COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, October 20, 2021; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

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

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

3. Public Hearing on the proposed conveyance of City-owned property located at 503 West 15th Street to Brandi Bea, Petitioner. [Ward 4]

4. Public Hearing on the proposed conveyance of a portion of 601 East Blackhawk Trail to Ethodd Properties, LLC, Petitioner. [Ward N/A]

VII. Petitions and Communications from Council Members and the Mayor

VIII. Action items for Discussion

<u>COMMUNITY DEVELOPMENT</u>

Kyle Gripp, Chair; Judith Lee, Vice Chair

I. COMMUNITY DEVELOPMENT

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

2. <u>First Consideration:</u> Ordinance for Case REZ21-04 being the request of the City of

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

3. Resolution authorizing the conveyance of City-owned property located at 503 West 15th Street to Brandi Bea, Petitioner. [Ward 4]

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

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Maria Dickmann, Vice Chair

III. PUBLIC SAFETY

1. Third Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by adding Eastern Avenue at Elm Street. [Ward 5]

2. Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Ripley Street along the east side from 2nd Street north to the alley. [Ward 3]

3. Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Main Street along the west side from Palmer Drive south 580 feet. [Ward 3]

4. First Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Louis Rich Court along both sides from West Lake Boulevard east to its terminus. [Ward 1]

5. First Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled "No Parking" by adding Villa Drive along both sides from Villa Court south 300 feet. [Ward 8]

6. First Consideration: Ordinance amending Schedules XIV and XV of Chapter 10.96 by changing Marquette Street at 12th Street from Pedestrian Traffic Signals to Intersection Traffic Signals. [Wards 3 & 4]

7. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

   Quad City Arts; Festival of Trees Holiday Parade; Downtown; Saturday, November 20, 2021 12:00 a.m. - 12:00 p.m.; **Staging area closures (beginning Saturday, November 20, 2021 at 12:00 a.m.):** East 3rd Street from Pershing Avenue to LeClaire Street; **(beginning Saturday, November 20, 2021 at 4:00 a.m.):** Pershing Avenue and Iowa Street between East 2nd and East 4th Streets; **Parade route (in place by 9:15 a.m.):** East 3rd Street from Pershing Avenue to Scott Street; Scott Street from West 3rd Street to West 2nd Street; 2nd Street from Scott Street to the finish at Iowa Street; all north/south streets on the parade route will be closed from River Drive to 4th Street until the parade ends. [Ward 3]

Village of East Davenport Business Association; Christmas in the Village; Village of East Davenport; Saturday, December 4, 2021 3:00 p.m. - 11:00 p.m.; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street to the alley. [Wards 5 & 6]

8. Motion approving noise variance requests for events on the listed dates and times.

   Quad City Arts; Festival of Trees Holiday Parade; Downtown (see attached parade route); Saturday, November 20, 2021 9:00 a.m. - 12:00 p.m.; Outdoor music/performances, over 50 dBA. [Ward 3]

   Davenport Parks and Recreation; Fejervary Holiday Lights; Fejervary Learning Center | 1800 West 12th Street; 5:00 p.m. - 10:00 p.m. every evening beginning Saturday, November 27, 2021 through Sunday, January 2, 2022; Outdoor music, over 50 dBA. [Ward 4]

   Village of East Davenport Business Association; Christmas in the Village; Village of East Davenport; Saturday, December 4, 2021 6:00 p.m. - 9:30 p.m.; Outdoor music, over 50 dBA. [Wards 5 & 6]

9. Motion approving beer and liquor license applications.

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

   Ward 7

   The Christmas Cottage (The Christmas Cottage) - 902 W Kimberly Rd Bldg 4 - New Temporary Permit November 10th-23rd - License Type: Class B Native Wine

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

   Ward 1

   West Locust Shell (Malwa, LLC) - 4425 W Locust St - License Type: Class C Beer

   Ward 3

   Mac's Tavern (Failte, Inc) - 316 W 3rd St - Outdoor Area - License Type: Class C Liquor

   Ward 4

   MC's Happy Hollow (DMC Corporation) - 1502 W 14th St - License Type: Class C Liquor

   Hy-Vee Gas #5 (Hy-Vee, Inc) - 2353 W Locust St - License Type: Class E Liquor

   Ward 5

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

Ward 6

Applebee's Neighborhood Grill & Bar (Apple Corps LP) - 3838 Elmore Ave - License Type: Class C Liquor

Ward 8

Casey's General Store #2168 (Casey's Marketing Company) - 1691 W 53rd St - License Type: Class E Liquor

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Matthew Dohrmann, Vice Chair

V. PUBLIC WORKS

1. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the KC Kimberly Hills Addition site improvements. [Ward 2]
2. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the Prairie Heights 4th Addition site improvements. [Ward 8]
3. Resolution acknowledging the award of an Economic Development Administration (EDA) grant for the design and construction of the Water Pollution Control Plant and Compost Facility Flood Mitigation, Stormwater and Effluent Pumping System project in the amount of $9,968,028. [Ward 1]
4. Resolution awarding the contract for engineering services for the Duck Creek Interceptor Extension project to McClure Engineering Company of North Liberty, Iowa in an amount not-to-exceed $1,203,450, ARP #18. [Ward 1 & 2]
5. Preliminary Resolution for the FY 2022 Alley Resurfacing Program. [Wards 3 & 5]
6. Motion determining property values for the FY 2022 Alley Resurfacing Program. [Wards 3 & 5]
7. Motion to ratify Change Orders #1-7 for the Main Library Renovation project to Swanson Construction of Bettendorf, Iowa in the amount of $50,337.56, CIP #23028. [Ward 3]
8. Motion awarding the contract for the East 31st Street and East 32nd Street Speed Hump project to Langman Construction, Inc of Rock Island, Illinois in the amount of $53,780.00, CIP #38014. [Ward 7]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

JJ Condon, Chair; Joseph Miller, Vice Chair

VII. FINANCE

1. Resolution awarding the contract for crime analysis consultant services to IDEA Analytics of Phoenix, Arizona with a 2-year project cost of $233,164.17. [All Wards]
2. Resolution setting a Public Hearing on the issuance of not-to-exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A. [All Wards]
3. Motion approving the purchase of a John Deere FC20M Flex Wing Rotary Cutter, 5100E Cab Utility Tractor, and 520M Loader for the Davenport Municipal Airport from River Valley Turf Inc of Davenport, Iowa in the amount of $95,669.28, CIP #24029. [Ward 8]
4. Motion approving the sole source purchase of Civilian Crime Scene Technician equipment from Foster+Freeman Ltd of Sterling, Virginia in the amount of $75,023.60. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. Lovewell Fencing Inc | fence installation at Public Works | Amount: $15,500
2. Crawford Company Inc | boiler replacement at Annie Wittenmyer | Amount: $23,906
3. Cummins Central Power | F105 engine repair | Amount: $29,695.62
4. CHS Inc | 2021 salt off-loading | Amount: $32,486.20

X. Other Ordinances, Resolutions and Motions

XI. Public with Business

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

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

XII. Reports of City Officials

XIII. Adjourn

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/20/2021**

Subject:
Public Hearing on Case ORD21-02 being the request of the City of Davenport to amend various sections of Chapter 17 of the Municipal Code of Davenport, Iowa entitled "Zoning" by amending various subsections thereto. [All Wards]

Recommendation:
Hold the Hearing.

Background:
The Plan & Zoning Commission reviewed Case ORD21-02 on October 5, 2021 and voted 6-0 to forward the zoning text amendments to City Council with a recommendation for approval.

In preparation for future programming opportunities, including through the Iowa Economic Development Authority, the City has incorporated corridor planning into the FY 2021 and FY 2022 administrative Work Plan. One of the major potential program opportunities is the Reinvestment District which is designed to assist communities in developing transformative projects that improve the quality of life, create and enhance unique opportunities, and substantially benefit the community, region, and state. Large investments that generate high volumes of sales taxes and draw consumers to utilize the entire development are required to qualify for the program.

In order to ensure the greatest potential for the area, the City has initiated a Zoning Text Change to include the creation of a new zoning district called City Centre. In addition, staff continues to fine-tune the ordinance at regular intervals after adoption. The following amendments are proposed at this time:

Chapter 17.05 Commercial Districts

1. Section 17.05.010 Purpose Statements
- Create a Purpose Statement for a new zoning district titled “City Centre”

2. Section 17.05.030 Dimensional Standards
- Establish Dimensional Standards for the proposed new zoning district "City Centre"
- Alter the C-1 minimum front setback requirements to also allow for new construction to be setback in line with existing buildings.

3. Section 17.05.040 Design Standards
- Establish Design Standards for the proposed new zoning district "City Centre"

Chapter 17.08: Uses

1. Table 17.08-1 Use Matrix
- Create permitted and special uses in the new “City Centre” zoning district;
- Change Bed & breakfast to a Special Use in R-1 and R-2;
- Add Day Care Center as a Special Use in I-1;
- Add Food Bank as a permitted use in I-2;
- Add Parking Lot (Principal Structure) as a Special Use in I-2;
- Change Residential Care Facility to a permitted use in C-1;
- Change Self-Storage Facility: Enclosed to a Special Use in C-3 and remove from C-OP;
- Remove Self-Storage Facility: Outdoor as a Special Use in C-3.

2. Section 17.08.030 Principal Use Standards

- Change the fence height in the Principal Use Standard for Animal Care Facility to allow fences up to 8 feet in height.
- Add to the Principal Use Standard for Car Wash to include distancing exterior vacuum stations from residential districts and not routing exiting traffic into adjacent neighborhoods.
- Add design standards for ancillary structures in the Principal Use Standard for Dwelling-Multi-Family.

3. Section 17.08.040 Temporary Use Standards

- Change language in Temporary Use Standards to reinforce that all municipal code regulations and processes apply.

4. Section 17.08.050 Use Definitions

- Add professional firework displays to the definition of Temporary Outdoor Entertainment.

Chapter 17.09: Site Development Standards

1. Section 17.09.020 Exterior Lighting

- Increase the height of cut-off luminaires to 40 feet in industrial districts and 35 feet in some commercial districts.

2. Section 17.15.050 Nonconforming Site Elements

- In subsection C2 Nonconforming Parking Lot Landscape: Remove the word resurfacing for types of parking lot reconstruction.

Public Input: Staff has received one comments on this item. See attached.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Chapter 17.05 Commercial Districts - Proposed Changes
🗋	Backup Material	Chapter 17.08 Uses - Proposed Changes
🗋	Backup Material	Table 17.08-1 Use Matrix - Proposed Changes
🗋	Backup Material	Chapter 17.09.020 Exterior Lighting - Proposed Changes
🗋	Backup Material	Chapter 17.15.050 Nonconforming Site Elements - Proposed Changes
🗋	Backup Material	Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/13/2021 - 12:45 PM

ORDINANCE NO. _____

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

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

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

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.
(the current subsection (E) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

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

In the C-1 District, where 70% of a blockface has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.
(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

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

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

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

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

Table 17.05-2: Commercial Districts Design Standards						
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	

Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	

Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

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

C-3 and C-C DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 35% measured between two and ten feet in height from grade

E. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

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

Change "Bed and Breakfast" from Permitted to Special Use in R-1 and R-2
Add "Day Care Center" as a Special Use in I-1
Add "Food Bank" as a Permitted in I-2
Add "Parking Lot (Principal Use)" as a Special Use in I-2
Change "Residential Care Facility" from Special Use to Permitted in C-1
Change "Self-Storage Facility: Enclosed" from Permitted to Special Use in C-3
Remove "Self-Storage Facility: Enclosed" as Permitted from C-OP
Remove "Self-Storage Facility: Outdoor" as a Special Use in C-3
Add a column between C-3 and C-OP with the heading C-C.
Add "Amusement Facility – Indoor" as Permitted in C-C
Add "Amusement Facility – Outdoor" as Special Use in C-C
Add "Animal Care Facility – Small Animal" as Permitted in C-C

Add "Art Gallery" as Permitted in C-C
Add "Art and Fitness Studio" as Permitted in C-C
Add "Bar" as Permitted in C-C
Add "Body Modification Establishment" as Permitted in C-C
Add "Community Center" as Permitted in C-C
Add "Community Garden" as Permitted in C-C
Add "Cultural Facility" as Permitted in C-C
Add "Day Care Center" as Permitted in C-C
Add "Drive-Through Facility" as Special Use in C-C
Add "Dwelling – Multi-Family" as Special Use in C-C
Add "Dwelling – Townhouse" as Special Use in C-C
Add "Dwelling – Single-Family Semi-Detached" as Special Use in C-C
Add "Dwelling – Two-Family" as Special Use in C-C
Add "Educational Facility – University of College" as Permitted in C-C
Add "Educational Facility – Vocational" as Permitted in C-C
Add "Financial Institution" as Permitted in C-C
Add "Gas Station" as Special Use in C-C
Add "Government Office/Facility" as Permitted in C-C
Add "Hotel" as Permitted in C-C
Add "Live Performance Venue" as Permitted in C-C
Add "Lodge/Meeting Hall" as Permitted in C-C
Add "Medical/Dental Office" as Permitted in C-C
Add "Micro-Brewery/Distillery/Winery" as Permitted in C-C
Add "Office" as Permitted in C-C
Add "Outdoor Dining" as Permitted in C-C
Add "Parking Lot (Principal Use)" as Special Use in C-C
Add "Parking Structure (Principal Use)" as Permitted in C-C
Add "Personal Service Establishment" as Permitted in C-C
Add "Place of Worship" as Permitted in C-C
Add "Private Recreation Facility" as Permitted in C-C
Add "Public Park" as Permitted in C-C
Add "Public Safety Facility" as Permitted in C-C
Add "Reception Facility" as Permitted in C-C
Add "Residential Care Facility" as Permitted in C-C
Add "Restaurant" as Permitted in C-C
Add "Retail Goods Establishment" as Permitted in C-C
Add "Retail Alcohol Sales" as Special Use in C-C
Add "Specialty Food Service" as Permitted in C-C
Add "Wine Bar" as Permitted in C-C
Add "Wireless Telecommunications" as Special Use in C-C
Add "Wireless Telecommunications – Stealth Design Antenna" as Permitted in C-C
Add "Wireless Telecommunications – DAS Co-Location" as Permitted in C-C
Add "Wireless Telecommunications – DAS New Pole" as Special Use in C-C
Add "Farmer's Market" as Temporary Use in C-C
Add "Real Estate Project Sales Office/Model Unit" as Temporary Use in C-C
Add "Temporary Cell On Wheels (COW)" as Temporary Use in C-C
Add "Temporary Contractor Office and Contractor Yard" as Temporary Use in C-C
Add "Temporary Outdoor Entertainment" as Temporary Use in C-C
Add "Temporary Outdoor Sales (No Fireworks Stand)" as Temporary Use in C-C
Add "Temporary Outdoor Storage Container" as Temporary Use in C-C

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

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

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

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

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

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

G. Car Wash

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

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.
3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.
4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

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

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)

b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
    i. Corrugated metal
    ii. Exposed aggregate (rough finish) concrete wall panels
    iii. T-111 composite plywood siding

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

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

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

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

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

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

C. Luminaire with Cut Off Standards

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

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

2. Nonconforming Parking Lot Landscape

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

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

(Note: All other subsections remain unchanged.)

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010 Purpose Statements
Section 17.05.020 Uses
Section 17.05.030 Dimensional Standards
Section 17.05.040 Design Standards
Section 17.05.050 C-D District Standards
Section 17.05.060 C-V District Standards
Section 17.05.070 C-E District Standards
Section 17.05.080 General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

B. C-1 Neighborhood Commercial Zoning District

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

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

D. C-3 General Commercial Zoning District

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

E. C-C City Centre Zoning District

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

~~E.~~ F. C-OP Commercial Office Park Zoning District

The C-OP Commercial Office Park Zoning District is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

~~F.~~ G. C-D Downtown Zoning District

The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

~~G.~~ H. C-V Village of East Davenport Zoning District

The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

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~~H.~~ I. C-E Elmore Corners Zoning District

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the commercial districts.

B. In the C-V District, only 35% of a blockface can be in the use "bar." This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.

2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.

3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

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

D. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a residential district, then 35'	45'
Setbacks						
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15' unless meeting the standards of Section 17.05.030C	None	25'	None	20'

Table 17.05-1: Commercial Districts Dimensional Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Front Setback Build-To Percentage	70%	70%	None	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	None, unless abutting a residential district, then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10' unless meeting the standards of Section 17.05.030C	10'	20'	None	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	None, unless abutting a residential district, then 25'	25'

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a "•" indicates that the standard is applicable in the district indicated. The absence of a "•" indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	

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Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

B. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 50% measured between two and ten feet in height from grade

E. Upper floor transparency of 15% of the wall area of the story

F. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

Proposed Changes - Section 17.08: Uses

In Section 17.08.030 Principal Use Standards

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

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

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

2. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.

3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

G. Car Wash

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

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

2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.

4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes must not route exiting traffic into adjacent residential neighborhoods.

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.

2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.

3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.

4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)

b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
   i. Corrugated metal
   ii. Exposed aggregate (rough finish) concrete wall panels
   iii. T-111 composite plywood siding

5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.

6. Structures shall maintain the character of the multi-family development.

7. Structures are encouraged to match the pitch of the roof of the principal dwelling.

8. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).

9. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

In Section 17.08.040 Temporary Use Standards

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

In Section 17.08.050 Use Definitions:

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

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility – Large Animal																			P			
Animal Care Facility – Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	~~P~~S	~~P~~S	S	S	S														P			Sec. 17.08.030.D
Billboard									P	P						P	P					Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling – Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M

TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Dwelling – Manufactured Home						P													S			Sec. 17.08.030.N
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P
Dwelling - Single-Family	P	P	P	P			P	P	P					P								Sec. 17.08.030.P
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P
Educational Facility - Primary or Secondary	P	P	P	P	P																P	
Educational Facility - University or College										P	P	P	P		P						P	
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P	
Equine, Keeping of/Equestrian Facility	P																		P			Sec. 17.08.030.Q
Fairground																			S	S	P	
Financial Institution							P	P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R
Food Bank																P	P	P				
Food Pantry									P	S					S			S				
Funeral Home							S	S	S	P					P			P				
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S
Golf Course/Driving Range																				P		
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Greenhouse/Nursery - Retail										P					P			P	S			
Group Home	P	P	P	P	P																	Sec. 17.08.030.T
Halfway House									S	S					S			S			S	Sec. 17.08.030.L
Healthcare Institution																					P	
Heavy Rental and Service																P		P				
Heavy Retail										S					S	P		P				
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L
Hotel									P	P	P	P	P	S	P			P				
Industrial - General																	P					
Industrial - Light												P				P	P	P				
Industrial Design								P	P	P		P	P		P	P	P	P				

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Live Performance Venue										P	P		P	P	P	P		P				
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U
Manufactured Home Park						P																
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P				
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V
Office							P	P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P	
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility												P				P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F
Research and Development												P				P	P	P			P	
Residential Care Facility					P		P	~~S~~P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P	
PRINCIPAL USE	**R-1**	**R-2**	**R-3**	**R-4**	**R-MF**	**R-MHP**	**C-T**	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**	**C-D**	**C-V**	**C-E**	**I-1**	**I-2**	**I-MU**	**S-AG**	**S-OS**	**S-IC**	**USE STANDARD**
Retail Alcohol Sales									P	P	S		S		P	P						
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z
Salvage Yard																	S					
Self-Storage Facility: Enclosed									S	~~P~~S		~~P~~			P	P	P	P				Sec. 17.08.030.AA
Self-Storage Facility: Outdoor										~~S~~						P	P	S				Sec. 17.08.030.AA
Social Service Center									P	P					P			P			P	
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB
Specialty Food Service								P	P	P	P		P	P	P	P		P				
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC
Truck Stop																P	P					

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Dealership – Enclosed										P		S	P		P	S		P				
Vehicle Dealership – With Outdoor Storage/Display										S					S	S		P				
Vehicle Operation Facility																P	P				P	
Vehicle Rental – Enclosed										P		S	P		P	S		P				
Vehicle Rental – With Outdoor Storage/Display										S					S	S		P				
Vehicle Repair/Service– Major										S						P	P	P				Sec. 17.08.030.EE
Vehicle Repair/Service – Minor									P	P					P	P	P	P				Sec. 17.08.030.EE
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	P	P		P	P	P			P				
Winery																			S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

Proposed Changes
Section 17.09: Site Development Standards

Section 17.09.020 Exterior Lighting

A. Lighting Plan Required

1. A lighting plan is required for all non-residential uses, multi-family, and townhouse dwellings as part of site plan review. Single-family and two-family dwellings are exempt from a required lighting plan but are subject to applicable lighting requirements.

2. A lighting plan must include the following:

a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.
b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
c. Pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.
d. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels may be required.
e. Photometric plans that show the footcandle measurement at all lot lines.
f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Maximum Lighting Regulations

1. The maximum allowable footcandle at any lot line is one footcandle.

2. When additional security lighting is required for security reasons in excess of the footcandle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.

3. No glare onto adjacent properties is permitted.

C. Luminaire with Cut Off Standards

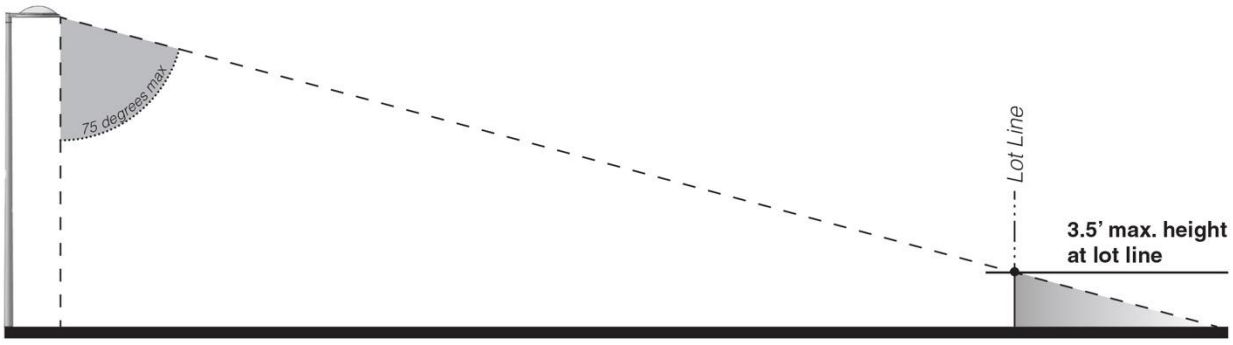
1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.

2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is: ~~25 feet.~~

a. 25 feet in all residential districts, C-T, C-1, C-V, S-AG and S-OS.
b. 35 feet in C-2, C-3, C-C, C-OP, C-D, C-E, S-IC, and I-MU
c. 40 feet in I-1 and I-2.

3. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

LUMINAIRE WITH CUT OFF



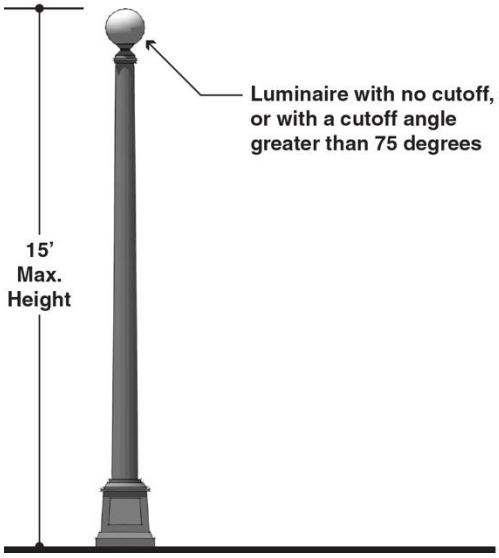
D. Luminaire with No Cut Off Standards

Non-residential uses, multi-family, and townhouse dwellings are allowed decorative and/or architectural lighting with no cut off if approved as part of site plan review, and subject to the following standards:

1. A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than 75 degrees.

2. The maximum permitted total height of a luminaire with no cut off is 15 feet.

LUMINAIRE WITH NO CUT OFF



E. Exceptions to Lighting Standards

1. Uplighting of buildings is allowed but all light must be directed onto the façade of the structure and cannot glare onto other properties.

2. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.

3. Temporary uses.

4. Holiday and seasonal lighting is not subject to the requirements of this section.

5. Luminaires used for public roadway illumination are not controlled by this Ordinance.

6. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are exempt from the requirements of this Ordinance.

F. Prohibited Lighting

1. Flickering or flashing lights are prohibited.

2. Searchlights, laser source lights, or any similar high intensity lights are prohibited.

3. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited except for the following:

a. In the C-D Downtown Zoning District, subject to Design Review Board approval.

Proposed Changes
Section 17.15: Site Development Standards

Section 17.15.050 Nonconforming Site Elements

A. Definition

A nonconforming site element is a site development element, such as landscape or lighting, that at one time conformed to the requirements of this Ordinance, but because of subsequent amendments, has been made nonconforming.

B. Maintenance

Normal maintenance and incidental repair to a nonconforming site element may be performed. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Required Conformance

1. General

All nonconforming site elements must be brought into conformance when the following occurs:

a. A new principal building is constructed on a site. This includes construction of a second principal building on the site.

b. An existing principal building is increased in building footprint square footage by 25% or more.

2. Nonconforming Parking Lot Landscape

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

a. Resealing or re-striping of an existing parking lot, which does not entail paving, ~~resurfacing,~~ or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.

b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.

c. If only certain requirements are able to be accommodated on the site, those elements are required. The Zoning Administrator will make the determination that all or a portion of required landscape does not have to be installed.

Berkley, Laura

From: linghram@aol.com
Sent: Monday, October 4, 2021 10:35 AM
To: Planning
Subject: [EXT] City Centre Question/Comment

Good Morning,

I may be way too late to be submitting questions regarding this proposed rezoning, but I figured it couldn't hurt to try.

In looking at the matrix, I'm wondering why "hotel" is coded as "P" rather than "S"? All dwelling types are coded "S" and that seems appropriate. But I don't understand why a hotel could just be put anywhere without having to go through the same special review/approval as dwellings.

My second question also has to do with the matrix and regards all types of entertainment facilities, such as reception, performance, dining, etc. I see "outdoor dining" is specifically permitted. Would the other types of entertainment facilities also be allowed to be outdoors? I can't imagine having to put up with live concerts or DJs on a regular basis. Indoors would not be an issue, but the sound really carries around Northpark. In the past, we've had to listen to outdoor events such as carnivals and car shows, but at least we knew those had a limited time frame.

Thank you for considering my questions, if in fact you are still allowed to do so.

Laurie Inghram
4565 Sheridan Street
Linghram@aol.com

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/20/2021**

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

Recommendation:
Hold the Hearing.

Background:
The Plan & Zoning Commission reviewed Case REZ21-04 at its October 5, 2021 meeting and voted (6-0) to recommend the rezoning be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

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

Conditions:

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

Discussion:

The City of Davenport has initiated a rezoning of approximately 143 acres to the proposed "City Centre" Zoning District.

Comprehensive Plan: Within Existing and 2035 Urban Service Area: Yes

Future Land Use Designations: Regional Commercial (RC) – (No changes required)

Zoning:

Existing: C-3 General Commercial District: Intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.
Proposed: C-C City Centre District: Intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

Public Input:

Property owners within 200 feet of the property have been notified and signs have been placed on the property. Staff has been in contact with impacted property owners regarding the proposed zoning changes and its impacts for redevelopment. The Notice of the September 14, 2021 Public Hearing was published in the Quad City Times. One person spoke at the meeting regarding potential roadway connections from the abutting neighborhood into Northpark Mall as well as impacts to property values. To date, staff has received one letter and one email stating concerns related to connecting residential streets to the mall and preserving the existing greenspace buffer.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards. The proposed rezoning meets the approval standards for a map amendment.

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The compatibility with the zoning of nearby property.
3. The compatibility with established neighborhood character.
4. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
5. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.
6. The extent to which the proposed amendment creates nonconformities.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Exhibit	Exhibit 1 Original Buffer Yard
🗋	Exhibit	Zoning and Future Land Use
🗋	Exhibit	Notice Letter
🗋	Exhibit	Public Hearing Notice
🗋	Backup Material	Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/13/2021 - 12:50 PM

ORDINANCE NO. _____

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

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-C City Centre Zoning District."

