southwest Quarter of said Section 27; and there terminating. The west line of the proposed right-of-way is 25.00 feet westerly of and parallel with said centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet right of Station 219+31.09 and runs southerly to Station 221+49.11; thence said right-of-way line widens to 45.00 feet westerly of and parallel with said centerline to Station 237+99.52; thence said right-of-way line narrows to 25.00 feet westerly of and parallel with said centerline to Station 239+9.14; thence said right-of-way line widens to 35.00 feet westerly of and parallel with said centerline to Station 245+96.56 at the intersection with the south line of the Southeast Quarter of said Section 28, and there terminating. The above described right-of-way contains 4.10 acres, more or less. Right-of-way plat attached and by this reference made apart hereof.

Tract 5 (City of Eldridge): Parcel No.932703005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2001-1925 with the following legal description:.

Part of the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a strip of land 50.00 feet wide the centerline being described as follows: Commencing at the southeast corner of the Northeast Quarter of the Northwest Quarter of Section 27; thence North

02 degrees 02 minutes 05 seconds West 314.87 feet; thence South 87 degrees 57 minutes 04 seconds West 545.77 feet to the point of beginning; thence South 87 degrees 57 minutes 04 seconds West along the centerline of said strip 1432.24 feet to the point of curvature of a curve, concave southeasterly, having a radius of 716.20 feet with a central angle of 90 degrees 04 minutes 12 seconds and a chord bearing and distance of South 42 degrees 55 minutes 11 seconds West 1013.48 feet for a distance of 1125.88 feet along said curve; thence South 02 degrees 06 minutes 55 seconds East 862.30 feet to the northerly right-of-way line of Slopertown Road and there terminating. Said tract contains 3.93 acres, more or less.

Tract 6 (City of Eldridge): Parcel No. 932713002 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on July 29, 1985 as Document 1985-11443 with the following legal description:

Part of the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a strip of land 50.00 feet wide the centerline being described as follows: Commencing at the southeast corner of the Northeast Quarter of the Northwest Quarter of Section 27; thence North 02 degrees 02 minutes 05 seconds West 314.87 feet; thence South 87 degrees 57 minutes 04 seconds West 545.77 feet to the point of beginning; North 87 degrees 57 minutes 04 seconds East 545.77 feet to the west line of Buttermilk Road also known as 155th Avenue and there terminating. Said tract contains 0.63 acres, more or less.

Tract 7 (Scott County): Parcel No. 932705006 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1923. With the following legal description:

Part of the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way strip of land 50.00 feet wide the centerline being described as follows: Commencing at the northeast corner of said Section 27, thence South 01 degrees 53 minutes 47 seconds East 1022.09 feet on the east line of said Section 27; thence South 87 degrees 57 minutes 04 seconds West 1327.16 feet to the east line of the west half of the Northeast Quarter of said Section 27 and the point of beginning; thence South 87 degrees 57 minutes 04 seconds West 1292.58 feet to the east right-of-way line of Buttermilk Road (155th Avenue) and there terminating. Along with a triangular piece of land lying adjacent to and coincident with the southwest corner of the above described right-of-way said corner being the point of beginning; thence North 87 degrees 57 minutes 04 seconds East 148.00 feet along the south line of the the above described right-of-way; thence southwesterly to a point in the east right-of-way line of Buttermilk Road (155th Avenue) 35 feet southerly of the southwest corner of the above described right-of-way; thence

North east right-of-way line of Buttermilk Road (155th Avenue) 35 feet to the point of beginning. Said combined tracts contain 1.54 acres, more or less.

Tract 8 (City of Eldridge): Parcel No.932707003 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1926 with the following legal description:

Part of the Northeast Quarter of the Northeast Quarter of Section 27, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way strip of land 50.00 feet wide the centerline being described as follows: Commencing at the northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 27; thence South 01 degrees 53 minutes 47 seconds East 1022.09 feet on the east line of said Quarter Section to the point of beginning; thence South 87 degrees 57 minutes 04 seconds West 1327.16 feet to the west line of the Northeast Quarter of the Northeast Quarter of said Section 27 and there terminating. Said tract contains 1.52 acres, more or less.

Tract 9 (City of Eldridge): Parcel No.932601005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1924 with the following legal description:

Part of the Northwest Quarter of Section 26, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A right-of-way strip of land 50.00 feet wide described as follows: Commencing at the northwest corner of said Section 26; thence South 01 degree 53 minutes 47 seconds East along the west line of said Northwest Quarter 997.09 feet to the south line of land currently owned by Alfred Arp LLC as described in the Court Officer Deed filed for recorded on March 18, 1997 as document 1997-6145, and being the point of beginning; thence North 87 degrees 50 minutes 07 seconds East along said south line 1213.09 feet to the northwest corner of Lot 1 of Lancer Industrial Park South Behrens Second Addition to the City of Eldridge; thence South 02 degrees 18 minutes 17 seconds East along the west line of said Lot 1 50.00 feet; thence South 87 degrees 50 minutes 07 seconds West along a line 50.00 feet southerly of and parallel to the south line of said land owned by Alfred Arp LLC 1213.44 feet to the west line of said Northwest Quarter; thence North 01 degrees 53 minutes 47 seconds West along the west line of said Northwest Quarter 50.00 feet to the point of beginning. Said tract contains 1.39 acres, more or less.

Tract 10 (City of Eldridge): Parcel No.9326031012 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34211 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A right-of-way 50.00 feet wide described as the

North 50.00 feet of Lot 1 of Lancer Industrial Park South Behrens Second Addition to the City of Eldridge. Said tract contains 1.01 acres, more or less.

Tract 11 (City of Eldridge): Parcel No.932603101-22 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34209 with the following legal description:

Part of the North Half of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 50.00 feet wide in part of Lots 1 and 2 of Lancer Industrial Park South to the City of Eldridge, with the centerline being described as follows: Commencing at the northwest corner of said Lot 2; thence South 01 degree 10 minutes 15 seconds West along the west line of said Lot 2 174.82 feet to the point of beginning; thence 284.78 feet along the arc of a 716.78 foot radius curve concave northwesterly, having a chord bearing and distance of North 71 degrees 55 minutes 58 seconds East 282.91 feet with a central angle of 22 degrees 45 minutes 51 seconds; thence North 60 degrees 33 minutes 03 seconds East 40.72 feet; thence 339.72 feet along the arc of a 716.78 foot radius curve concave southeasterly with a chord bearing and distance of North 74 degrees 07 minutes 43 seconds East 336.55 feet with a central angle of 27 degrees 09 minutes 20 seconds; thence North 87 degrees 42 minutes 23 seconds East 52.95 feet to the east line of said Lots 1 and 2 and there terminating. Said tract contains 0.82 acre, more or less.

Tract 12 (City of Eldridge): Parcel No.9326052012 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34207 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 25.00 feet wide located in part of Lots 1 and 3 of the Replat of Lot 2 of Mueller Lumber 1st Addition to the City of Eldridge described as follows: The South 25.00 feet of Lots 1 and 3 of the Replat of Lot 2 of Mueller Lumber 1st Addition to the City of Eldridge. Said tract contains 0.30 acre, more or less.

Tract 13 (City of Eldridge): Parcel No.9326052012 described in the Quit Claim Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34205 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 12.50 feet wide located in part of Lot 3 of Lancer Industrial Park South to the City of Eldridge described as follows: the North 12.50 feet of Lot 3 of Lancer Industrial Park South to the City of Eldridge. Said tract contains 0.15 acre, more or less.

Tract 14 (City of Eldridge): Parcel No.93260530A2 described in the Corrected Warranty Deed filed for record with the Office of the Recorder of Scott County on June 10, 2013 as Document 2013-18332 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 50.00 wide located in part of Parcel A in Mueller Lumber 2nd Addition to the City of Eldridge with a centerline described as follows: Commencing at the southwest corner of said Parcel A, thence North 02 degrees 01 minutes 33 seconds West a distance of 125.16 feet on the east line of said Parcel A to a point of curve, concave northwesterly, having a radius of 552.00 feet and the point of beginning; thence southwesterly 148.79 feet along the arc of said curve through a central angle of 16 degrees 19 minutes 53 seconds with a chord bearing and distance of South 87 degrees 42 minutes 23 seconds West 80.94 feet to the west line of said Parcel A and there terminating. Said tract contains 0.17 acre, more or less.

Tract 15 (City of Eldridge): Parcel No.93260540B2 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34203 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 50.00 wide located in part of Parcel B in Mueller Lumber 3rd Addition to the City of Eldridge with a centerline described as follows: Commencing at the southeast corner of said Parcel B, thence North 02 degrees 01 minutes 33 seconds West 195.17 feet on the east line of said Parcel B to a point of curve concave northwesterly having a radius 716.78 feet and being the point of beginning; thence southwesterly 261.31 feet along the arc of said curve through a central angle of 20 degrees 53 minutes 17 seconds with a chord bearing and distance of South 72 degrees 08 minutes 00 seconds West 259.87 feet to the west line of said Parcel B and there terminating. Said tract contains 0.30 acres more or less.

Tract 16 (City of Eldridge): Parcel No.93260540C described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 12, 2011 as Document 2011-1467, containing two tracts, a permanent rail easement and a roll & hold easements in the Plat of Rail Easements dated September 30, 2014.

Tract No. 1 PRE Permanent Rail Easement

A parcel of land located in part of Parcel C of Mueller Lumber 3rd Addition to the City of Eldridge situated in part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. shown as Tract No. 1-PRE on the attached Plat of Rail Easements Sheet 1 of 4 attached hereto and by this reference made a part hereof and being more particularly described as follows: Commencing in the southeast corner Parcel C of said Mueller Lumber 3rd Addition; thence North 00 degrees 11 minutes 13 seconds along the east line of said Parcel C 125.57 feet

to the point of beginning; thence in a northwesterly, westerly and southwesterly direction along the arc of a curve concave southerly with a radius of 645.21 feet with a chord bearing and distance of North 84 degrees 09 minutes 52 Seconds West 561.22 feet for a distance of 591.71 feet; thence South 79 degrees 29 minutes 50 seconds West 7.76 feet to the intersection with the west line of said Parcel C; thence North 00 degrees 11 minutes 56 seconds East along the west line of said Parcel C 42.86 feet; thence northeasterly, easterly and southeasterly along the arc of a curve concave southerly with a radius of 650.81 feet with a chord bearing and distance of North 88 degrees 49 minutes 58 seconds East 566.27 feet for a distance of 585.85 feet to the intersection with the east line of said Parcel C; thence South 00 degrees 11 minutes 13 seconds West along the east line of said Parcel C 110.04 feet to the point of beginning. Said tract contains 0.99 acre, more or less.

Tract No. 2 PR&HE Permanent Roll and Hold Easement

A parcel of land located in part of Parcel B and Parcel C of Mueller Lumber 3rd Addition to the City of Eldridge situated in part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. shown as Tract No. 2-PR&HE on the attached Plat of Rail Easements Sheet 1 of 4 attached hereto and by this reference made a part hereof and being more particularly described as follows:

Commencing at the southeast corner of Parcel C of said Mueller Lumber 3rd Addition; thence North 00 degrees 11 minutes 13 seconds East along the east line of said Parcel C 4.81 feet to the point of beginning; thence in a northwesterly, westerly and southwesterly direction along the arc of a curve concave southerly with a radius of 529.73 feet with a chord bearing and distance of North 72 degrees 06 minutes 33 seconds West 497.89 feet for a distance of 518.32 feet; thence South 79 degrees 56 minutes 57 seconds West 381.64 feet to the intersection with the southerly right-of-way line of an existing rail easement; thence in a northeasterly direction along the arc of a curve concave northwesterly with a radius of 741.78 feet with a chord bearing and distance of North 72 degrees 24 minutes 01 seconds East 194.65 feet for a distance of 195.21 feet to the intersection with the west line of said Parcel C; thence North 00 degrees 11 minutes 56 seconds East along the west line of said Parcel C 13.75 feet; thence North 79 degrees 29 minutes 50 seconds East 7.76 feet; thence in a northeasterly, easterly and southeasterly direction along the arc of a curve concave southerly with a radius of 645.21 feet with a chord bearing and distance of South 84 degrees 09 minutes 52 seconds 561.22 feet for a distance of 591.71 feet to the intersection with the east line of said Parcel C; thence South 00 degrees 11 minutes 13 seconds along the east line of said Parcel C 120.76 feet to the point of beginning. Said tract contains 0.92 acre, more or less.

Note the East line of Parcel C of Mueller Lumber 3rd Addition has a platted bearing of N00 degrees 13 minutes 40 seconds East and a surveyed bearing of North 00 degrees 11 minutes 13 seconds East which is used for the purpose of this description.

Combined tracts contain 41.41 acres, more or less.

8. Debt

- June 30, 2014 constitutional debt limit: \$307,269,293
- Current outstanding general obligation debt: \$205,587,350
- Proposed amount of indebtedness to be incurred: \$19,720,000

9. Property Acquisition and Disposition

The City will follow any applicable requirements for the acquisition and disposition of property.

10. Urban Renewal Plan Amendments

The North Davenport URA may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects or to modify goals or types of urban renewal activities. The City Council may amend this Plan in accordance with applicable state law.

11. Effective Period

This Amendment will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council and the use of incremental property tax revenues, or the "division of revenue" as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code. The division of revenues shall continue on the all areas authorized prior to January 1, 1995 as these areas were established prior to the 20 year term limit. All other additions are subject to applicable term limits established by Chapter 403.

12. Repealer

Any part of the previous Plan, as previously amended, in conflict with the Amendment are hereby repealed.

13. Severability Clause

In any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or part of the Plan not determined to be invalid or unconstitutional.

Exhibit A: Legal Description for the North Davenport Urban Renewal Area (Combining the North URA & the I-74-53rd Street URA)

North Area URA:

Beginning at the southeast corner of Section 12, T78N, R3E of the 5th PM; thence west along the south line of said Section 12 to intersection with the westerly right-of-way line of Brady Street (US No 61 northbound); thence northwesterly along said westerly right-of-way line to the intersection with the southerly right-of-way line of 50th Street; thence southwesterly along said southerly right-of-way line to the intersection with the westerly right-of-way line of US No 61 southbound; thence north along said westerly right-of-way line to the intersection with the south right-of-way line, extended east, of Sheridan Street; thence west, along said extended line, and northwesterly and northerly along the southerly and westerly right-of-way line of said Sheridan Street to the intersection with the north right-of-way line east of 53rd Street; thence east along said north right-of-way line to the intersection with the westerly right-of-way line of said US No. 61 southbound thence northerly along said west right-of-way line to the intersection with the southerly line of the NE $\frac{1}{4}$ of Section 2, T78N, R3E of the 5th P.M.; thence west, along said South line to the SW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 2; thence North along the west line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 2, to the intersection with the southerly line of Scott County Regional Industrial Park; thence westerly along said southerly line to the intersection with the westerly right-of-way line of Marquette Street; thence northerly along said westerly right-of-way line to the intersection with the northerly right-of-way line of 76th Street; thence easterly along said northerly right-of-way line to the southeast corner of Section 34; T79N, R3E of the 5th PM; thence north along the east line of the southeast quarter of said Section 34 to the intersection with the southerly right-of-way line of I-80; thence northwesterly along said right-of-way line to the intersection with the westerly right-of-way line of Division Street; thence northerly along said westerly right-of-way line to the intersection with said southerly right-of-way line of I-80; thence westerly along said southerly right-of-way line to the intersection with the East line of the SE $\frac{1}{4}$ of Section 33, T79N, R3N of the 5th P.M.; thence south along said east line to the SE corner of the SE $\frac{1}{4}$ of said Section 33; thence west along the south line of said SE $\frac{1}{4}$ to the intersection with the easterly right-of-way line of U.S. Highway No.150 (Northwest Boulevard); thence westerly along said south line to the intersection with the westerly right-of-way line of said U.S. intersection with said southerly right-of-way line of I-80; thence westerly along said southerly line to the intersection with the west line of the SW $\frac{1}{4}$ of Section 32, T79N, R3E of the 5th P.M.; thence north along said west line to the intersection with the south right-of-way line to the intersection with the east line of the NW $\frac{1}{4}$ of said Section 32; thence North along said east line and its extension north to the intersection with the northerly line of Sheridan Industrial Park 1st Addition extended westerly; thence easterly along said extended line and said northerly line to the northeast corner of Lot 1 of Hoefer's Addition; thence South along the east line of said Addition to the intersection with the north line of the NE $\frac{1}{4}$ of said Section 32; thence east along said north line to the northeast corner of said Section 32; thence east along the north line of the NW $\frac{1}{4}$ of Section 33, T79N, R3E of the 5th P.M., to the intersection with the westerly right-of-way line of Hillandale Road; thence southerly along said westerly right-of-way line to the intersection with the south line of the NW $\frac{1}{4}$ of said Section 33; thence east along said south line to the southeast corner of said NW $\frac{1}{4}$; thence east along the south line of the NE $\frac{1}{4}$ of said Section 33 to the northeast corner of the SE $\frac{1}{4}$ of said Section 33; thence east

along the south line of the NW ¼ of Section 34, T79N, R3E of the 5th P.M. to the intersection with the westerly right-of-way line of Division Street; thence northerly along said westerly right-of-way line to the intersection with the northerly line of the Davenport Municipal Airport also being the northerly corporation limit line of the City of Davenport, Iowa; thence east along said northerly corporation limit line to the intersection with the easterly right-of-way line of Harrison Street; thence southeasterly along said easterly right-of-way line to the intersection with the south line of the northeast quarter of Section 35, T79N, R3E of the 5th P.M., said line also being the corporation limit line of the City of Davenport, Iowa; thence east along said south line and its extension east to the intersection with easterly right-of-way line of Eastern Avenue; thence southerly along said easterly right-of-way line to the intersection with the south line of the southwest quarter of Section 6, T78N, R4E of the 5th P.M.; thence east along the south line of said Section 6 to the southeast corner of said Section 6; thence continuing east along the south line of Section 5, T78N, R4E of the 5th P.M. to the southeast corner of said Section 5; thence continuing east along the south line of the southwest quarter of Section 4, T78N, R4E of the 5th PM to the intersection with the easterly line, extended northerly, of Crow Valley Office Park 1st addition; thence southwesterly along said extended line and along the east line of said addition 239.13 feet; thence S75°-50' -14"E a distance of 177.09 feet to the intersection with the west line of Crow Valley Golf Club; thence SOO -25'-24"E along said west line 555.70 feet; thence S81° -18' -54" E along the southerly line of said Crow Valley Golf Club a distance of 513.63 feet to the intersection with the east line of the northwest quarter of Section 9, T78N, R4E of the 5th PM, said line also being the corporation limits line of the City of Davenport, Iowa; thence south along said corporation limits line to the intersection with the southerly right-of-way line of East 53rd Street; thence westerly along said southerly right-of-way line to the intersection with the easterly right -of-way line of Utica Ridge Road; thence southwesterly along said, easterly right-of-way line to the intersection with the south line of the southeast quarter of Section 8, T78N, R4E of the 5th PM, said line also being the corporation limits line of the City of Davenport, Iowa; thence west and south along said corporation limits line to the intersection with the south line, extended east, of property owned by R. Hovey Tinsman, Jr., W, Scott Tinsman and Betsey T. Dustman; thence west along said extended line and west along said south line a distance of 469.23 feet to the intersection with the east line of Duck Creek Park; thence north along said east line to the northwest corner of said property; thence east along the north line of said property to the intersection with the westerly right-of-way line of Kimberly Road; thence northwesterly along said westerly right-of-way line and the westerly right-of-way line of old Kimberly Road to the intersection with the west line of the southwest quarter of Section 17, T78N, R4E of the 5th PM; thence north along the west line of said Section 17 to the northwest corner of said Section 17; thence continuing north along the west line of Section 8, T78N, R4E of the 5th PM to the intersection with the south right-of-way line of East 53rd Street; thence west along said south right-of-way line to the intersection with the east right-of-way line of Eastern Avenue; thence south along said east right-of-way line to the intersection with the south line of the southwest quarter of Section 7, T78N, R4E of the 5th PM; thence west along the south line to the point of beginning.

Ryan Warehouse Amendment (North URA):

Commencing at the North Quarter Corner of said Section 33, thence South 2 degrees 30 minutes 46 seconds East, 1335.79 feet on the west line of the Northeast Quarter of said Section 33 to the westerly extension of the northerly line of Lot 6 in Interstate 80 Airport Industrial Park; thence North 88 degrees 30 minutes 44 seconds East, 431.45 feet on said extension and northerly line to the point of beginning; thence North 01 degrees 19 minutes 32 seconds West, 450.13 feet; thence North 88 degrees 40 minutes 28 seconds East, 2208.00 feet to the east line of the North Half of the Northeast Quarter of said Section 33; thence South 02 degrees 14 minutes 44 seconds East, 443.92 feet on said east line to the north line of the Interstate 80 Airport Industrial Park Subdivision; thence South 88 degrees 30 minutes 44 seconds West, 2215.14 feet on said north line to the point of beginning, containing 22.70 acres, more or less; and Lot 5 and the easternmost 14.05 acres of Lot 6 of the Interstate 80 Airport Industrial Park, being a subdivision of parts of Section 33, Township 79 North, Range 3 East of the 5th P.M., City of Davenport, Scott County, Iowa.

MA Ford Amendment (North URA):

Beginning at the intersection of the southerly right-of-way line of I-80 and the East line of the SE ¼ of Section 33, T79N, R3E of the 5th PM; thence south along said east line to the SE corner of the SE ¼ of said Section 33; thence west along the south line of said SE ¼ to the intersection with the easterly right-of-way line of U.S. Highway No. 150 (Northwest Boulevard); thence westerly along said south line to the intersection with the westerly right-of-way line of said U.S. 150 (Northwest Boulevard); thence northerly along said westerly line to the intersection with the southerly right of way of I-80; thence easterly along said southerly right-of-way to the point of beginning.

Von Maur (North URA):

Scott County, Iowa, Parcels X0133-01, X0133-02B and X0135-03A more commonly known as 6565 Brady Street.

Parcel No. X0133-01 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 6, 2013 as Document 2013-00038554 with the following legal description:

A tract of land in the Southwest Quarter of Section 1, Township 78 North, Range 3 East of the Fifth P.M., in Davenport, Scott County, Iowa, more particularly described as follows: Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 1; thence South 89°53'30" East a distance of 742.06 feet; thence North 89°46'12" East a distance of 162.98 feet; thence North 00°03'56" West a distance of 75.45 feet, thence South 78°51'38" East a distance of 26.67 feet to the point of beginning; thence North 00°03'56" West a distance of 350.93 feet; thence 89°56'04" East a distance of 400.31 feet; thence South 01°01'12" West a distance of 385.06 feet; thence South 89°46'12" West a distance of 121.40 feet to a point of curvature; thence Westerly along a 969.12 foot radius curve concave Northerly a distance of 192.31 feet to a point of tangency; thence North 78°51'38" West a distance of 81.98 feet to the point of beginning.

Parcel No. X0133-02B described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on August 7, 1996 as Document 1996-00020580 with the following legal description: Lots 1 and 2 in the Replat of Lot 1 in Mark Rohlf's First Addition to the City of Davenport, Iowa.

Parcel X0135-03A: The Southwest Quarter of Section 1, Township 78 North, Range 3 East of the Fifth P.M., excepting the railroad right-of-way and the right-of-way of Veterans Memorial Parkway, all located in the City of Davenport, Scott County, Iowa.

Von Maur E Commerce (North URA):

X0151-01B described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on August 16, 2007 as Document 2007-00024992 with the following legal description:

The East one-half (1/2) of the Southwest Quarter of Section 1, Township 78 North, Range 3 East of the 5th P.M., Parcel # X0151-01A and # X0135-03A, Scott County, Iowa, except that part conveyed to the City of Davenport, Iowa by deed recorded on August 18, 2007 as Document NO. 2007-24992.

Property Added to the North Urban Renewal Area (2009 Amendment):

Parcel No. O2015-03 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on August 22, 2003 as Document 2003-45102 with the following legal description: Carleton Life Support Systems, Inc. located at 2734 Hickory Grove Rd, Davenport, IA 52804. Parcel number 02105-03. Tract I: Part of the West Half of the Northeast Quarter of Section 21, Township 78 North, Range 3 East of the Fifth Principal Meridian: Commencing at the Southeast corner of the Northeast Quarter of said Section 21, Township 78 North, Range 3 East of the Fifth Principal Meridian; thence West 42.65 feet; thence North 45° West 1752.96 feet to the place of beginning of the tract of land herein described; thence North 45° West 24.71 feet along the Southerly line of Hickory Grove Road as now established; thence North 52° 03' West 352.72 feet along the Southerly line of Hickory Grove Road as now established; thence South 37° 17' West 420.09 feet to a point in the Northerly line of the Chicago, Rock Island and Pacific Railroad Company right of way; thence South 50° 26' East 701.71 feet along said Northerly right of way line to the East line of the West Half of the Northeast Quarter of said Section 21; thence North along said East line 0° 58' East 546.91 feet to the place of beginning.

Tract II: That part of the Southeast Quarter of the Northeast Quarter of Section 21, Township 78 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows: Commencing at a point on the West lone of the Davenport and Hickory Grove Road, which point is 67 links West of the Southeast corner of the Northeast Quarter of said Section 21; thence West on the Quarter Section line 6.21 chains to the North line of the Chicago, Rock Island and Pacific Railroad Company's right of way; thence North 50 1/4° West 16.50 chains to the West line of said Southeast Quarter of the Northeast Quarter of said Section 21: thence North along said West line 8.30 chains to the West line of said Davenport and Hickory Grove Road; thence South 45° East 26.56 chains to the place of beginning, except the South 35 feet thereof.

EXCEPTING THEREFROM BOTH OF THE ABOVE DESCRIBED TRACTS FROM THE FOLLOWING PARCELS:

Parcel A: Part of the Southeast Quarter of the Northeast Quarter of Section 21, Township 78 North, Range 3 East of the 5th P.M., being more particularly described as follows: Commencing at a point, said point being the point of intersection of the North line of Central Park Avenue and the Southwesterly line of Hickory Grove Road as now platted, said point being the point of beginning, thence Westerly on and along the North line of Central Park Avenue a distance of 37 feet, thence Northerly along a straight line to a point, said point being on the Southwest line of Hickory Grove Road 50 feet Northwesterly from the point of beginning, thence Southeasterly to the point of beginning.

Being that same parcel conveyed by Quit Claim Deed to the City of Davenport, Iowa dated October 13, 1966 and recorded on December 5, 1966 in Book 301 Deed, Page 442, in the office of the Scott County, Iowa Recorder.

Parcel B: A Tract of land located in the Southeast Quarter of the Northeast Quarter of Section 21, Township 78 North, Range 3 East of the 5th P.M. in Davenport, Scott County, Iowa, more particularly described as follows: Commencing at the Southeast corner of Tract #1 herein and also Tract #1 conveyed to Bendix Aviation Corporation by deed recorded in Book 90 Lands, Page 476, Scott County Recorder's Office, Davenport, Iowa; thence South 50° 26' 00" East (assumed bearing) along the Northerly R.O.W. of the Chicago, Rock Island & Pacific Railroad, a distance of 754.04 feet to the point of beginning; thence North 45° 01' 18" East a distance of 322.65 feet to a point on the Westerly R.O.W. of Hickory Grove Road; thence South 44° 54' 30" East along the Westerly R.O.W. of Hickory Grove Road a distance of 527.02 feet; thence South 06° 40' 30" West a distance of 38.35 feet to a point on the Northerly R.O.W. of West Central Avenue; thence South 89° 52' 00" West along the Northerly R.O.W. of West Central Park Avenue a distance of 372.98 feet to a point on the Northerly R.O.W. of Chicago, Rock Island & Pacific Railroad; thence North 50° 26' 00" West along the Northerly R.O.W. of the Chicago, Rock Island & Pacific Railroad a distance of 289.10 feet to the point of beginning.