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

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

Findings:

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

Conditions:

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

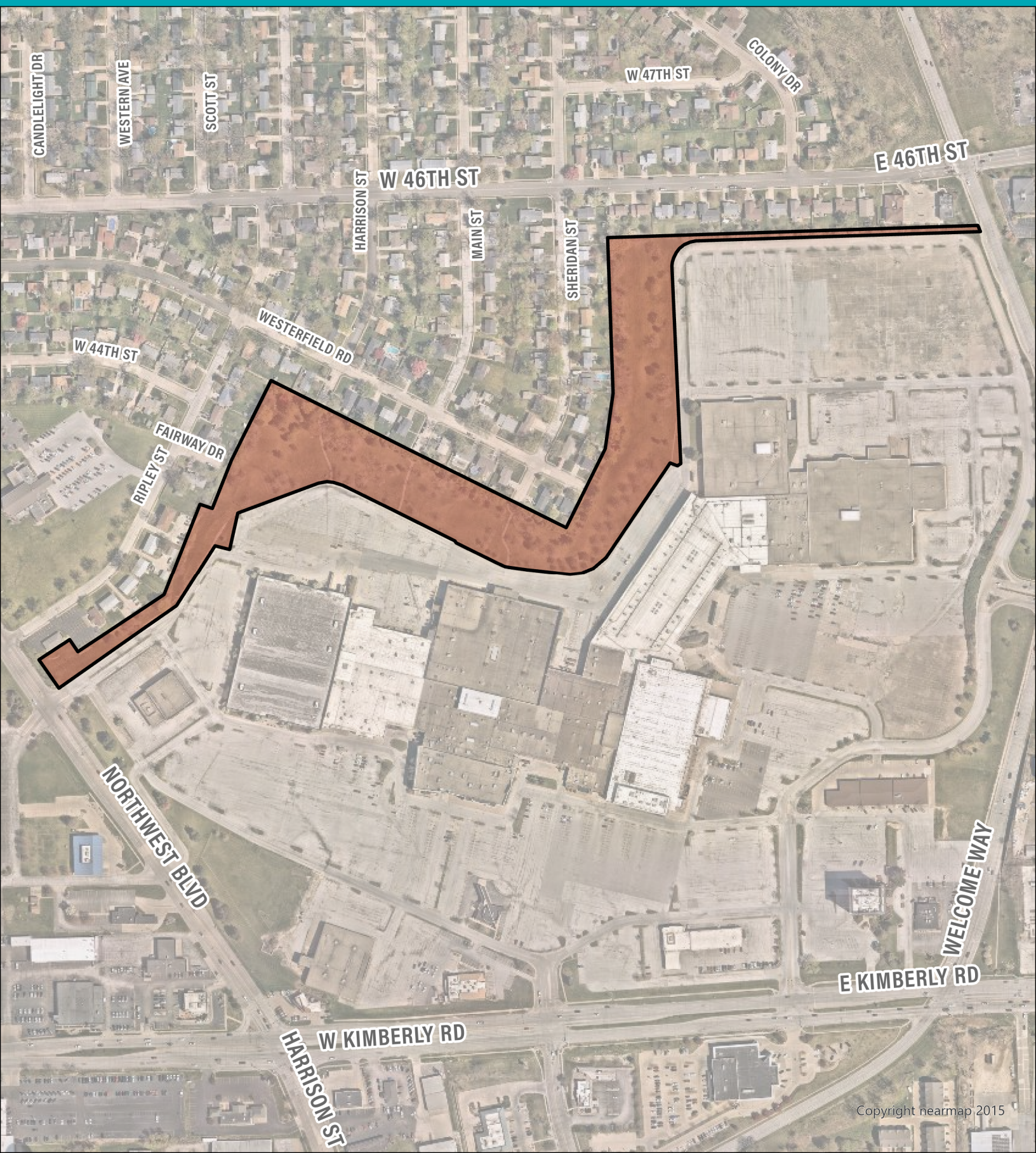
Brian Krup
Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

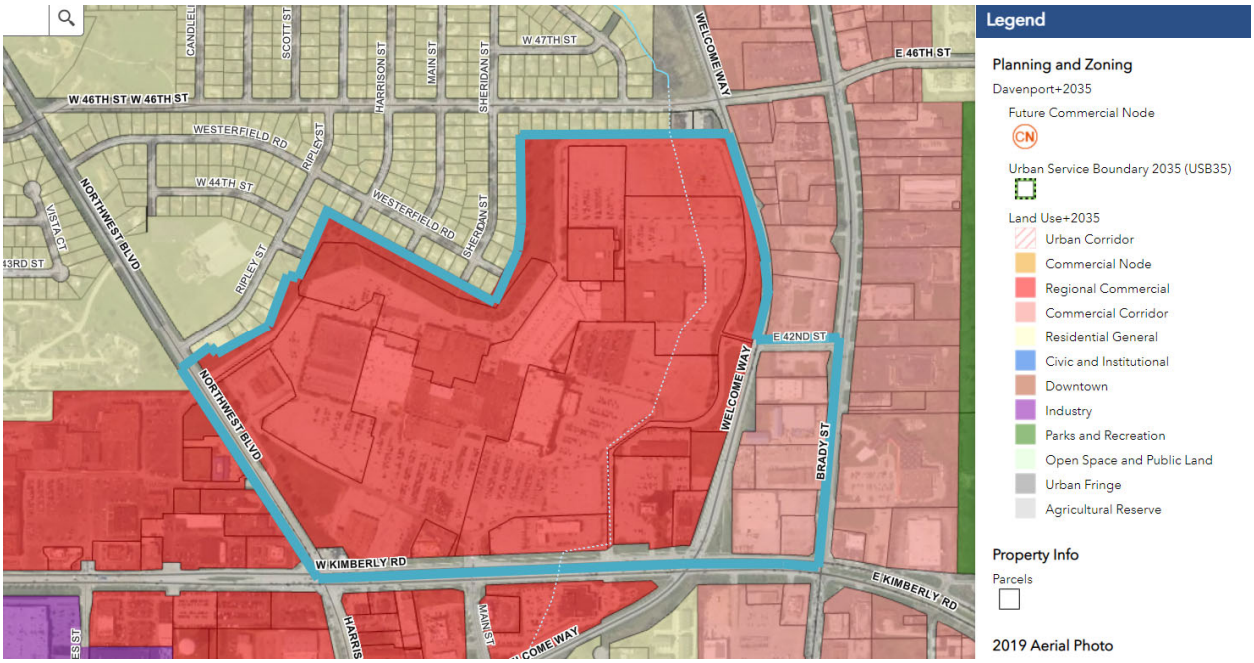
Exhibit 1 - Original Buffer Yard

Buffer

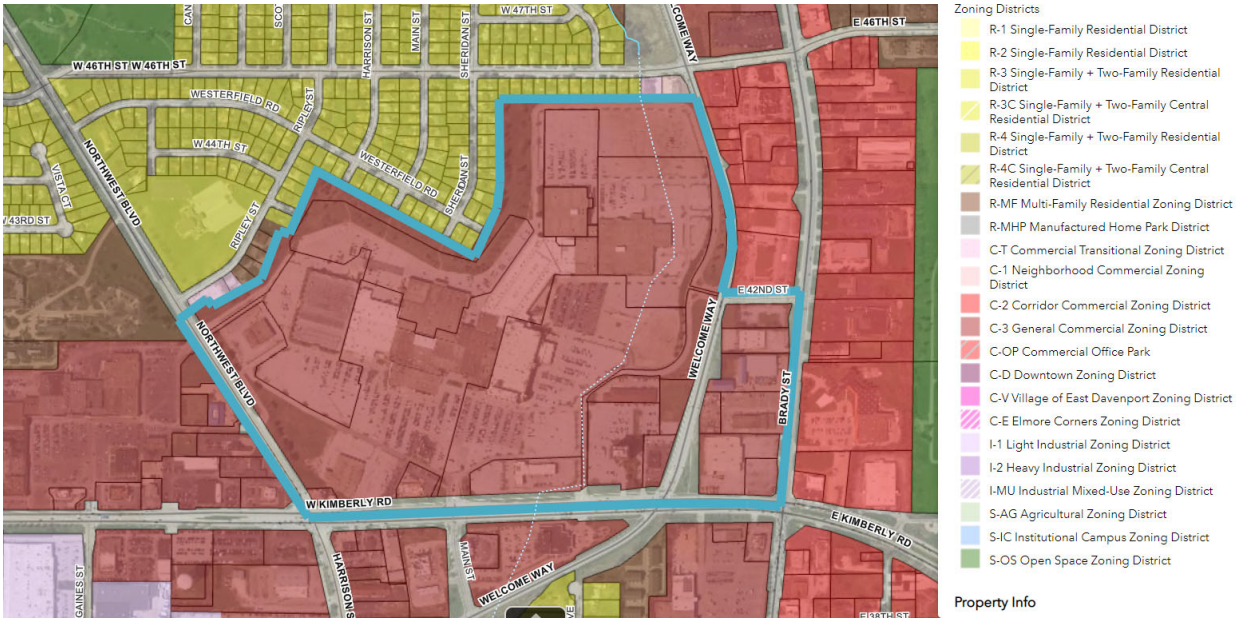
Feet
0 300



Davenport 2035+ Future Land Use: Regional Commercial and Commercial Corridor



Zoning Map: C-3 General Commercial District



DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan & Zoning Commission

Date: 9/14/2021 **Location:** Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00:00 PM **Subject:** Public Hearing for rezoning request before the Plan & Zoning Commission

[ADDRESS BLOCK LOCATION]

To: All property owners within 200 feet of the subject property located at **Select lots near Northpark Mall.**

What is this About?
This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description
Case REZ20-06: Request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 W. Kimberly RD generally being bounded by Northwest BLVD, Kimberly RD, Brady St, E. 42nd St, Welcome Way and by the north lot line of Northpark Mall changing the zoning from C-3 General Commercial to C-C City Centre District to facilitate revitalization oriented toward regional mixed-use and tourism for the central part of the city [Ward 7].

What are the Next Steps after the Public Hearing?
This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. For the specific dates and times of subsequent meetings, please contact the case planner below.

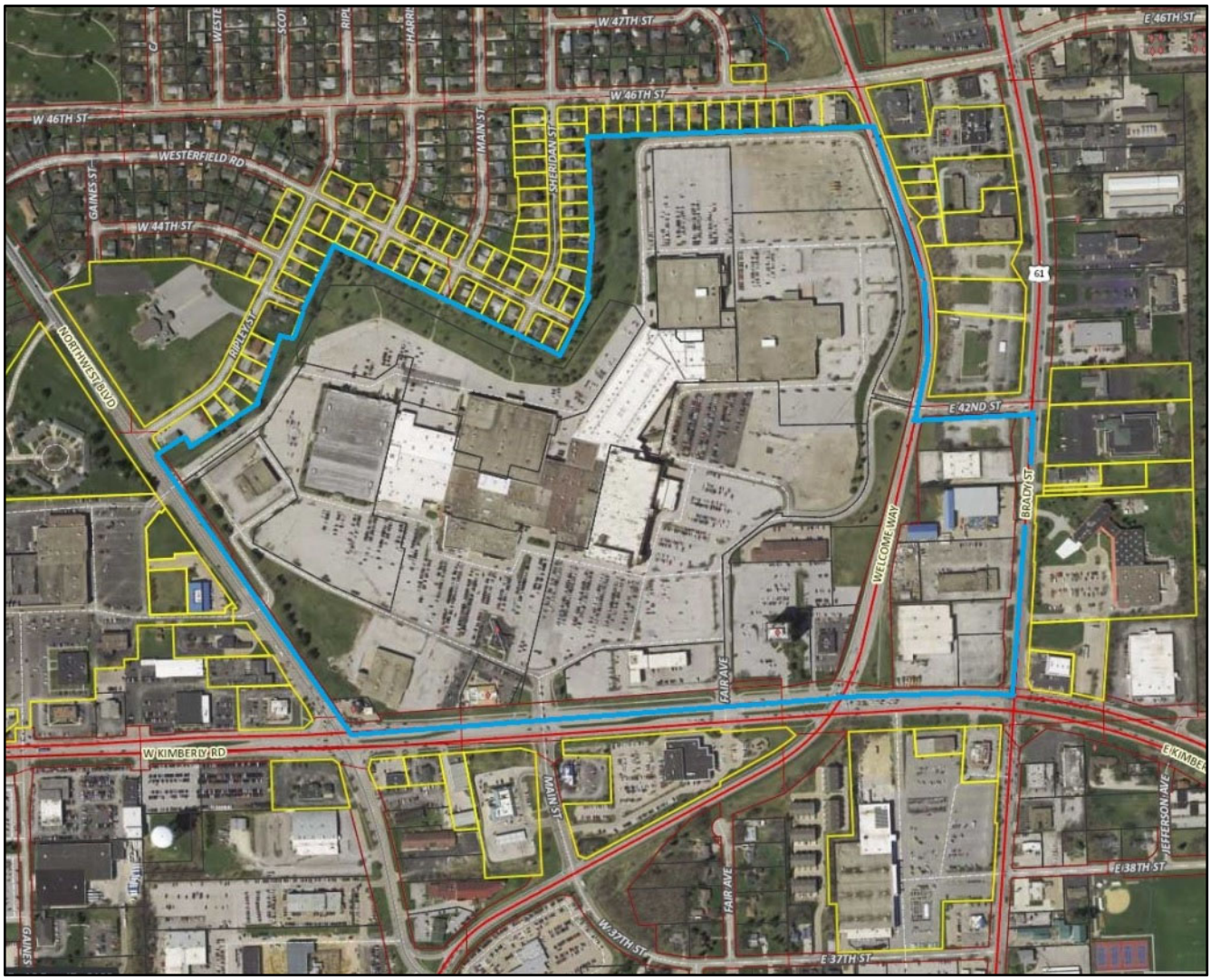
Would You Like to Submit an Official Comment?
As a neighboring property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?
If you have any questions you may visit www.davenportiowa.com/zchange for more details or contact the planner below. If special accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Plan & Zoning Commission
Adjacent Property Owner Notice Area Map

Area subject to the zoning map change is bounded by the blue outline below;
adjacent properties within 200 feet of the proposed map amendment are shown in yellow.



9/8/21

Public Notices/Accounting

Re: Public Notice

Please publish the following Zoning Board of Adjustment public hearing notice in your next available edition of the Quad City Times per your schedule for Public Notices.

The Purchase Order Number for this notice is PO# 2202002

We would appreciate receiving the proof and the affidavit of publication for our records. If you have any questions, please contact me at the same email address this was sent with or at my phone number listed in my email.

NOTICE
PUBLIC HEARING
TUESDAY, SEPTEMBER 14, 2021, 2021 5:00 P.M.
PLAN & ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

There is on file in the Development and Neighborhood Services Department (DNSD), on behalf of the Plan and Zoning Commission, the following request:

Case ORD21-02: Request of the City of Davenport to amend Title 17 of the Davenport City Code (hereto referred to as DMC), entitled "Zoning" amending the following sections [All wards]:

17.05 to include a new zoning district entitled "City Centre" including the Purpose Statement, Dimensional Standards and Design Standards. Altering the C-1 minimum front setback to also allow for new construction to be setback in line with existing buildings.
17.08 to include allowed uses in the new zoning district "City Centre" and change Bed & breakfast to a Special Use in R-1 and R-2; add Day Care Center as a Special Use in I-1; Add Food Bank as a permitted use in I-2; Add Parking Lot (Principal Structure) as a Special Use in I-2; change Residential Care Facility to a permitted use in C-1; change Self-Storage Facility: Enclosed to a Special Use in C-3 and remove from C-OP; remove Self-Storage Facility: Outdoor as a Special Use in C-3. Change the fence height in the Principal Use

Standard for Animal Care Facility to allow fences up to 8 feet in height. Add to the Principal Use Standard for Car Wash to include distancing exterior vacuum stations from residential districts and not routing exiting traffic into adjacent neighborhoods. Add design standards for ancillary structures in the Principal Use Standard for Dwelling-Multi-Family. Add professional firework displays to the definition of Temporary Outdoor Entertainment. Change language in Temporary Use Standards to reinforce that all municipal code regulations and processes apply.
17.09 to increase the height of cut-off luminaires to 40 feet in industrial districts and 35 feet in commercial districts.
17.15 to remove the word resurfacing for types of parking lot reconstruction.

Case REZ20-04: Request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 W. Kimberly RD generally being bounded by Northwest BLVD, Kimberly RD, Brady St, E. 42nd St, Welcome way and by the north lot line of Northpark Mall, changing the zoning from C-3 General Commercial to C-C City Centre District to facilitate revitalization oriented toward regional mixed-use and tourism for the central part of the city. [Ward 7]

The public hearing on the above matters are scheduled for 5:00 p.m. on September 14, 2021, in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa. More detailed information may be found on the City's website: www.davenportiowa.com/zchange. You may submit written comments on the above item or attend the public hearing to express your views, or both; only written comments will be used to calculate comment percentages. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145.

Any written comments to be reported at the public hearing should be received in the Development & Neighborhood Services Department at the Public Works Building, 1200 E. 46th Street, Davenport, Iowa 52807, no later than 12:00 noon on the day of the public hearing. PO No. 2202002

Department of Development & Neighborhood Services
E-MAIL: planning@davenportiowa.com PHONE: 563-326-6198

Berkley, Laura

From: pranjana@mchsi.com
Sent: Tuesday, September 14, 2021 12:05 PM
To: Planning
Cc: PRanjana@mchsi.com
Subject: [EXT] Case REZ20-06/Public Hearing Notice/ Plan & Zoning Commission
Attachments: PHNPZC.pdf; PHNPZC-2.pdf

Dear Sir,

Good Morning.
This is an Official Comments with reference I have received above attached letter regarding a proposed zoning "Case REZ20-6" for Northpark Mall.

We understand the reason for the proposed changes for Northpark Mall.
However, we have serious concern for these changes. We feel that this will affect our life as follows:

(1) Our safety will be effected. Currently our area is calm & quiet even when there is a minimum supervision by Police Officer.

(2) As it is Crime in Davenport is up. However that has been low or none in our area. Proposed Changes may result crimes.

(3) There is a possibility to make through streets through area. This will result in lots of traffic, which would result noise, pollution as well as accidents.

(4) The Proposed changes most probably reduce the cost of our house value.

(5) The boundary of proposed changes is too adjacent to our house. This will effect our privacy.

(6) Last but not least, would our taxes will go up because of this proposal?

Therefore we do not agree to this proposal.

Thanks,
Prakash

Prakash G. Devasthali
130 Westerfield Rd.
Davenport, Iowa 52806

Sept 12, 2021

Regarding Case LEZ 20-06:

I am a resident and property owner located well within 200 ft. of the Northpark Mall area.

I ask that the green space area buffering the residents' properties currently, be retained with any future development of Northpark area.

And I do hope the dead trees will be removed.

Sandra Holdt
4537 Sheridan St.

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/20/2021**

Subject:
Public Hearing on the proposed conveyance of City-owned property located at 503 West 15th Street to Brandi Bea, Petitioner. [Ward 4]

Recommendation:
Hold the Hearing.

Background:
As part of the Urban Homestead Program funded with a variety of Federal housing grants, the City has acquired and rehabilitated a single family home with the intention of selling the property to an income eligible household in Davenport. This program, which has been approved by City Council as part of the City's CDBG Five Year Comprehensive and One Year Annual Plans, enables vacant properties to be returned to the tax rolls and improves the look and feel of neighborhoods while providing eligible working households with affordable homeownership opportunities.

The respective petitioner has applied for and been approved as federally eligible to acquire this property from the City. City staff solicited an appraisal for the property and it is being sold for $125,000.

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/14/2021 - 8:45 AM

City of Davenport

Department: Community Development Committee
Contact Info: Bruce Berger | 563-326-7769

Action / Date
10/27/2021

Subject:
Public Hearing on the proposed conveyance of a portion of 601 East Blackhawk Trail to Ethodd Properties, LLC, Petitioner. [Ward N/A]

Recommendation:
Hold the Hearing.

Background:
In 2010-11, the City acquired several properties along what was to become the short rail line from the City's Transload Facility to the Canadian Pacific mainline. Portions of the rail line run through neighboring jurisdictions of unincorporated Scott County and the City of Eldridge. In some cases, negotiation resulted in the acquisition of existing parcels that were slightly larger than the necessary right-of-way (ROW) required for the new rail.

In this case, the parcel acquired by the City was roughly 10.7 acres and had access to Blackhawk Trail Road (see attached area map), though the City only required roughly 3.4 acres for the rail.

An offer from a QC area company (Ethodd Properties, LLC) has been made to acquire the unused 7.3 acre portion of this parcel (see attached parcel map). The company is seeking to expand their current operations. From staff analysis, the City has no need to retain this portion of the property and the offer amount is at fair market value (see attached purchase agreement).

This Public Hearing was scheduled and advertised in accordance with State Code. A Resolution to convey this property is also on this meeting agenda.

UPDATE: The City has received a competing offer from Hermann Farms Inc (see attached HFI Purchase Agreement).

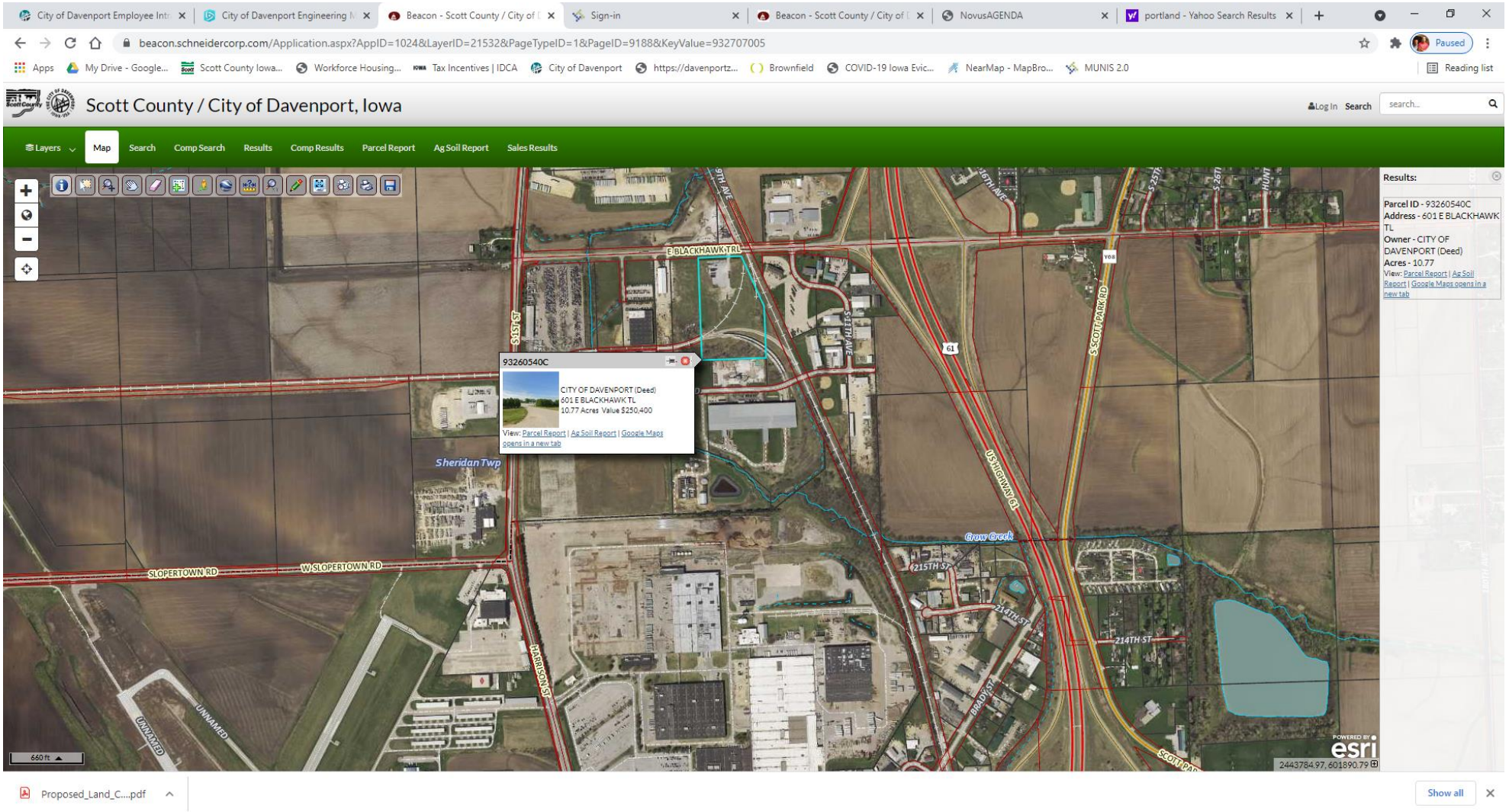
ATTACHMENTS:

	Type	Description
🗋	Cover Memo	Area Map
🗋	Cover Memo	Parcel Map
🗋	Cover Memo	Purchase Agreement
🗋	Cover Memo	HFI Purchase Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	10/14/2021 - 8:46 AM

Area Map


Scott County / City of Davenport, Iowa
Layers
Map
Search
Comp Search
Results
Comp Results
Parcel Report
Ag Soil Report
Sales Results
Results:
Parcel ID - 93260540C
Address - 601 E BLACKHAWK TL
Owner - CITY OF DAVENPORT (Deed)
Acres - 10.77
93260540C
CITY OF DAVENPORT (Deed)
601 E BLACKHAWK TL
10.77 Acres Value $250,400
E BLACKHAWK TRL
Sheridan Twp
SLOPERTOWN RD
W SLOPERTOWN RD
HARRISON ST
S SCOTT PARK RD
US HIGHWAY 61
Crow Creek
215TH ST
214TH ST
BRADY ST
UNNAMED
9TH AVE
16TH AVE
660 ft
esri

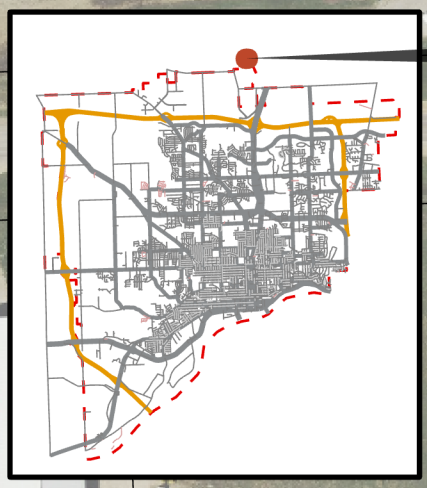
THE CITY OF
DAVENPORT
IOWA | USA

Proposal

Conveyance & Dedication

Proposed Conveyance
Public Right of Way Dedication
Parcel

Feet
0 160



Site

E BLACKHAWK TRL

S 9TH AVE

S 11TH AVE

Proposed Conveyance

Public Right of Way Dedication

TRAILS RD

PURCHASE AGREEMENT FOR COMMERCIAL REAL ESTATE

This Purchase Agreement for Commercial Real Estate ("Agreement") is entered into on this _____day of September, 2021, between City of Davenport, Iowa ("Seller"), and Ethodd Properties, LLC ("Purchaser"). In consideration of the mutual covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. TERMS

Purchaser agrees to purchase from the Seller and the Seller agrees to sell to Purchaser the real estate and any improvement thereon, commonly known as: The northern +/-7.36 acres of the Mueller Lumber 3rd Addition site with an address of 601 E Blackhawk Trail, Eldridge and legally known as: Parcel 93260540C (Legal to be supplied by Seller's Attorney) situated in the County of Scott and the State of Iowa (the "subject property"), for the sum of Forty Five Thousand Dollars ($45,000.00) per surveyed acre equal to Three Hundred Thirty One Thousand Two Hundred Dollars ($331,200.00) to be paid as follows:

A.) **Earnest money** of $10,000.00 in the form of a check which shall be held in trust by Purchaser's Attorney or other mutually agreeable escrow agent is a part of the cash at closing and shall be deposited within Five (5) Business Days after City of Davenport Council approval of the sale of the Subject Property. In the event any contingency is not met by the date contained in such contingency, the Seller recognizes the earnest money will be returned to the Purchaser and this Agreement shall be void.

B.) **Cash Payment** shall be paid at time of closing.

C.) **Contingent Financed Transaction**. INTENTIONALLY DELETED

2. EVIDENCE OF TITLE

Within a reasonable time after City of Davenport City Council Approval of this Agreement, Seller shall deliver an abstract of site demonstrating merchantable title of record in Seller and certified to a current date by an abstractor (for Iowa). If title evidence discloses exceptions other than those permitted under the rules for examination for abstracts of title adopted by the local County Bar Association, Purchaser or Purchaser attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed, or any such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the time of closing. If Seller is unable to cure such exception, Purchaser shall be entitled to a refund of the earnest money. The title to be conveyed shall be by Quit Claim Deed to Purchaser and free and clear of all liens and encumbrances not herein specifically waived or assumed by Purchaser.

INITIAL:

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3. CONVEYANCE OF TITLE AND DOCUMENTS OF SALE

The parties agree to execute any transfer declarations or other documents required by the state, county or municipality in which the subject property is located, as well as any documents required by the title insurance company in order to issue title insurance.

4. POSSESSION AND CLOSING

Possession On Closing:

Seller shall deliver possession of the subject property to Purchaser concurrently with the closing of this transaction which shall be conditioned upon and held after the following events:

a. City of Davenport Iowa City Council Approval on or about October 27, 2021 and;

b. Ten (10) business days after the receipt, review and approval by Purchaser's counsel of the Abstract and;

5. PRORATIONS AND ADJUSTMENTS

The following items shall be prorated at closing as of the date of delivery of possession:

A. Prorations

(1) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;

(2) Rent, if any, (with transfer in full of any security/damage deposit);

(3) Interest on any assumed indebtedness;

(4) Insurance premiums if policy assigned to Purchaser;

(5) Other income and operation expenses, if any;

(6) Special assessments, if any.

B. Adjustments

Utility charges shall be adjusted by the parties by appropriate meter readings at or about the time of delivery and surrender of possession.

6. ASSESSMENTS

Seller shall pay all special assessments, which are a lien on the subject property as of the date of closing. Seller acknowledges that prior to the execution of this Agreement Seller has no knowledge of or no notice has been received from any municipal authority concerning

INITIAL:

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improvements which could result in a special assessment on the subject property. Tap on fees, if any, which exist for municipal services to the subject property shall be paid by Purchaser.

7. CONDITION OF SUBJECT PROPERTY

The parties agree that the purchase price reflects the condition of the subject property and Purchaser acknowledges that the real estate and improvements thereof have been inspected, and Purchaser is acquainted with the condition thereof and accepts the same in (check one of the following):

AS-IS. Purchaser acknowledges that the short-line railroad operator maintains a pile of used rail road ties on the property for future use if needed. Purchaser hereby allows Seller & short-line rail road operator to retain possession of the rail road ties after Closing. Seller and the short-line rail road operator shall be allowed to keep the rail road ties on the Property until October 1, 2022. Purchaser shall be allowed to relocate them on the Property if needed.

Purchaser shall be permitted to make an inspection of the property prior to possession or closing, whichever is sooner, in order to determine whether any change in the condition of the property has occurred. Seller agrees to deliver the property in the same condition as exists as of the date of this Agreement.

8. FIXTURES AND PERSONAL PROPERTY

INTENTIONALLY DELTED

9. CONSTRUCTION LIEN

Seller warrants that all work and labor performed and all materials and improvements furnished to the property have been, or will be, paid in full and all releases incident thereto obtained at closing.

10. DEFAULT

If Purchaser fails to make any payment or to perform any obligation imposed upon Purchaser by this Agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the earnest money and any additional down payment as damages or may pursue any available legal remedy including specific performance.

In the event Seller fails to perform any obligation imposed upon Seller by this Agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, earnest money and any additional down payment deposit shall be refunded to Purchaser without prejudicing the Purchaser's right to any available legal remedy including specific performance. In the event of default, the defaulting party shall be liable to the

other party for reasonable attorney fees, expenses incurred by reason of default, and the real estate brokerage fee.

11. CASUALTY CLAUSE

Seller shall bear the risk of loss and damage to the subject property prior to closing or possession, whichever first occurs. In the event all or a material part of the subject property is damaged or destroyed prior to closing or possession, whichever first occurs, this contract shall terminate and be of no further force and effect, unless the subject property can be restored to its present condition on or before the closing date. Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the subject property until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title to or possession of the subject property, whichever occurs first.

12. EXPENSES OF TRANSFER

A. Seller shall pay:

(1) Broker's Commission.

(2) Cost of owner's title policy or continued abstract of title.

(3) Revenue stamps and recording of any releases.

(4) ALTA Survey Cost

B. Purchaser shall pay:

(1) Recording fee for deed and mortgage

(2) Cost of Purchaser's mortgage title insurance policy as required by mortgage.

13. REPRESENTATIONS OF SELLER – HAZARDOUS WASTE

Seller hereby represents to Purchaser that, to the best of Seller's knowledge, the subject property is not contaminated with, nor threatened with contamination from outside sources by, any chemical, material or substance to which exposure is prohibited, limited or regulated by any federal, state, county, local or regional authority or which is known to pose a hazard to health and safety and that Seller has not used the subject property as a landfill or dumpsite, or for storage of hazardous substances, or has not otherwise done anything to contaminate the subject property with hazardous wastes or substances. Seller warrants that the subject property is not subject to any local, state or federal judicial or administrative action, investigation or order, as the case may be, regarding wells or underground storage tanks, solid waste disposal sites, or hazardous wastes or substances.

INITIAL:

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At Purchaser's cost and within 30 days of execution of this Agreement, Purchaser shall be permitted to conduct any environmental tests it deems necessary for the purpose of discovering the existence of any hazardous waste or substances. Should such environmental testing reveal the presence of any hazardous wastes or substances, Purchaser may, at its option, terminate this Agreement and any earnest money paid shall be returned to Purchaser. Notwithstanding the above, the parties may agree by amendment and modification of this Agreement, to terms necessary to remedy any environmental condition discovered and then proceed with performance of this Agreement. Purchaser agrees, at its cost and without undue delay, to restore the subject property to its original condition should it proceed with the environmental testing contemplated herein.

14. LEASES

As of the date of this Agreement, the subject property is subject to the following leases:

Prior to closing, Seller shall not enter into any new leases or agree to extend any existing leases without Purchaser's prior written consent.

15. NOTICES

All notices required hereunder shall be in writing and shall be served upon the parties at the addresses designated herein by personal service, certified mail (return receipt requested), or Federal Express or other overnight mail.

Seller:
City of Davenport, Iowa
226 W 4th Street
Davenport, IA 52801

Copy to:
Attn. Tom Warner

Purchaser:
Ethodd Properties, LLC
7186 State Street
Bettendorf, IA 52722

Copy to:
Jean Friemel
Coyle, Gilman, Stengel, Bailey & Robertson
100 17th Street, Suite 405
Rock Island, IL 61265

16. GENERAL CONDITIONS

This Agreement shall be binding upon the parties and their successors and assigns. Time is of the essence of this Agreement. This Agreement shall be governed by and enforced in accordance with the laws of the state in which the subject property is located. This Agreement contains the entire agreement of the parties and no representations, warranties, or agreements

INITIAL:

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have been made by either party as set forth herein. No modification, waiver, or amendment of the Agreement shall be effective unless made in writing and signed by the parties. All representations, warranties and covenants made by the parties shall survive closing. Paragraph headings are for the convenience of reference and shall not limit or affect the meaning of the Agreement.

17. BROKER REPRESENTATIONS

It is understood that no representation made by the Broker or Salesperson in the negotiation of this Agreement are being relied upon unless incorporated herein in writing. Broker and Salesperson make no representations or warranties, either express or implied, as to the physical or mechanical condition of the subject property, either real or personal.

18. BROKERS AS AGENTS

Parties acknowledge that agency disclosures have been made and signed prior to signing of this purchase agreement. The Broker, the Broker's agents, employees, and associates must respond to all questions of the parties accurately and honestly and must disclose all material defects about which they have knowledge, but are not required to discover hidden defects in the subject property or give advice on matters outside the scope of their real estate licenses.

19. AGENCY

Seller and Purchaser acknowledge that Ted Rebitzer with QC Iowa Realty is representing the Purchaser only and Seller is unrepresented. Purchaser is related to Ted Rebitzer, a licensed real estate broker in the State of Iowa.

20. RIDERS

This Agreement is subject to the following riders: Exhibit A

21. LEGAL ASSISTANCE

The Seller and Purchaser are aware that when fully executed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their respective interests, Seller and Purchaser are advised to consult legal counsel before this Agreement is signed.

22. ACCEPTANCE BY SELLER

Until accepted by Seller, this document constitutes an offer by Purchaser on the terms stated above. This Offer shall expire on October 30, 2021 at 5:00 PM central time zone. If not accepted by such date, it shall become null and void and all payments hereunder shall be refunded to Buyer.

Executed by Purchaser: Executed by Seller:

INITIAL:

_____

_____

_____		_____	
Purchaser	Date	Seller	Date
_____		_____	
Purchaser	Date	Seller	Date

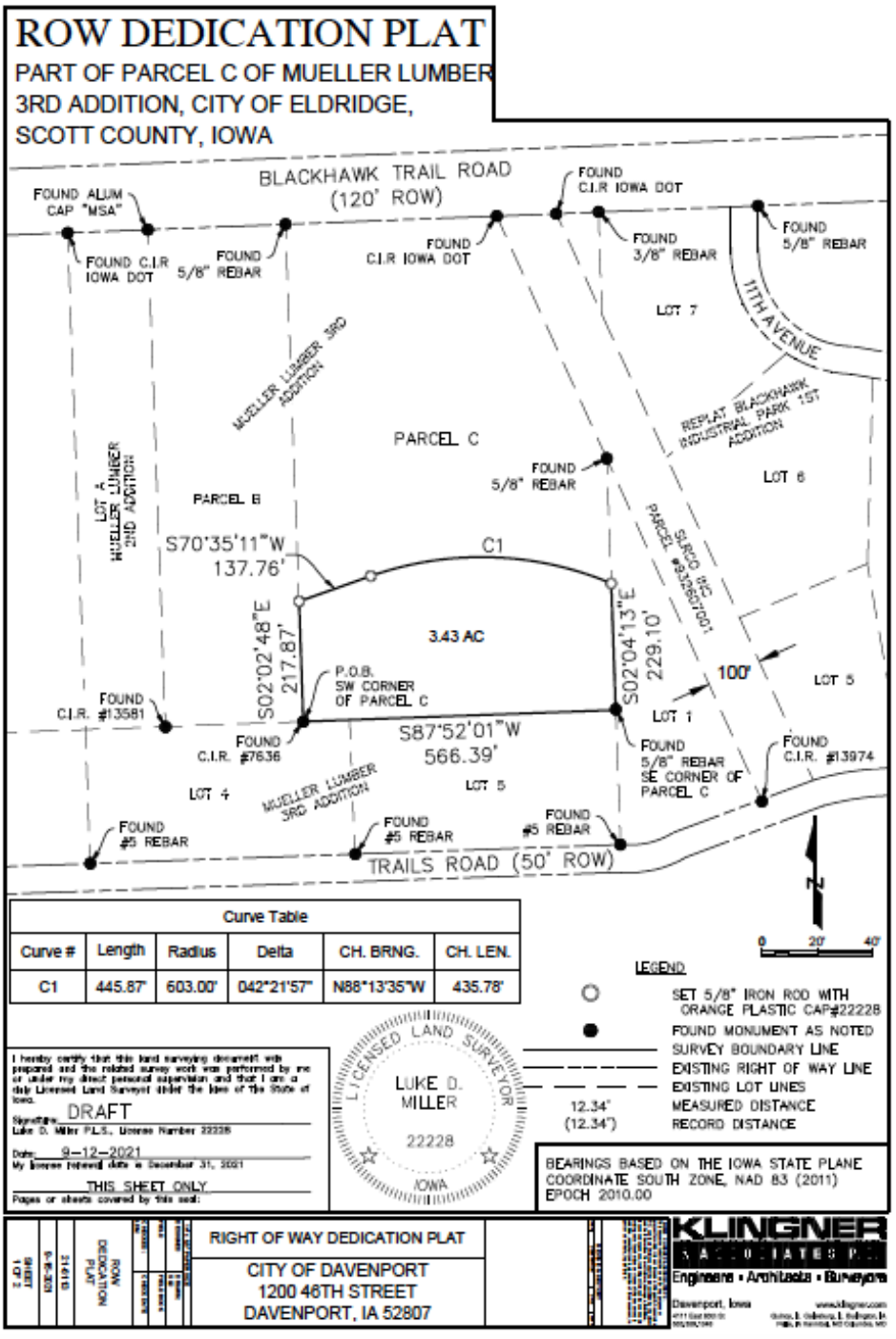
_____
Broker

INITIAL:
_____
_____

Exhibit A

Subject Property

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348



INITIAL:

_____

_____

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348

ROW DEDICATION PLAT

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, CITY OF ELDRIDGE, SCOTT COUNTY, IOWA

LEGAL DESCRIPTION:

ROW DEDICATION

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH P.M. , CITY OF ELDRIDGE, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET; THENCE, NORTH 70 DEGREES 35 MINUTES 11 SECONDS EAST, TO AN ARC, A DISTANCE OF 137.76 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, TO A POINT ON THE EAST LINE OF SAID PARCEL, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF SOUTH 88 DEGREES 13 MINUTES 35 SECONDS EAST, AND A CHORD OF 435.78 FEET; THENCE, ALONG SAID EAST LINE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO THE SOUTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 229.10 FEET; THENCE, ALONG SOUTH LINE OF SAID PARCEL, SOUTH 87 DEGREES 52 MINUTES 01 SECONDS WEST, A DISTANCE OF 566.39 FEET, TO THE POINT OF BEGINNING, CONTAINING 3.43 ACRES, MORE OR LESS.

REMAINDER OF PARCEL C OF MULLER LUMBER 3RD ADDITION

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET, TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, TO THE NORTHWEST CORNER OF SAID PARCEL, A DISTANCE OF 683.42 FEET; THENCE, ALONG THE SOUTH RIGHT OF WAY OF BLACKHAWK TRAIL ROAD, NORTH 87 DEGREES 45 MINUTES 51 SECONDS EAST, TO THE NORTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 382.94 FEET; THENCE, SOUTH 24 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 482.17 FEET; THENCE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO AN ARC, A DISTANCE OF 226.62 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF NORTH 88 DEGREES 13 MINUTES 35 SECONDS WEST, AND A CHORD OF 435.78 FEET; THENCE, SOUTH 70 DEGREES 35 MINUTES 11 SECONDS WEST, A DISTANCE OF 137.76 FEET, TO THE POINT OF BEGINNING, CONTAINING 7.36 ACRES, MORE OR LESS.

FOR THE ABOVE DESCRIPTION THE WEST LINE OF PARCEL C OF MUELLER LUMBER 3RD ADDITION HAS A BEARING OF NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST.

SHEET 1 OF 1
9-9-25
21618
ROW DEDICATION PLAT

RIGHT OF WAY DEDICATION PLAT

CITY OF DAVENPORT
1200 46TH STREET
DAVENPORT, IA 52807

KLINGNER & ASSOCIATES P.C.
Engineers • Architects • Surveyors
Davenport, Iowa

INITIAL:

_____

_____

PURCHASE AGREEMENT FOR COMMERCIAL REAL ESTATE

This Purchase Agreement for Commercial Real Estate ("Agreement") is entered into on this _____day of October, 2021, between City of Davenport, Iowa ("Seller"), and Hermann Farms Inc. ("Purchaser"). In consideration of the mutual covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. TERMS

Purchaser agrees to purchase from the Seller and the Seller agrees to sell to Purchaser the real estate and any improvement thereon, commonly known as: The northern +/-7.36 acres of the Mueller Lumber 3rd Addition site with an address of 601 E Blackhawk Trail, Eldridge and legally known as: Parcel 93260540C (Legal to be supplied by Seller's Attorney) situated in the County of Scott and the State of Iowa (the "subject property"), for the sum of Forty Seven Thousand Five Hundred Dollars ($47,500.00) per surveyed acre equal to Three Hundred Forty Nine Thousand Six Hundred Dollars ($349,600.00) to be paid as follows:

A.) **Earnest money** of $10,000.00 in the form of a check which shall be held in trust by Purchaser's Attorney or other mutually agreeable escrow agent is a part of the cash at closing and shall be deposited within Five (5) Business Days after City of Davenport Council approval of the sale of the Subject Property. In the event any contingency is not met by the date contained in such contingency, the Seller recognizes the earnest money will be returned to the Purchaser and this Agreement shall be void.

B.) **Cash Payment** shall be paid at time of closing.

C.) **Contingent Financed Transaction**. INTENTIONALLY DELETED

2. EVIDENCE OF TITLE

Within a reasonable time after City of Davenport City Council Approval of this Agreement, Seller shall deliver an abstract of site demonstrating merchantable title of record in Seller and certified to a current date by an abstractor (for Iowa). If title evidence discloses exceptions other than those permitted under the rules for examination for abstracts of title adopted by the local County Bar Association, Purchaser or Purchaser attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed, or any such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the time of closing. If Seller is unable to cure such exception, Purchaser shall be entitled to a refund of the earnest money. The title to be conveyed shall be by Quit Claim Deed to Purchaser and free and clear of all liens and encumbrances not herein specifically waived or assumed by Purchaser.

INITIAL:

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3. CONVEYANCE OF TITLE AND DOCUMENTS OF SALE

The parties agree to execute any transfer declarations or other documents required by the state, county or municipality in which the subject property is located, as well as any documents required by the title insurance company in order to issue title insurance.

4. POSSESSION AND CLOSING

Possession On Closing:

Seller shall deliver possession of the subject property to Purchaser concurrently with the closing of this transaction which shall be conditioned upon and held after the following events:

a. City of Davenport Iowa City Council Approval on or about October 27, 2021 and;

b. Ten (10) business days after the receipt, review and approval by Purchaser's counsel of the Abstract and;

5. PRORATIONS AND ADJUSTMENTS

The following items shall be prorated at closing as of the date of delivery of possession:

A. Prorations

(1) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;

(2) Rent, if any, (with transfer in full of any security/damage deposit);

(3) Interest on any assumed indebtedness;

(4) Insurance premiums if policy assigned to Purchaser;

(5) Other income and operation expenses, if any;

(6) Special assessments, if any.

B. Adjustments

Utility charges shall be adjusted by the parties by appropriate meter readings at or about the time of delivery and surrender of possession.

6. ASSESSMENTS

Seller shall pay all special assessments, which are a lien on the subject property as of the date of closing. Seller acknowledges that prior to the execution of this Agreement Seller has no knowledge of or no notice has been received from any municipal authority concerning

INITIAL: GAB

improvements which could result in a special assessment on the subject property. Tap on fees, if any, which exist for municipal services to the subject property shall be paid by Purchaser.

7. CONDITION OF SUBJECT PROPERTY

The parties agree that the purchase price reflects the condition of the subject property and Purchaser acknowledges that the real estate and improvements thereof have been inspected, and Purchaser is acquainted with the condition thereof and accepts the same in (check one of the following):

AS-IS. Purchaser acknowledges that the short-line railroad operator maintains a pile of used rail road ties on the property for future use if needed. Purchaser hereby allows Seller & short-line rail road operator to retain possession of the rail road ties after Closing. Seller and the short-line rail road operator shall be allowed to keep the rail road ties on the Property until October 1, 2022. Purchaser shall be allowed to relocate them on the Property if needed.

Purchaser shall be permitted to make an inspection of the property prior to possession or closing, whichever is sooner, in order to determine whether any change in the condition of the property has occurred. Seller agrees to deliver the property in the same condition as exists as of the date of this Agreement.

8. FIXTURES AND PERSONAL PROPERTY

INTENTIONALLY DELTED

9. CONSTRUCTION LIEN

Seller warrants that all work and labor performed and all materials and improvements furnished to the property have been, or will be, paid in full and all releases incident thereto obtained at closing.

10. DEFAULT

If Purchaser fails to make any payment or to perform any obligation imposed upon Purchaser by this Agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the earnest money and any additional down payment as damages or may pursue any available legal remedy including specific performance.

In the event Seller fails to perform any obligation imposed upon Seller by this Agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, earnest money and any additional down payment deposit shall be refunded to Purchaser without prejudicing the Purchaser's right to any available legal remedy including specific performance. In the event of default, the defaulting party shall be liable to the other party for reasonable attorney fees and expenses incurred by reason of default.

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11. CASUALTY CLAUSE

Seller shall bear the risk of loss and damage to the subject property prior to closing or possession, whichever first occurs. In the event all or a material part of the subject property is damaged or destroyed prior to closing or possession, whichever first occurs, this contract shall terminate and be of no further force and effect, unless the subject property can be restored to its present condition on or before the closing date. Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the subject property until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title to or possession of the subject property, whichever occurs first.

12. EXPENSES OF TRANSFER

A. Seller shall pay:

(1) Cost of owner's title policy or continued abstract of title.

(2) Revenue stamps and recording of any releases.

(3) ALTA Survey Cost

B. Purchaser shall pay:

(1) Recording fee for deed and mortgage

(2) Cost of Purchaser's mortgage title insurance policy as required by mortgage.

13. REPRESENTATIONS OF SELLER – HAZARDOUS WASTE

Seller hereby represents to Purchaser that, to the best of Seller's knowledge, the subject property is not contaminated with, nor threatened with contamination from outside sources by, any chemical, material or substance to which exposure is prohibited, limited or regulated by any federal, state, county, local or regional authority or which is known to pose a hazard to health and safety and that Seller has not used the subject property as a landfill or dumpsite, or for storage of hazardous substances, or has not otherwise done anything to contaminate the subject property with hazardous wastes or substances. Seller warrants that the subject property is not subject to any local, state or federal judicial or administrative action, investigation or order, as the case may be, regarding wells or underground storage tanks, solid waste disposal sites, or hazardous wastes or substances.

At Purchaser's cost and within 30 days of execution of this Agreement, Purchaser shall be permitted to conduct any environmental tests it deems necessary for the purpose of discovering the existence of any hazardous waste or substances. Should such environmental testing reveal

INITIAL: _____

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the presence of any hazardous wastes or substances, Purchaser may, at its option, terminate this Agreement and any earnest money paid shall be returned to Purchaser. Notwithstanding the above, the parties may agree by amendment and modification of this Agreement, to terms necessary to remedy any environmental condition discovered and then proceed with performance of this Agreement. Purchaser agrees, at its cost and without undue delay, to restore the subject property to its original condition should it proceed with the environmental testing contemplated herein.

14. LEASES

As of the date of this Agreement, the subject property is subject to the following leases:

Prior to closing, Seller shall not enter into any new leases or agree to extend any existing leases without Purchaser's prior written consent.

15. NOTICES

All notices required hereunder shall be in writing and shall be served upon the parties at the addresses designated herein by personal service, certified mail (return receipt requested), or Federal Express or other overnight mail.

Seller:
City of Davenport, Iowa
226 W 4th Street
Davenport, IA 52801

Copy to:
Attn. Tom Warner

Purchaser:
Hermann Farms Inc.
1850 Scott Park Rd
Eldridge, IA 52748

Copy to:
David J. Franks
Franks & Roeder
5167 Utica Ridge Rd
Davenport, IA 52807

16. GENERAL CONDITIONS

This Agreement shall be binding upon the parties and their successors and assigns. Time is of the essence of this Agreement. This Agreement shall be governed by and enforced in accordance with the laws of the state in which the subject property is located. This Agreement contains the entire agreement of the parties and no representations, warranties, or agreements have been made by either party as set forth herein. No modification, waiver, or amendment of the Agreement shall be effective unless made in writing and signed by the parties. All representations, warranties and covenants made by the parties shall survive closing. Paragraph

INITIAL:

headings are for the convenience of reference and shall not limit or affect the meaning of the Agreement.

17. SELLER REPRESENTATIONS

It is understood that no representation made by the Seller in the negotiation of this Agreement are being relied upon unless incorporated herein in writing. Seller makes no representations or warranties, either express or implied, as to the physical or mechanical condition of the subject property, either real or personal.

18. RIDERS

This Agreement is subject to the following riders: Exhibit A

19. LEGAL ASSISTANCE

The Seller and Purchaser are aware that when fully executed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their respective interests, Seller and Purchaser are advised to consult legal counsel before this Agreement is signed.

20. ACCEPTANCE BY SELLER

Until accepted by Seller, this document constitutes an offer by Purchaser on the terms stated above. This Offer shall expire on October 30, 2021 at 5:00 PM central time zone. If not accepted by such date, it shall become null and void and all payments hereunder shall be refunded to Buyer.

Executed by Purchaser:		Executed by Seller:	
10 / 18 / 2021			
Purchaser	Date	Seller	Date
Purchaser	Date	Seller	Date

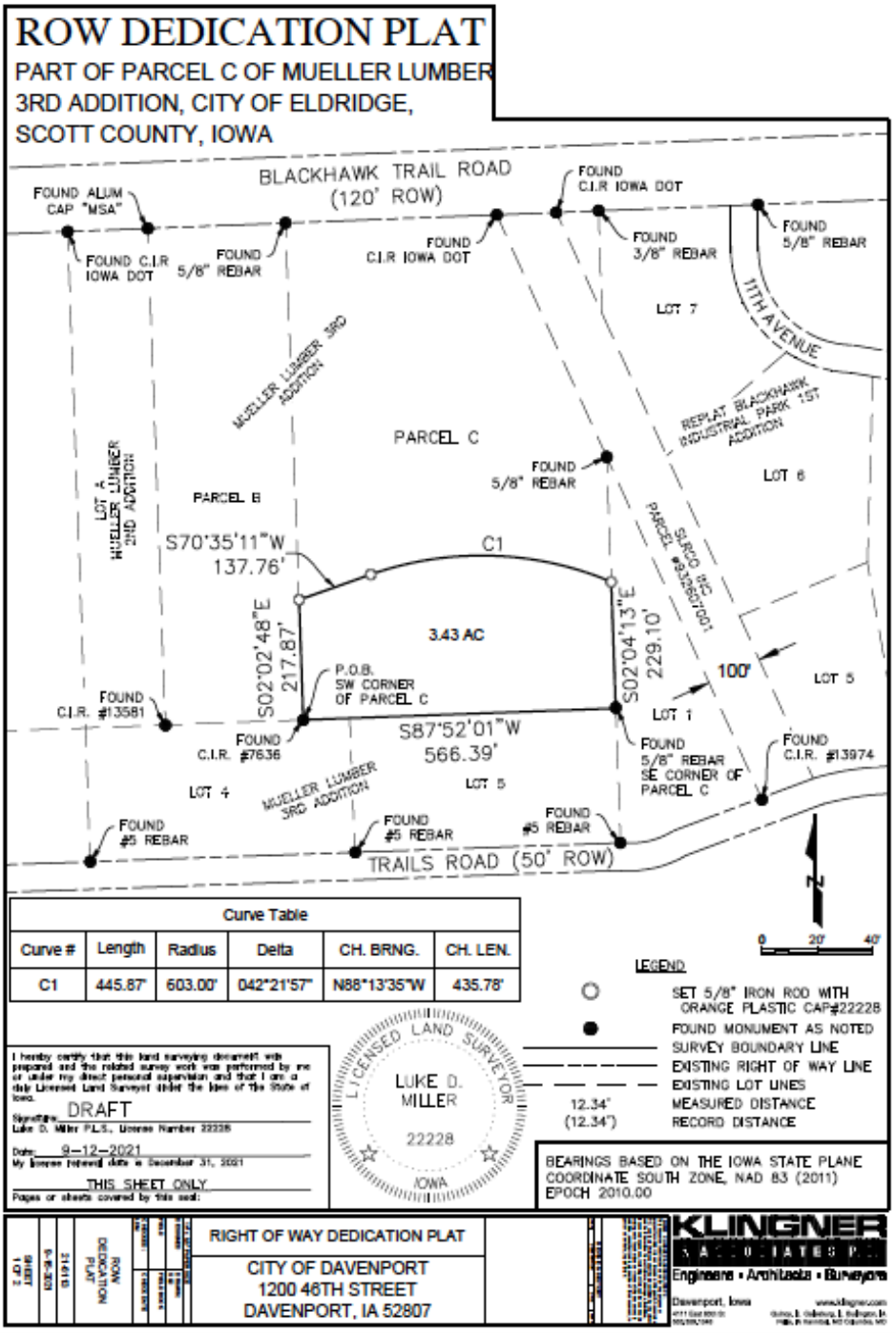
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Exhibit A

Subject Property

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348



INITIAL:

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
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Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348

ROW DEDICATION PLAT

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, CITY OF ELDRIDGE, SCOTT COUNTY, IOWA

LEGAL DESCRIPTION:

ROW DEDICATION

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH P.M. , CITY OF ELDRIDGE, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET; THENCE, NORTH 70 DEGREES 35 MINUTES 11 SECONDS EAST, TO AN ARC, A DISTANCE OF 137.76 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, TO A POINT ON THE EAST LINE OF SAID PARCEL, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF SOUTH 88 DEGREES 13 MINUTES 35 SECONDS EAST, AND A CHORD OF 435.78 FEET; THENCE, ALONG SAID EAST LINE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO THE SOUTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 229.10 FEET; THENCE, ALONG SOUTH LINE OF SAID PARCEL, SOUTH 87 DEGREES 52 MINUTES 01 SECONDS WEST, A DISTANCE OF 566.39 FEET, TO THE POINT OF BEGINNING, CONTAINING 3.43 ACRES, MORE OR LESS.

REMAINDER OF PARCEL C OF MULLER LUMBER 3RD ADDITION

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET, TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, TO THE NORTHWEST CORNER OF SAID PARCEL, A DISTANCE OF 683.42 FEET; THENCE, ALONG THE SOUTH RIGHT OF WAY OF BLACKHAWK TRAIL ROAD, NORTH 87 DEGREES 45 MINUTES 51 SECONDS EAST, TO THE NORTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 382.94 FEET; THENCE, SOUTH 24 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 482.17 FEET; THENCE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO AN ARC, A DISTANCE OF 226.62 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF NORTH 88 DEGREES 13 MINUTES 35 SECONDS WEST, AND A CHORD OF 435.78 FEET; THENCE, SOUTH 70 DEGREES 35 MINUTES 11 SECONDS WEST, A DISTANCE OF 137.76 FEET, TO THE POINT OF BEGINNING, CONTAINING 7.36 ACRES, MORE OR LESS.

FOR THE ABOVE DESCRIPTION THE WEST LINE OF PARCEL C OF MUELLER LUMBER 3RD ADDITION HAS A BEARING OF NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST.

SHEET 1 OF 1	RIGHT OF WAY DEDICATION PLAT	KLINGNER & ASSOCIATES P.C.
9-9-25	CITY OF DAVENPORT 1200 46TH STREET DAVENPORT, IA 52807	Engineers • Architects • Surveyors
31618		Davenport, Iowa
ROW DEDICATION PLAT		

INITIAL: _____

HELLOSIGN

Audit Trail

TITLE	HFI Purchase Agmt Blackhawk Trail Rd
FILE NAME	HFI Purch Agmt Blackhawk Trail Rd.pdf
DOCUMENT ID	b54f17b6086a269356a26bccabb6f7f416c5ccc4
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	Completed

Document History

SENT	**10 / 18 / 2021** 18:11:26 UTC	Sent for signature to Craig Hermann (crghermann@gmail.com) from robertherrmanncpa@gmail.com IP: 70.58.211.48
VIEWED	**10 / 18 / 2021** 18:13:26 UTC	Viewed by Craig Hermann (crghermann@gmail.com) IP: 174.192.134.29
SIGNED	**10 / 18 / 2021** 18:13:54 UTC	Signed by Craig Hermann (crghermann@gmail.com) IP: 174.192.134.29
COMPLETED	**10 / 18 / 2021** 18:13:54 UTC	The document has been completed.

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/27/2021**

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

Recommendation:
Adopt the Ordinance.

Background:
The Plan & Zoning Commission reviewed Case ORD21-02 on October 5, 2021 and voted 6-0 to forward the zoning text amendments to City Council with a recommendation for approval.

In preparation for future programming opportunities, including through the Iowa Economic Development Authority, the City has incorporated corridor planning into the FY 2021 and FY 2022 administrative Work Plan. One of the major potential program opportunities is the Reinvestment District which is designed to assist communities in developing transformative projects that improve the quality of life, create and enhance unique opportunities, and substantially benefit the community, region, and state. Large investments that generate high volumes of sales taxes and draw consumers to utilize the entire development are required to qualify for the program.

In order to ensure the greatest potential for the area, the City has initiated a Zoning Text Change to include the creation of a new zoning district called City Centre. In addition, staff continues to fine-tune the ordinance at regular intervals after adoption. The following amendments are proposed at this time:

Chapter 17.05 Commercial Districts

1. Section 17.05.010 Purpose Statements
- Create a Purpose Statement for a new zoning district titled “City Centre”

2. Section 17.05.030 Dimensional Standards
- Establish Dimensional Standards for the proposed new zoning district "City Centre"
- Alter the C-1 minimum front setback requirements to also allow for new construction to be setback in line with existing buildings.

3. Section 17.05.040 Design Standards
- Establish Design Standards for the proposed new zoning district "City Centre"

Chapter 17.08: Uses

1. Table 17.08-1 Use Matrix
- Create permitted and special uses in the new “City Centre” zoning district;
- Change Bed & breakfast to a Special Use in R-1 and R-2;
- Add Day Care Center as a Special Use in I-1;
- Add Food Bank as a permitted use in I-2;
- Add Parking Lot (Principal Structure) as a Special Use in I-2;
- Change Residential Care Facility to a permitted use in C-1;

- Change Self-Storage Facility: Enclosed to a Special Use in C-3 and remove from C-OP;
- Remove Self-Storage Facility: Outdoor as a Special Use in C-3.