Being the same parcel conveyed to Davenport Bank and Trust Company by deed dated September 10, 1974 and filed September 11, 1974 as Document No. 14563-74 in the office of the Scott County, Iowa Recorder.

Jancy Engineering: Parcel No. O2015-04A described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on April 2, 2003 as Document 2003-16277 with the following legal description:

Part of the East Half of the Northeast Quarter of Section 21, Township 78 North, Range 3 East of the 5th P.M. in the City of Davenport, Scott County, Iowa, particularly described as follows: Commencing at the Northeast corner of said Section 21, thence South 88° 48' West along the North line of said Section 21 for a distance of 618.4 feet to the point of beginning, thence continuing South 88° 48' West and along said North line of Section 660.3 feet to the Easterly line of a road; thence South 0° 03' East and along said Easterly line of a road; 846.6 feet; thence North 87° 33' East 150.1 feet; thence South 0° 03' East 694.6 feet, more or less, to the center line of Hickory Grove Road; thence South 46° 11' East and along said center line of road, 707.6 feet, more or less, to a point located South 0° 03' East 2037 feet from the

point of beginning, thence North 0° 03' West 2037 feet to the point of beginning, containing 23.53 acres, more or less, exclusive of highway right of way.

Except the following portion of said real estate: Commencing at the Northeast corner of said Section 21; thence South 88° 48' West, along the North line of said Section 21, a distance of 618.4 feet to the point of beginning; thence continuing South 88° 48' West, along the North line of said Section 21 a distance of 660.3 feet to the Easterly line of a road; thence South 0° 03' East, along the Easterly line of a road, a distance of 846.6 feet; thence North 87° 33' East a distance of 150.1 feet' thence North 89° 57' East a distance of 30 feet; thence South 0° 03' East a distance of 568.03 feet to the center line of Hickory Grove Road, thence South 46° 11' along the center line of Hickory Grove Road, a distance of 312.60 feet; thence North 0° 03' West a distance of 2037 feet to the point of beginning containing 18.7 acres, more or less. Subject to existing right of way for Hickory Grove Road.

Property Added to the North Urban Renewal Area (2014 Amendment):

Parcel No. W3453-01B described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on September 19, 1989 as Document 1989-16281 with the following legal description: HARDI North America Inc. located at 1500 W 76th Street, Davenport, IA 52806. Parcel number W3453-01B. Legal Description: NOR DAV ADD LOTS 7, 8, 9, 10, 11, p12, 13 & OL A (EXC PRT OT CITY FOR STREET) (EXC PRT TO SCOTT COUNTY FOR STREET DOC #11018-85).

Property Added to the North Urban Renewal Area (2015 Amendment)

Parts of Sections 26, 27, 28 and 33 all in Township 79 North Range 3 East of the 5th P.M. being more particularly described as follows:

Tract 1 (City of Davenport): Parcel No. W3307-01 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 22, 2011 as Document 2011-36630 with the following legal description:

Part of the North Half of the Northeast Quarter of Section 33 in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: Lot 1 of Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport Iowa. Said tract contains 13.64 acres, more or less.

Tract 2 (City of Davenport): Parcel No. W2801-01 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 22, 2011 as Document 2011-36628 with the following legal description:

Part of the Southeast Quarter of the Southeast Quarter of Section 28, in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: The Eastern 390.00 feet of the Southeast Quarter of the Southeast Quarter of Section 28, in Township 79 North Range 3 East, excluding the Rail Road Right-of-Way per document 2011-1922. Said tract contains 10.00 acres, more or less.

Tract 3 (City of Davenport): Parcel No. W2801-02 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

and

Tract 4 (Scott County): Parcel No. 932839005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

Tract 3 and 4 are legally described as follows:

Part of the Southeast Quarter of Section 28 and the Southwest Quarter of Section 27, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A variable width right-of-way, the centerline of which is divided into equal stations of 100.00 feet in length; said centerline is described as follows: Commencing at the West Quarter Corner of said Section 27; thence South 02 degrees 09 minutes 53 seconds East 2.85 feet on the west line of the Southwest Quarter of said Section 27; thence North 87 degrees 50 minutes 11 seconds East 0.60 feet to the east line of described right-of-way line of Slopertown Road; thence on said southerly line and the arc of a 1943.00 foot radius curve, concave northeasterly 25.98 feet, with a chord bearing and distance of North 81 degrees 38 minutes 28 seconds East 25.98 feet to the point of beginning; said point being centerline Station 219+36.05; thence South 02 degrees 09 minutes 49 seconds East on said centerline 2660.95 feet to the intersection with the south line of the Southeast Quarter of said Section 28 and there terminating a centerline Station 245+96.97. The east line of the proposed right-of-way line is 25.00 feet easterly of a parallel with the aforesaid centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet left of Station 219+40.80 and runs southerly to Station 239+99.14; thence said right-of-way widens to 35 feet easterly of and parallel with said centerline to Station 245+97.37 at the intersection with the south line of the Southwest Quarter of said Section 27; and there terminating. The west line of the proposed right-of-way is 25.00 feet westerly of and parallel with said centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet right of Station 219+31.09 and runs southerly to Station 221+49.11; thence said right-of-way line widens to 45.00 feet westerly of and parallel with said centerline to Station 237+99.52; thence said right-of-way line narrows to 25.00 feet westerly of and parallel with said centerline to Station 239+9.14; thence said right-of-way line widens to 35.00 westerly of and parallel with said centerline to Station 245+96.56 at the intersection with the south line of the Southeast Quarter of said Section 28, and there terminating. The above described right-of-way contains 4.10 acres, more or less. Right-of-way plat attached and by this reference made apart hereof.

Tract 5 (City of Eldridge): Parcel No.932703005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2001-1925 with the following legal description:

Part of the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a strip of land 50.00 feet wide the centerline being described as follows: Commencing at the southeast corner of the Northeast Quarter of the Northwest Quarter of Section 27; thence North 02 degrees 02 minutes 05

seconds West 314.87 feet; thence South 87 degrees 57 minutes 04 seconds West 545.77 feet to the point of beginning; thence South 87 degrees 57 minutes 04 second West along the centerline of said strip 1432.24 feet to the point of curvature of a curve, concave southeasterly, having a radius of 716.20 feet with a central angle of 90 degrees 04 minutes 12 seconds and a chord bearing and distance of South 42degrees 55 minutes 11 seconds West 1013.48 feet for a distance of 1125.88 feet along said curve; thence South 02 degrees 06 minutes 55 seconds East 862.30 feet to the northerly right-of-way line of Slopertown Road and there terminating. Said tract contains 3.93 acres, more or less.

Tract 6 (City of Eldridge): Parcel No. 932713002 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on July 29, 1985 as Document 1985-11443 with the following legal description:

Part of the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a strip of land 50.00 feet wide the centerline being described as follows: Commencing at the southeast corner of the Northeast Quarter of the Northwest Quarter of Section 27; thence North 02 degrees 02 minutes 05 seconds West 314.87 feet; thence South 87 degrees 57 minutes 04 seconds West 545.77 feet to the point of beginning; North 87 degrees 57 minutes 04 seconds East 545.77 feet to the west line of Buttermilk Road also known as 155th Avenue and there terminating. Said tract contains 0.63 acres, more or less.

Tract 7 (Scott County): Parcel No. 932705006 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1923. With the following legal description:

Part of the Northwest Quarter of Section 27 and the Northeast Quarter of Section 28, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way strip of land 50.00 feet wide the centerline being described as follows: Commencing at the northeast corner of said Section 27, thence South 01 degrees 53 minutes 47 seconds East 1022.09 feet on the east line of said Section 27; thence South 87 degrees 57 minutes 04 seconds West 1327.16 feet to the east line of the west half of the Northeast Quarter of said Section 27 and the point of beginning; thence South 87 degrees 57 minutes 04 seconds West 1292.58 feet to the east right-of-way line of Buttermilk Road (155th Avenue) and there terminating. Along with a triangular piece of land lying adjacent to and coincident with the southwest corner of the above described right-of-way said corner being the point of beginning; thence North 87 degrees 57 minutes 04 seconds East 148.00 feet along the south line of the the above described right-of-way; thence southwesterly to a point in the east right-of-way line of Buttermilk Road (155th Avenue) 35 feet southerly of the southwest corner of the above described right-of-way; thence North east right-of-way line of Buttermilk Road (155th Avenue) 35 feet to the point of beginning. Said combined tracts contain 1.54 acres, more or less.

Tract 8 (City of Eldridge): Parcel No.932707003 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1926 with the following legal description:

Part of the Northeast Quarter of the Northeast Quarter of Section 27, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way strip of land 50.00 feet wide the centerline being described as follows: Commencing at the northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 27; thence South 01 degrees 53 minutes 47 seconds East 1022.09 feet on the east line of said Quarter Section to the point of beginning; thence South 87 degrees 57 minutes 04 seconds West 1327.16 feet to the west line of the Northeast Quarter of the Northeast Quarter of said Section 27 and there terminating. Said tract contains 1.52 acres, more or less.

Tract 9 (City of Eldridge): Parcel No.932601005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1924 with the following legal description:

Part of the Northwest Quarter of Section 26, all in Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A right-of-way strip of land 50.00 feet wide described as follows: Commencing at the northwest corner of said Section 26; thence South 01 degree 53 minutes 47 seconds East along the west line of said Northwest Quarter 997.09 feet to the south line of land currently owned by Alfred Arp LLC as described in the Court Officer Deed filed for recorded on March 18, 1997 as document 1997-6145, and being the point of beginning; thence North 87 degrees 50 minutes 07 seconds East along said south line 1213.09 feet to the northwest corner of Lot 1 of Lancer Industrial Park South Behrens Second Addition to the City of Eldridge; thence South 02 degrees 18 minutes 17 seconds East along the west line of said Lot 1 50.00 feet; thence South 87 degrees 50 minutes 07 seconds West along a line 50.00 feet southerly of and parallel to the south line of said land owned by Alfred Arp LLC 1213.44 feet to the west line of said Northwest Quarter; thence North 01 degrees 53 minutes 47 seconds West along the west line of said Northwest Quarter 50.00 feet to the point of beginning. Said tract contains 1.39 acres, more or less.

Tract 10 (City of Eldridge): Parcel No.9326031012 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34211 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A right-of-way 50.00 feet wide described as the North 50.00 feet of Lot 1 of Lancer Industrial Park South Behrens Second Addition to the City of Eldridge. Said tract contains 1.01 acres, more or less.

Tract 11 (City of Eldridge): Parcel No.932603101-22 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34209 with the following legal description:

Part of the North Half of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 50.00 feet wide in part of Lots 1 and 2 of Lancer Industrial Park South to the City of Eldridge, with the centerline being described as follows: Commencing at the northwest corner of said Lot 2; thence South 01 degree 10 minutes 15 seconds West along the west line of said Lot 2 174.82 feet to the point of beginning; thence 284.78 feet along the arc of a 716.78

foot radius curve concave northwesterly, having a chord bearing and distance of North 71 degrees 55 minutes 58 seconds East 282.91 feet with a central angle of 22 degrees 45 minutes 51 seconds; thence North 60 degrees 33 minutes 03 seconds East 40.72 feet; thence 339.72 feet along the arc of a 716.78 foot radius curve concave southeasterly with a chord bearing and distance of North 74 degrees 07 minutes 43 seconds East 336.55 feet with a central angle of 27 degrees 09 minutes 20 seconds; thence North 87 degrees 42 minutes 23 seconds East 52.95 feet to the east line of said Lots 1 and 2 and there terminating. Said tract contains 0.82 acre, more or less.

Tract 12 (City of Eldridge): Parcel No.9326052012 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34207 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 25.00 feet wide located in part of Lots 1 and 3 of the Replat of Lot 2 of Mueller Lumber 1st Addition to the City of Eldridge described as follows: The South 25.00 feet of Lots 1 and 3 of the Replat of Lot 2 of Mueller Lumber 1st Addition to the City of Eldridge. Said tract contains 0.30 acre, more or less.

Tract 13 (City of Eldridge): Parcel No.9326052012 described in the Quit Claim Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34205 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 12.50 feet wide located in part of Lot 3 of Lancer Industrial Park South to the City of Eldridge described as follows: the North 12.50 feet of Lot 3 of Lancer Industrial Park South to the City of Eldridge. Said tract contains 0.15 acre, more or less.

Tract 14 (City of Eldridge): Parcel No.93260530A2 described in the Corrected Warranty Deed filed for record with the Office of the Recorder of Scott County on June 10, 2013 as Document 2013-18332 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 50.00 wide located in part of Parcel A in Mueller Lumber 2nd Addition to the City of Eldridge with a centerline described as follows: Commencing at the southwest corner of said Parcel A, thence North 02 degrees 01 minutes 33 seconds West a distance of 125.16 feet on the east line of said Parcel A to a point of curve, concave northwesterly, having a radius of 552.00 feet and the point of beginning; thence southwesterly 148.79 feet along the arc of said curve through a central angle of 16 degrees 19 minutes 53 seconds with a chord bearing and distance of South 87 degrees 42 minutes 23 seconds West 80.94 feet to the west line of said Parcel A and there terminating. Said tract contains 0.17 acre, more or less.

Tract 15 (City of Elridge): Parcel No.93260540B2 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on December 02, 2011 as Document 2011-34203 with the following legal description:

Part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: a right-of-way 50.00 wide located in part of Parcel B in Mueller Lumber 3rd Addition to the City of Eldridge with a centerline described as follows: Commencing at the southeast corner of said Parcel B, thence North 02 degrees 01 minutes 33 seconds West 195.17 feet on the east line of said Parcel B to a point of curve concave northwesterly having a radius 716.78 feet and being the point of beginning; thence southwesterly 261.31 feet along the arc of said curve through a central angle of 20 degrees 53 minutes 17 seconds with a chord bearing and distance of South 72 degrees 08 minutes 00 seconds West 259.87 feet to the west line of said Parcel B and there terminating. Said tract contains 0.30 acres more or less.