2. Section 17.08.030 Principal Use Standards

- Change the fence height in the Principal Use Standard for Animal Care Facility to allow fences up to 8 feet in height.
- Add to the Principal Use Standard for Car Wash to include distancing exterior vacuum stations from residential districts and not routing exiting traffic into adjacent neighborhoods.
- Add design standards for ancillary structures in the Principal Use Standard for Dwelling-Multi-Family.

3. Section 17.08.040 Temporary Use Standards

- Change language in Temporary Use Standards to reinforce that all municipal code regulations and processes apply.

4. Section 17.08.050 Use Definitions

- Add professional firework displays to the definition of Temporary Outdoor Entertainment.

Chapter 17.09: Site Development Standards

1. Section 17.09.020 Exterior Lighting

- Increase the height of cut-off luminaires to 40 feet in industrial districts and 35 feet in some commercial districts.

2. Section 17.15.050 Nonconforming Site Elements

- In subsection C2 Nonconforming Parking Lot Landscape: Remove the word resurfacing for types of parking lot reconstruction.

Public Input: Staff has received one comment on this item. See attached.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance - Clean
🗋	Ordinance	Ordinance - Strikethrough
🗋	Backup Material	Chapter 17.05 Commercial Districts - Proposed Changes
🗋	Backup Material	Chapter 17.08 Uses - Proposed Changes
🗋	Backup Material	Table 17.08-1 Use Matrix - Proposed Changes
🗋	Backup Material	Chapter 17.09.020 Exterior Lighting - Proposed Changes
🗋	Backup Material	Chapter 17.15.050 Nonconforming Site Elements - Proposed Changes
🗋	Backup Material	Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/13/2021 - 12:45 PM

ORDINANCE NO. _____

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

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

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

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.
(the current subsection (E) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

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

In the C-1 District, where 70% of a blockface has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.
(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate.)

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

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

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

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

Table 17.05-2: Commercial Districts Design Standards						
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	

Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	

Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

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

C-3 and C-C DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 35% measured between two and ten feet in height from grade

E. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

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

Change "Bed and Breakfast" from Permitted to Special Use in R-1 and R-2
Add "Day Care Center" as a Special Use in I-1
Add "Food Bank" as a Permitted in I-2
Add "Parking Lot (Principal Use)" as a Special Use in I-2
Change "Residential Care Facility" from Special Use to Permitted in C-1
Change "Self-Storage Facility: Enclosed" from Permitted to Special Use in C-3
Remove "Self-Storage Facility: Enclosed" as Permitted from C-OP
Remove "Self-Storage Facility: Outdoor" as a Special Use in C-3
Add a column between C-3 and C-OP with the heading C-C.
Add "Amusement Facility – Indoor" as Permitted in C-C
Add "Amusement Facility – Outdoor" as Special Use in C-C
Add "Animal Care Facility – Small Animal" as Permitted in C-C

Add "Art Gallery" as Permitted in C-C
Add "Art and Fitness Studio" as Permitted in C-C
Add "Bar" as Permitted in C-C
Add "Body Modification Establishment" as Permitted in C-C
Add "Community Center" as Permitted in C-C
Add "Community Garden" as Permitted in C-C
Add "Cultural Facility" as Permitted in C-C
Add "Day Care Center" as Permitted in C-C
Add "Drive-Through Facility" as Special Use in C-C
Add "Dwelling – Multi-Family" as Special Use in C-C
Add "Dwelling – Townhouse" as Special Use in C-C
Add "Dwelling – Single-Family Semi-Detached" as Special Use in C-C
Add "Dwelling – Two-Family" as Special Use in C-C
Add "Educational Facility – University of College" as Permitted in C-C
Add "Educational Facility – Vocational" as Permitted in C-C
Add "Financial Institution" as Permitted in C-C
Add "Gas Station" as Special Use in C-C
Add "Government Office/Facility" as Permitted in C-C
Add "Hotel" as Permitted in C-C
Add "Live Performance Venue" as Permitted in C-C
Add "Lodge/Meeting Hall" as Permitted in C-C
Add "Medical/Dental Office" as Permitted in C-C
Add "Micro-Brewery/Distillery/Winery" as Permitted in C-C
Add "Office" as Permitted in C-C
Add "Outdoor Dining" as Permitted in C-C
Add "Parking Lot (Principal Use)" as Special Use in C-C
Add "Parking Structure (Principal Use)" as Permitted in C-C
Add "Personal Service Establishment" as Permitted in C-C
Add "Place of Worship" as Permitted in C-C
Add "Private Recreation Facility" as Permitted in C-C
Add "Public Park" as Permitted in C-C
Add "Public Safety Facility" as Permitted in C-C
Add "Reception Facility" as Permitted in C-C
Add "Residential Care Facility" as Permitted in C-C
Add "Restaurant" as Permitted in C-C
Add "Retail Goods Establishment" as Permitted in C-C
Add "Retail Alcohol Sales" as Special Use in C-C
Add "Specialty Food Service" as Permitted in C-C
Add "Wine Bar" as Permitted in C-C
Add "Wireless Telecommunications" as Special Use in C-C
Add "Wireless Telecommunications – Stealth Design Antenna" as Permitted in C-C
Add "Wireless Telecommunications – DAS Co-Location" as Permitted in C-C
Add "Wireless Telecommunications – DAS New Pole" as Special Use in C-C
Add "Farmer's Market" as Temporary Use in C-C
Add "Real Estate Project Sales Office/Model Unit" as Temporary Use in C-C
Add "Temporary Cell On Wheels (COW)" as Temporary Use in C-C
Add "Temporary Contractor Office and Contractor Yard" as Temporary Use in C-C
Add "Temporary Outdoor Entertainment" as Temporary Use in C-C
Add "Temporary Outdoor Sales (No Fireworks Stand)" as Temporary Use in C-C
Add "Temporary Outdoor Storage Container" as Temporary Use in C-C

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

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

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

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

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

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

G. Car Wash

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

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.
3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.
4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

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

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)

b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
    i. Corrugated metal
    ii. Exposed aggregate (rough finish) concrete wall panels
    iii. T-111 composite plywood siding

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

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

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

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

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

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

C. Luminaire with Cut Off Standards

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

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

2. Nonconforming Parking Lot Landscape

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

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

(Note: All other subsections remain unchanged.)

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

ORDINANCE NO. 2021-

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

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

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

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

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

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

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

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

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

	Table 17.05-1: Commercial Districts Dimensional Standards					
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None

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

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

Table 17.05-2: Commercial Districts Design Standards						
	C-T	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•

All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	

In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

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

C-3 and C-C DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 35% measured between two and ten feet in height from grade

E. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

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

Change "Bed and Breakfast" from Permitted to Special Use in R-1 and R-2
Add "Day Care Center" as a Special Use in I-1
Add "Food Bank" as a Permitted in I-2
Add "Parking Lot (Principal Use)" as a Special Use in I-2
Change "Residential Care Facility" from Special Use to Permitted in C-1
Change "Self-Storage Facility: Enclosed" from Permitted to Special Use in C-3
Remove "Self-Storage Facility: Enclosed" as Permitted from C-OP
Remove "Self-Storage Facility: Outdoor" as a Special Use in C-3
Add a column between C-3 and C-OP with the heading C-C.
Add "Amusement Facility – Indoor" as Permitted in C-C
Add "Amusement Facility – Outdoor" as Special Use in C-C
Add "Animal Care Facility – Small Animal" as Permitted in C-C
Add "Art Gallery" as Permitted in C-C
Add "Art and Fitness Studio" as Permitted in C-C
Add "Bar" as Permitted in C-C

Add "Body Modification Establishment" as Permitted in C-C
Add "Community Center" as Permitted in C-C
Add "Community Garden" as Permitted in C-C
Add "Cultural Facility" as Permitted in C-C
Add "Day Care Center" as Permitted in C-C
Add "Drive-Through Facility" as Special Use in C-C
Add "Dwelling – Multi-Family" as Special Use in C-C
Add "Dwelling – Townhouse" as Special Use in C-C
Add "Dwelling – Single-Family Semi-Detached" as Special Use in C-C
Add "Dwelling – Two-Family" as Special Use in C-C
Add "Educational Facility – University of College" as Permitted in C-C
Add "Educational Facility – Vocational" as Permitted in C-C
Add "Financial Institution" as Permitted in C-C
Add "Gas Station" as Special Use in C-C
Add "Government Office/Facility" as Permitted in C-C
Add "Hotel" as Permitted in C-C
Add "Live Performance Venue" as Permitted in C-C
Add "Lodge/Meeting Hall" as Permitted in C-C
Add "Medical/Dental Office" as Permitted in C-C
Add "Micro-Brewery/Distillery/Winery" as Permitted in C-C
Add "Office" as Permitted in C-C
Add "Outdoor Dining" as Permitted in C-C
Add "Parking Lot (Principal Use)" as Special Use in C-C
Add "Parking Structure (Principal Use)" as Permitted in C-C
Add "Personal Service Establishment" as Permitted in C-C
Add "Place of Worship" as Permitted in C-C
Add "Private Recreation Facility" as Permitted in C-C
Add "Public Park" as Permitted in C-C
Add "Public Safety Facility" as Permitted in C-C
Add "Reception Facility" as Permitted in C-C
Add "Residential Care Facility" as Permitted in C-C
Add "Restaurant" as Permitted in C-C
Add "Retail Goods Establishment" as Permitted in C-C
Add "Retail Alcohol Sales" as Special Use in C-C
Add "Specialty Food Service" as Permitted in C-C
Add "Wine Bar" as Permitted in C-C
Add "Wireless Telecommunications" as Special Use in C-C
Add "Wireless Telecommunications – Stealth Design Antenna" as Permitted in C-C
Add "Wireless Telecommunications – DAS Co-Location" as Permitted in C-C
Add "Wireless Telecommunications – DAS New Pole" as Special Use in C-C
Add "Farmer's Market" as Temporary Use in C-C
Add "Real Estate Project Sales Office/Model Unit" as Temporary Use in C-C
Add "Temporary Cell On Wheels (COW)" as Temporary Use in C-C
Add "Temporary Contractor Office and Contractor Yard" as Temporary Use in C-C
Add "Temporary Outdoor Entertainment" as Temporary Use in C-C
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Add "Temporary Outdoor Storage Container" as Temporary Use in C-C

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

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

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

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

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

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

G. Car Wash

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

1. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.
3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.
4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes on corner lots must not route exiting traffic into adjacent residential neighborhoods.

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

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.
4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)
    b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:

i. Corrugated metal
ii. Exposed aggregate (rough finish) concrete wall panels
iii. T-111 composite plywood siding

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

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

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

(Note: All subsections remain unchanged.)

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

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

(Note: All subsections remain unchanged.)

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

C. Luminaire with Cut Off Standards

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

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

2. Nonconforming Parking Lot Landscape

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

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

(Note: All other subsections remain unchanged.)

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

_____
Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010 Purpose Statements
Section 17.05.020 Uses
Section 17.05.030 Dimensional Standards
Section 17.05.040 Design Standards
Section 17.05.050 C-D District Standards
Section 17.05.060 C-V District Standards
Section 17.05.070 C-E District Standards
Section 17.05.080 General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District

The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

B. C-1 Neighborhood Commercial Zoning District

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

C. C-2 Corridor Commercial Zoning District

The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

D. C-3 General Commercial Zoning District

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

E. C-C City Centre Zoning District

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

~~E.~~ F. C-OP Commercial Office Park Zoning District

The C-OP Commercial Office Park Zoning District is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

~~F.~~ G. C-D Downtown Zoning District

The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

~~G.~~ H. C-V Village of East Davenport Zoning District

The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

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~~H.~~ I. C-E Elmore Corners Zoning District

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the commercial districts.

B. In the C-V District, only 35% of a blockface can be in the use "bar." This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.

2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.

3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

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

D. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Bulk						
Minimum Lot Area	10,000sf	None	None	20,000sf	None	20,000sf
Minimum Lot Width	60'	None	None	80'	None	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a residential district, then 35'	45'
Setbacks						
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15' unless meeting the standards of Section 17.05.030C	None	25'	None	20'

Table 17.05-1: Commercial Districts Dimensional Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Front Setback Build-To Percentage	70%	70%	None	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	None, unless abutting a residential district, then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10' unless meeting the standards of Section 17.05.030C	10'	20'	None	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	None, unless abutting a residential district, then 25'	25'

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a "•" indicates that the standard is applicable in the district indicated. The absence of a "•" indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design						
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	

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Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.						•
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

B. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS



A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 50% measured between two and ten feet in height from grade

E. Upper floor transparency of 15% of the wall area of the story

F. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

Proposed Changes - Section 17.08: Uses

In Section 17.08.030 Principal Use Standards

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

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

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

2. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.

3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

G. Car Wash

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

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

2. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

3. Vacuum stations shall not be located between the carwash structure and a lot line of an abutting residential district.

4. Carwashes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Carwashes must not route exiting traffic into adjacent residential neighborhoods.

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.

2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.

3. A 25% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade.

4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)

b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
   i. Corrugated metal
   ii. Exposed aggregate (rough finish) concrete wall panels
   iii. T-111 composite plywood siding

5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.

6. Structures shall maintain the character of the multi-family development.

7. Structures are encouraged to match the pitch of the roof of the principal dwelling.

8. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).

9. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.

In Section 17.08.040 Temporary Use Standards

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

In Section 17.08.050 Use Definitions:

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

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility – Large Animal																			P			
Animal Care Facility – Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	~~P~~S	~~P~~S	S	S	S														P			Sec. 17.08.030.D
Billboard									P	P						P	P					Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling – Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M

TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Dwelling – Manufactured Home						P													S			Sec. 17.08.030.N
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P
Dwelling - Single-Family	P	P	P	P			P	P	P					P								Sec. 17.08.030.P
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P
Educational Facility - Primary or Secondary	P	P	P	P	P																P	
Educational Facility - University or College										P	P	P	P		P						P	
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P	
Equine, Keeping of/Equestrian Facility	P																		P			Sec. 17.08.030.Q
Fairground																			S	S	P	
Financial Institution							P	P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R
Food Bank																P	P	P				
Food Pantry									P	S					S			S				
Funeral Home							S	S	S	P					P			P				
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S
Golf Course/Driving Range																				P		
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Greenhouse/Nursery - Retail										P					P			P	S			
Group Home	P	P	P	P	P																	Sec. 17.08.030.T
Halfway House									S	S					S			S			S	Sec. 17.08.030.L
Healthcare Institution																					P	
Heavy Rental and Service																P		P				
Heavy Retail										S					S	P		P				
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L
Hotel									P	P	P	P	P	S	P			P				
Industrial - General																	P					
Industrial - Light												P				P	P	P				
Industrial Design								P	P	P		P	P		P	P	P	P				

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Live Performance Venue										P	P		P	P	P	P		P				
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U
Manufactured Home Park						P																
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P				
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V
Office							P	P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P	
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility												P				P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F
Research and Development												P				P	P	P			P	
Residential Care Facility					P		P	~~S~~P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P	
PRINCIPAL USE	**R-1**	**R-2**	**R-3**	**R-4**	**R-MF**	**R-MHP**	**C-T**	**C-1**	**C-2**	**C-3**	**C-C**	**C-OP**	**C-D**	**C-V**	**C-E**	**I-1**	**I-2**	**I-MU**	**S-AG**	**S-OS**	**S-IC**	**USE STANDARD**
Retail Alcohol Sales									P	P	S		S		P	P						
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z
Salvage Yard																	S					
Self-Storage Facility: Enclosed									S	~~P~~S		~~P~~			P	P	P	P				Sec. 17.08.030.AA
Self-Storage Facility: Outdoor										~~S~~						P	P	S				Sec. 17.08.030.AA
Social Service Center									P	P					P			P			P	
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB
Specialty Food Service								P	P	P	P		P	P	P	P		P				
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC
Truck Stop																P	P					

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Dealership – Enclosed										P		S	P		P	S		P				
Vehicle Dealership – With Outdoor Storage/Display										S					S	S		P				
Vehicle Operation Facility																P	P				P	
Vehicle Rental – Enclosed										P		S	P		P	S		P				
Vehicle Rental – With Outdoor Storage/Display										S					S	S		P				
Vehicle Repair/Service– Major										S						P	P	P				Sec. 17.08.030.EE
Vehicle Repair/Service – Minor									P	P					P	P	P	P				Sec. 17.08.030.EE
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	P	P		P	P	P			P				
Winery																			S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

Proposed Changes
Section 17.09: Site Development Standards

Section 17.09.020 Exterior Lighting

A. Lighting Plan Required

1. A lighting plan is required for all non-residential uses, multi-family, and townhouse dwellings as part of site plan review. Single-family and two-family dwellings are exempt from a required lighting plan but are subject to applicable lighting requirements.

2. A lighting plan must include the following:

a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.
b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
c. Pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.
d. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels may be required.
e. Photometric plans that show the footcandle measurement at all lot lines.
f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Maximum Lighting Regulations

1. The maximum allowable footcandle at any lot line is one footcandle.

2. When additional security lighting is required for security reasons in excess of the footcandle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.

3. No glare onto adjacent properties is permitted.

C. Luminaire with Cut Off Standards

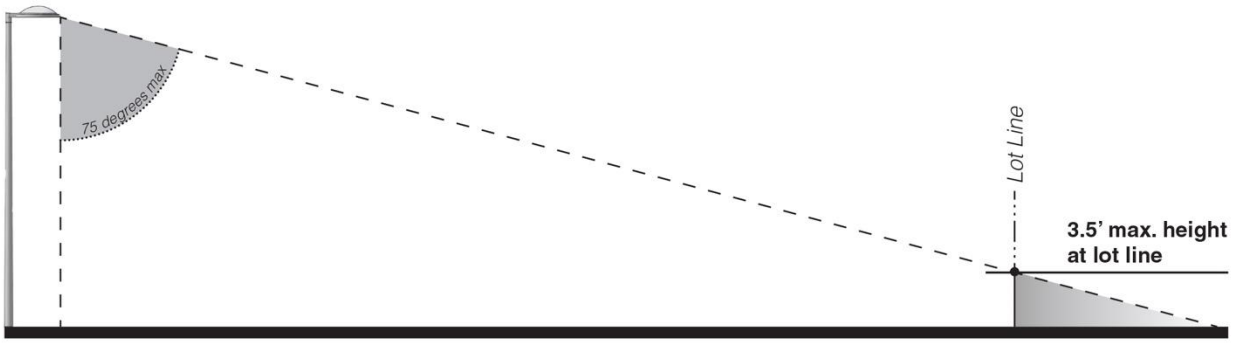
1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.

2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is: ~~25 feet.~~

a. 25 feet in all residential districts, C-T, C-1, C-V, S-AG and S-OS.
b. 35 feet in C-2, C-3, C-C, C-OP, C-D, C-E, S-IC, and I-MU
c. 40 feet in I-1 and I-2.

3. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

LUMINAIRE WITH CUT OFF



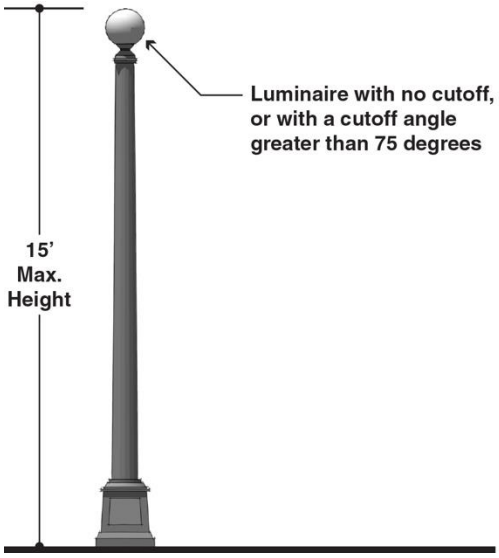
D. Luminaire with No Cut Off Standards

Non-residential uses, multi-family, and townhouse dwellings are allowed decorative and/or architectural lighting with no cut off if approved as part of site plan review, and subject to the following standards:

1. A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than 75 degrees.

2. The maximum permitted total height of a luminaire with no cut off is 15 feet.

LUMINAIRE WITH NO CUT OFF



E. Exceptions to Lighting Standards

1. Uplighting of buildings is allowed but all light must be directed onto the façade of the structure and cannot glare onto other properties.

2. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.

3. Temporary uses.

4. Holiday and seasonal lighting is not subject to the requirements of this section.

5. Luminaires used for public roadway illumination are not controlled by this Ordinance.

6. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are exempt from the requirements of this Ordinance.

F. Prohibited Lighting

1. Flickering or flashing lights are prohibited.

2. Searchlights, laser source lights, or any similar high intensity lights are prohibited.

3. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited except for the following:

a. In the C-D Downtown Zoning District, subject to Design Review Board approval.

Proposed Changes
Section 17.15: Site Development Standards

Section 17.15.050 Nonconforming Site Elements

A. Definition

A nonconforming site element is a site development element, such as landscape or lighting, that at one time conformed to the requirements of this Ordinance, but because of subsequent amendments, has been made nonconforming.

B. Maintenance

Normal maintenance and incidental repair to a nonconforming site element may be performed. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Required Conformance

1. General

All nonconforming site elements must be brought into conformance when the following occurs:

a. A new principal building is constructed on a site. This includes construction of a second principal building on the site.

b. An existing principal building is increased in building footprint square footage by 25% or more.

2. Nonconforming Parking Lot Landscape

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

a. Resealing or re-striping of an existing parking lot, which does not entail paving, ~~resurfacing,~~ or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.

b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.

c. If only certain requirements are able to be accommodated on the site, those elements are required. The Zoning Administrator will make the determination that all or a portion of required landscape does not have to be installed.

Berkley, Laura

From: linghram@aol.com
Sent: Monday, October 4, 2021 10:35 AM
To: Planning
Subject: [EXT] City Centre Question/Comment

Good Morning,

I may be way too late to be submitting questions regarding this proposed rezoning, but I figured it couldn't hurt to try.

In looking at the matrix, I'm wondering why "hotel" is coded as "P" rather than "S"? All dwelling types are coded "S" and that seems appropriate. But I don't understand why a hotel could just be put anywhere without having to go through the same special review/approval as dwellings.

My second question also has to do with the matrix and regards all types of entertainment facilities, such as reception, performance, dining, etc. I see "outdoor dining" is specifically permitted. Would the other types of entertainment facilities also be allowed to be outdoors? I can't imagine having to put up with live concerts or DJs on a regular basis. Indoors would not be an issue, but the sound really carries around Northpark. In the past, we've had to listen to outdoor events such as carnivals and car shows, but at least we knew those had a limited time frame.

Thank you for considering my questions, if in fact you are still allowed to do so.

Laurie Inghram
4565 Sheridan Street
Linghram@aol.com

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/27/2021**

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

Recommendation:
Adopt the Ordinance.

Background:
The Plan & Zoning Commission reviewed Case REZ21-04 at its October 5, 2021 meetings and voted (6-0) to recommend the rezoning be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

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

Conditions:

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

Discussion:

The City of Davenport has initiated a rezoning of approximately 143 acres to the proposed "City Centre" Zoning District.

Comprehensive Plan: Within Existing and 2035 Urban Service Area: Yes

Future Land Use Designations: Regional Commercial (RC) – (No changes required)

Zoning:

Existing: C-3 General Commercial District: Intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

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

Public Input:

Property owners within 200 feet of the property have been notified and signs have been placed on the property. Staff has been in contact with impacted property owners regarding the proposed zoning changes and its impacts for redevelopment. The Notice of the September 14, 2021 Public Hearing was published in the Quad City Times. One person spoke at the meeting regarding potential roadway connections from the abutting neighborhood into Northpark Mall as well as impacts to property values. To date, staff has received one letter and one email stating concerns related to connecting residential streets to the mall and preserving the existing greenspace buffer.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards. The proposed rezoning meets the approval standards for a map amendment.

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The compatibility with the zoning of nearby property.
3. The compatibility with established neighborhood character.
4. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
5. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.
6. The extent to which the proposed amendment creates nonconformities.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Exhibit	Exhibit 1 Original Buffer Yard
🗋	Exhibit	Zoning and Future Land Use
🗋	Exhibit	Notice Letter
🗋	Exhibit	Public Hearing Notice
🗋	Backup Material	Public Comment

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	10/13/2021 - 12:50 PM

ORDINANCE NO. _____

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

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-C City Centre Zoning District".

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

Findings:

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

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

Conditions:

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

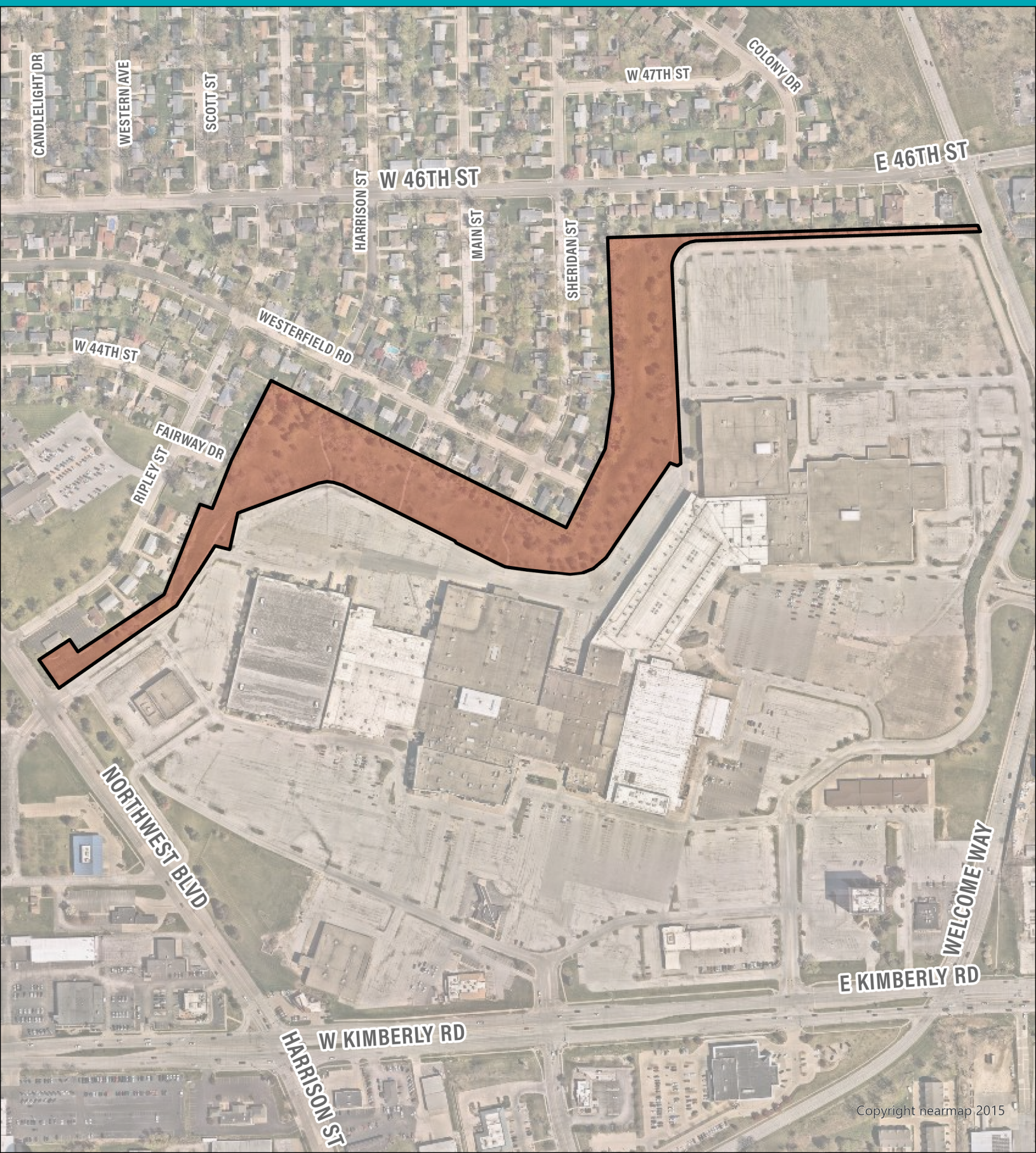
Brian Krup
Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

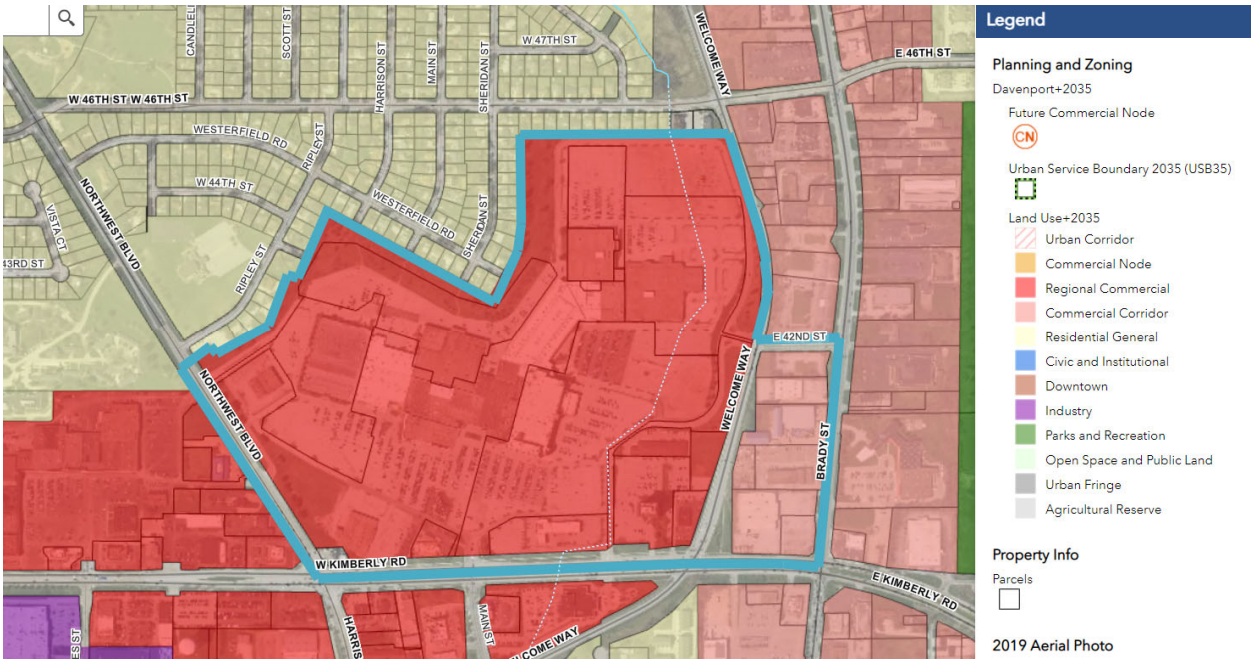
Exhibit 1 - Original Buffer Yard

Buffer

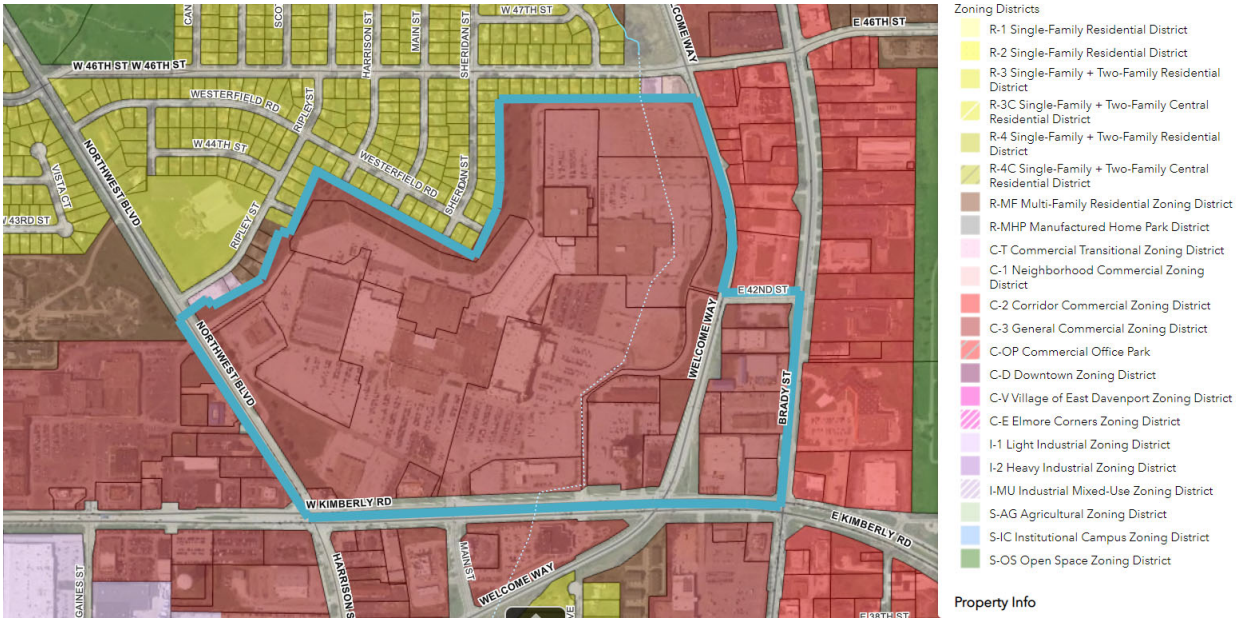
Feet
0 300



Davenport 2035+ Future Land Use: Regional Commercial and Commercial Corridor



Zoning Map: C-3 General Commercial District



DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan & Zoning Commission

Date: 9/14/2021 **Location:** Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00:00 PM **Subject:** Public Hearing for rezoning request before the Plan & Zoning Commission

[ADDRESS BLOCK LOCATION]

To: All property owners within 200 feet of the subject property located at **Select lots near Northpark Mall.**

What is this About?
This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description
Case REZ20-06: Request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 W. Kimberly RD generally being bounded by Northwest BLVD, Kimberly RD, Brady St, E. 42nd St, Welcome Way and by the north lot line of Northpark Mall changing the zoning from C-3 General Commercial to C-C City Centre District to facilitate revitalization oriented toward regional mixed-use and tourism for the central part of the city [Ward 7].

What are the Next Steps after the Public Hearing?
This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. For the specific dates and times of subsequent meetings, please contact the case planner below.

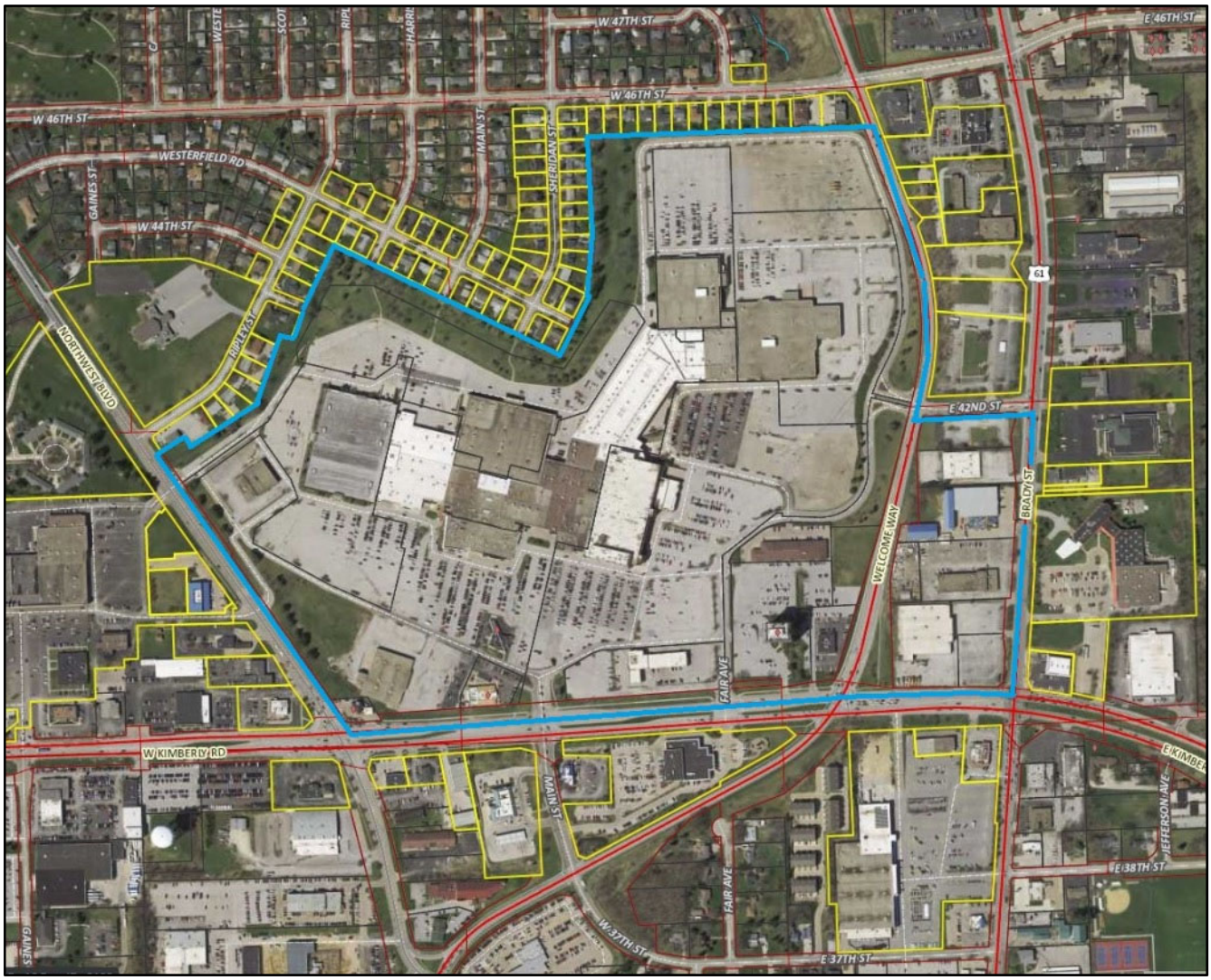
Would You Like to Submit an Official Comment?
As a neighboring property owner/occupant you may have an interest in commenting on the proposed request via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

Do You Have Any Questions?
If you have any questions you may visit www.davenportiowa.com/zchange for more details or contact the planner below. If special accommodations are needed for any reason, please contact the planner assigned to this project (Laura Berkley) at Laura.Berkley@davenportiowa.com or 563-888-3553. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Plan & Zoning Commission
Adjacent Property Owner Notice Area Map

Area subject to the zoning map change is bounded by the blue outline below;
adjacent properties within 200 feet of the proposed map amendment are shown in yellow.



9/8/21

Public Notices/Accounting

Re: Public Notice

Please publish the following Zoning Board of Adjustment public hearing notice in your next available edition of the Quad City Times per your schedule for Public Notices.

The Purchase Order Number for this notice is PO# 2202002

We would appreciate receiving the proof and the affidavit of publication for our records. If you have any questions, please contact me at the same email address this was sent with or at my phone number listed in my email.

NOTICE
PUBLIC HEARING
TUESDAY, SEPTEMBER 14, 2021, 2021 5:00 P.M.
PLAN & ZONING COMMISSION
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

There is on file in the Development and Neighborhood Services Department (DNSD), on behalf of the Plan and Zoning Commission, the following request:

Case ORD21-02: Request of the City of Davenport to amend Title 17 of the Davenport City Code (hereto referred to as DMC), entitled "Zoning" amending the following sections [All wards]:

17.05 to include a new zoning district entitled "City Centre" including the Purpose Statement, Dimensional Standards and Design Standards. Altering the C-1 minimum front setback to also allow for new construction to be setback in line with existing buildings.
17.08 to include allowed uses in the new zoning district "City Centre" and change Bed & breakfast to a Special Use in R-1 and R-2; add Day Care Center as a Special Use in I-1; Add Food Bank as a permitted use in I-2; Add Parking Lot (Principal Structure) as a Special Use in I-2; change Residential Care Facility to a permitted use in C-1; change Self-Storage Facility: Enclosed to a Special Use in C-3 and remove from C-OP; remove Self-Storage Facility: Outdoor as a Special Use in C-3. Change the fence height in the Principal Use

Standard for Animal Care Facility to allow fences up to 8 feet in height. Add to the Principal Use Standard for Car Wash to include distancing exterior vacuum stations from residential districts and not routing exiting traffic into adjacent neighborhoods. Add design standards for ancillary structures in the Principal Use Standard for Dwelling-Multi-Family. Add professional firework displays to the definition of Temporary Outdoor Entertainment. Change language in Temporary Use Standards to reinforce that all municipal code regulations and processes apply.
17.09 to increase the height of cut-off luminaires to 40 feet in industrial districts and 35 feet in commercial districts.
17.15 to remove the word resurfacing for types of parking lot reconstruction.

Case REZ20-04: Request of the City of Davenport to rezone 143 acres, more or less, of property located near 320 W. Kimberly RD generally being bounded by Northwest BLVD, Kimberly RD, Brady St, E. 42nd St, Welcome way and by the north lot line of Northpark Mall, changing the zoning from C-3 General Commercial to C-C City Centre District to facilitate revitalization oriented toward regional mixed-use and tourism for the central part of the city. [Ward 7]

The public hearing on the above matters are scheduled for 5:00 p.m. on September 14, 2021, in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa. More detailed information may be found on the City's website: www.davenportiowa.com/zchange. You may submit written comments on the above item or attend the public hearing to express your views, or both; only written comments will be used to calculate comment percentages. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145.

Any written comments to be reported at the public hearing should be received in the Development & Neighborhood Services Department at the Public Works Building, 1200 E. 46th Street, Davenport, Iowa 52807, no later than 12:00 noon on the day of the public hearing. PO No. 2202002

Department of Development & Neighborhood Services
E-MAIL: planning@davenportiowa.com PHONE: 563-326-6198

Berkley, Laura

From: pranjana@mchsi.com
Sent: Tuesday, September 14, 2021 12:05 PM
To: Planning
Cc: PRanjana@mchsi.com
Subject: [EXT] Case REZ20-06/Public Hearing Notice/ Plan & Zoning Commission
Attachments: PHNPZC.pdf; PHNPZC-2.pdf

Dear Sir,

Good Morning.
This is an Official Comments with reference I have received above attached letter regarding a proposed zoning "Case REZ20-6" for Northpark Mall.

We understand the reason for the proposed changes for Northpark Mall.
However, we have serious concern for these changes. We feel that this will affect our life as follows:

(1) Our safety will be effected. Currently our area is calm & quiet even when there is a minimum supervision by Police Officer.

(2) As it is Crime in Davenport is up. However that has been low or none in our area. Proposed Changes may result crimes.

(3) There is a possibility to make through streets through area. This will result in lots of traffic, which would result noise, pollution as well as accidents.

(4) The Proposed changes most probably reduce the cost of our house value.

(5) The boundary of proposed changes is too adjacent to our house. This will effect our privacy.

(6) Last but not least, would our taxes will go up because of this proposal?

Therefore we do not agree to this proposal.

Thanks,
Prakash

Prakash G. Devasthali
130 Westerfield Rd.
Davenport, Iowa 52806
(563)326-0920

Sept 12, 2021

Regarding Case LEZ 20-06:

I am a resident and property owner located well within 200 ft. of the Northpark Mall area.

I ask that the green space area buffering the residents' properties currently, be retained with any future development of Northpark area.

And I do hope the dead trees will be removed.

Sandra Holdt
4537 Sheridan St.

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/20/2021**

Subject:
Resolution authorizing the conveyance of City-owned property located at 503 West 15th Street to Brandi Bea, Petitioner. [Ward 4]

Recommendation:
Adopt the Resolution.

Background:
As part of the Urban Homestead Program funded with a variety of Federal housing grants, the City has acquired and rehabilitated a single family home with the intention of selling the property to an income eligible household in Davenport. This program, which has been approved by City Council as part of the City's CDBG Five Year Comprehensive and One Year Annual Plans, enables vacant properties to be returned to the tax rolls and improves the look and feel of neighborhoods while providing eligible working households with affordable homeownership opportunities.

The petitioner has applied for and has been approved as federally eligible to acquire these property from the City. City staff solicited an appraisal for the property and it is being sold for $125,000.

Approval of this Resolution will authorize the Mayor and staff to execute closing documents and convey the property to the Petitioner.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/14/2021 - 8:45 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION authorizing the conveyance of City-owned property located at 503 West 15th Street to Brandi Bea, Petitioner.

WHEREAS, the City of Davenport owns parcel G0012-25 described as follows:

Lot 20 in Block 1 in Summit Park Addition to the City of Davenport, Iowa; and

WHEREAS, the City has operated the Urban Homestead Program since the 1980s to acquire typically abandoned or vacant houses, rehabilitate them with Federal funding, and to quit claim deed the property to income-qualifying working homebuyers; and

WHEREAS, this program helps revitalize and stabilize neighborhoods, often increasing homeownership and encouraging reinvestment; and

WHEREAS, the property referenced is the latest home that has been completed via the Urban Homestead Program; and

WHEREAS, the Petitioner has applied for the program, met all of the requirements, and were selected to acquire the home; and

WHEREAS, notification of a Public Hearing was published as required by Iowa law, and the Hearing was held on October 20, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City Council does hereby approve the conveyance of the above property and authorizes the Mayor and staff to execute documents necessary to complete the transfer.

Passed and approved this 27th day of October, 2021.

Approved: Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Development Committee
Contact Info: Bruce Berger | 563-326-7769

Action / Date
10/27/2021

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

Recommendation:
Adopt the Resolution.

Background:
In 2010-11, the City acquired several properties along what was to become the short rail line from the City's Transload Facility to the Canadian Pacific mainline. Portions of the rail line run through neighboring jurisdictions of unincorporated Scott County and the City of Eldridge. In some cases, negotiation resulted in the acquisition of existing parcels that were slightly larger than the necessary right-of-way (ROW) required for the new rail.

In this case, the parcel acquired by the City was roughly 10.7 acres and had access to East Blackhawk Trail (see attached area map), though the City only required roughly 3.4 acres for the rail.

An offer from a QC area company (Ethodd Properties, LLC) has been made to acquire the unused 7.3 acre portion of this parcel (see attached parcel map). The company is seeking to expand their current operations. From staff analysis, the City has no need to retain this portion of the property and the offer amount is at fair market value (see attached purchase agreement).

A Public Hearing was held in accordance with State Code. Approval of this Resolution will authorize staff to take the necessary actions to convey this property.

UPDATE: The City has received a competing offer from Hermann Farms Inc (see attached HFI Purchase Agreement).

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution
Backup Material	Purchase Agreement
Cover Memo	Area Map
Cover Memo	Parcel Map
Cover Memo	HFI Purchase Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	10/14/2021 - 8:45 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION authorizing the conveyance of a portion of 601 E Blackhawk Trail to Ethodd Properties, LLC, Petitioner.

WHEREAS, the City of Davenport is the legal owner of certain property known as Parcel 932605540C and wishes to convey a portion of this parcel legally described as:

> Part of Parcel C of Mueller Lumber 3rd Addition, Northeast Quarter of Section 26, Township 79 North, Range 3 East of the 5th P.M., City of Eldridge, Scott County, Iowa, more particularly described as follows:
>
> Commencing at the Southwest corner of Parcel C of Mueller Lumber 3rd Addition, thence, along West line of said parcel, North 02 Degrees 02 minutes 48 seconds West, a distance of 217.87 feet, to the point of beginning. Thence, continuing along West line of said parcel, North 02 degrees 02 minutes 48 seconds West, to the Northwest corner of said parcel, a distance of 683.42 feet. Thence, along the South right of way of Blackhawk Trail Road, North 87 degrees 43 minutes 51 seconds East, to the Northeast corner of said parcel, a distance of 382.94 feet; thence, South 24 degrees 23 minutes 08 seconds East, a distance of 482.17 feet; thence, South 02 degrees 04 minutes 13 seconds East, to an arc, a distance of 226.62 feet; thence, along said arc, concave Southerly, a distance of 445.87 feet, having a radius of 603.00 feet, chord bearing of North 88 degrees 13 minutes 35 seconds West, and a chord of 435.78 feet; thence, South 70 degrees 35 minutes 11 seconds West, a distance of 137.76 feet, to the point of beginning, containing 7.36 acres, more or less. (the remaining southern 3.43 acres of parcel 932605540C is dedicated as right-of-way for the short-line rail).

WHEREAS, this property was acquired by the City of Davenport as part of the short line rail project to connect the Transload Facility to Canadian Pacific main line; and

WHEREAS, only roughly 3.4 acres of the property was required as right-of-way, thus allowing the northern 7.3 acres to be available for private development/use; and

WHEREAS, Ethodd Properties, LLC represents a Quad City business that is looking to expand their operation and has made an offer to acquire; and

WHEREAS, a Public Hearing on this proposed conveyance was held in accordance with Iowa law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the conveyance of this property to Ethodd Properties, LLC is hereby approved and staff is authorized to execute the purchase agreement and close on the property.

Passed and approved this 27th day of October, 2021.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

PURCHASE AGREEMENT FOR COMMERCIAL REAL ESTATE

This Purchase Agreement for Commercial Real Estate ("Agreement") is entered into on this _____ day of October, 2021, between City of Davenport, Iowa ("Seller") and Ethodd Properties, LLC ("Purchaser"). In consideration of the mutual covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. TERMS

Purchaser agrees to purchase from the Seller and the Seller agrees to sell to Purchaser the real estate and any improvement thereon, commonly known as: The northern +/-7.36 acres of the Mueller Lumber 3rd Addition site with an address of 601 East Blackhawk Trail, Eldridge, and legally known as: Parcel 93260540C (Legal to be supplied by Seller's Attorney) situated in the County of Scott and the State of Iowa (the "subject property"), for the sum of Forty Five Thousand Dollars ($45,000.00) per surveyed acre equal to Three Hundred Thirty One Thousand Two Hundred Dollars ($331,200.00) to be paid as follows:

A) **Earnest money** of $10,000.00 in the form of a check which shall be held in trust by Purchaser's Attorney or other mutually agreeable escrow agent is a part of the cash at closing and shall be deposited within Five (5) Business Days after City of Davenport Council approval of the sale of the Subject Property. In the event any contingency is not met by the date contained in such contingency, the Seller recognizes the earnest money will be returned to the Purchaser and this Agreement shall be void.

B) **Cash Payment** shall be paid at time of closing.

C) **Contingent Financed Transaction**. INTENTIONALLY DELETED

2. EVIDENCE OF TITLE

Within a reasonable time after City of Davenport City Council Approval of this Agreement, Seller shall deliver an abstract of site demonstrating merchantable title of record in Seller and certified to a current date by an abstractor (for Iowa). If title evidence discloses exceptions other than those permitted under the rules for examination for abstracts of title adopted by the local County Bar Association, Purchaser or Purchaser attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed, or any such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the time of closing. If Seller is unable to cure such exception, Purchaser shall be entitled to a refund of the earnest money. The title to be conveyed shall be by Quit Claim Deed to Purchaser and free and clear of all liens and

INITIAL:

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encumbrances not herein specifically waived or assumed by Purchaser.

3. CONVEYANCE OF TITLE AND DOCUMENTS OF SALE

The parties agree to execute any transfer declarations or other documents required by the state, county or municipality in which the subject property is located, as well as any documents required by the title insurance company in order to issue title insurance.

4. POSSESSION AND CLOSING

Possession On Closing:

Seller shall deliver possession of the subject property to Purchaser concurrently with the closing of this transaction which shall be conditioned upon and held after the following events:

a. City of Davenport, Iowa City Council approval on or about October 27, 2021; and
b. Ten (10) business days after the receipt, review and approval by Purchaser's counsel of the Abstract.

5. PRORATIONS AND ADJUSTMENTS

The following items shall be prorated at closing as of the date of delivery of possession:

A. Prorations

(1) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;

(2) Rent, if any, (with transfer in full of any security/damage deposit);

(3) Interest on any assumed indebtedness;

(4) Insurance premiums if policy assigned to Purchaser;

(5) Other income and operation expenses, if any;

(6) Special assessments, if any.

B. Adjustments

Utility charges shall be adjusted by the parties by appropriate meter readings at or about the time of delivery and surrender of possession.

6. ASSESSMENTS

Seller shall pay all special assessments, which are a lien on the subject property as of the date of closing. Seller acknowledges that prior to the execution of this Agreement Seller has no knowledge of or no notice has been received from any municipal authority concerning

INITIAL:

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improvements which could result in a special assessment on the subject property. Tap on fees, if any, which exist for municipal services to the subject property shall be paid by Purchaser.

7. CONDITION OF SUBJECT PROPERTY

The parties agree that the purchase price reflects the condition of the subject property and Purchaser acknowledges that the real estate and improvements thereof have been inspected, and Purchaser is acquainted with the condition thereof and accepts the same in (check one of the following):

AS-IS. Purchaser acknowledges that the short-line railroad operator maintains a pile of used rail road ties on the property for future use if needed. Purchaser hereby allows Seller & short-line rail road operator to retain possession of the rail road ties after Closing. Seller and the short-line rail road operator shall be allowed to keep the rail road ties on the Property until October 1, 2022. Purchaser shall be allowed to relocate them on the Property if needed.

Purchaser shall be permitted to make an inspection of the property prior to possession or closing, whichever is sooner, in order to determine whether any change in the condition of the property has occurred. Seller agrees to deliver the property in the same condition as exists as of the date of this Agreement.

8. FIXTURES AND PERSONAL PROPERTY

INTENTIONALLY DELTED

9. CONSTRUCTION LIEN

Seller warrants that all work and labor performed and all materials and improvements furnished to the property have been, or will be, paid in full and all releases incident thereto obtained at closing.

10. DEFAULT

If Purchaser fails to make any payment or to perform any obligation imposed upon Purchaser by this Agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the earnest money and any additional down payment as damages or may pursue any available legal remedy including specific performance.

In the event Seller fails to perform any obligation imposed upon Seller by this Agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, earnest money and any additional down payment deposit shall be refunded to Purchaser without prejudicing the Purchaser's right to any available legal remedy including specific performance. In the event of default, the defaulting party shall be liable to the other party for reasonable attorney fees, expenses incurred by reason of default, and the real estate brokerage fee.

INITIAL:

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11. CASUALTY CLAUSE

Seller shall bear the risk of loss and damage to the subject property prior to closing or possession, whichever first occurs. In the event all or a material part of the subject property is damaged or destroyed prior to closing or possession, whichever first occurs, this contract shall terminate and be of no further force and effect, unless the subject property can be restored to its present condition on or before the closing date. Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the subject property until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title to or possession of the subject property, whichever occurs first.

12. EXPENSES OF TRANSFER

A. Seller shall pay:

(1) Broker's Commission.

(2) Cost of owner's title policy or continued abstract of title.

(3) Revenue stamps and recording of any releases.

(4) ALTA Survey Cost

B. Purchaser shall pay:

(1) Recording fee for deed and mortgage

(2) Cost of Purchaser's mortgage title insurance policy as required by mortgage.

13. REPRESENTATIONS OF SELLER – HAZARDOUS WASTE

Seller hereby represents to Purchaser that, to the best of Seller's knowledge, the subject property is not contaminated with, nor threatened with contamination from outside sources by, any chemical, material or substance to which exposure is prohibited, limited or regulated by any federal, state, county, local or regional authority or which is known to pose a hazard to health and safety and that Seller has not used the subject property as a landfill or dumpsite, or for storage of hazardous substances, or has not otherwise done anything to contaminate the subject property with hazardous wastes or substances. Seller warrants that the subject property is not subject to any local, state or federal judicial or administrative action, investigation or order, as the case may be, regarding wells or underground storage tanks, solid waste disposal sites, or hazardous wastes or substances.

At Purchaser's cost and within 30 days of execution of this Agreement, Purchaser shall be permitted to conduct any environmental tests it deems necessary for the purpose of discovering the existence of any hazardous waste or substances. Should such environmental testing reveal the presence of any hazardous wastes or substances, Purchaser may, at its option, terminate this Agreement and any earnest money paid shall be returned to Purchaser. Notwithstanding the

INITIAL:

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above, the parties may agree by amendment and modification of this Agreement, to terms necessary to remedy any environmental condition discovered and then proceed with performance of this Agreement. Purchaser agrees, at its cost and without undue delay, to restore the subject property to its original condition should it proceed with the environmental testing contemplated herein.

14. LEASES

As of the date of this Agreement, the subject property is subject to the following leases:

_____

_____

_____

Prior to closing, Seller shall not enter into any new leases or agree to extend any existing leases without Purchaser's prior written consent.

15. NOTICES

All notices required hereunder shall be in writing and shall be served upon the parties at the addresses designated herein by personal service, certified mail (return receipt requested), or Federal Express or other overnight mail.

Seller:
City of Davenport, Iowa
226 W 4th Street
Davenport, IA 52801

Copy to:
Attn. Tom Warner

Purchaser:
Ethodd Properties, LLC
7186 State Street
Bettendorf, IA 52722

Copy to:
Jean Friemel
Coyle, Gilman, Stengel, Bailey & Robertson
100 17th Street, Suite 405
Rock Island, IL 61265

16. GENERAL CONDITIONS

This Agreement shall be binding upon the parties and their successors and assigns. Time is of the essence of this Agreement. This Agreement shall be governed by and enforced in accordance with the laws of the state in which the subject property is located. This Agreement contains the entire agreement of the parties and no representations, warranties, or agreements have been made by either party as set forth herein. No modification, waiver, or amendment of the Agreement shall be effective unless made in writing and signed by the parties. All representations, warranties and covenants made by the parties shall survive closing. Paragraph headings are for the convenience of reference and shall not limit or affect the meaning of the Agreement.

17. BROKER REPRESENTATIONS

It is understood that no representation made by the Broker or Salesperson in the negotiation of this Agreement are being relied upon unless incorporated herein in writing. Broker and

INITIAL:

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_____

Salesperson make no representations or warranties, either express or implied, as to the physical or mechanical condition of the subject property, either real or personal.

18. BROKERS AS AGENTS

Parties acknowledge that agency disclosures have been made and signed prior to signing of this purchase agreement. The Broker, the Broker's agents, employees, and associates must respond to all questions of the parties accurately and honestly and must disclose all material defects about which they have knowledge, but are not required to discover hidden defects in the subject property or give advice on matters outside the scope of their real estate licenses.

19. AGENCY

Seller and Purchaser acknowledge that Ted Rebitzer with QC Iowa Realty is representing the Purchaser only and Seller is unrepresented. Purchaser is related to Ted Rebitzer, a licensed real estate broker in the State of Iowa.

20. RIDERS

This Agreement is subject to the following riders: Exhibit A

21. LEGAL ASSISTANCE

The Seller and Purchaser are aware that when fully executed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their respective interests, Seller and Purchaser are advised to consult legal counsel before this Agreement is signed.

22. ACCEPTANCE BY SELLER

Until accepted by Seller, this document constitutes an offer by Purchaser on the terms stated above. This Offer shall expire on October 30, 2021 at 5:00 PM central time zone. If not accepted by such date, it shall become null and void and all payments hereunder shall be refunded to Buyer.

Executed by Purchaser:

_____
Purchaser Date

_____
Purchaser Date

_____
Broker

Executed by Seller:

_____
Seller Date

_____
Seller Date

INITIAL:

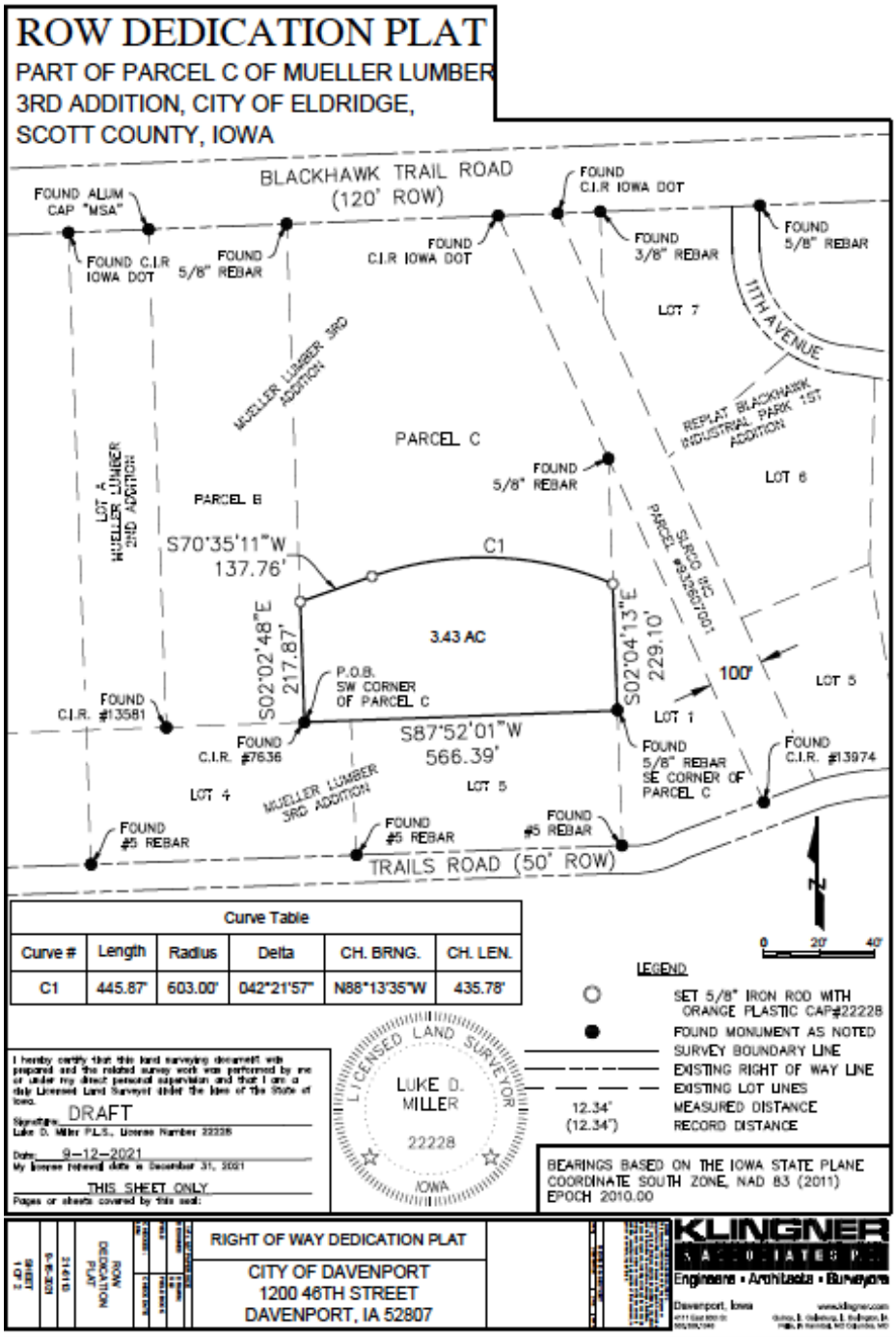
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_____

Exhibit A

Subject Property

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348



INITIAL: _____

_____

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348

ROW DEDICATION PLAT

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, CITY OF ELDRIDGE, SCOTT COUNTY, IOWA

LEGAL DESCRIPTION:

ROW DEDICATION

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH P.M. , CITY OF ELDRIDGE, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET; THENCE, NORTH 70 DEGREES 35 MINUTES 11 SECONDS EAST, TO AN ARC, A DISTANCE OF 137.76 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, TO A POINT ON THE EAST LINE OF SAID PARCEL, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF SOUTH 88 DEGREES 13 MINUTES 35 SECONDS EAST, AND A CHORD OF 435.78 FEET; THENCE, ALONG SAID EAST LINE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO THE SOUTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 229.10 FEET; THENCE, ALONG SOUTH LINE OF SAID PARCEL, SOUTH 87 DEGREES 52 MINUTES 01 SECONDS WEST, A DISTANCE OF 566.39 FEET, TO THE POINT OF BEGINNING, CONTAINING 3.43 ACRES, MORE OR LESS.

REMAINDER OF PARCEL C OF MULLER LUMBER 3RD ADDITION

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET, TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, TO THE NORTHWEST CORNER OF SAID PARCEL, A DISTANCE OF 683.42 FEET; THENCE, ALONG THE SOUTH RIGHT OF WAY OF BLACKHAWK TRAIL ROAD, NORTH 87 DEGREES 45 MINUTES 51 SECONDS EAST, TO THE NORTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 382.94 FEET; THENCE, SOUTH 24 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 482.17 FEET; THENCE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO AN ARC, A DISTANCE OF 226.62 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF NORTH 88 DEGREES 13 MINUTES 35 SECONDS WEST, AND A CHORD OF 435.78 FEET; THENCE, SOUTH 70 DEGREES 35 MINUTES 11 SECONDS WEST, A DISTANCE OF 137.76 FEET, TO THE POINT OF BEGINNING, CONTAINING 7.36 ACRES, MORE OR LESS.

FOR THE ABOVE DESCRIPTION THE WEST LINE OF PARCEL C OF MUELLER LUMBER 3RD ADDITION HAS A BEARING OF NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST.

RIGHT OF WAY DEDICATION PLAT

CITY OF DAVENPORT
1200 46TH STREET
DAVENPORT, IA 52807

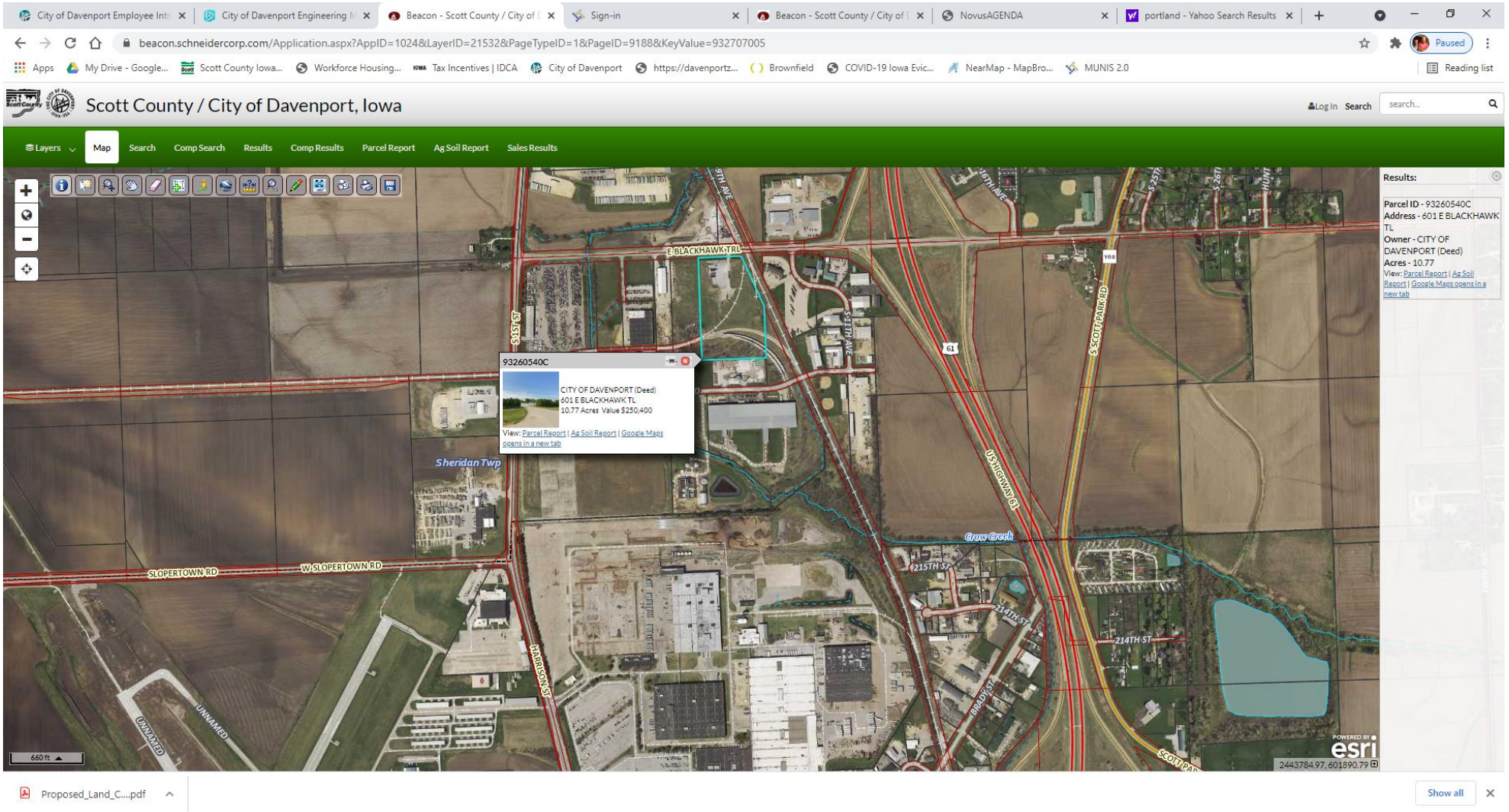
KLINGNER ASSOCIATES P.C.
Engineers • Architects • Surveyors
Davenport, Iowa

INITIAL:

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Area Map


Scott County / City of Davenport, Iowa
Layers
Map
Search
Comp Search
Results
Comp Results
Parcel Report
Ag Soil Report
Sales Results
Results:
Parcel ID - 93260540C
Address - 601 E BLACKHAWK TL
Owner - CITY OF DAVENPORT (Deed)
Acres - 10.77
93260540C
CITY OF DAVENPORT (Deed)
601 E BLACKHAWK TL
10.77 Acres Value $250,400
E BLACKHAWK TRL
Sheridan Twp
SLOPERTOWN RD
W SLOPERTOWN RD
HARRISON ST
S SCOTT PARK RD
US HIGHWAY 61
Crow Creek
215TH ST
214TH ST
BRADY ST
UNNAMED
9TH AVE
16TH AVE
660 ft
esri

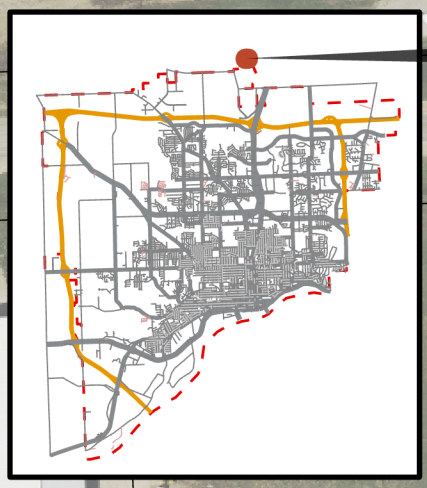
THE CITY OF
DAVENPORT
IOWA | USA

Proposal

Conveyance & Dedication

Proposed Conveyance
Public Right of Way Dedication
Parcel

Feet
0 160



Site

E BLACKHAWK TRL

S 9TH AVE

S 11TH AVE

Proposed Conveyance

Public Right of Way Dedication

TRAILS RD

PURCHASE AGREEMENT FOR COMMERCIAL REAL ESTATE

This Purchase Agreement for Commercial Real Estate ("Agreement") is entered into on this _____day of October, 2021, between City of Davenport, Iowa ("Seller"), and Hermann Farms Inc. ("Purchaser"). In consideration of the mutual covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. TERMS

Purchaser agrees to purchase from the Seller and the Seller agrees to sell to Purchaser the real estate and any improvement thereon, commonly known as: The northern +/-7.36 acres of the Mueller Lumber 3rd Addition site with an address of 601 E Blackhawk Trail, Eldridge and legally known as: Parcel 93260540C (Legal to be supplied by Seller's Attorney) situated in the County of Scott and the State of Iowa (the "subject property"), for the sum of Forty Seven Thousand Five Hundred Dollars ($47,500.00) per surveyed acre equal to Three Hundred Forty Nine Thousand Six Hundred Dollars ($349,600.00) to be paid as follows:

A.) **Earnest money** of $10,000.00 in the form of a check which shall be held in trust by Purchaser's Attorney or other mutually agreeable escrow agent is a part of the cash at closing and shall be deposited within Five (5) Business Days after City of Davenport Council approval of the sale of the Subject Property. In the event any contingency is not met by the date contained in such contingency, the Seller recognizes the earnest money will be returned to the Purchaser and this Agreement shall be void.

B.) **Cash Payment** shall be paid at time of closing.

C.) **Contingent Financed Transaction**. INTENTIONALLY DELETED

2. EVIDENCE OF TITLE

Within a reasonable time after City of Davenport City Council Approval of this Agreement, Seller shall deliver an abstract of site demonstrating merchantable title of record in Seller and certified to a current date by an abstractor (for Iowa). If title evidence discloses exceptions other than those permitted under the rules for examination for abstracts of title adopted by the local County Bar Association, Purchaser or Purchaser attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed, or any such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the time of closing. If Seller is unable to cure such exception, Purchaser shall be entitled to a refund of the earnest money. The title to be conveyed shall be by Quit Claim Deed to Purchaser and free and clear of all liens and encumbrances not herein specifically waived or assumed by Purchaser.

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3. CONVEYANCE OF TITLE AND DOCUMENTS OF SALE

The parties agree to execute any transfer declarations or other documents required by the state, county or municipality in which the subject property is located, as well as any documents required by the title insurance company in order to issue title insurance.

4. POSSESSION AND CLOSING

Possession On Closing:

Seller shall deliver possession of the subject property to Purchaser concurrently with the closing of this transaction which shall be conditioned upon and held after the following events:

a. City of Davenport Iowa City Council Approval on or about October 27, 2021 and;

b. Ten (10) business days after the receipt, review and approval by Purchaser's counsel of the Abstract and;

5. PRORATIONS AND ADJUSTMENTS

The following items shall be prorated at closing as of the date of delivery of possession:

A. Prorations

(1) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;

(2) Rent, if any, (with transfer in full of any security/damage deposit);

(3) Interest on any assumed indebtedness;

(4) Insurance premiums if policy assigned to Purchaser;

(5) Other income and operation expenses, if any;

(6) Special assessments, if any.

B. Adjustments

Utility charges shall be adjusted by the parties by appropriate meter readings at or about the time of delivery and surrender of possession.

6. ASSESSMENTS

Seller shall pay all special assessments, which are a lien on the subject property as of the date of closing. Seller acknowledges that prior to the execution of this Agreement Seller has no knowledge of or no notice has been received from any municipal authority concerning

INITIAL: GAB

improvements which could result in a special assessment on the subject property. Tap on fees, if any, which exist for municipal services to the subject property shall be paid by Purchaser.

7. CONDITION OF SUBJECT PROPERTY

The parties agree that the purchase price reflects the condition of the subject property and Purchaser acknowledges that the real estate and improvements thereof have been inspected, and Purchaser is acquainted with the condition thereof and accepts the same in (check one of the following):

AS-IS. Purchaser acknowledges that the short-line railroad operator maintains a pile of used rail road ties on the property for future use if needed. Purchaser hereby allows Seller & short-line rail road operator to retain possession of the rail road ties after Closing. Seller and the short-line rail road operator shall be allowed to keep the rail road ties on the Property until October 1, 2022. Purchaser shall be allowed to relocate them on the Property if needed.

Purchaser shall be permitted to make an inspection of the property prior to possession or closing, whichever is sooner, in order to determine whether any change in the condition of the property has occurred. Seller agrees to deliver the property in the same condition as exists as of the date of this Agreement.

8. FIXTURES AND PERSONAL PROPERTY

INTENTIONALLY DELTED

9. CONSTRUCTION LIEN

Seller warrants that all work and labor performed and all materials and improvements furnished to the property have been, or will be, paid in full and all releases incident thereto obtained at closing.

10. DEFAULT

If Purchaser fails to make any payment or to perform any obligation imposed upon Purchaser by this Agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the earnest money and any additional down payment as damages or may pursue any available legal remedy including specific performance.

In the event Seller fails to perform any obligation imposed upon Seller by this Agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, earnest money and any additional down payment deposit shall be refunded to Purchaser without prejudicing the Purchaser's right to any available legal remedy including specific performance. In the event of default, the defaulting party shall be liable to the other party for reasonable attorney fees and expenses incurred by reason of default.

INITIAL: _____

_____

11. CASUALTY CLAUSE

Seller shall bear the risk of loss and damage to the subject property prior to closing or possession, whichever first occurs. In the event all or a material part of the subject property is damaged or destroyed prior to closing or possession, whichever first occurs, this contract shall terminate and be of no further force and effect, unless the subject property can be restored to its present condition on or before the closing date. Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the subject property until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title to or possession of the subject property, whichever occurs first.

12. EXPENSES OF TRANSFER

A. Seller shall pay:

(1) Cost of owner's title policy or continued abstract of title.

(2) Revenue stamps and recording of any releases.

(3) ALTA Survey Cost

B. Purchaser shall pay:

(1) Recording fee for deed and mortgage

(2) Cost of Purchaser's mortgage title insurance policy as required by mortgage.

13. REPRESENTATIONS OF SELLER – HAZARDOUS WASTE

Seller hereby represents to Purchaser that, to the best of Seller's knowledge, the subject property is not contaminated with, nor threatened with contamination from outside sources by, any chemical, material or substance to which exposure is prohibited, limited or regulated by any federal, state, county, local or regional authority or which is known to pose a hazard to health and safety and that Seller has not used the subject property as a landfill or dumpsite, or for storage of hazardous substances, or has not otherwise done anything to contaminate the subject property with hazardous wastes or substances. Seller warrants that the subject property is not subject to any local, state or federal judicial or administrative action, investigation or order, as the case may be, regarding wells or underground storage tanks, solid waste disposal sites, or hazardous wastes or substances.

At Purchaser's cost and within 30 days of execution of this Agreement, Purchaser shall be permitted to conduct any environmental tests it deems necessary for the purpose of discovering the existence of any hazardous waste or substances. Should such environmental testing reveal

INITIAL: _____

_____

the presence of any hazardous wastes or substances, Purchaser may, at its option, terminate this Agreement and any earnest money paid shall be returned to Purchaser. Notwithstanding the above, the parties may agree by amendment and modification of this Agreement, to terms necessary to remedy any environmental condition discovered and then proceed with performance of this Agreement. Purchaser agrees, at its cost and without undue delay, to restore the subject property to its original condition should it proceed with the environmental testing contemplated herein.

14. LEASES

As of the date of this Agreement, the subject property is subject to the following leases:

Prior to closing, Seller shall not enter into any new leases or agree to extend any existing leases without Purchaser's prior written consent.

15. NOTICES

All notices required hereunder shall be in writing and shall be served upon the parties at the addresses designated herein by personal service, certified mail (return receipt requested), or Federal Express or other overnight mail.

Seller:
City of Davenport, Iowa
226 W 4th Street
Davenport, IA 52801

Copy to:
Attn. Tom Warner

Purchaser:
Hermann Farms Inc.
1850 Scott Park Rd
Eldridge, IA 52748

Copy to:
David J. Franks
Franks & Roeder
5167 Utica Ridge Rd
Davenport, IA 52807

16. GENERAL CONDITIONS

This Agreement shall be binding upon the parties and their successors and assigns. Time is of the essence of this Agreement. This Agreement shall be governed by and enforced in accordance with the laws of the state in which the subject property is located. This Agreement contains the entire agreement of the parties and no representations, warranties, or agreements have been made by either party as set forth herein. No modification, waiver, or amendment of the Agreement shall be effective unless made in writing and signed by the parties. All representations, warranties and covenants made by the parties shall survive closing. Paragraph

INITIAL:

headings are for the convenience of reference and shall not limit or affect the meaning of the Agreement.

17. SELLER REPRESENTATIONS

It is understood that no representation made by the Seller in the negotiation of this Agreement are being relied upon unless incorporated herein in writing. Seller makes no representations or warranties, either express or implied, as to the physical or mechanical condition of the subject property, either real or personal.

18. RIDERS

This Agreement is subject to the following riders: Exhibit A

19. LEGAL ASSISTANCE

The Seller and Purchaser are aware that when fully executed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their respective interests, Seller and Purchaser are advised to consult legal counsel before this Agreement is signed.

20. ACCEPTANCE BY SELLER

Until accepted by Seller, this document constitutes an offer by Purchaser on the terms stated above. This Offer shall expire on October 30, 2021 at 5:00 PM central time zone. If not accepted by such date, it shall become null and void and all payments hereunder shall be refunded to Buyer.

Executed by Purchaser:		Executed by Seller:	
10 / 18 / 2021			
Purchaser	Date	Seller	Date
Purchaser	Date	Seller	Date

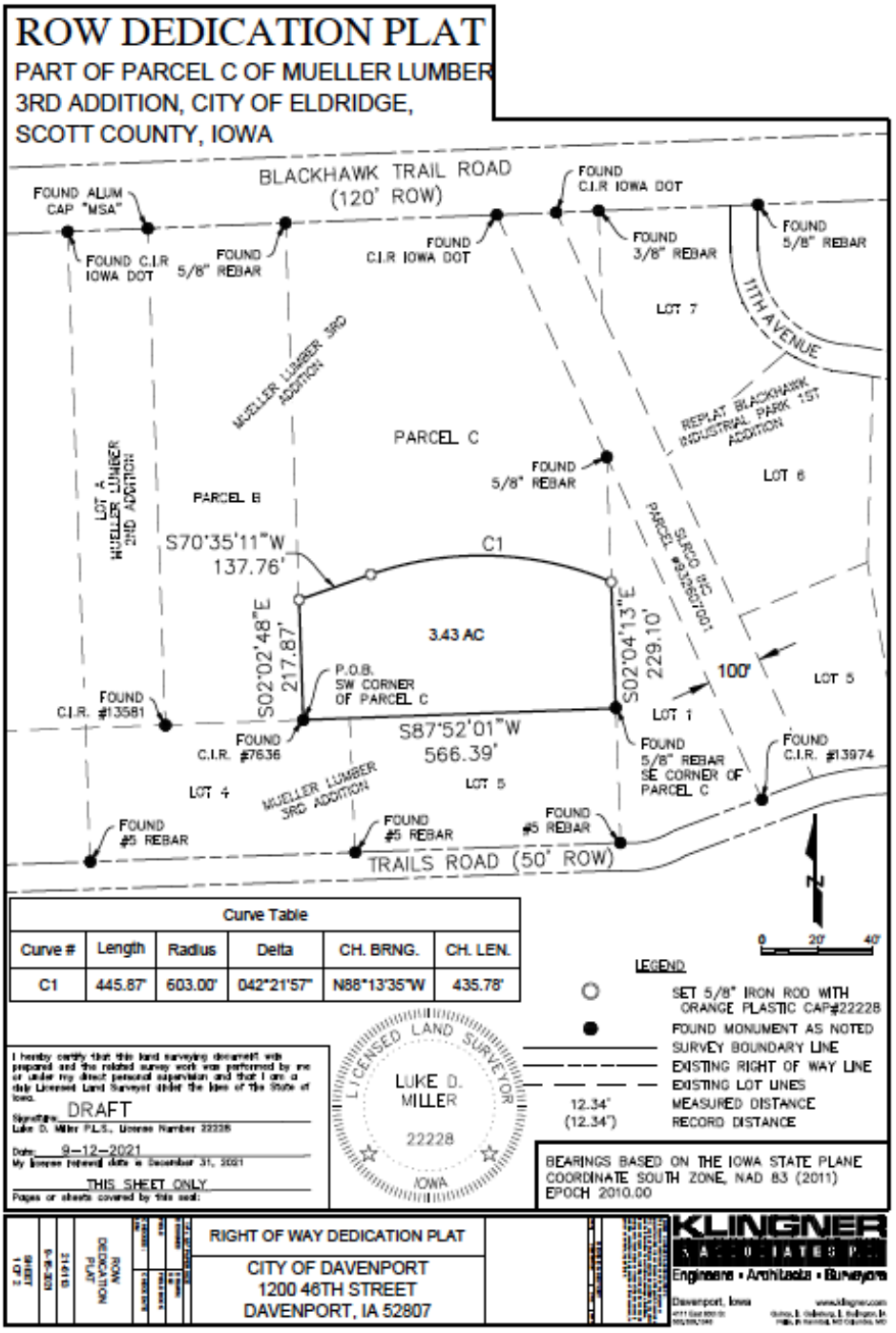
INITIAL: _____

_____

Exhibit A

Subject Property

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348



INITIAL:

Description: Part of Parcel C of Mueller Lumber 3rd Addition
Requestor: City of Davenport
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348

ROW DEDICATION PLAT

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, CITY OF ELDRIDGE, SCOTT COUNTY, IOWA

LEGAL DESCRIPTION:

ROW DEDICATION

PART OF PARCEL C OF MUELLER LUMBER 3RD ADDITION, NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH P.M. , CITY OF ELDRIDGE, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET; THENCE, NORTH 70 DEGREES 35 MINUTES 11 SECONDS EAST, TO AN ARC, A DISTANCE OF 137.76 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, TO A POINT ON THE EAST LINE OF SAID PARCEL, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF SOUTH 88 DEGREES 13 MINUTES 35 SECONDS EAST, AND A CHORD OF 435.78 FEET; THENCE, ALONG SAID EAST LINE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO THE SOUTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 229.10 FEET; THENCE, ALONG SOUTH LINE OF SAID PARCEL, SOUTH 87 DEGREES 52 MINUTES 01 SECONDS WEST, A DISTANCE OF 566.39 FEET, TO THE POINT OF BEGINNING, CONTAINING 3.43 ACRES, MORE OR LESS.

REMAINDER OF PARCEL C OF MULLER LUMBER 3RD ADDITION

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL C OF MUELLER LUMBER 3RD ADDITION; THENCE, ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 217.87 FEET, TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG WEST LINE OF SAID PARCEL, NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST, TO THE NORTHWEST CORNER OF SAID PARCEL, A DISTANCE OF 683.42 FEET; THENCE, ALONG THE SOUTH RIGHT OF WAY OF BLACKHAWK TRAIL ROAD, NORTH 87 DEGREES 45 MINUTES 51 SECONDS EAST, TO THE NORTHEAST CORNER OF SAID PARCEL, A DISTANCE OF 382.94 FEET; THENCE, SOUTH 24 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 482.17 FEET; THENCE, SOUTH 02 DEGREES 04 MINUTES 13 SECONDS EAST, TO AN ARC, A DISTANCE OF 226.62 FEET; THENCE, ALONG SAID ARC, CONCAVE SOUTHERLY, A DISTANCE OF 445.87 FEET, HAVING A RADIUS OF 603.00 FEET, CHORD BEARING OF NORTH 88 DEGREES 13 MINUTES 35 SECONDS WEST, AND A CHORD OF 435.78 FEET; THENCE, SOUTH 70 DEGREES 35 MINUTES 11 SECONDS WEST, A DISTANCE OF 137.76 FEET, TO THE POINT OF BEGINNING, CONTAINING 7.36 ACRES, MORE OR LESS.

FOR THE ABOVE DESCRIPTION THE WEST LINE OF PARCEL C OF MUELLER LUMBER 3RD ADDITION HAS A BEARING OF NORTH 02 DEGREES 02 MINUTES 48 SECONDS WEST.

SHEET 1 OF 1	RIGHT OF WAY DEDICATION PLAT	KLINGNER & ASSOCIATES P.C.
9-9-25	CITY OF DAVENPORT 1200 46TH STREET DAVENPORT, IA 52807	Engineers • Architects • Surveyors
31618		Davenport, Iowa
ROW DEDICATION PLAT		

INITIAL: _____

HELLOSIGN

Audit Trail

TITLE	HFI Purchase Agmt Blackhawk Trail Rd
FILE NAME	HFI Purch Agmt Blackhawk Trail Rd.pdf
DOCUMENT ID	b54f17b6086a269356a26bccabb6f7f416c5ccc4
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	Completed

Document History

SENT	**10 / 18 / 2021** 18:11:26 UTC	Sent for signature to Craig Hermann (crghermann@gmail.com) from robertherrmanncpa@gmail.com IP: 70.58.211.48
VIEWED	**10 / 18 / 2021** 18:13:26 UTC	Viewed by Craig Hermann (crghermann@gmail.com) IP: 174.192.134.29
SIGNED	**10 / 18 / 2021** 18:13:54 UTC	Signed by Craig Hermann (crghermann@gmail.com) IP: 174.192.134.29
COMPLETED	**10 / 18 / 2021** 18:13:54 UTC	The document has been completed.

City of Davenport

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

Action / Date
10/27/2021

Subject:
Third Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled “Four-Way Stop Intersections” by adding Eastern Avenue at Elm Street. [Ward 5]

Recommendation:
Adopt the Ordinance.

Background:
While the Elm Street Bridge was closed, this intersection was changed so that traffic on Eastern Avenue had the right-of-way. With so little cross-street traffic, it was best to keep the traffic on Eastern Avenue moving. The bridge is scheduled to reopen in November so the intersection should go back to a four-way stop, which was warranted before the bridge closed. Solar-powered stop signs with LED lights outlining the signs will be installed so drivers notice the change in traffic control.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	9/8/2021 - 10:59 AM
Public Works Committee	Moses, Trish	Approved	9/8/2021 - 11:00 AM
City Clerk	Admin, Default	Approved	9/8/2021 - 3:13 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE V "FOUR-WAY STOP INTERSECTIONS" THERETO BY ADDING EASTERN AVENUE AT ELM STREET.

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

Section 1. That Schedule V "Four-Way Stop Intersections" of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Eastern Ave at Elm St

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/27/2021

Subject:
Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding Ripley Street along the east side from 2nd Street north to the alley. [Ward 3]

Recommendation:
Adopt the Ordinance.

Background:
A request was made by the nearby businesses to add parking along the east side of Ripley Street between 2nd and 3rd Streets. There are too many driveways south of the alley to add any parking there, but there is room to add parallel parking north of the alley. This Ordinance will supersede the existing Ordinance which doesn’t allow any parking along the east side of this block.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	9/8/2021 - 4:20 PM
Public Works Committee	Moses, Trish	Approved	9/8/2021 - 4:20 PM
City Clerk	Admin, Default	Approved	9/9/2021 - 9:43 AM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII "NO PARKING" THERETO BY ADDING RIPLEY STREET ALONG THE EAST SIDE FROM 2ND STREET NORTH TO THE ALLEY.

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

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

Ripley Street along the east side from 2nd Street north to the alley.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

_____
Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

No Parking Ordinance

Existing
Proposed

Feet
0 60



Copyright nearmap 2015

City of Davenport

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

Action / Date
10/27/2021

Subject:
Third Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding Main Street along the west side from Palmer Drive south 580 feet. [Ward 3]

Recommendation:
Adopt the Ordinance.

Background:
This parking change was requested by Central High School to help ease congestion and enhance safety to the area between Palmer Drive and 20 feet south of the driveway to their southernmost parking lot. This extends the current no parking area.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	9/8/2021 - 4:20 PM
Public Works Committee	Moses, Trish	Approved	9/8/2021 - 4:20 PM
City Clerk	Admin, Default	Approved	9/9/2021 - 9:43 AM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII NO PARKING THERETO BY ADDING MAIN STREET ALONG THE WEST SIDE FROM PALMER DRIVE SOUTH 580 FEET.

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

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

Main Street along the west side from Palmer Drive south 580 feet.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

_____
Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

No Parking Ordinance

Existing
Proposed

Feet
0 80



City of Davenport

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

Action / Date
10/27/2021

Subject:
First Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding Louis Rich Court along both sides from West Lake Boulevard east to its terminus. [Ward 1]

Recommendation:
Adopt the Ordinance.

Background:
Parked vehicles along Louis Rich Court have made it difficult for trucks to back into some of the driveways for loading and unloading their materials. Truck drivers have sometimes had to maneuver around parked vehicles in the cul-de-sac on Louis Rich Court where they turn around to exit the industrial park. All of the businesses in this area have ample off-street parking available.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:05 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:05 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 1:20 PM

ORDINANCE NO. _____

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

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

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/27/2021

Subject:
First Consideration: Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding Villa Drive along both sides from Villa Court south 300 feet. [Ward 8]

Recommendation:
Adopt the Ordinance.

Background:
Vehicles parked along the curved section of Villa Drive are creating congestion and sight distance issues for those exiting Villa Court and the nearby driveways. This zone will go from Villa Court to the Goodwill driveway.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:05 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:06 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 1:26 PM

ORDINANCE NO. _____

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

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

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/27/2021

Subject:
First Consideration: Ordinance amending Schedules XIV and XV of Chapter 10.96 by changing Marquette Street at 12th Street from Pedestrian Traffic Signals to Intersection Traffic Signals. [Wards 3 & 4]

Recommendation:
Adopt the Ordinance.

Background:
The existing pedestrian signals near Marquette and 12th are only 85 feet south of the intersection. The Manual on Uniform Traffic Control Devices discourages pedestrian signals that are less than 100 feet from a side street or driveway controlled by stop or yield signs. The Marquette Street project will eliminate the pedestrian signals and include intersection traffic signals. The new signals will accommodate both vehicular and pedestrian traffic.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:05 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:05 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 1:45 PM

ORDINANCE NO. _____

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

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

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

Marquette St at 12th St.

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

Marquette St at 12th St.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Brian Krup | 563-326-6163 **10/27/2021**

Subject:
Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

Quad City Arts; Festival of Trees Holiday Parade; Downtown; Saturday, November 20, 2021 12:00 a.m. - 12:00 p.m.; **Staging area closures (beginning Saturday, November 20, 2021 at 12:00 a.m.):** East 3rd Street from Pershing Avenue to LeClaire Street; **(beginning Saturday, November 20, 2021 at 4:00 a.m.):** Pershing Avenue and Iowa Street between East 2nd and East 4th Streets; **Parade route (in place by 9:15 a.m.):** East 3rd Street from Pershing Avenue to Scott Street; Scott Street from West 3rd Street to West 2nd Street; 2nd Street from Scott Street to the finish at Iowa Street; all north/south streets on the parade route will be closed from River Drive to 4th Street until the parade ends. [Ward 3]

Village of East Davenport Business Association; Christmas in the Village; Village of East Davenport; Saturday, December 4, 2021 3:00 p.m. - 11:00 p.m.; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street to the alley. [Wards 5 & 6]

Recommendation:
Adopt the Resolution.

Background:
Per the City's Special Events Policy, City Council will approve street, lane, and public ground closures based on the recommendation of the Special Events Committee.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Festival of Trees Holiday Parade Route
🗋	Backup Material	Christmas in the Village Closure Map
🗋	Backup Material	Christmas in the Village Closure Petition

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/15/2021 - 1:15 PM

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

RESOLUTION approving the following street, lane, or public ground closures on the listed dates and times to hold outdoor events:

Quad City Arts; Festival of Trees Holiday Parade; Downtown; Saturday, November 20, 2021 12:00 a.m. - 12:00 p.m.; ***Staging area closures (beginning Saturday, November 20, 2021 at 12:00 a.m.):*** *East 3rd Street from Pershing Avenue to LeClaire Street;* ***(beginning Saturday, November 20, 2021 at 4:00 a.m.):*** *Pershing Avenue and Iowa Street between East 2nd and East 4th Streets;* ***Parade route (in place by 9:15 a.m.):*** *East 3rd Street from Pershing Avenue to Scott Street; Scott Street from West 3rd Street to West 2nd Street; 2nd Street from Scott Street to the finish at Iowa Street; all north/south streets on the parade route will be closed from River Drive to 4th Street until the parade ends. [Ward 3]*

Village of East Davenport Business Association; Christmas in the Village; Village of East Davenport; Saturday, December 4, 2021 3:00 p.m. - 11:00 p.m.; ***Closures:*** *East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street to the alley. [Wards 5 & 6]*

WHEREAS, the City, through its Special Events Policy, has accepted the above applications to hold outdoor events on the listed dates; and

WHEREAS, upon review of the applications it has been determined that the streets, lanes, or public grounds on the dates and times listed below will need to be closed.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves and directs staff to proceed with the temporary closure of the above streets, lanes, or public grounds on the listed dates and times.

Passed and approved this 27th day of October, 2021.

Approved: Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk


STAGING AREA
PARADE ROUTE (Streets closed)
VOLUNTEER CENTER (Sergeant Peppers • 323 E. 3rd St.)
4th Street
Scott Street
Ripley Street
Harrison Street
Main Street
Brady Street
Pershing Avenue
Iowa Street
LeClaire Street
Perry Street
3rd Street
2nd Street
RIVERCENTER NORTH
RIVERCENTER SOUTH
VIP Seating
START
FINISH
Emerson Pl.
River Drive


E 12th St
E 12th St
E 12th St
Mary's Diamonds and Jewelry
Jewelry store
Mound St
Christie St
Jersey Ridge Rd
Eleven17
Betty's Wig Boutique
Wig shop
Baked Beer & Bread Company
Takeout · Delivery
Lagomarcino's Confectionery
Takeout · Delivery
Bayside Bistro
Takeout · Delivery
Royal T's Beauty Parlor
Brew
Takeout
Rudy's Tacos
Takeout · Delivery
Grumpy's Saloon
E 11th St
E 11th St
Edward Jones - Financial Advisor: Paul...
Davenport
Shopping mall

CITY OF DAVENPORT—VILLAGE OF EAST DAVENPORT BUSINESS ASSOCIATION

STREET CLOSING PETITION FOR SPECIAL EVENTS

Master Business & Address List

** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

NAME & ADDRESS

#1 11th Street Precinct, 1107 Mound Street

#2 Pink's Uniques, 2114 East 11th Street

#3 Grumpy's Village Saloon, 2120 East 11th Street

#4 McClellan Stockade, 2124 East 11th Street

#5 Lagomarcino's, 2132 East 11th Street

#6 Tap On It , 1105 Christie Street

#7 Bayside Bistro, 1105 Christie Street

#8 Mint Green, 2208 East 11th Street

#9 Rudy's Cantina, 2214 East 11th Street

#10 VACANT , 2218 East 11th Street

#11 Boots, 2228 East 11th Street

#12 Brew, 1104 Jersey Ridge Road

#13 Edward Jones, 2107 East 11th Street

#14 Camp McClellan Cellars, 2302 East 11th Street

#15 Blevins Brothers Bird Shop, 1108 Jersey Ridge Road

#16 Royal T's, 1114 Jersey Ridge Road

#17 Giraffe Photography, 2302 East 11th Street,

#18 Freddy's Fritters, 1111 Jersey Ridge Road

CITY OF DAVENPORT—CHRISTMAS IN THE VILLAGE

STREET CLOSING PETITION FOR SPECIAL EVENTS

On the 3rd/4th days of December **2021**, there is proposed a street closing, requested by **The Village of East Davenport Business Association** , which will require the closing of **East 11th Street** between **Mound Street and Jersey Ridge Road** during the hours of **5:00 p.m. to 10:00 p.m.**

** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

SIGNATURE	FAVOR	OPPOSED	NOT CONCERNED
#1 JOHN WILSON - PER EMAIL	X		
#2 Did not respond to Facebook Message			
#3 [signature]	X		
#4 Did not respond to Facebook Message			
#5 Tom Lagomarsino	X		
#6 VACANT			
#7 LaTisha Howlette - Per email	X		
#8 [signature]	X		
#9 BRUCE QUIJAS - PER EMAIL	X		
#10 VACANT			
#11 VACANT			
#12 Tracy Cameron	X		
#13 PAUL SCHNELL - PER EMAIL	X		
#14 Julie Kuch	X		
#15 Brian L. Klein	X		

City of Davenport

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

Action / Date
10/27/2021

Subject:
Motion approving noise variance requests for events on the listed dates and times.

Quad City Arts; Festival of Trees Holiday Parade; Downtown (see attached parade route); Saturday, November 20, 2021 9:00 a.m. - 12:00 p.m.; Outdoor music/performances, over 50 dBA. [Ward 3]

Davenport Parks and Recreation; Fejervary Holiday Lights; Fejervary Learning Center | 1800 West 12th Street; 5:00 p.m. - 10:00 p.m. every evening beginning Saturday, November 27, 2021 through Sunday, January 2, 2022; Outdoor music, over 50 dBA. [Ward 4]

Village of East Davenport Business Association; Christmas in the Village; Village of East Davenport; Saturday, December 4, 2021 6:00 p.m. - 9:30 p.m.; Outdoor music, over 50 dBA. [Wards 5 & 6]

Recommendation:
Pass the Motion.

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

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Fejervary Holiday Lights Resident Letter
🗋	Backup Material	Fejervary Holiday Lights Map
🗋	Backup Material	Festival of Trees Holiday Parade Route

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/15/2021 - 1:12 PM

DAVENPORT
PARKS & RECREATION

Subject: Fejervary Holiday Light Display

Dear Davenport Resident,

Davenport Parks and Recreation is excited for the return of the Holiday Lights Show at the Fejervary Learning Center. The holiday lights display is scheduled to run from 5 PM-10 PM, Monday through Sunday from November 27 through January 2. Shows will last 15 minutes and run every half-hour beginning at 5 PM. There will be music broadcast via radio as well as a speaker in the park.

In addition to entering and exiting the park at 12th and Wilkes, this year a second entry and access point will be added on the south end of the park by the aquatics center. When snow events happen the south entrance will be closed and reopened when snow is cleared. During good weather we hope this second entry point will help traffic flow before and after each show, reducing traffic congestion.

We are expecting record numbers of visitors this year and are so excited to roll out three new songs for the 2021 holiday season. On Thursdays, we rewind the clock to our 2019 and 2020 shows. Thank you for your cooperation in bringing this special event to Fejervary Park. Please reach out with questions or concerns to:

Amanda Randerson, Events, Education & Aquatics Supervisor
(563) 326-7860 or amanda.randerson@davenportiowa.com

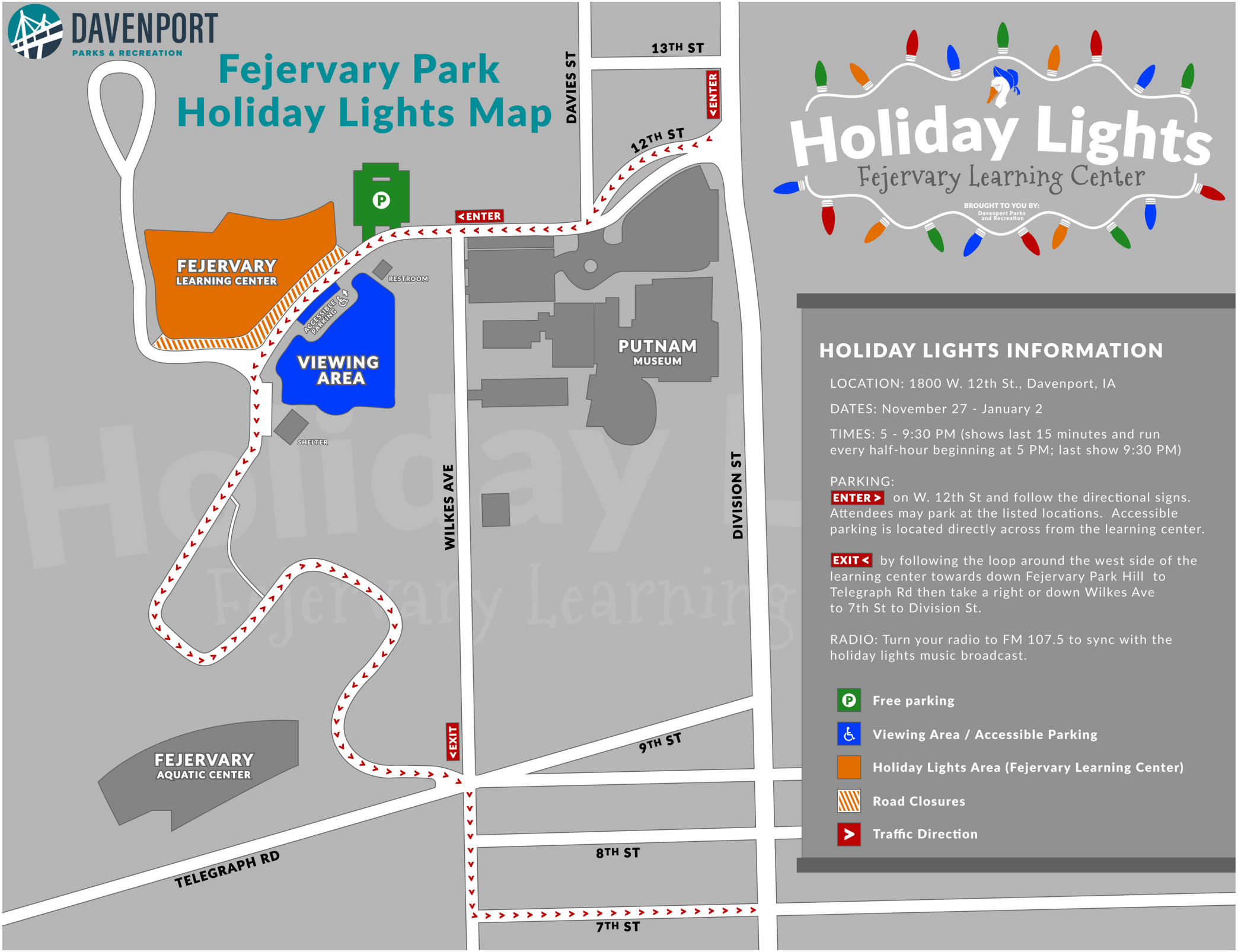
Best,

Chad Dyson

Chad Dyson
Director of Davenport Parks and Recreation

DAVENPORT
PARKS & RECREATION

Fejervary Park Holiday Lights Map



Holiday Lights
Fejervary Learning Center

BROUGHT TO YOU BY:
Davenport Parks and Recreation

HOLIDAY LIGHTS INFORMATION

LOCATION: 1800 W. 12th St., Davenport, IA

DATES: November 27 - January 2

TIMES: 5 - 9:30 PM (shows last 15 minutes and run every half-hour beginning at 5 PM; last show 9:30 PM)

PARKING:
ENTER > on W. 12th St and follow the directional signs. Attendees may park at the listed locations. Accessible parking is located directly across from the learning center.

EXIT < by following the loop around the west side of the learning center towards down Fejervary Park Hill to Telegraph Rd then take a right or down Wilkes Ave to 7th St to Division St.

RADIO: Turn your radio to FM 107.5 to sync with the holiday lights music broadcast.

- **Free parking**
- **Viewing Area / Accessible Parking**
- **Holiday Lights Area (Fejervary Learning Center)**
- **Road Closures**
- **Traffic Direction**


STAGING AREA
PARADE ROUTE (Streets closed)
VOLUNTEER CENTER (Sergeant Peppers • 323 E. 3rd St.)
4th Street
Scott Street
Ripley Street
Harrison Street
Main Street
Brady Street
Pershing Avenue
Iowa Street
LeClaire Street
Perry Street
3rd Street
2nd Street
RIVERCENTER NORTH
RIVERCENTER SOUTH
VIP Seating
START
FINISH
Emerson Pl.
River Drive

City of Davenport

Department: Public Safety **Action / Date**
Contact Info: Jamie Swanson | 563-326-7795 **10/27/2021**

Subject:
Motion approving beer and liquor license applications.

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

Ward 7

The Christmas Cottage (The Christmas Cottage) - 902 W Kimberly Rd Bldg 4 - New Temporary Permit November 10th-23rd - License Type: Class B Native Wine

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

Ward 1

West Locust Shell (Malwa, LLC) - 4425 W Locust St - License Type: Class C Beer

Ward 3

Mac's Tavern (Failte, Inc) - 316 W 3rd St - Outdoor Area - License Type: Class C Liquor

Ward 4

MC's Happy Hollow (DMC Corporation) - 1502 W 14th St - License Type: Class C Liquor

Hy-Vee Gas #5 (Hy-Vee, Inc) - 2353 W Locust St - License Type: Class E Liquor

Ward 5

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

Ward 6

Applebee's Neighborhood Grill & Bar (Apple Corps LP) - 3838 Elmore Ave - License Type: Class C Liquor

Ward 8

Casey's General Store #2168 (Casey's Marketing Company) - 1691 W 53rd St - License Type: Class E Liquor

Recommendation:
Pass the Motion.

Background:

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Merritt, Mallory	Approved	10/14/2021 - 8:42 AM
Public Safety Committee	Merritt, Mallory	Approved	10/14/2021 - 8:43 AM
City Clerk	Admin, Default	Approved	10/15/2021 - 9:02 AM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Tom Leabhart | 563-327-5155 **10/27/2021**

Subject:
Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the KC Kimberly Hills Addition site improvements. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
The KC Kimberly Hills Addition is located south of Kimberly Road between Hillandale Road and Thornwood Avenue. The developer is C & L Plaza, LLC of Davenport, Iowa. The plans for the subdivision were prepared by Townsend Engineering of Davenport, Iowa. The construction of the storm sewer, sanitary sewer, and paving was completed by KE Flatwork of Eldridge, Iowa.

This subdivision included 4,857 square yards of pavement 15 new storm sewer structures, and 915 linear feet of new storm and 1,156 linear feet sanitary sewer pipe with 6 new manholes. The contractor also installed new sanitary laterals to serve the development.

Davenport Public Works has inspected the work and found it to be acceptable according to City of Davenport specifications. The sanitary sewer, storm sewer, and pavement has been satisfactorily completed and is hereby formally accepted, and, as of this date, considered public infrastructure. The City has four-year maintenance bonds on file in the amounts of $252,387 (sewer) and $229,642 (paving).

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:07 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:07 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 5:17 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting the sanitary sewer, storm sewer, and pavement associated with the KC Kimberly Hills Addition site improvements.

WHEREAS, KC Kimberly Hills Addition has been developed by C & L Plaza, LLC of Davenport, Iowa with plans being prepared by Townsend Engineering of Davenport, Iowa; and

WHEREAS, 1,156 linear feet of 8" sanitary sewer main and 6 new manholes were constructed by KE Flatwork of Eldridge, Iowa; and

WHEREAS, 84 linear feet of 12", 582 linear feet of 15", 83 linear feet of 18", 166 linear feet of 24"storm sewer main, 14 new storm intakes, and one (1) storm manhole were constructed by KE Flatwork of Eldridge, Iowa;

WHEREAS, 4,857 square yards of 7" concrete pavement was constructed by KE Flatwork, Inc of Eldridge, Iowa; and

WHEREAS, sewer and pavement installation has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the KC Kimberly Hills Addition site improvements, which storm sewer, sanitary sewer and paving were constructed by KE Flatwork of Eldridge, Iowa, having been satisfactorily completed is hereby formally accepted.

Passed and approved this 27th day of October, 2021.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Tom Leabhart | 563-327-5155 **10/27/2021**

Subject:
Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the Prairie Heights 4th Addition site improvements. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
The Prairie Heights 4th Addition is located west of the 6500 block of Eastern Avenue at the west end of Olde Brandy Lane. The developer is Prairie Heights Development, LLC of Cedar Rapids, Iowa. The plans for the subdivision were prepared by Axiom Consultants of Iowa City, Iowa. The construction of the paving was completed by Hawkeye Paving Corporation of Davenport, Iowa. Storm and sanitary sewer was completed by Legacy Corporation of East Moline, Illinois.

This subdivision included 2,437 square yards of pavement, 8 new storm sewer structures and 727 linear feet of new storm sewer, and 509 linear feet of new sanitary sewer and 2 new sanitary sewer manholes. The contractor also installed new sanitary laterals to serve the development.

The Davenport Public Works has inspected the work and found it to be acceptable according to City of Davenport specifications. The sanitary sewer, storm sewer, and pavement has been satisfactorily completed and is hereby formally accepted, and, as of this date, considered public infrastructure. The City has four-year maintenance bonds on file in the amounts of $376,351.10 (sewer) and $156,804.50 (paving).

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 10:07 AM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 10:08 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 5:20 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting the sanitary sewer, storm sewer, and pavement associated with the Prairie Heights 4th Addition site improvements.

WHEREAS, Prairie Heights 4th Addition has been developed by Prairie Heights Development, LLC. of Cedar Rapids, Iowa with plans being prepared by Axiom Consultants of Iowa City, Iowa; and

WHEREAS, 509 linear feet of 8" sanitary sewer main and 2 new sanitary manholes were constructed by Legacy Corporation of East Moline, Illinois; and

WHEREAS, 356 linear feet of 15" and 371' of 18" storm sewer, 5 new storm intakes, and 3 new storm manholes were constructed by Legacy Corporation of East Moline, Illinois; and

WHEREAS, 2,437 square yards of 7" concrete pavement was constructed by Hawkeye Paving Corporation of Davenport, Iowa; and

WHEREAS, the sewer and pavement installation has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Prairie Heights 4th Addition site improvements, which storm and sanitary sewer constructed by Legacy Corporation of East Moline, Illinois, and paving constructed by Hawkeye Paving Corporation of Davenport, Iowa, having been satisfactorily completed is hereby formally accepted.

Passed and approved this 27th day of October, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/27/2021

Subject:
Resolution acknowledging the award of an Economic Development Administration (EDA) grant for the design and construction of the Water Pollution Control Plant and Compost Facility Flood Mitigation, Stormwater and Effluent Pumping System project in the amount of $9,968,028. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
On Thursday, September 30 the Economic Development Administration (EDA) publicly announced it was approving the City of Davenport's grant request for assistance with the design and construction of a flood mitigation and pumping system project located at the Water Pollution Control Plant. This announcement stated full approval of the grant request in the amount of $9,968,028 for a total project cost of $12,460,035. Upon receipt of the EDA Award Agreement, City staff will complete all necessary federal documentation and move forward towards preparation of a Request for Proposal for engineering services to initiate the project.

The scope of the EDA project is to secure the southern perimeter of the Water Pollution Control Plant (WPCP) and Compost Facility by constructing an earthen berm system of approximately 4,600 feet in length to the height of three feet over a 500 year flood event. In addition, this project will install interior stormwater and effluent pumping systems that ensure the plant continues to operate efficiently and effectively during high water events from the Mississippi River.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/14/2021 - 4:08 PM
Public Works Committee	Moses, Trish	Approved	10/14/2021 - 4:08 PM
City Clerk	Admin, Default	Approved	10/14/2021 - 5:31 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION acknowledging the award of an Economic Development Administration (EDA) grant for the design and construction of the Water Pollution Control Plant and Compost Facility Flood Mitigation, Stormwater and Effluent Pumping System project in the amount of $9,968,028.

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

WHEREAS, the City is committed to improving its infrastructure; and

WHEREAS, the City acknowledges the grant award of $9,968,028 from the Economic Development Administration (EDA).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davenport, Iowa hereby acknowledges a grant award from the Economic Development Administration in the amount of $9,968,028 for the Water Pollution Control Plant and Compost Facility Flood Mitigation, Stormwater and Effluent Pumping System project, and City staff will complete all necessary federal documentation and begin the preparation of a Request for Proposal for any engineering services needed for the project.

Passed and approved this 27th day of October, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/27/2021

Subject:
Resolution awarding the contract for engineering services for the Duck Creek Interceptor Extension project to McClure Engineering Company of North Liberty, Iowa in an amount not-to-exceed $1,203,450, ARP #18. [Ward 1 & 2]

Recommendation:
Adopt the Resolution.

Background:
On July 27, 2021 the City Council approved the City Administrator's recommended American Rescue Plan Act budget. Included within that budget plan is a sewer project that would extend the current Duck Creek interceptor sewer line, from its current terminus to the existing wastewater treatment lagoon located at the northwest corner of Locust Street and Interstate 280, the project was formerly referred to as the West Locust Sewer Connectivity project.

This project will allow the City to abandon the lagoon system, a requirement of the latest NPDES permit, with a gravity based line that adheres to the City's previous comprehensive drainage district forecast. An ancillary benefit for building this infrastructure is that it will allow for future growth at the West Locust business park and for future expansion along the Locust Street corridor.

On September 10, 2021, a Request for Qualifications was issued and sent to architectural/engineering firms. On October 1, 2021, the Purchasing Division opened and announced six (6) proposals. See attached bid tabulation. The bid was closed on October 1st. An evaluation committee reviewed and scored all six proposals. After scoring was completed, in-person presentations were held with the two (2) highest scoring firms. From that meeting, the evaluation committee selected the firm that would be the best fit for the City's expectations and needs.

McClure Engineering Company is being recommended for this project. The total contract cost includes, but is not limited to, the following: preliminary/final design, construction administration, construction inspection, geotechnical coordination, environmental permitting, and all necessary Federal documentation.

Funding is made available through the American Rescue Plan Act.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/15/2021 - 1:53 PM
Public Works Committee	Moses, Trish	Approved	10/15/2021 - 1:53 PM

City Clerk	Admin, Default	Approved	10/15/2021 - 2:12 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding the contract for engineering services for the Duck Creek Interceptor Extension project to McClure Engineering Company of North Liberty, Iowa in an amount not-to-exceed $1,203,450, ARP #18.

WHEREAS, the Duck Creek Interceptor Extension project was identified and approved by the City Council as part of the City Administrator's recommended American Rescue Plan Act budget; and

WHEREAS, the City needs to contract for engineering services for the Duck Creek Interceptor Extension project; and

WHEREAS, McClure Engineering Company was the company chosen overall after proposals were evaluated and interviews were held.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the contract for engineering services for the Duck Creek Interceptor Extension project is hereby awarded to McClure Engineering Company of North Liberty, Iowa in an amount not-to-exceed $1,203,450.

Passed and approved this 27th day of October, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: ENGINEERING SERVICES FOR DUCK CREEK SEWER INTERCEPTOR EXTENSION

BID NUMBER: 22-36

OPENING DATE: OCTOBER 1, 2021

FUNDING: 54622060 530398 ARP18

RECOMMENDATION: AWARD THE CONTRACT TO MCCLURE ENGINEERING OF NORTH LIBERTY IA

VENDOR NAME	LOCATION
McClure Engineering	**North Liberty IA**
IMEG Corporation	Rock Island IL
Origin Design	Davenport IA
Stanley Consultants Inc	Muscatine IA
Veenstra & Kimm Inc	Rock Island IL
Willett, Hofmann & Associates Inc	Moline IL

Approved By Kristi Kiellen 10-14-2021
Purchasing Date

Approved By Nicole Gleason 10-14-2021
Department Director Date

Approved By [signature] 10/14/2021
Budget/CIP Date

Approved By [signature] 10/14/2021
Assist. City Administrator/Finance Director Date

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7786 **10/27/2021**

Subject:
Preliminary Resolution for the FY 2022 Alley Resurfacing Program. [Wards 3 & 5]

Recommendation:
Adopt the Resolution.

Background:
Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Residential - 25% property owner/ 75% City funds
Commercial - 50% property owner/ 50% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program.

1. The north-south residential alley from East Rusholme Street to East Denison Avenue between Brady Street and Pershing Avenue.
2. The north-south residential alley from East 17th Street to E 18th Street between Perry Street and Pershing Avenue.
3. The east-west commercial alley from Western Avenue to Scott Street between West 3rd Street and West 4th Street.
4. The north-south commercial alley from East 4th Street to East 5th Street between Brady Street and Perry Street.
5. The north-south commercial alley from West 4th Street to alley end between Harrison Street and Main Street.

The total estimated cost of these improvements is $300,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 12:14 PM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 12:14 PM
City Clerk	Admin, Default	Approved	10/14/2021 - 5:29 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

Preliminary Resolution for the 2022 Alley Resurfacing Program.

WHEREAS, it is deemed advisable and necessary to resurface certain alleys in the City of Davenport, Iowa; and

WHEREAS, the Code of Iowa requires that the City Council arrange for engineering services when an assessment project is involved; and

WHEREAS, the Code of Iowa requires that the City Council designate the property to be specially benefited by the improvements.

NOW, THERFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Engineering Division for the City of Davenport be employed as engineers in connection with the proposed alley resurfacing program and may be hereafter referred to as the "Project Engineer" and that the Project Engineer be directed to prepare preliminary plans, plats, schedules, estimates and do other engineering and assessment work as required to complete the above referenced program; and be it

FURTHER RESOLVED that hereafter this improvement will be called the 2022 Alley Resurfacing Program.

Passed and approved this 27th day of October, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7786 **10/27/2021**

Subject:
Motion determining property values for the FY 2022 Alley Resurfacing Program. [Wards 3 & 5]

Recommendation:
Pass the Motion.

Background:
Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Residential - 25% property owner/ 75% City funds
Commercial - 50% property owner/ 50% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program.