Tract 16 (City of Eldridge): Parcel No.93260540C described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 12, 2011 as Document 2011-1467, containing two tracts, a permanent rail easement and a roll & hold easements in the Plat of Rail Easements dated September 30, 2014.

Tract No. 1 PRE Permanent Rail Easement

A parcel of land located in part of Parcel C of Mueller Lumber 3rd Addition to the City of Eldridge situated in part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. shown as Tract No. 1-PRE on the attached Plat of Rail Easements Sheet 1 of 4 attached hereto and by this reference made a part hereof and being more particularly described as follows: Commencing in the southeast corner Parcel C of said Mueller Lumber 3rd Addition; thence North 00 degrees 11 minutes 13 seconds along the east line of said Parcel C 125.57 feet to the point of beginning; thence in a northwesterly, westerly and southwesterly direction along the arc of a curve concave southerly with a radius of 645.21 feet with a chord bearing and distance of North 84 degrees 09 minutes 52 Seconds West 561.22 feet for a distance of 591.71 feet; thence South 79 degrees 29 minutes 50 seconds West 7.76 feet to the intersection with the wesyt line of said Parcel C; thence North 00 degrees 11 minutes 56 seconds East along the west .ine of said Parcel C 42.86 feet; thence northeasterly, easterly and southeasterly along the arc of a curve concave southerly with a radius of 650.81 feet with a chord bearing and distance of North 88 degrees 49 minutes 58 seconds East 566.27 feetfor a distance of 585.85 feet to the intersection with the east line of said Parcel C; thence South 00 degrees 11 minutes 13 seconds West along the east line of said Parcel C 110.04 feet to the point of beginning. Said tract contains 0.99 acre, more or less.

Tract No. 2 PR&HE Permanent Roll and Hold Easement

A parcel of land located in part of Parcel B and Parcel C of Mueller Lumber 3rd Addition to the City of Eldridge situated in part of the Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M. shown as Tract No. 2-PR&HE on the attached Plat of Rail Easements Sheet 1 of 4 attached hereto and by this reference made a part hereof and being more particularly described as follows:

Commencing at the southeast corner of Parcel C of said Mueller Lumber 3rd Addition; thence North 00 degrees 11 minutes 13 seconds East along the east line of said Parcel C 4.81 feet to the point of beginning; thence in a northwesterly, westerly and southwesterly direction along the arc of a curve

concave southerly with a radius of 529.73 feet with a chord bearing and distance of North 72 degrees 06 minutes 33 seconds West 497.89 feet for a distance of 518.32 feet; thence South 79 degrees 56 minutes 57 seconds West 381.64 feet to the intersection with the southerly right-of-way line of an existing rail easement; thence in a northeasterly direction along the arc of a curve concave northwesterly with a radius of 741.78 feet with a chord bearing and distance of North 72 degrees 24 minutes 01 seconds East 194.65 feet for a distance of 195.21 feet to the intersection with the west line of said Parcel C; thence North 00 degrees 11 minutes 56 seconds East along the west line of said Parcel C 13.75 feet; thence North 79 degrees 29 minutes 50 seconds East 7.76 feet; thence in a northeasterly, easterly and southeasterly direction along the arc of a curve concave southerly with a radius of 645.21 feet with a chord bearing and distance of South 84 degrees 09 minutes 52 seconds 561.22 feet for a distance of 591.71 feet to the intersection with the east line of said Parcel C; thence South 00 degrees 11 minutes 13 seconds along the east line of said Parcel C 120.76 feet to the point of beginning. Said tract contains 0.92 acre, more or less.

Note the East line of Parcel C of Mueller Lumber 3rd Addition has a platted bearing of N00 degrees 13 minutes 40 seconds East and a surveyed bearing of North 00 degrees 11 minutes 13 seconds East which is used for the purpose of this description.

Combined tracts contain 41.41 acres, more or less.

I-74/53rd Urban Renewal Area

A Tract of land located in part of Sections 8, 17 and 20 T78N, R4E of the 5th P.M., Scott County, Davenport, Iowa more particularly described as follows: Commencing at the southeast corner of said Section 8; thence West along the south line of the southeast quarter of said Section 8 for a distance of 1345 feet more or less to the intersection of the west right-of-way line of Utica Ridge Road with the centerline of 46th Street, said intersection being the Point of Beginning of the tract of land described herein: thence continuing West along the south line of the southeast quarter of said Section 8 for a distance of 1336.07 feet to the southwest corner of the southeast quarter of said Section 8; thence South along the east line of the west half of Section 17 for a distance of 5280 feet more or less, to the southwest corner of the southeast quarter of Section 17; thence continuing South along the east line of the west half of Section 20 for a distance of 1915 feet more or less, to the intersection of the said east line with the easterly extension of the south property line of that property deeded to R. Hovey and W. Scott Tinsmann and recorded as Trustee's Deed #18792-80 in the Office of the County Recorder, Scott County, Iowa; thence S89 35'W for a distance of 469.23 feet; thence N00 10'15"E for a distance of 557 feet; thence N88 54'09"E for a distance of 345.82 feet to a point on the southwesterly right-of-way line of Kimberly Road; thence Northwesterly along the southwesterly right-of-way line of said Kimberly Road to the intersection of the southwesterly right-of-way of said Kimberly Road with the west line of the southwest quarter of said Section 17, said intersection being the northeast corner of Lot 17 of Peeters' Twenty-Second Addition to the City of Davenport; thence north along said west line for a distance of 240 feet more or less, to the southwest corner of the northwest quarter of the southwest quarter of said Section 17; thence N89 24'E along the south line of said northwest quarter to a point, said point being 700 feet west of the center line of Elmore Avenue; thence northeasterly for a distance of 1400 feet

more or less, to the intersection with the westerly extension of the north right-of-way line of 38th Street; thence east along said westerly extension for a distance of 250 feet to the east line of the west half of the northwest quarter of said Section 17; thence north along said east line for a distance of 2610 feet more or less, to the northeast corner of said west half; thence continuing north along the east line of the southwest quarter of the southwest quarter of Section 8 to the northeast corner of the southwest quarter of the southwest quarter of said Section 8; thence N89 51'W along the north line of the southwest quarter of the southwest quarter of said Section 8 for a distance of 412.95 feet; thence N0 20'W for a distance of 1329.36 feet to the centerline of 53rd Street; thence west along the centerline of said 53rd Street for a distance of 165 feet more or less, to the intersection of the centerline of 53rd Street with the west property line of that property deeded to Julius H. Rostenbach and recorded as Warranty Deed #4972 in Book of Lot Deeds 208, page 249, in the Office of the County Recorder, Scott County, Iowa; thence north along said west property line for a distance of 1725 feet more or less, to the northwest corner of said property deeded to Julius Rostenbach; thence east along the north line of said deeded property for a distance of 1925 feet more or less, to the center line Interstate Route No. 74; thence southerly along said centerline for a distance of 435 feet more or less, to the intersection with the south line of the north half of the northeast quarter of Section 8; thence east along said south line for a distance

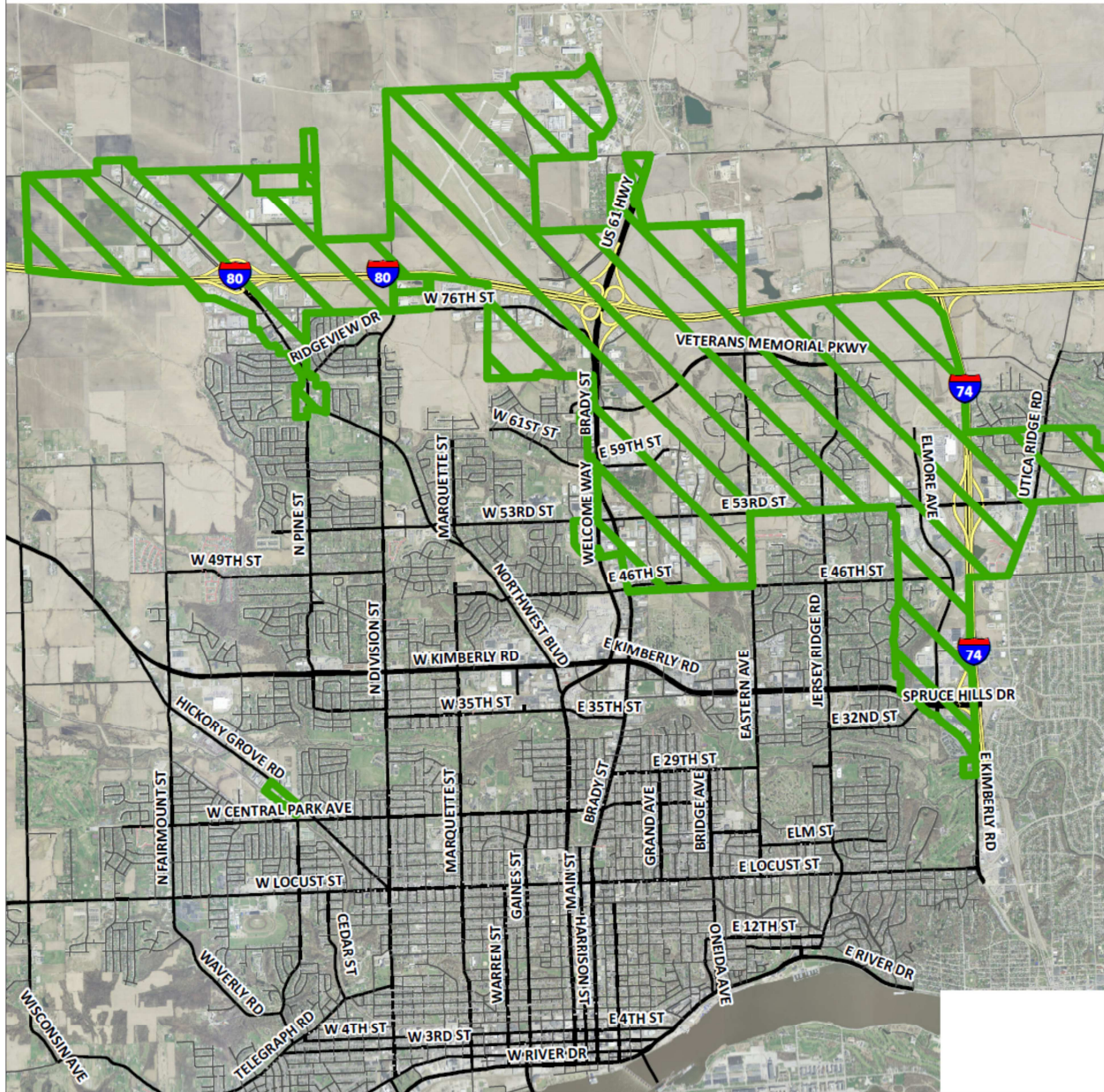
Amendment to I-74/53rd Street Urban Renewal Area (SW corner I-80 and I-74 Intersection)

A tract of land situated in part of the E ½ of Section 6 and part of the W ½ of Section 5 all in Township 78 North, Range 4 East of the 5th Principle Meridian, City of Davenport, Scott County, Iowa, and being more particularly described as follows:

Beginning at the intersection of the Westerly Right of Way line of I-74 with the South line of the Southwest Quarter of said Section 5; Thence West along the South line of the Southwest Quarter of said Section 5 to the Southwest corner of the Southwest Quarter of said Section 5; Thence continuing West along the South line of the Southeast Quarter of said Section 6 to the intersection with the Easterly Right of Way line of Jersey Ridge Road; Thence North along the Easterly Right of Way line of said Jersey Ridge Road to the intersection with the Southerly Right of Way line of Interstate 80; Thence in an Easterly and Southeasterly direction along the Southerly Right of Way line of said I-80 and the Westerly Right of Way line of I-74 to the Point of Beginning. Containing 480 Acres more or less.

Exhibit B: Map of North Urban Renewal Area

North Urban Renewal Area



This aerial map shows the Airport Industrial Park area in San Jose, California. The map features several large industrial lots, some of which are outlined in red. A red line runs vertically through the center of the map, and a yellow line runs horizontally across the bottom. Four numbered circles (1, 2, 3, 4) are placed along the yellow line. Various lot numbers and street names are visible, including 'Interstate 80 Airport Industrial Park' and 'Interstate 80 Airport Industrial Park 6th Addition'.





City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: 2, 6, 7, 8

Action / Date
CD11/4/2015

Subject:

Motion to set a Public Hearing for November 18, 2015 at 5:30pm in the Council Chambers for the purpose of amending and expanding the North Urban Renewal Area and Plan.[Wards 2,6,7,8]

Recommendation:

Approve the motion.

Relationship to Goals:

Diversify revenue and eliminate liabilities.

Background:

The City of Davenport is seeking to amend the North Urban Renewal Area Plan. The amendment will include the addition of land at the northeast corner of East Kimberly Road and Spring Street.

The City of Davenport will also be amending the North Urban Renewal plan to add the 2015 Internal TIF project in the amount of \$275,000.

Public hearing to be held at the Wednesday November 18, 2015 Committee of the Whole meeting.

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 6:01 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 6:01 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 9:10 AM

City of Davenport

Agenda Group: Public Safety
Department: Public Works
Contact Info: Gary Statz (563) 326-7754
Wards: 3

Action / Date
PS10/7/2015

Subject:

Third Consideration: Ordinance amending Schedule IV of Chapter 10.96 entitled "3-Way Stop Intersections" by removing the stop sign on 6th Street at Sylvan Avenue. [Ward 3]

Recommendation:

Approve the ordinance.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities

Background:

A resident who lives at the intersection of 6th and Sylvan has requested the removal of the 3-way stop from the intersection due to limited traffic on Sylvan. This would result in traffic only stopping on Sylvan. The sight distance is adequate to make this change.