1. The north-south residential alley from East Rusholme Street to East Denison Avenue between Brady Street and Pershing Avenue.
2. The north-south residential alley from East 17th Street to East 18th Street between Perry Street and Pershing Avenue.
3. The east-west commercial alley from Western Avenue to Scott Street between West 3rd Street and West 4th Street.
4. The north-south commercial alley from East 4th Street to East 5th Street between Brady Street and Perry Street.
5. The north-south commercial alley from West 4th Street to alley end between Harrison Street and Main Street.

The total estimated cost of these improvements is $300,000.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Property Values

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/13/2021 - 12:14 PM
Public Works Committee	Moses, Trish	Approved	10/13/2021 - 12:14 PM
City Clerk	Admin, Default	Approved	10/14/2021 - 5:35 PM

FY 22 - Residential alley from E Rusholme St. to E Denison Ave. between Brady St. and Pershing Ave.

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Property Value	Assessment ($)
B0041-03	125 E DENISON AV	JULIE E KNAAK	125 E DENISON AV	DAVENPORT IA 52803-2620	$ 168,560.00	$ 3,300.00
B0041-04	2319 BRADY ST	TODD A HUBBARD	2319 BRADY ST	DAVENPORT IA 52803-2603	$ 184,910.00	$ 1,600.00
B0041-05	2317 BRADY ST	ANN M CROWDER TRUST	70 WAGON WHEEL CT SE	MARIETTA GA 30067	$ 176,930.00	$ 1,600.00
B0041-06	2313 BRADY ST	MATTHEW J DOHRMANN	2313 BRADY ST	DAVENPORT IA 52803-2603	$ 205,350.00	$ 1,600.00
B0041-07	2303 BRADY ST	STEVEN D LOOSE	2303 BRADY ST	DAVENPORT IA 52803	$ 189,430.00	$ 2,100.00
B0041-08	124 E RUSHOLME ST	PETER A PETERSON	124 E RUSHOLME ST	DAVENPORT IA 52803	$ 172,920.00	$ 3,500.00

FY 22 - Residential alley from E 17th St. to E 18th St. between Perry St. and Pershing St.

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Property Value	Assessment ($)
F0001-06	224 E 17TH ST	LLC THINATOS	205 E RUSHOLME ST	DAVENPORT IA 52803	$ 34,150.00	$ 2,700.00
F0001-07	1704 PERSHING AV	CORDELL VAUGHT	1704 PERSHING AVE	DAVENPORT IA 52803-4325	$ 82,580.00	$ 1,500.00
F0001-08	1710 PERSHING AV	ALL COMMERCIAL SERVICES LLC	711 5TH AVENUE PL	CORALVILLE IA 52241-2011	$ 50,660.00	$ 1,500.00
F0001-09	1716 PERSHING AV	ALL COMMERCIAL SERVICES LLC	711 5TH AVENUE PL	CORALVILLE IA 52241-2011	$ 40,730.00	$ 1,500.00
F0001-10	1720 PERSHING AV	LUIS AGUILERA	501 15TH AVE	EAST MOLINE IL 61244	$ 96,570.00	$ 1,500.00
F0001-11	221 E 18TH ST	BEVERLY A QUIGLEY	221 E 18TH ST	DAVENPORT IA 52803	$ 44,340.00	$ 2,700.00

FY 22 - Commercial alley from Western Ave. to Scott between W 3rd St and W 4th St.

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Property Value	Assessment ($)
L0005-16	311 WESTERN AV	RANZOW	532 W 3RD ST	DAVENPORT IA 52801	$ 4,620.00	$ 1,155.00
L0005-15A	319 WESTERN AV	RDF LLC	PO BOX 3708	DAVENPORT IA 52808	$ 123,280.00	$ 6,900.00
L0005-08	501 W 4TH ST	RDF LLC	PO BOX 3708	DAVENPORT IA 52808	$ 233,030.00	$ 4,800.00
L0005-23	502 W 3RD ST	RDF LLC	PO BOX 3708	DAVENPORT IA 52808	$ 157,030.00	$ 5,000.00
L0005-22	508 W 3RD ST	RDF LLC	PO BOX 3708	DAVENPORT IA 52808	$ 110,230.00	$ 2,400.00
L0005-10	511 W 4TH ST	ENTERPRISE ACCEPTANCE	425 SECOND ST SE STE 900	CEDAR RAPIDS IA 52401	$ 38,970.00	$ 2,400.00
L0005-11	513 W 4TH ST	ENTERPRISE ACCEPTANCE	425 SECOND ST SE STE 900	CEDAR RAPIDS IA 52401	$ 37,920.00	$ 2,400.00
L0005-12	517 W 4TH ST	ENTERPRISE ACCEPTANCE	425 SECOND ST SE STE 900	CEDAR RAPIDS IA 52401	$ 38,830.00	$ 2,700.00
L0005-21	516 W 3RD ST	ENTERPRISE ACCEPTANCE	425 SECOND ST SE STE 900	CEDAR RAPIDS IA 52401	$ 16,300.00	$ 2,500.00
L0005-20	518 W 3RD ST	RDF LLC	PO BOX 3708	DAVENPORT IA 52808	$ 49,750.00	$ 3,600.00
L0005-19	526 W 3RD ST	RDF LLC	PO BOX 3708	DAVENPORT IA 52808	$ 89,660.00	$ 1,800.00

FY 22 - Commercial alley from Western Ave. to Scott between W 3rd St and W 4th St.

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Property Value	Assessment ($)
G0057-03A	414 PERRY	NARES THOMAS J	2015 N MYRTLE ST	DAVENPORT IA 52804-2044	$ 228,580.00	$ 4,800.00
G0057-06	421 BRADY ST	Y & J PROPERTIES LLC	PO BOX 4469	DAVENPORT IA 52808	$ 1,017,610.00	$ 4,800.00
G0057-08	401 BRADY ST	FORREST BLOCK LLC	4240 MANCHESTER AVE	SAINT LOUIS MO 63110	$ 2,030,130.00	$ 4,800.00
G0057-10D		GH IOWA LLC	4240 MANCHESTER AVE	SAINT LOUIS MO 63110	$ 47,310.00	$ 9,500.00
G0057-04	422 PERRY ST	Y & J PROPERTIES LLC	PO BOX 4469	DAVENPORT IA 52808	$ 36,270.00	$ 4,800.00
G0057-05	425 BRADY ST	Y & J PROPERTIES LLC	PO BOX 4469	DAVENPORT IA 52808	$ 592,800.00	$ 4,800.00
G0057-07	407 BRADY ST	DEMOCRAT BUILDING LA	111 N PERRY ST STE 300	DAVENPORT IA 52801-1614	$ 2,232,430.00	$ 4,800.00

FY 22 - Commercial alley from W 4th St. to alley end between Harrison St. and Main St.

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Property Value	Assessment ($)
G0058-13	226 W 4TH ST	CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801	$ 2,417,290.00	$ 26,650.00
G0058-12A	400 MAIN ST	WAUKEE INVESTMENTS I LLC	4 SUMMER PL	BETTENDORF IA 52722-7	$ 1,570,340.00	$ 8,700.00
G0058-16	210 W 4TH ST	WAUKEE INVESTMENTS I LLC	4 SUMMER PL	BETTENDORF IA 52722-7	$ 473,740.00	$ 4,700.00

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Eric Gravert | 563-327-5125 **10/27/2021**

Subject:
Motion to ratify Change Orders #1-7 for the Main Library Renovation project to Swanson Construction of Bettendorf, Iowa in the amount of $50,337.56, CIP #23028. [Ward 3]

Recommendation:
Approve the Motion.

Background:
The Main Library renovation project is focused on the public areas of the building to create additional work spaces, individual study rooms, and improve computer areas. Change Order #1 refinished the existing wood hand railing and provide a better surface for the ceramic tile to adhere in both second floor restrooms. Change Order #2 rerouted electrical conduit in the second floor restrooms due to unforeseen conflicts. Change Order #3 changed the ceiling type in the second floor restrooms, mechanical modifications to handle fire dampers, and re-install intercom speakers. Change Order #4 provided additional data and phone drops in the study rooms and help desk and change of light fixture in each restroom. Change Order #5 and 6 involved a price adjustment in the donor wall graphic allowance. Change Order #7 will add miscellaneous items per the building inspector's request.

CONTRACT SUMMARY:
Original Contract Amount $660,480.00 (Approved)
Change Order #1 $15,503.73 (Staff Approved)
Change Order #2 $5,140.44 (Staff Approved)
Change Order #3 $13,974.00 (Staff Approved)
Change Order #4 $10,999.42 (Staff Approved)
Change Order #5 -$2,775.07 (Staff Approved)
Change Order #6 $376.15 (Staff Approved)
Change Order #7 $7,091.89 (Staff Approved & Council Ratification)
Total Amended Contract $710,817.56

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/14/2021 - 10:35 AM
Public Works Committee	Moses, Trish	Approved	10/14/2021 - 10:36 AM
City Clerk	Admin, Default	Approved	10/14/2021 - 6:04 PM

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Nicole Gleason | 563-326-7734 **10/27/2021**

Subject:
Motion awarding the contract for the East 31st Street and East 32nd Street Speed Hump project to Langman Construction, Inc of Rock Island, Illinois in the amount of $53,780.00, CIP #38014. [Ward 7]

Recommendation:
Pass the Motion.

Background:
On September 23, 2021 an Invitation to Bid was issued and sent to contractors. On October 7, 2021 the Purchasing Division opened and read two responsive and responsible bids. See Bid Tab attached.

Langman Construction, Inc of Rock Island, Illinois submitted the lowest bid. They have performed this type of work for the City in the past successfully.

Based upon observed vehicular speeds and cut through traffic volumes, Public Works staff determined that East 31st Street and East 32nd Street between Eastern Avenue and Belle Avenue are candidates for a Pilot Traffic Calming Project.

If approved, the speed humps will be installed in the first half of November. This will allow staff to perform another speed/volume study to determine the impacts of the speed humps on cut through and speeding traffic. Public Works will then monitor snow and ice removal efficiency during the coming winter. Public Works will report back to the City Council the effectiveness and applicability of using speed humps in residential neighborhoods for future traffic calming projects.

Funding for this project is from CIP 72084675 530350 38014. These funds are made available from Local Option Sales Tax.

ATTACHMENTS:

	Type	Description
🗋	Cover Memo	Bid Tab for Green Sheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/14/2021 - 10:36 AM
Public Works Committee	Moses, Trish	Approved	10/14/2021 - 10:37 AM
City Clerk	Admin, Default	Approved	10/15/2021 - 9:05 AM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 31st and 32nd Street Speed Hump Project

BID NUMBER: 22-43

OPENING DATE: OCTOBER 7, 2021

FUNDING: 72084675 530350 38014

RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN CONSTRUCTION INC. OF ROCK ISLAND IL

VENDOR NAME	BID AMOUNT
Langman Construction Inc of Rock Island IL	**$53,780.00**
Americore LLC of Blue Grass IA	$92,000.00

Approved By Kari Thoren 10/13/2021
Purchasing Date

Approved By Nicole Gleason 10-13-2021
Dept. Director Public Works Date

Approved By Brian Co 10-13-2021
Budget/CIP Date

Approved By Wallace J. Merritt 10/13/2021
Assist. City Administrator/ CFO Date

City of Davenport

Department: Finance
Contact Info: Sarah Ott | 563-326-6167

Action / Date
10/27/2021

Subject:
Resolution awarding the contract for crime analysis consultant services to IDEA Analytics of Phoenix, Arizona with a 2-year project cost of $233,164.17. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
A Request for Proposals was issued on September 21, 2021, and sent to consultant firms. On October 6, 2021, the Purchasing Division opened and read one response.

In November 2020, the City of Davenport and the Davenport Police Department were awarded a Strategies for Policing Innovation (SPI) grant to enhance and expand the crime analysis capacity of the Davenport Police Department. As part of this project, the Davenport Police Department will be hiring a consultant, IDEA Analytics, to provide technical assistance as it implements the new Crime Analysis Unit. This technical assistance includes helping the department standardize processes for collecting, processing, analyzing, and reporting timely and actionable data for crime reduction strategies; enhancing DPD's use of data to manage persistent crime trends; and developing the use of data to support investigative and patrol operations to positively impact crimes and/or implement a crime reduction strategy. In addition, IDEA Analytics will provide on-site training to current staff and complete the research evaluation component of the SPI grant on behalf of the department. The contract is for a total 23-month project with a cost of $233,164.17.

Funding for this contract is from the Police Department Professional Services account #54642560 520217.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/14/2021 - 8:42 AM
Finance Committee	Merritt, Mallory	Approved	10/14/2021 - 8:42 AM
City Clerk	Admin, Default	Approved	10/15/2021 - 9:06 AM

Resolution No._____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Crime Analysis Consultant Services to IDEA Analytics of Phoenix AZ, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Crime Analysis Consultant Services project; and

WHEREAS, IDEA Analytics of Phoenix AZ, was the highest scoring vendor submitting a proposal;

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

1. Approving the contract, for the Crime Analysis Consultant Services project, to IDEA Analytics of Phoenix AZ; and

2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:	Approved:
_____	_____
Brian Krup	Mike Matson
Deputy City Clerk	Mayor

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: CRIME ANALYSIS CONSULTANT SERVICES

BID NUMBER: 22-42

OPENING DATE: OCTOBER 6, 2021

FUNDING: STRATEGIES FOR POLICING INNOVATION (SPI) GRANT

RECOMMENDATION: AWARD THE CONTRACT TO IDEA ANALYTICS OF PHOENIX AZ

VENDOR NAME	LOCATION
IDEA Analytics	**Phoenix AZ**

Approved By Krista Keller 10-13-2021
Purchasing Date

Approved By [signature] 10/13/21
City Administrator Date

Approved By [signature] 10/13/21
Budget/CIP Date

Approved By William J. Gleason 10/13/2021
Assist. City Administrator/Finance Director Date

City of Davenport

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

Action / Date
10/27/2021

Subject:
Resolution setting a Public Hearing on the issuance of not-to-exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
A Public Hearing on the issuance of bonds to finance the FY 2022 Capital Improvement Program (CIP) is required prior to the sale of bonds later this fiscal year. This will be the first of several legal proceedings required to issue the bonds. A Resolution providing for the issuance of bonds and for the levy of property taxes to make debt service payments on the provided bonds will be prepared for a future cycle.

The Public Hearing will be held at the Committee of the Whole Meeting on November 3, 2021 beginning at 5:30 p.m. in the Council Chambers at City Hall, 226 West 4th Street, Davenport, Iowa.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution Setting Public Hearing
🗋	Backup Material	FY 2022 Bond Issuance Project Details

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/14/2021 - 8:44 AM
Finance Committee	Merritt, Mallory	Approved	10/14/2021 - 8:44 AM
City Clerk	Admin, Default	Approved	10/15/2021 - 9:06 AM

SET DATE FOR HEARING ON ISSUANCE OF GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2022A

629872-91

Davenport, Iowa

October 27, 2021

The City Council of the City of Davenport, Iowa, met on October 27, 2021, at 5:30 p.m. at the Council Chambers, City Hall, Davenport, Iowa. The Mayor presided and the roll was called showing the following Aldermen present and absent:

Present: _____

Absent: _____.

The City Council took up for consideration a resolution setting a date for public hearing on the proposed issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A.

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

Ayes: _____

Nays: _____.

The resolution, as hereinafter set out, was signed by the Mayor as evidence of approval, was attested by the Deputy Clerk and was declared to be effective.

• • • •

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

_____
Mayor

Attest:

_____
Deputy Clerk

RESOLUTION NO. _____

Resolution to fix meeting date for hearing on the issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A

WHEREAS, the City of Davenport, in Scott County, Iowa (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, has previously issued its $23,125,000 General Obligation Corporate Bonds, Series 2014A, dated March 5, 2014 (the "Series 2014A Bonds"), and, in the ordinance authorizing the issuance of the Series 2014A Bonds, the City reserved the right to call for early redemption as of June 1, 2022, the maturities of the Series 2014A Bonds coming due after June 1, 2022 (the "Callable 2014A Bonds"); and

WHEREAS, the City has also previously issued its $10,950,000 General Obligation Refunding Bonds, Series 2014B, dated March 5, 2014 (the "Series 2014B Bonds"), in accordance with the Charter of the City and Chapter 384 of the Code of Iowa, and in the ordinance authorizing the issuance of the Series 2014B Bonds, the City reserved the right to call for early redemption as of June 1, 2022, the maturities of the Series 2014B Bonds coming due after June 1, 2022 (the "Callable 2014B Bonds"); and

WHEREAS, in accordance with the Charter of the City and Chapter 384 of the Code of Iowa, the City hereby proposes to issue not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A (the "Bonds"), for the purpose of paying the costs in connection with making improvements to sanitary sewers, storm sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety/fire department, solid waste collection, sewage treatment, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects (collectively, the "Projects"); and current refunding the Callable Series 2014A Bonds and the Callable 2014B Bonds; and

WHEREAS, it is necessary to fix a date for a hearing on the issuance of the Bonds, and to give proper notice thereof;

NOW, THEREFORE, It Is 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 November 3, 2021, 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 comments with respect to the issuance of the Bonds, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 o'clock p.m., on November 10, 2021, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

Section 2. The Deputy Clerk is hereby directed to give notice of the proposed action for the issuance of the Bonds, 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 4 nor more than 20 days prior to the meeting, in the *Quad City Times*. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS FOR THE ISSUANCE OF NOT TO EXCEED $41,000,000
GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2022A

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on November 3, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., for the purpose of holding a public hearing and instituting proceedings for the issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A, for the purpose of paying the costs in connection with making improvements to sanitary sewers, storm sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety/fire department, solid waste collection, sewage treatment, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects; and current refunding the outstanding maturities of the City's outstanding General Obligation Corporate Bonds, Series 2014A, dated March 5, 2014 and General Obligation Refunding Bonds, Series 2014B, dated March 5, 2014.

At that time and place, oral or written comments from any resident or property owner of the City may be presented, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on November 10, 2021, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

The Bonds, when issued, will constitute general obligations of the City, payable from taxes levied upon all taxable property in the City.

By order of the City Council of Davenport, Iowa.

Brian Krup
Deputy Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately $28,500,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of the Bonds, or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of $100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved October 27, 2021.

_____
Mayor

Attest:

_____
Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council of the City relating to the fixing of a date for the hearing on the issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A.

WITNESS MY HAND this _____ day of _____, 2021.

_____
Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that pursuant to the resolution of its Council fixing a meeting date for the hearing on and taking of additional action for the issuance of not to exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published in the *Quad City Times* on the date specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2021.

_____
Deputy Clerk

(Attach here publisher's original affidavit with a clipping of the notice as published.)

October 13, 2021

VIA EMAIL
Mallory Merritt
CFO/Assistant City Administrator
City Hall
Davenport, Iowa

Re: Not to Exceed $41,000,000 General Obligation Corporate and Refunding Bonds, Series 2022A
Our File No. 629872-91

Dear Mallory:

Using your list of projects, and information provided by Jon Burmeister related to certain refundings, I have prepared a resolution that may be approved at the regular City Council meeting on October 27, in order to set November 3 as the date for the hearing on General Obligation Corporate and Refunding Bonds, Series 2022A, in an amount not to exceed $41,000,000.

The materials attached include the following items:

1. Resolution, including the form of notice, setting the date for hearing on the Bonds.

2. Certificate of the Deputy Clerk with respect to the transcript.

3. Certificate of the Deputy Clerk with respect to the publication of the notice.

The notice must be published in the *Quad City Times* no later than October 30.

As these proceedings are completed, please have one fully executed copy returned to our office. If you have any questions, please contact Erin Regan, Emily Hammond or me.

Best regards,

John P. Danos

cc: Brian Krup
Jon Burmeister

City of Davenport, Iowa
FY 2022 Bond Issue
($ Thousands)
9/7/2021

15-Year General Obligation Bonds	**Amount**		
Airport Improvements	75		
Bridge Repair and Maintenance	110		
Citizen Health & Welfare	0		
City Facility Improvements	$ 2,830		
Municipal Housing Projects	1,640		
Parks Improvements	2,220		
Public Safety Equipment	1,000		
Sewer Improvements	350		
Street Improvements	8,595		
Streetscape Improvements/Sidewalks & Paths	680		
Subtotal 15-Year GO Bonds		**$**	**17,500**
5-Year Equipment Bonds (GO)			
Acquisition of Parks Vehicles/Equipment	244		
Acquisition of Streets Vehicles/Equipment	130		
City Information Technology Network Improvements	300		
Library Equipment	525		
Public Safety Equipment	0		
Subtotal 5-Year Equipment Bonds		**$**	**1,199**
15-Year Bonds Abated by Other Sources (GO)			
Sewer Improvements (Sewer Fund)	7,000		
Water Pollution Conrol Plant Improvements (WPCP Fund)	0		
Subtotal 15-Year Bonds Abated by Other Sources		**$**	**7,000**
5-Year Bonds Abated by Other Sources (GO)			
Solid Waste Equipment (Solid Waste Fund)	930		
Sewer Equipment (Sewer Fund)	301		
Subtotal 5-Year Bonds Abated by Other Sources		**$**	**1,231**
Total Proposed FY 2022 Bond Issue - Projected		**$**	**26,930**
Estimated Cost of Issuance and Underwriting Discount		**$**	**392**
Total FY 2022 Bond Issue - Not-to-Exceed		**$**	**27,322**

City of Davenport, Iowa
FY 2022 Bond Issue
($ Thousands)
9/7/2021

Essential Corporate Purpose	**Amount**		
Acquisition of Streets Vehicles/Equipment	130		
Airport Improvements	75		
Bridge Repair and Maintenance	110		
Public Safety Equipment	1,000		
Municipal Housing Projects	1,640		
Parks Improvements	2,220		
Sewer Improvements	7,350		
Street Improvements	8,595		
Streetscape Improvements/Sidewalks & Paths	680		
		$	21,800
General Corporate Purpose			
Acquisition of Parks Vehicles/Equipment	244		
City Facility Improvements	2,830		
City Information Technology Network Improvements	300		
Library Equipment	525		
Sewer Equipment	301		
Solid Waste Equipment	930		
		$	5,130
Total Proposed FY 2022 Bond Issue - Projected		$	26,930
Estimated Cost of Issuance and Underwriting Discount		$	392
Total FY 2022 Bond Issue - Not-to-Exceed		$	27,322

FY 2022 Bonding Detail

Funding Source	*Program*	CIP#	Project	Amount
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30007	LIFT STATION REHABILITATION (SANITARY)	$ 60,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30038	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	$ 1,300,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30050	SANITARY SEWER LINING PROGRAM	$ 1,000,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30054	CONTRACT SEWER REPAIR PROGRAM (SANITARY)	$ 1,250,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30055	SEWER LATERAL REPAIR PROGRAM	$ 1,200,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30056	NEIGHBORHOOD I&I INVESTIGATION AND REMOVAL	$ 150,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30057	INFLOW AND INFILTRATION REMOVAL PROGRAM	$ 1,400,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30059	WEST LOCUST SEWER PUMP STATION	$ 340,000
BONDS ABATED BY SEWER FUND	*STREETS*	35055	3RD & 4TH STREET REHABILITATION	$ 300,000
BONDS ABATED BY SOLID WASTE FUND	*FLEET*	10503	SOLID WASTE EQUIPMENT REPLACEMENT PROGRAM	$ 930,000
EQUIPMENT BONDS	*FLEET*	24028	DUMP TRUCK REPLACEMENT PROGRAM	$ 130,000
EQUIPMENT BONDS	*FLEET*	24029	GROUND MAINTENANCE REPLACEMENT PROGRAM	$ 244,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67002	IT CAPITAL IMPROVEMENT PROGRAM	$ 250,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67006	CITY FIBER NETWORK MAINTENANCE PROGRAM	$ 50,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66016	LIBRARY MATERIALS PROGRAM	$ 415,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66017	LIBRARY ELECTRONIC REPLACEMENT PROGRAM	$ 110,000
EQUIPMENT BONDS	*SANITARY SEWERS*	30058	CCTV CAMERA CRAWLER SYSTEM	$ 301,000
GO BONDS	*AIRPORT*	20014	PAVEMENT MAINTENANCE PROGRAM	$ 75,000
GO BONDS	*BRIDGES*	21005	PEDESTRIAN BRIDGE REPAIR PROGRAM	$ 50,000
GO BONDS	*BRIDGES*	21009	BRIDGE MAINTENANCE PROGRAM	$ 60,000
GO BONDS	*FACILITIES MAINTENANCE*	23049	CAPITAL IMPROVEMENTS AT MWP	$ 375,000
GO BONDS	*FACILITIES MAINTENANCE*	23058	SKYBRIDGE NORTH TOWER REPAIRS	$ 350,000
GO BONDS	*FACILITIES MAINTENANCE*	23063	FIRE STATION 3 RELOCATION	$ 400,000
GO BONDS	*FACILITIES MAINTENANCE*	23066	PUBLIC WORKS ROOF REPLACEMENT	$ 500,000
GO BONDS	*FACILITIES MAINTENANCE*	23067	CITY HALL EXTERIOR REPAIRS	$ 300,000
GO BONDS	*FACILITIES MAINTENANCE*	23068	AUXILIARY SERVICES SITE	$ 750,000
GO BONDS	*FACILITIES MAINTENANCE*	23069	UNION STATION HVAC REPLACEMENT	$ 30,000
GO BONDS	*FACILITIES MAINTENANCE*	62002	POLICE STATION PUMP REPLACEMENTS	$ 50,000
GO BONDS	*FLEET*	24021	FIRE APPARATUS AND EQUIPMENT REPLACEMENT	$ 1,000,000
GO BONDS	*GENERAL GOVERNMENT*	60030	URBAN REVITALIZATION PROGRAM	$ 740,000
GO BONDS	*GENERAL GOVERNMENT*	61002	DAVENPORT NOW	$ 900,000
GO BONDS	*INFORMATION TECHNOLOGY*	67010	CITY HALL SERVER ROOM AC REPLACEMENT	$ 75,000
GO BONDS	*PARKS & RECREATION*	64070	PARK DEVELOPMENT PROGRAM	$ 350,000
GO BONDS	*PARKS & RECREATION*	64071	PARK AMENITY ADA ACCESS PROGRAM	$ 75,000
GO BONDS	*PARKS & RECREATION*	64101	DUCK CREEK PARK IMPROVEMENTS	$ 50,000
GO BONDS	*PARKS & RECREATION*	64103	PLAYGROUND REPLACEMENT PROGRAM	$ 170,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28026	CIVIC ACCESS PROGRAM	$ 50,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28028	CREATING CONNECTIONS PROGRAM	$ 325,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28029	WEST LOOP PHASE I	$ 30,000
GO BONDS	*PEDESTRIAN TRANSPORTATION*	28030	RECREATIONAL PATH RECONSTRUCTION PROGRAM	$ 200,000
GO BONDS	*RIVERFRONT*	68015	RIVERFRONT FLOOD RESILIENCY PROGRAM	$ 850,000
GO BONDS	*RIVERFRONT*	68016	VETERANS MEMORIAL PARK IMPROVEMENTS	$ 800,000
GO BONDS	*STORMWATER*	33001	CONTRACT SEWER REPAIR PROGRAM (STORM)	$ 300,000
GO BONDS	*STORMWATER*	33025	LIFTSTATION REHABILITATION (STORM)	$ 50,000
GO BONDS	*STREETS*	35041	CONTRACT MILLING PROGRAM	$ 50,000
GO BONDS	*STREETS*	35052	53RD STREET RECONSTRUCTION PHASE II	$ 2,000,000
GO BONDS	*STREETS*	35053	HIGH VOLUME STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*STREETS*	35054	NEIGHBORHOOD STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*TRAFFIC ENGINEERING*	38015	BRADY AT LOMBARD TRAFFIC SIGNALS	$ 45,000

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Nicole Gleason | 563-326-7734 **10/27/2021**

Subject:
Motion approving the purchase of a John Deere FC20M Flex Wing Rotary Cutter, 5100E Cab Utility Tractor, and 520M Loader for the Davenport Municipal Airport from River Valley Turf Inc of Davenport, Iowa in the amount of $95,669.28, CIP #24029. [Ward 8]

Recommendation:
Pass the Motion.

Background:
The tractor and loader attachment is from Iowa State Bid #MA17288D, and the cooperative agreement with Sourcewell was used for the mower as it is a newer version and not yet on the State bid contract.

The tractor will replace a 2001 model New Holland and the City already has a 5100E tractor in the fleet. Also, the mower will replace a 1996 Schulte mower. Parts availability for the mower are getting to be a challenge and the thought process is to keep the procurement local and have parts readily available.

Funding for this purchase is from the Grounds Maintenance account 76523682 530350 24029..

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/14/2021 - 2:57 PM
Public Works Committee	Moses, Trish	Approved	10/14/2021 - 2:57 PM
City Clerk	Admin, Default	Approved	10/15/2021 - 9:15 AM

City of Davenport

Department: Finance
Contact Info: Chief Sikorski | 563-326-6133

Action / Date
10/27/2021

Subject:
Motion approving the sole source purchase of Civilian Crime Scene Technician equipment from Foster+Freeman Ltd of Sterling, Virginia in the amount of $75,023.60. [All Wards]

Recommendation:
Pass the Motion.

Background:
Forensic light sources are essential pieces of equipment used in the daily tasks of a Civilian Crime Scene Technician (CCST). These light sources can quickly become one of the most important tools when working a major scene or examining evidence in the lab. Forensic light sources aid in the detection of bodily fluids, trace evidence, and impression evidence that can otherwise be difficult to visualize. A light source that allows the CCST to quickly and accurately search a scene or analyze an object for evidence is a necessity for any Crime Scene Unit/Lab.

After checking with several companies, it was determined that Foster+Freeman Ltd of Sterling, Virginia is the sole source supplier of these light sources.

The Police Department currently has an old Crime Scope and Polylights that are used. Technology has improved greatly making these inefficient and outdated. The Crime-lite ML and Crime-lite Auto kit do not exist with other vendors. These products include superior light output, battery life, and ease of use.

The account used for this purchase will be 50102550-520201.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/14/2021 - 3:14 PM
Finance Committee	Merritt, Mallory	Approved	10/14/2021 - 3:14 PM
City Clerk	Admin, Default	Approved	10/15/2021 - 9:16 AM