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_3 way stop 6th at Sylvan_Pg2

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/26/2015 - 11:46 AM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE IV 3-WAY STOP INTERSECTIONS THERETO BY DELETING 6TH STREET AT SYLVAN AVENUE.

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

Section 1. That Schedule IV 3-Way Stop Intersections of the Municipal Code of Davenport Iowa, be and the same is hereby amended by deleting the following:

6th Street at Sylvan Avenue

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

City of Davenport

Agenda Group: Public Safety
Department: Public Works
Contact Info: Gary Statz; (563) 326-7754
Wards: 3

Action / Date
PS10/21/2015

Subject:

Second Consideration: Ordinance amending Schedule XVII of Chapter 10.96 entitled "No Stopping, Standing or Parking" by adding South Howell Street along the west side from the railroad tracks south of Rockingham Road south a distance of 550 feet, between the hours of 2:30 AM and 6:00 AM. [Ward 3]

Recommendation:

Approve the ordinance.

Relationship to Goals:

Revitalized Neighborhoods and Corridors.

Background:

Grain truck parking on S. Howell street is interrupting business operations at Iowa Precision Forge.

These trucks are waiting for Nestle to open at 6:00 AM., and operations at Iowa Precision Forge begin prior to this.

The City traffic engineer is proposing a no stopping, standing or parking zone so the drivers aren't allowed to wait in their trucks in this zone. The traffic engineer is recommending the police department to enforce between 2:30 AM and 6:00 AM.

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_S Howell St No Stopping_pg2

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/26/2015 - 11:46 AM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SECTIONS OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XVII NO STOPPING, STANDING OR PARKING THERETO BY ADDING S HOWELL STREET ALONG THE WEST SIDE FROM THE RAILROAD TRACKS SOUTH OF ROCKINGHAM ROAD SOUTH A DISTANCE OF 550 FEET, BETWEEN THE HOURS OF 2:30 AM AND 6:00 AM.

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

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

S Howell Street along the west side from the railroad tracks south of Rockingham Road south a distance of 550 feet, between the hours of 2:30 AM and 6:00 AM.

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

Agenda Group: Public Safety
Department: City Clerk's
Contact Info: Jackie Holecek x6163
Wards: 7

Action / Date
PS11/4/2015

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

Recommendation:
Approve the resolution.

Relationship to Goals:

Background:

ATTACHMENTS:

Type	Description
▣ Cover Memo	Resolution Street Closings

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/26/2015 - 11:40 AM

RESOLUTION NO. 2015-

Resolution offered by Alderman Matson

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

RESOLVED by the City Council of the City of Davenport.

Whereas, the City through its Special Events Policy has accepted the following application(s) to hold an outdoor event(s) on the following date(s), and

Whereas, upon review of the application(s) it has been determined that the street(s), lane(s) or public grounds listed below will need to be closed, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs the staff to proceed with the temporary closure of the following street(s), lane(s) or public grounds on the following date(s) and time(s):

Entity: St. Ambrose University, Galvin Fine Arts Center

Event: SAU Theater Children's Show School Matinee

Date: December 3rd through December 5th

Time: Wednesday, 8:45 AM – Noon; Thursday & Friday 8:45 AM – 2:30 PM

Closure Location: Gaines Street from Locust to Lombard Street

Ward: 7

Approved this 10 day of November, 2015.



William E. Gluba, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Agenda Group: Public Safety
Department: Finance/Revenue
Contact Info: Sherry Eastman 326-7795
Wards: Various

Action / Date
PS11/4/2015

Subject:
Motion approving beer and liquor license applications.

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

Ward 4

The Pour House (Boss Lady Inc.) - 1502 W Locust St. - Outdoor area November 21, 2015 -
License Type: C Liquor

Ward 7

CASI (Center for Active Seniors Inc.) - 1035 W Kimberly Rd. - Outdoor area - License Upgrade:
C Liquor

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

Ward 4

Stoeger's Bar & Grill (Stoeger's Inc.) - 1520 Washington St. - License Type: C Liquor

Ward 6

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

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St. - License Type: C Liquor

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

Wise Guys Pizza & More (Wise Guys Pizza & More Inc.) - 2408 E 53rd St. - License Type: C Liquor

Ward 7

Osaka Buffet Inc. (Osaka Buffet Inc.) - 1510 E Kimberly Rd. - License Type: C Liquor

Recommendation:
Consider the license applications.

Relationship to Goals:
Support local businesses.

Background:

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/28/2015 - 4:42 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/28/2015 - 4:42 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 4:46 PM

City of Davenport

Agenda Group: Public Works
Department: PW - Water Pollution Control Plant
Contact Info: Dan Miers; (563) 888-2121
Wards: All

Action / Date
PW11/4/2015

Subject:

Resolution to award the contract for the wet weather optimization project at the Water Pollution Control Plant to Leander Construction of Canton, IL in the amount of \$7,343,500. This project is per the Iowa DNR consent order to rehabilitate the treatment plant process to maximize flow and reduce sanitary sewer overflows. [All Wards]

Recommendation:

Approve the resolution.

Relationship to Goals:

Financially responsible City government.

Background:

A request for bid was issued on September 22, 2015 and was sent to 291 contractors. On October 22, 2015 the Purchasing Division received and opened five responsive and responsible bids. Leander Construction was considered the lowest bidder and is recommended for the award.

Plans and specifications were developed for this project by Veenstra & Kimm, Inc. A public hearing was held on September 16, 2015 and was passed at a subsequent meeting.

The City needs to also upgrade the controls at the WPCP and the bid recommended includes alternate B; Allen Bradley Factory Talk software. See attached bid tabulation.

Funding for this project is from CIP #10564 with a balance of \$5,112,550. The project construction will occur over two fiscal years. State revolving funds will also be used for this project.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2
▣ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	10/29/2015 - 10:21 AM
Public Works Committee	Lechvar, Gina	Approved	10/29/2015 - 10:33 AM
City Clerk	Admin, Default	Approved	10/29/2015 - 10:35 AM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution to award the contract for the wet weather optimization project at the Water Pollution Control Plant to Leander Construction of Canton, IL in the amount of \$7,343,500. This project is per the Iowa DNR consent order to rehabilitate the treatment plant process to maximize flow and reduce sanitary sewer overflows.

Whereas, the City of Davenport award the contract to Leander Construction of Canton, IL; and

Now, therefore, be it resolved, by the City Council of the City of Davenport, Iowa: award the contract for the wet weather optimization project at the Water Pollution Control Plant.

Passed and approved this 10th day of November, 2015.

Approved:

Attest:

William E. Gluba, Mayor

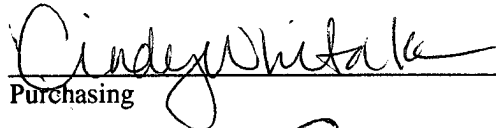
Jackie E. Holecek, Deputy City Clerk

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

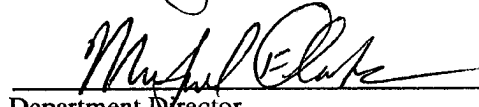
DESCRIPTION: WET WEATHER TREATMENT OPTIMIZATION PROJECT
BID NUMBER: 16-28
OPENING DATE: OCTOBER 22, 2015
RECOMMENDATION: AWARD THE CONTRACT TO LEANDER CONSTRUCTION, INC.
OF CANTON, IL

<u>CONTRACTOR NAME</u>	<u>TOTAL BID</u>	<u>ALT A</u>	<u>ALT B</u>
LEANDER CONSTRUCTION, INC	\$7,299,900	\$87,200	\$43,600
WILLIAMS BROTHERS CONSTRUCTION, INC.	\$7,544,000	\$86,000	\$50,000
GENERAL CONSTRUCTORS, INC.	\$7,744,000	\$112,000	\$150,000
TRICON GENERAL CONSTRUCTION	\$8,606,000	\$110,000	\$140,000
WRH, INC.	\$8,640,000	\$115,000	\$150,000

Prepared By


Purchasing

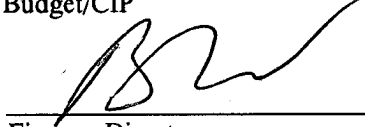
Approved By


Department Director

Approved By


Budget/CIP

Approved By


Finance Director

City of Davenport

Agenda Group: Public Works
Department: Engineering
Contact Info: Lesley Eastlick; (563)326-7729
Wards: 3&5

Action / Date
PW11/10/2015

Subject:

Resolution approving the contract between the City and Veenstra and Kimm, Inc. for the design of Main and Brady Sewer Separation and Repairs for Brady St. Resurfacing, CIP Project #01592, not to exceed \$120,000. [Wards 3 & 5]

Recommendation:

Approve the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

Under the Administrative Consent order, the City is required to decrease I&I throughout the sewer system. Veenstra and Kimm, Inc. (V&K) completed a study of the Brady Street sewer system from High Street to River Drive. They will design the necessary improvements, including, but not limited to, the disconnection of cross-connected catch basins, point repairs and manhole replacements. The work will be completed during the 2016 construction season with the Brady St. Resurfacing Project.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution pg 2 Brady

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2015 - 10:20 AM
Public Works Committee	Lechvar, Gina	Approved	10/29/2015 - 10:32 AM
City Clerk	Admin, Default	Approved	10/29/2015 - 10:33 AM

Resolution No. _____

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract between the City and Veenstra and Kimm, Inc. for the design of Main and Brady Sewer Separation and Repairs for Brady St. Resurfacing, CIP Project #01592, not to exceed \$120,000. [Ward 3 &5]

Whereas, the City of Davenport previously completed an investigation of the sanitary and storm sewers along Brady Street, from High Street to River Drive;

Whereas, as a result of the investigation recommendations were made to repair these sewers and mitigate sanitary sewer stormwater infiltration problems along Brady Street between High Street and River Drive;

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 10th day of November, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Zach Peterson; (563) 328-6709
Wards: 6

Action / Date
PW11/4/2015

Subject:

Resolution awarding the contract and conditionally approving the contract and bond for the Lindsay Park ADA Accessibility and Basketball Court Upgrade Project to Little H Construction of Davenport, IA in the amount of \$76,734 funded from CIP Project #'s 10118 & 64011. The project target start and completion date is Spring 2016. [Ward 6]

Recommendation:

Approve the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Department of Public Works is upgrading the softball facilities at Lindsay Park to ensure compliance with expanded Federal Americans With Disabilities Act (ADA) guidelines. These expanded guidelines mandate that all competitive athletic fields within the City shall have an accessible route to the playing surface and dugout/team facilities.

Lindsay Park will be the first project to be constructed under this compliance program.

Subsequent remaining funds shall be attributed to future park projects currently under design.

Additionally, as a means of achieving an economy of scale, this project has been combined with the Lindsay Park Basketball Court Upgrade Project to create an integrated plan which provides the City with cost saving benefits.

The letting was held on October 27, 2015. Four (4) bids were received. The bids ranged from a low of \$76,734, 19% below design estimate, to a high of \$112,820, 19% above estimate. It is recommended to award the contract to the low bidder, Little H Construction of Davenport.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution pg 2
▣ Backup Material	Bid

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2015 - 9:50 AM
Public Works Committee	Lechvar, Gina	Approved	10/29/2015 - 10:32 AM
City Clerk	Admin, Default	Approved	10/29/2015 - 10:33 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport

RESOLUTION awarding the contract and conditionally approving the contract and bond for the Lindsay Park ADA Accessibility and Basketball Court Upgrade Project to Little H Construction of Davenport, IA in the amount of \$76,734 funded from CIP Project #'s 10118 & 64011. The project target start and completion date is Spring 2016.

WHEREAS, the Project was duly advertised and published according to state law; and

WHEREAS, four (4) bids were received at the appointed time and place for the bid opening.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa: that the contract for the above-said work be awarded to Little H Construction of Davenport, IA, they being the low bidder.

BE IT FURTHER RESOLVED: that the Mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport, Iowa.

BE IT FURTHER RESOLVED: that, upon approval by City staff, the executed contract and bond are hereby approved.

Passed and approved this 11th day of November, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

1	Excavation and Grading for P.C.C. walks						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer Manuf Num
	Little H Construction	140	CY	\$36.00	\$5,040.00		
	Kelly Construction of Davenport	140	CY	\$46.50	\$6,510.00		
	Valley Construction Company	140	CY	\$55.00	\$7,700.00		
	McCarthy Improvement Compai	140	CY	\$100.00	\$14,000.00		
2	Modified sub base, IADOT Gradation 11, Class A						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer Manuf Num
	Kelly Construction of Davenport	90	SY	\$13.50	\$1,215.00		
	Little H Construction	90	SY	\$15.00	\$1,350.00		
	McCarthy Improvement Compai	90	SY	\$30.00	\$2,700.00		
	Valley Construction Company	90	SY	\$33.00	\$2,970.00		
3	Install New 6' Wide x 5" Thick P.C.C. Walks						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer Manuf Num
	Little H Construction	3667	SF	\$7.00	\$25,669.00		
	Kelly Construction of Davenport	3667	SF	\$7.00	\$25,669.00		
	Valley Construction Company	3667	SF	\$8.90	\$32,636.30		
	McCarthy Improvement Compai	3667	SF	\$9.00	\$33,003.00		
4	Install New 8' Wide x 5" Thick P.C.C. Walks						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer Manuf Num
	Little H Construction	603	SF	\$7.00	\$4,221.00		
	Kelly Construction of Davenport	603	SF	\$7.00	\$4,221.00		
	Valley Construction Company	603	SF	\$8.90	\$5,366.70		
	McCarthy Improvement Compai	603	SF	\$9.00	\$5,427.00		
5	Detectable Warning Surface						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer Manuf Num
	Kelly Construction of Davenport	1	LS	\$300.00	\$300.00		
	Little H Construction	1	LS	\$350.00	\$350.00		
	Valley Construction Company	1	LS	\$550.00	\$550.00		
	McCarthy Improvement Compai	1	LS	\$600.00	\$600.00		
6	Excavation and Grading for Basketball Court						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer Manuf Num
	Little H Construction	139	CY	\$36.00	\$5,004.00		

Kelly Construction of Davenport	139	CY	\$46.00	\$6,394.00
Valley Construction Company	139	CY	\$55.00	\$7,645.00
McCarthy Improvement Compai	139	CY	\$60.00	\$8,340.00

7	Modified sub-base, IADOT Gradation 11, Class A
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Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer	Manuf Num
Kelly Construction of Davenport	100	SY	\$13.50	\$1,350.00			
Little H Construction	100	SY	\$15.00	\$1,500.00			
McCarthy Improvement Compai	100	SY	\$30.00	\$3,000.00			
Valley Construction Company	100	SY	\$33.00	\$3,300.00			

8	Install New 5" Thick P.C.C. Basketball Court Pad
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Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer	Manuf Num
Little H Construction	4500	SF	\$7.00	\$31,500.00			
Kelly Construction of Davenport	4500	SF	\$7.00	\$31,500.00			
McCarthy Improvement Compai	4500	SF	\$7.50	\$33,750.00			
Valley Construction Company	4500	SF	\$8.90	\$40,050.00			

9	Install 2 New Basketball Goal Assemblies
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Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer	Manuf Num
Little H Construction	2	EA	\$800.00	\$1,600.00			
Kelly Construction of Davenport	2	EA	\$1,500.00	\$3,000.00			
Valley Construction Company	2	EA	\$3,700.00	\$7,400.00			
McCarthy Improvement Compai	2	EA	\$5,000.00	\$10,000.00			

10	Basketball Court Striping
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Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes	Manufacturer	Manuf Num
Valley Construction Company	1	LS	\$490.00	\$490.00			
Little H Construction	1	LS	\$500.00	\$500.00			
McCarthy Improvement Compai	1	LS	\$2,000.00	\$2,000.00			
Kelly Construction of Davenport	1	LS	\$2,500.00	\$2,500.00			

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Jim Benge; (563) 327-5141
Wards: 3

Action / Date
PW11/4/2015

Subject:
Resolution approving Change Order #2 to Northwest Mechanical in the amount of \$166,335 for the Central Fire Station Addition and Renovation radiant heating system, CIP Project #02348.
[Ward 3]

Recommendation:
Approve the resolution.

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities.

Background:
Northwest Mechanical is to provide and install additional mechanical/equipment/plumbing for the north side paving – approximately 2,700 SF area/west side entrance pavement radiant heating system. The funding of this change order is from the current CIP and was provided for by the overall savings that occurred during the bid process.

SUMMARY OF CONTRACT AMOUNT:

Original Contract: \$ 496,000
Previous Change Orders #1 \$ 0
Change Order #2 \$ 166,335

Amended Contract Amount: \$ 662,335

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2
▣ Backup Material	CFS_PW_CHANGE ORDER #2 Northwest Mechanical - Mechanical-Plumbing_r1

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2015 - 10:49 AM
Public Works Committee	Lechvar, Gina	Approved	10/29/2015 - 10:51 AM
City Clerk	Admin, Default	Approved	10/29/2015 - 10:58 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION approving Change Order #2 to Northwest Mechanical in the amount of \$166,335 for the Central Fire Station Addition and Renovation radiant heating system, CIP Project #02348

WHEREAS, the City of Davenport entered into a contract with Northwest Mechanical for the Central Fire Station; 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 #2 in the total amount of \$166,335 for the Central Fire Station Addition and Renovation is hereby approved, and the Public Works Director is hereby authorized to execute said document.

Passed and approved this 10th day of November, 2015.

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 Hodgins
Northwest Mechanical
5885 Tremont Avenue
Davenport, IA 52809

RE: Central Fire Station – BP22A – Plumbing- Change Order # 2
CIP 02348 – Contract# 787301510

Dear Mr. Hodgins:

This change order is for the additional materials, labor and equipment related to the scope of work additions as detailed and described within the ACR #3 (Architectural Change Request #3). This additional scope of work was an add alternate that had been designed by The Galante Architectural Studio and then priced during the post bid process. Reference ACR#3 details as listed on the attached ACR table of contents for this north side paving – approximately 2,700 SF area/west side entrance pavement radiant heating system.

CHANGE ORDER DESCRIPTION:

1. This change order represents a cost increase as agreed to below. Schedule adjustment of 0 days relating to the contract and/or overall scope of work.
Cost: (+) \$236,585.00 (Increase) - Working Days Adjustment: +0 Days/Schedule Adjustment

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 496,000.00
Previous Change Orders	\$ 0.00
<u>This Change Order</u>	<u>\$ 166,335.00</u>
Non-Amended Contract Amount:	\$ 662,335.00

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) Corrin Spiegel, 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

Agenda Group: Public Works
Department: Public Works
Contact Info: Jim Bengé; (563) 327-5141
Wards: 3

Action / Date
PW11/4/2015

Subject:
Resolution approving Change Order #3 to Tricon Construction Group in the amount of \$260,518 for the Central Fire Station Addition and Renovation, CIP Project #02348. [Ward 3]

Recommendation:
Pass the motion.

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities.

Background:
This change order approves Tricon is to fabricate and install the additional south building facade and sun screen. The funding of this change order is from the current CIP and was provided for by the overall savings that occurred during the bid process of April 2015.

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 1,562,000
Previous Change Orders #1,#2	\$ 32,900
<u>Change Order #3</u>	<u>\$ 260,518</u>

Amended Contract Amount: \$ 1,855,418

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2
▣ Backup Material	CFS_PW_CHANGE ORDER #3 Tricon - General Trades

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	10/14/2015 - 2:04 PM
Public Works - Engineering	Lechvar, Gina	Approved	10/15/2015 - 9:23 AM
Public Works - Engineering	Lechvar, Gina	Approved	10/15/2015 - 9:23 AM
Public Works Committee	Admin, Default	Approved	10/15/2015 - 10:30 AM
City Clerk	Admin, Default	Approved	10/15/2015 - 10:30 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION approving Change Order #3 to Tricon Construction Group in the amount of \$260,518 for the Central Fire Station Addition and Renovation, CIP Project #02348.

WHEREAS, the City of Davenport entered into a contract with Tricon Construction Group for the Central Fire Station; 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 #2 in the total amount of \$260,518 for the Central Fire Station Addition and Renovation is hereby approved, and the Public Works Director is hereby authorized to execute said document.

Passed and approved this 10th day of November, 2015.

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. Ron Richard
Tricon Construction Group
2245 Kerper Boulevard
Dubuque, IA 52001

RE: Central Fire Station – BP06A – General Trades - Change Order # 3
CIP 02348 – Contract# 787301527

Dear Mr. Richard:

This change order is for the additional materials, labor and equipment related to the scope of work additions as detailed and described within the ACR #2 (Architectural Change Request #2). This additional scope of work was an add alternate that had been designed by The Galante Architectural Studio and then priced during the post bid process. Reference ACR#2 details SKA-007, SKA-008, SKA-009, SKA-010, SKS-013, SKS-014, SKS-015, SKS-016 & SKS-017 which show the south building façade sun screen.

CHANGE ORDER DESCRIPTION:

1. This change order represents a cost increase as agreed to below. Schedule adjustment of 0 days relating to the overall contract scope of work.
Cost: (+) \$260,518.70 (Increase) - Working Days Adjustment: 0 Days/Schedule Adjustment

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 1,562,000.00
Previous Change Orders	\$ 32,900.00
<u>This Change Order</u>	<u>\$ 260,518.70</u>
Non-Amended Contract Amount:	\$ 1,855,418.70

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) Corrin Spiegel, 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

Agenda Group: Public Works
Department: IT
Contact Info: Rob Henry; (563)326-7923
Wards: All

Action / Date
PW11/4/2015

Subject:

Motion awarding the purchase of a Next Generation GPS/AVL System for a citywide real-time fleet plow truck vehicle tracking system from the State of Iowa DOT contract from Blue Oceans Satellite Systems, Inc., St. John's, Canada, also using the city's US Cellular wireless service contract for airtime services. Equipment cost is \$68,017 budgeted in CIP Project #02339, \$1,170 monthly licensing fee for software and \$754 per month for wireless services. [All Wards]

Recommendation:

Approve the Motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

As part of the city's mobile workforce technology platform, fleet asset management and tracking are an important next step for a connected workforce. Using Skyhawk's Telematics wireless mobile tracking hardware and software technology, city management will be better able to track, monitor, schedule and deliver superior customer service experience by providing real-time web based vehicle location and driving data for any fleet vehicle in the city. Using telematics, the city will be able to monitor and manage any vehicles engine diagnostics as well as installed equipment such as hydraulic plows and/or salt/brine spreaders. This solution will also be able to integrate with other IT software platforms to provide additional future services.

Blue Oceans Satellite Systems, Inc. equipment cost is \$68,017 and will come from CIP #02339. The monthly licensing fee is \$1,170 for the Skyhawk software and \$754 for US Cellular wireless service and will be paid for from Public Works general operating budget.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works Committee	Lechvar, Gina	Approved	11/3/2015 - 10:20 AM
Public Works Committee	Lechvar, Gina	Approved	11/3/2015 - 10:21 AM
City Clerk	Spiegel, Corri	Approved	11/3/2015 - 10:26 AM

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Dan Miers;(563)326-7877
Wards: All

Action / Date
PW11/4/2015

Subject:

Motion approving change order #1 for contract amendment #2R for the EQ Basin/Wet Weather Improvements - Davenport Optimization Project to Veenstra & Kimm, Inc. in the amount Not-To-Exceed \$39,930; CIP Project #02166. This change order adds photographic documentation for baseline conditions. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

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

Background:

This change order adds Multivista services to document the Wet Weather Optimization Project construction. This is a very extensive asset management and construction management tool. It will also provide constructed photographic documentation through out the construction process.

Summary of Contract Amount:

Original Contract:	\$ 313,309
Previous Change Orders:	\$ 0
<u>This Change Order:</u>	<u>\$ 39,930</u>
Amended Contract Amount:	\$ 353,239

ATTACHMENTS:

Type	Description
□ Backup Material	CO NUMBER ONE CONTRACT AMEND 2R OPTIMIZATION PROJECT

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2015 - 10:45 AM
Public Works Committee	Lechvar, Gina	Approved	10/29/2015 - 10:52 AM
City Clerk	Admin, Default	Approved	10/29/2015 - 10:57 AM



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)

CONTRACTOR: Veenstra & Kimm
CONTRACTING COMPANY: Veenstra & Kimm, Inc.
ADDRESS: 1530 46th Avenue – Suite 2B
CITY, STATE, AND ZIP CODE: Moline, IL 61265-7019

PROJECT TITLE: Sanitary Sewer Equalization Basin – V & K Contract Amendment 2R – Davenport Optimization Project
MultiVista Complete Project Documentation.

CHANGE ORDER #1

CIP # 02166

ORG #

OBJECT #

CHANGE ORDER DESCRIPTION:

1. This change order is to add Multivista complete documentation and total asset visibility to the Veenstra & Kimm, Inc. project team. V&K, Inc.'s team will be completing construction engineering services and Multivista is considered a value added service. Multivista will add photographic documentation services of current baseline conditions at the WPCP. Also included will be photographic documentation of the project progress. Finally, a 24-hour/day pan/tilt/zoom webcam will be installed for 18 months and utilized for the project.

Costs:

Photographic Documentation Services	\$21,410.00
Owner Video Training	3,600.00
Pan/Tilt/Zoom Project Webcam	14,920.00

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 313,309.00	
Previous Change Orders	\$ 0.00	
<u>This Change Order</u>	<u>\$ 39,930.00</u>	(See attachment for detailed scope)

Amended Contract Amount: \$ 353,239.00

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

Date: _____

Recommend/Approved: L. J. Feely V&K, Inc.
Contractor

Date: 10/27/2015

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

Date: _____

Recommend/Approved: _____
(Up to \$25,000) Corrin Spiegel, 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: _____



MULTIVISTA
CONSTRUCTION DOCUMENTATION

Multivista

206 6th Ave, Suite 1104, Des Moines, IA 50309

Office: 515-401-5658

Russ Bollig - r.bollig@multivista.com - Mobile: (515) 441-0448

PROJECT QUOTE & AGREEMENT

Not to Exceed Contract

CLIENT

Name: Veenstra & Kimm, Inc.
Address: 1530 46th Ave # 2B
Moline, IL 61265
T: (309) 797-0171 F: _____
E: _____

PROJECT

Name: Wet Treatment Optimization Project - WWTP
Description/Type: Waste Water Treatment Plant
Location: 2606 South Concord Street
Davenport, IA 52802
Size (SQFT): _____
Start Date: 10/29/2015

Multivista ("MULTIVISTA") is pleased to provide Veenstra & Kimm, Inc. ("CLIENT")
with Multivista documentation services for the Wet Treatment Optimization Project - WWTP Project in accordance with the Scope and Terms listed
in this document and in the accompanying RIDER: Multivista Project Quote Terms and Conditions.

BILLING / INVOICING CONTACT

Name/Title: Leo Foley / Project Manager
Company: Veenstra & Kimm, Inc.
Address: 1530 46th Ave # 2B
Moline, IL 61265
T: (309) 797-0171 F: _____
E: lfoley@v-k.net

SITE / FIELD CONTACT

Name/Title: TBD
Company: _____
Address: _____
T: _____ F: _____
E: _____

PHOTOGRAPHIC DOCUMENTATION

For complete definitions of all shoot types and scope, please see attached Rider.

PROGRESSIONS

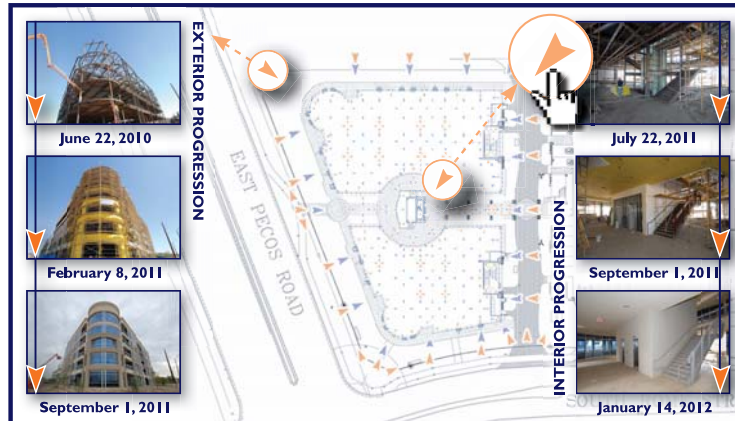
Progressions shoots occur at regular intervals, following the same shoot path each time, to capture the progress of your project over time.

☒ Exterior

Exterior Progressions capture the exterior progress of your building, beginning at substantial structural framing.

Max # of Shoots: 24
Frequency: Every 2 Weeks

☒ See Exhibit A for Notes



☒ Interior

Interior Progressions capture the interior progress of your project. Shoots begin at substantial interior framing for each building, floor, section or area.

Max # of Shoots: 12
Frequency: Every 2 Weeks

☒ See Exhibit A for Notes

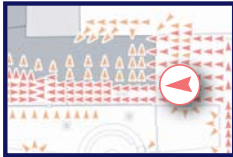
EXACT-BUILT® SHOOTS

Exact-Built® shoots are designed to capture specific milestones of your projects in great detail.

☒ Site-Survey

Comprehensive documentation of all surrounding streets, curbs, sidewalks, landscaping, parking areas, existing structures and neighboring facilities.

☒ See Exhibit A for Notes



☐ MEP

Mechanical, electrical, plumbing (MEP) and all other systems in walls and ceilings are documented post-inspection and pre-insulation, sheet rock or dry wall installation.

☐ See Exhibit A for Notes



☐ Pre-Slab

Capture the pre-slab rough-ins prior to pouring.

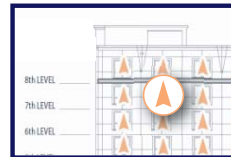
☐ See Exhibit A for Notes



☐ Elevation

Door, window and waterproofing conditions of the exterior skin are captured at agreed upon milestone(s).

☐ See Exhibit A for Notes



☒ Existing Condition

Takes place at any point in time that you specify to capture the project, or a component thereof, in its exact current condition.

☒ See Exhibit A for Notes



☐ Finished Interior

At Certificate of Occupancy or other "finished" milestone, all walls, ceilings and floors in their post-inspection, completed condition are documented in exceptional detail.

☐ See Exhibit A for Notes



☒ "You Name It"

Custom Exact-Built® that you design to meet your project's specific needs.

1. Asset Mangement

2.

3.

4.

☒ See Exhibit A for Notes

SLIDESHOWS

Slideshows are an included service for all project scopes that include Photographic Documentation. They provide an "executive summary" or overview of your project that is useful for marketing as well as allowing lenders, consultants, committees and executives to quickly review the overall construction. Slideshows can also house photographs taken by the client's project team.



MULTIVISTA BIM INTEGRATION

MULTIVISTA SHOOT TYPES & FLOORPLANS

1. _____ # of floorplans _____	4. _____ # of floorplans _____	Autodesk® Revit® ☐
2. _____ # of floorplans _____	5. _____ # of floorplans _____	Autodesk® Navisworks® ☐
3. _____ # of floorplans _____	6. _____ # of floorplans _____	

BIM SOFTWARE

MULTIVISTA VIDEO

MULTIVISTA VIDEO SHOOTS

Hours scheduled on-site: 15.00

of videographers: 1

@ \$/Hour: \$ 240.00

1. Below are Typical Systems: _____
2. Mechanical, Electrical, Plumbing, UV _____
3. Security, Low-Voltage, Fire Alarm Controls _____
4. SCADA System _____

Applications & Examples

- Facility Management: Operations & Maintenance
- Training: Safety
- Construction: Wall Tilt-Up
- Inspections: HVAC / MEP / Inspection
- Events: Groundbreaking



MULTIVISTA WEBCAM

Camera 1. Pan Tilt Zoom ☐ PoE ☒ Cellular ☐ Solar

Duration: 18.00 Months

Camera 2. Select

☐ PoE ☐ Cellular ☐ Solar

Duration:

Months

Camera 3. Select ☐ PoE ☐ Cellular ☐ Solar

Duration: Months

Camera 4. Select

☐ PoE ☐ Cellular ☐ Solar

Duration:

Months

Connections to be arranged by: ☒ MULTIVISTA ☐ CLIENT

MULTIVISTA'S COMPLETE WEBCAM SOLUTION INCLUDES:



➤ Access 24/7/365



➤ Mobile Access



➤ Live Streaming



➤ HI-DEF Imagery



➤ Time Lapse Photo & Video Generator



➤ Hosting for Unlimited Users

- 2 Types of Web Cameras.
- Slideshow & Video of Jobsite Progress*.
- Automated Static Image Archive.
- On-Demand Snapshot Tool.
- View Project Feed Via Your Own Website.

- Easy Access.
- Intuitive Control.
- Onsite Camera Setup & Integration.
- Camera System Monitoring.
- Secure Hosting of Webcam Footage.

*Live stream not archived, only static captures.

Fixed Dome Cameras:



PTZ Dome Cameras:



PRICING

Pricing below is inclusive of all services comprising the scope of this Project Quote.

DOCUMENTATION PRICE

TOTAL PRICE

ADJUSTED TOTAL PRICE

Photographic:	\$ 21,410.00
BIM Integration:	
Video:	\$ 3,600.00
Webcam:	\$ 14,920.00
Documentation Price:	\$ 39,930.00

Documentation Price:	\$ 39,930.00
Sales Tax: (0.00%)	\$ 0.00
Travel:	\$ 0.00
Reimbursable Expenses:	\$ 0.00
Total Price:	\$ 39,930.00

Total Price:	\$ 39,930.00
Add/Alternate(s):	
Adjusted Total Price:	\$ 39,930.00

The Price will be invoiced as follows:

Select _____ + (Monthly Invoice _____ x 18 Months)

ADD/ALTS

				INITIALS
1. _____	Visits / Hours: _____	Price: _____		
Description: _____				
2. _____	Visits / Hours: _____	Price: _____		
Description: _____				
3. _____	Visits / Hours: _____	Price: _____		
Description: _____				
4. _____	Visits / Hours: _____	Price: _____		
Description: _____				
5. _____	Visits / Hours: _____	Price: _____		
Description: _____				

REIMBURSABLE EXPENSES

Multivista will be reimbursed for actual expenses incurred plus 10 percent (10.0%) for those expenses that are directly related to the Project. Validation of all such expenses will be provided with invoicing. Expenses that are reimbursable include, but are not limited to, reproductions, printing costs, deliverables/parcels and project-specific insurance where the insurance needs exceed Multivista's standard liability policy limits.

For this Project, reimbursable expenses are estimated to be: \$ 0.00 ☒ See Exhibit A for details

ACCEPTANCE

Multivista will perform all work per the agreed upon scope of services and their Terms and Conditions, contained herein and in the accompanying RIDER to this Project Quote and Agreement. Upon acceptance of this Project Quote and the accompanying RIDER, Multivista will diligently pursue its work until the completion of this project, consistent with the above-referenced scope of services. Your acceptance of this Project Quote constitutes your authorization and direction to Multivista to proceed with this project. Multivista reserves the right to revoke or modify this Project Quote at any time before acceptance of the Project Quote and all terms and conditions contained herein and in the accompanying RIDER or if work has not commenced within ninety (90) days of acceptance.

The foregoing Project Quote is accepted by:

Multivista _____

Russell Bollig _____

Sign:

Print:

Date:

Veenstra & Kimm, Inc. _____

Sign:

Print:

Date:

EXHIBIT A

Exterior Progressions

Exterior Progression photos are taken from key perspectives along site perimeters and 360 degrees around each building envelope during erection.

Interior Progressions

Interior Progression photos track the interior improvements from when interior work begins (typically, at the commencement of stud-work) to completion.

Site-Survey

The pre-construction site survey provides coverage of the site and its immediately surrounding area to carefully memorialize conditions before a project begins.

MEP

Pre-Slab

Elevation

Existing Condition

To compliment the Site Survey Exact Built the Existing Conditions will focus on the interior of each affected building prior to demolition.

Finished Interior

"You Name It"

Asset Management Exact Built: Capture photographs of installed equipment and systems on a separate plan page where the O&M, Warranty & other pertinent documents can be linked for easy access. For each piece of equipment there should be (1) photograph of the equipment and (1) photograph of the nameplate showcasing the model number and serial number.

Additional Notes

0) Multivista Project Website Development & Hosting (18 Month Duration)

Total Cost: \$6,120

1) Site Survey Exact Built & Interior Pre-Demolition documentation of buildings to be upgraded: The pre-construction site survey provides coverage of the site and its immediately surrounding area to carefully memorialize conditions before a project begins.

Total Cost: \$2,850

2) Post Demolition Exact Built: Capture each of the 'major elements' post demolition prior to installation of new equipment and systems. Major Elements would include the Raw Sewage Pump Station, Traveling Bar Screen, Primary Clarifiers (4), and the Aeration System.

Total Cost: \$760

3) Exterior & Interior Progressions: Document key perspectives along site perimeters, 360 degrees around each building and the interior of each building at a predetermined frequency of every 2 weeks or on a monthly basis.

Total Cost: Progress Captured Every (2) Weeks for 12 months \$9,600

4) Asset Management Exact Built: Capture photographs of installed equipment and systems on a separate plan page where the O&M, Warranty & other pertinent documents can be linked for easy access. For each piece of equipment there should be (1) photograph of the equipment and (1) photograph of the nameplate showcasing the model number and serial number.

Total Cost: \$2,080

5) Video Owner's Training: On-Site Videographer to capture, at clients discretion and direction, Video recording of Facilities Management Owner's Training of major equipment and systems To include recording by experienced videographer, all pre-production, post-production editing, incorporation within MV Project Archive and 1920 x 1800 HD Video Format. \$240/hr Turnkey (Anticipate 15 hours = \$3,600)

No reimbursable expenses are anticipated.

City of Davenport

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

Action / Date
FIN11/4/2015

Subject:

Resolution to fix a date for a public hearing on an amended State Revolving Fund Sewer Revenue Loan and Disbursement Agreement. [All Wards]

Recommendation:

Adopt the resolution to set the public hearing for Wednesday, November 18, 2015 at 5:30 p.m.

Relationship to Goals:

Financially Responsible City Government
Upgraded City Infrastructure & Public Facilities

Background:

The City proposes to enter into an amended Sewer Revenue Loan and Disbursement Agreement (the "Agreement") with the Iowa Finance Authority and borrow money in a principal amount not to exceed \$7,600,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of (1) current refunding the Series 2013 Bond and (2) constructing a water resource restoration project.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	RESOLUTON TO SET PH

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/29/2015 - 12:03 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/29/2015 - 12:04 PM
City Clerk	Admin, Default	Approved	11/2/2015 - 11:42 AM

RESOLUTION NO. _____

Resolution to fix a date for a public hearing on an amended State Revolving Fund Sewer Revenue Loan and Disbursement Agreement

WHEREAS, the City of Davenport (the “City”), in the County of Scott, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the “Utility”) in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the “Council”) and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a resolution of the Council dated May 12, 2010 (the “Series 2010 Bond Resolution”), the City previously issued its \$10,000,000 Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment), dated June 2, 2010 (the “Series 2010 Bond”) to the Iowa Finance Authority (the “Lender”), a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to the Series 2010 Bond Resolution, the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Series 2010 Bond; and

WHEREAS, pursuant to a resolution of the Council dated April 24, 2013 (the “Series 2013 Bond Resolution”), the City previously issued its \$7,085,000 Sewer Revenue Bond, Series 2013, dated May 24, 2013 (the “Series 2013 Bond”) to the Lender, a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to the Series 2013 Bond Resolution, the City reserved the right to call the Series 2013 Bond for early redemption, subject to the conditions set forth in the Series 2013 Bond Resolution; and

WHEREAS, the City will undertake a water resource restoration project (the “Project”); and

WHEREAS, the Lender has agreed to provide financing for the Project by increasing the principal amount of the Series 2013 Bond and decreasing the interest rate thereon; and

WHEREAS, the City now proposes to enter into an amended Sewer Revenue Loan and Disbursement Agreement (the “Agreement”) with the Lender and borrow money in a principal amount not to exceed \$7,600,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of (1) current refunding the Series 2013 Bond and (2) constructing the Project, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Agreement and to give notice thereof as required by such law;

WHEREAS, the City, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, hereby proposes to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement (the "Agreement") in a principal amount not to exceed \$7,600,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Utility, and it is necessary to fix a date of meeting of the Council at which it is proposed to hold a hearing on the Agreement and to give proper notice thereof;

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

Section 1. The City Council shall meet as the Committee-of-the-Whole on the 18th day of November, 2015, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place any resident or property owner of the City may present oral or written objections to the approval of the proposed Agreement, after which any such objections will be referred to the City Council at its regular meeting to be held on the 24th day of November, 2015, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve the Agreement.

Section 2. The Deputy Clerk is hereby directed to give notice of the proposed action on the Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than four and not more than twenty days before the date of the hearing, in the *Quad City Times*. The notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING ON LOAN AND DISBURSEMENT AGREEMENT
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$7,600,000

(SEWER REVENUE)

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on the 18th day of November, 2015, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., for the purpose of holding a hearing on a loan and disbursement agreement (the "Agreement") in a principal amount not to exceed \$7,600,000, for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Municipal Sanitary Sewer System.

At such time and place, oral or written objections from any resident or property owner of the City may be presented, after which any such objections will be referred to the regular meeting of the City Council to be held on the 24th day of November, 2015, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place the City Council may take additional action to enter into the Agreement.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with the City's outstanding Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment), and any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

By order of the City Council of the City of Davenport, Iowa.

Jackie Holecek
Deputy Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved November 10, 2015.

Mayor

Attest:

Deputy Clerk

City of Davenport

Agenda Group: Finance
Department: Finance
Contact Info: Brandon Wright 326-7750
Wards: 8

Action / Date
FIN11/4/2015

Subject:

Motion authorizing the Finance Director to prepare and sign documents to submit a Best and Final Offer proposal to the Government Services Administration (GSA) for the construction of a building for the National Weather Service (NWS) building to lease from the City at the Davenport Municipal Airport. The proposal is authorized up to a total construction cost of \$4.5 million and to contain lease payment terms that will fully cover the City's costs. [Ward 8]

Recommendation:

Approve the motion

Relationship to Goals:

Welcoming investment

Background:

The GSA recently released a request for proposals soliciting interested parties to construct and finance a new NWS building in the area. The new building would allow the NWS to vacate their current building at the Davenport Municipal Airport. The City is interested in maintaining the NWS as users of the Airport; therefore, a proposal has been prepared and submitted to the GSA indicating the City's interest in constructing a facility that the NWS would lease from the City. The City has developed the lease terms such that the full cost of construction will be paid over time by the NWS.

This motion authorizes the Finance Director to finalize the City's Best and Final Offer and submit it to the GSA. This offer must have a total construction cost of no more than \$4.5 million and must seek to have the full amount repaid over time through the lease payments. Because of the competitive nature of the GSA proposal process, the City's detailed offer will only be made available following the GSA award. If the City of Davenport is selected, the final agreement will be placed on a future City Council agenda for ratification.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/27/2015 - 10:24 AM
Finance Committee	Watson-Arnould, Kathe	Approved	10/27/2015 - 10:24 AM
City Clerk	Admin, Default	Approved	10/27/2015 - 10:30 AM

City of Davenport

Agenda Group: Finance
Department: CPED
Contact Info: Bruce Berger
Wards: All

Action / Date
FIN11/4/2015

Subject:
Motion approving submission of the City of Davenport's Annual Urban Renewal Report. [All Wards]

Recommendation:
Approve the motion.

Relationship to Goals:
Added emphasis on economic development

Background:
As part of the requirements stemming from 2012 State of Iowa legislative action regarding tax increment financing (TIF), all Iowa cities and counties utilizing TIF are required to report TIF expenditures and obligations into the Iowa Department of Management's online Annual Urban Renewal Report annually by December 1. This report looks at the most recent fiscal year ending June 30, 2015.

The City of Davenport has been a fiscally responsible administrator of TIF financing. This is evidenced by the Iowa Legislative Services Agency FY 2014 Annual Urban Renewal Report that detailed cities use of TIF funds. Even though Davenport is the third largest community in the state, it did not rank in the top 10 for total TIF debt reported.

As part of this system, the City Council must approve submission of the report. Costs associated with the City's TIF are approved by the City Council as part of the overall budget.

The Levy Authority Summary sheet is attached.

ATTACHMENTS:

Type	Description
▢ Cover Memo	TIF Summary Sheet

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/27/2015 - 5:44 PM
Community Development Committee	Berger, Bruce	Approved	10/27/2015 - 5:44 PM
City Clerk	Admin, Default	Approved	10/27/2015 - 5:53 PM

Annual Urban Renewal Report, Fiscal Year 2014 - 2015

Levy Authority Summary

Local Government Name: DAVENPORT
Local Government Number: 82G773

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
DAVENPORT DOWNTOWN URBAN RENEWAL	82003	6
DAVENPORT WEST INDUSTRIAL URBAN RENEWAL	82005	4
DAVENPORT 53RD I-74 URBAN RENEWAL	82007	9
DAVENPORT NORTH URBAN RENEWAL	82013	13
DAVENPORT TRI-CITY FABRICATING URBAN RENEWAL	82026	1
DAVENPORT EIIC URBAN RENEWAL	82038	1
HILLTOP URBAN RENEWAL AREA	82053	3
EAST VILLAGE URBAN RENEWAL AREA	82054	2
DAVENPORT WEST CENTRAL PARK URBAN RENEWAL	82991	1
DAVENPORT SOUTH URBAN RENEWAL	82992	2

TIF Debt Outstanding: 33,793,327

TIF Sp. Rev. Fund Cash Balance			Amount of 07-01-2014 Cash Balance
as of 07-01-2014:	3,229,772	0	Restricted for LMI

TIF Revenue:	4,832,379
TIF Sp. Revenue Fund Interest:	37,610
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	6,598
Total Revenue:	4,876,587

Rebate Expenditures:	928,796
Non-Rebate Expenditures:	2,646,671
Returned to County Treasurer:	0
Total Expenditures:	3,575,467

TIF Sp. Rev. Fund Cash Balance			Amount of 06-30-2015 Cash Balance
as of 06-30-2015:	4,530,892	0	Restricted for LMI

Year-End Outstanding TIF
Obligations, Net of TIF Special
Revenue Fund Balance: 25,686,968

City of Davenport

Agenda Group: Finance
Department: Public Works/Fleet
Contact Info: Jonathan Meeks 563-326-7922
Wards: All

Action / Date
FIN11/4/2015

Subject:

Motion approving the purchase of an endloader for the Compost Facility from Martin Equipment of Rock Island, IL, in the amount of \$312,500. [All Wards]

Recommendation:

Approve the Motion.

Relationship to Goals:

Financially Responsible City Government

Background:

This is a request for approval to purchase a John Deere endloader for the Compost Facility from Martin Equipment from the State of Iowa DOT Contract #4425-9. The DOT contract amount was for \$356,170, but due to available incentives at this time, the City of Davenport can purchase the same endloader with identical specifications at a cost of \$312,500, a savings of \$43,670.

This loader will replace endloader #E650 from the compost facility.

Funding for this purchase is budgeted in the FY16 Construction Equipment Budget, account # 76730675 530350 24001, with a current balance of \$340,000.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/27/2015 - 3:17 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/27/2015 - 3:17 PM
City Clerk	Admin, Default	Approved	10/27/2015 - 3:19 PM

City of Davenport

Agenda Group: Finance
Department: Public Works/Streets
Contact Info: Todd Jones 326-7933
Wards: All

Action / Date
FIN11/4/2015

Subject:

Motion awarding the purchase of a used paver machine for the Streets Division to Road Machinery & Supplies Co of Milan, IL in the amount of \$119,972. [All Wards]

Recommendation:

Approve the Motion.

Relationship to Goals:

Financially Accountable City Government.

Background:

The Streets Division of Public Works has been renting a used 2014 Leeboy paver machine from Road Machinery & Supplies Co. since June 2015. The cost to rent this machine has been \$2,850 per week. The Streets Division has found this piece of equipment very helpful, and foresee using it many times in the future to re-work the City's brick streets.

The original sales price for the used paver is \$151,233. Road Machinery & Supply is applying a portion of the rent the City has paid, making our sales price \$119,972.

Funding for this purchase is from the Operating Account, Road Use Tax Fund, with \$151,223 budgeted for this purchase.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/27/2015 - 3:15 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/27/2015 - 3:15 PM
City Clerk	Admin, Default	Approved	10/27/2015 - 3:20 PM

City of Davenport

Agenda Group: Finance
Department: Finance/Purchasing
Contact Info: Kristi Keller 888-2073
Wards: All

Action / Date
FIN11/4/2015

Subject:
None.

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/28/2015 - 4:41 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/28/2015 - 4:41 PM
City Clerk	Admin, Default	Approved	10/28/2015 - 4:42 PM

City of Davenport

Agenda Group: Committee of the Whole

Department: CPED

Contact Info: Bruce Berger, 326-7769

Wards:

Action / Date
COW11/4/2015

Subject:

Motion to suspend the rules to vote on the following action item(s):

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Spiegel, Corri	Approved	11/3/2015 - 2:27 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/3/2015 - 2:55 PM
City Clerk	Thompson, Tiffany	Approved	11/3/2015 - 3:01 PM

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: 8

Action / Date
CD11/4/2015

Subject:

Resolution providing preliminary approval for economic development assistance to the Kraft Heinz Company. [Ward 8]

Recommendation:

Approve the resolution.

Relationship to Goals:

Strong local economy.

Background:

The Kraft Heinz Company has been a part of the Davenport community since 1946 when they purchased their building at 1337 W 2nd Street. Over the past 69 years they have made many upgrades and additions and have been a valuable employer and contributor to the local economy.

The Kraft Heinz Company is now considering the construction of a state-of-the-art food manufacturing facility on approximately 70 acres in the Eastern Iowa Industrial Center. The company estimates the total project investment at \$203 million. This project allows for the retention of at least 475 full time positions. These positions are supported with a benefit package.

The Kraft Heinz Foods Company has requested City of Davenport and State of Iowa economic development incentives. The company is planning a very aggressive construction schedule. In order to meet the State of Iowa's timeframe for local match by November 5th the City is offering Industrial Property Tax Exemption.

As the current property owner, the Greater Davenport Redevelopment Group has initiated voluntary annexation to the City of Davenport. Concurrently with that the City will also pursue inclusion of the site into the North Urban Renewal Area in order to offer tax increment financing to support the business equal to or greater than that of the Industrial Property Tax Exemption (Iowa Code and Chapter 427B).

The approval of this resolution documents the following items:

1. City Council's preliminary approval of City participation in the project in support of the company's application to the Iowa Economic Development Authority for financial assistance and serves as the proposed source of any State required local match.
2. Authorizes the Mayor to sign documents as related to the project.

Authorizes staff to begin the process to include the site of approximately 70 acres in the Eastern Iowa Industrial Center into the North Urban Renewal Area.

ATTACHMENTS:

Type	Description
□ Resolution Letter	RES Ec Dev Assistance to Kraft Heinz

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Pribyl, Rita	Approved	11/3/2015 - 2:51 PM

Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION providing preliminary approval for the economic development assistance through the Industrial Property Tax Exemption Program to The Kraft Heinz Company for the construction of their proposed facility located on approximately 70 acres in the Eastern Iowa Industrial Center and authorizing staff to pursue inclusion of the site into the North Urban Renewal Area.

WHEREAS, in the City of Davenport, the City has adopted the State of Iowa Industrial Property Tax Exemption Program; and

WHEREAS the tax exemption programs, together with the other economic development programs of the City, have been used to increase assistance for projects which otherwise would not occur.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, that the City Council does hereby provide preliminary approval to The Kraft Heinz Company through the Industrial Property Tax Exemption Program, authorizes staff to pursue inclusion of the site located on approximately 70 acres in the Eastern Iowa Industrial Center into the North Urban Renewal Area and supports seeking financial economic development assistance through the State of Iowa.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 326-7769
Wards: 8

Action / Date
CD11/4/2015

Subject:

Resolution authorizing the application to the Iowa Department of Transportation's RISE program for assistance to the Kraft Heinz Company's proposed business retention project. [Ward 8]

Recommendation:

Approve the resolution.

Relationship to Goals:

Added emphasis on economic development.

Background:

The Kraft Heinz Company is considering the construction of a state of the art food manufacturing plant on approximately 70 acres in the Eastern Iowa Industrial Center which is currently in process of being annexed to Davenport, Iowa. This project allows for the retention of at least 475 full time positions with an average wage of \$18.98 per hour. These positions are supported with a benefit package as well.

There are several upgrades that must be made to Enterprise Way, Slopertown Road and a new public road that will run North and South to connect Enterprise Way and Slopertown Road in order for this new facility to locate on this site.

- Slopertown Road: Slopertown Road will be widened to accommodate turn lanes from the East and West into both a new parking lot and onto the new public road. Pending a traffic study, it is also anticipated that a traffic signal will be required at the intersection of the proposed new road and Slopertown Road.
- New Public Road: A new public three-lane road will be constructed to connect Enterprise Way and Slopertown Road. Truck traffic will use this road to enter in to a separate truck entrance off of this road.
- Enterprise Way: Enterprise Way will be widened to accommodate the addition of a turn lane for a total of three lanes.

The estimated cost of these improvements is \$5,874,843. The City is applying to the Iowa Department of Transportation's Revitalizing Iowa's Sound Economy (RISE) grant program to help with the cost of these improvements. The RISE funding request will cover 80% of costs (with an estimated award of \$4,699,874). The RISE program requires a 20% matching contribution. The City anticipates using TIF funding to cover the remaining \$1,174,968 contribution.

ATTACHMENTS:

Type	Description
□ Resolution Letter	RES RISE Program for Kraft Heinz

REVIEWERS:

Department	Reviewer	Action	Date
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Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the application to the Iowa Department of Transportation's RISE program for assistance to the Kraft Heinz Company business retention project.

WHEREAS, the City of Davenport, Iowa has determined the need to improve a public roadway to provide access for the Kraft Heinz Company's business retention project located on approximately 70 acres in the Eastern Iowa Industrial Center; and

WHEREAS, the public roadway improvements are vital to an immediate non-speculative opportunity for permanent job retention which the City of Davenport is pursuing with Kraft Heinz through the construction of a new facility, where RISE funding is essential to this effort; and

WHEREAS, without the RISE commitment, the public roadway improvements could not be extended in a timely manner; and

WHEREAS, the public roadway improvements will be dedicated to public use and under the jurisdiction of the City of Davenport which claims responsibility and maintenance for said roadways; and

WHEREAS, the City of Davenport assures the State of Iowa at least 20 percent non-RISE financial participation through the use of Tax Increment Financing;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF DAVENPORT endorses said roadway project and authorizes and supports this application for RISE funding for roadway improvements, and further agrees that the City of Davenport will contribute resources to the extent necessary to supplement RISE funds.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk