COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, October 19, 2022; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED OCTOBER 17, 2022

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

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

2. Public Hearing on the proposed amendment to the 2022 Annual Action Plan to add the HOME-ARP Allocation Plan. [All Wards]

B. Public Works

1. Public Hearing on the Ordinance amending Chapter 15.44 entitled "Flood Damage Prevention" of the Municipal Code of Davenport, Iowa by amending various subsections thereto. [All Wards]

2. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Downtown Davenport Streetscape | 3rd Street and Brady Street project, CIP #60035. [Ward 3]

VII. Petitions and Communications from Council Members and the Mayor

VIII. Action items for Discussion

COMMUNITY DEVELOPMENT

Kyle Gripp, Chair; Judith Lee, Vice Chair

I. COMMUNITY DEVELOPMENT

1. Third Consideration: Ordinance expanding the boundaries of the Central City and North Urban Revitalization Areas. [Wards 1, 2, 5, 6, 7, & 8]

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

3. Resolution setting a Public Hearing on the proposed conveyance of vacated public right-of-way lying between Christie Street and Belle Avenue (Willis and Renee Simmons, Petitioners). [Ward 5]

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

5. Resolution setting a Public Hearing for the purpose of amending the North Urban Renewal Plan to include the Fair Oaks Foods project. [Wards 2, 6, 7, & 8]

6. Resolution setting a Public Hearing on considering the approval of an economic development agreement with Fair Oaks Foods. [Ward 8]

7. Motion approving the amendment to the 2022 Annual Action Plan to add the HOME-ARP Allocation Plan and authorizing the City Administrator or her designees to sign necessary documents and agreements. [All Wards]

8. Motion approving the local objectives for the Community Development Block Grant program for the Year 49 Annual Action Plan covering July 1, 2023 – June 30, 2024. [All Wards]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Maria Dickmann, Vice Chair

III. PUBLIC SAFETY

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

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

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

   Tom Simmons; Veterans Day Parade; Downtown; Friday, November 11, 2022 10:00 a.m. - 12:00 p.m.; **Closures:** Western Avenue from 5th Street to 2nd Street; 2nd Street from Western Avenue to Main Street; Main Street from 2nd Street to 4th Street; 4th Street from Main Street to the finish at the Scott County Courthouse (400 West 4th Street). [Ward 3]

Quad City Arts; Festival of Trees Holiday Parade; Downtown; Saturday, November 19, 2022 4:00 a.m. - 12:30 p.m.; **Staging area closures (beginning at 4:00 a.m.):** East 3rd Street from Pershing Avenue to LeClaire Street; Pershing Avenue and Iowa Street from East 2nd Street to East 4th Street; **Parade route (in place by 9:15 a.m.):** 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. [Ward 3]

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

   Tom Simmons; Veterans Day Parade; Downtown (see attached parade route); Friday, November 11, 2022 9:00 a.m. - 12:00 p.m.; Outdoor music/bands, over 50 dBA. [Ward 3]

   Quad City Arts; Festival of Trees Holiday Parade; Downtown (see attached parade route); Saturday, November 19, 2022 9:00 a.m. - 12:30 p.m.; Outdoor music/bands, over 50 dBA.

5. Motion approving beer and liquor license applications.

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

   Ward 6

   California Burritos Mexican Grill (Burrito Enterprises #2, LLC) - 2960 East 53rd Street - Outdoor Area - License Type: Class C Liquor

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

   Ward 1

   Jimmie O's Saloon (Oldham Enterprizes, LLC) - 2735 Telegraph Road - License Type: Class C Liquor

   Veterans of Foreign Wars, FW Galbraith Post #828 (Veterans of Foreign Wars, FW Galbraith Post #828) - 101 South Linwood Avenue - License Type: Class A Liquor

   Ward 3

   Express Lane Gas & Food Mart #84 (ExpressLane, Inc) - 321 North Division Street - License Type: Class C Beer

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

   Ward 4

   MCs Happy Hallow (DMC Corporation) - 1502 West 14th Street - License Type: Class C Liquor

Off Point Pub (Triple 8 Enterprises, LLC) - 2025 Hickory Grove Road - Outdoor Area - License Type: Class C Liquor

Firehouse Bar & Grill (Firehouse Bar & Grill, Inc) - 2006 Hickory Grove Road - Outdoor Area - License Type: Class C Liquor

Ward 5

Kwik Shop #578 (Kwik Shop, Inc) - 2242 East 12th Street - License Type: Class C Beer

Save More (Guru Nanak Food Mart, Inc) - 405 East Locust Street - License Type: Class E Liquor

Ward 6

The Ridge (JAR Hospitality, LLC) - 4750 Utica Ridge Road #100 - Outdoor Area - License Type: Class C Liquor

Panchero's Mexican Grill (Central Coast Hospitality, Inc) - 4888 Utica Ridge Road - License Type: Class B Beer

Hy-Vee (Hy-Vee, Inc) - 1823 East Kimberly Road - Outdoor Area - License Type: Class C Liquor

Ward 7

Tantra Asian Bistro (Zhang's Trading, Inc) - 589 East 53rd Street - Outdoor Area - License Type: Class C Liquor

Public House (Public House Davenport) - 5260 Northwest Boulevard - Outdoor Area - License Type: Class C Liquor

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Tim Kelly, Vice Chair

V. PUBLIC WORKS

1. Second Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa. [All Wards]
2. First Consideration: Ordinance amending Chapter 15.44 entitled "Flood Damage Prevention" of the Municipal Code of Davenport, Iowa by amending various subsections thereto. [All Wards]
3. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Downtown Davenport Streetscape | 3rd Street and Brady Street project, CIP

#60035. [Ward 3]

4. Resolution awarding a contract for the Davenport State Revolving Fund (SRF) Parks Projects to Miller Trucking & Excavating of Silvis, Illinois in the amount of $295,826, CIP #33041. [Wards 2,7, & 8]
5. Resolution accepting the grant offer of $400,000 and approving the associated Grant Agreement between the City of Davenport and the Iowa Department of Transportation for funding for the Airport South Ramp Reconstruction project at the Davenport Municipal Airport, CIP #20015. [Ward 8]
6. Resolution accepting work completed under the Marquette Street and West 12th Street Reconstruction project, by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $1,500,559.04, CIP #35046. [Wards 3 & 4]
7. Resolution accepting work completed under the 2nd Street Resurfacing Project by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $488,178.61, CIP #35053. [Ward 3]
8. Resolution accepting work completed under the West Locust Street (Michigan Avenue to Clark Street) Resurfacing project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of $351,882.54, CIP # 35054. [Ward 1]
9. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with Prairie Heights Fifth Addition. [Ward 8]
10. Resolution accepting the sanitary sewer associated with Russell-Frye/Armstrong Industrial Park First Addition. [Ward 2]
11. Resolution accepting sanitary sewer associated with Russell-Frye/Armstrong Industrial Park Second Addition. [Ward 2]
12. Preliminary Resolution for the 2023 Alley Resurfacing Program. [Wards 3, 5, & 6]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

JJ Condon, Chair; Derek Cornette, Vice Chair

VII. FINANCE

1. Resolution approving a policy to establish guidelines on naming rights and commemoration procedures when opening, dedicating, or remodeling buildings, properties, or other assets where primary City operations occur. [All Wards]
2. Resolution awarding a contract for the Dillon Fountain Electrical Upgrades project to Shaw Electric, Inc of Davenport, Iowa in the amount of $122,235, CIP #64102. [Ward 3]
3. Resolution setting a Public Hearing on granting a 10-foot wide access and utility easement to Scott County from the Scott Emergency Communications Center north to the Emergency Management storage building in the southeast corner of parcel P1214-07I. [Ward 7]
4. Resolution setting a Public Hearing on the proposed amendment to the North Urban

Renewal Plan to include the Internal TIF. [Wards 2, 6, 7, & 8]

VIII. Motion recommending discussion or consent for Finance items

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

1. Johnson Hauling & Excavating LLC | 3105 Homestead Avenue demolition | Amount: $11,000
2. Snyder & Associates | engineering services for downtown quiet zones | Amount: $12,250
3. Nationwide Insurance | risk insurance for Station 3 | Amount: $16,038
4. Hattery Real Estate Appraisals | Duck Creek sanitary sewer appraisals | Amount: $18,750
5. Trane US Inc | Skybridge HVAC upgrades | Amount: $21,256
6. Heritage Church | HESCO barriers | Amount: $22,500
7. Truck Equipment Inc | two (2) Ford F-450 utility bodies | Amount: $43,908
8. Tyler Technologies Inc | API toolkit for Munis | Amount: $49,087

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: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/19/2022**

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

Recommendation:
Hold the Hearing.

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

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

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

Findings:

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

Conditions:

1. A traffic study is required and additional traffic safety measures may be required as development occurs.
2. Street connections shall be platted to align with the public right-of-way of Eagle Ridge Road, Shane’s Way, and Charissa’s Place in the City of Bettendorf.

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

A staff report with full analysis has been attached.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	10/14/2022 - 4:41 PM

ORDINANCE NO. _____

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

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "R-2 Single-Family Residential District."

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

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

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

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

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

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

Findings:

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

Conditions:

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

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

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

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

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

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

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

Comprehensive Plan:
Within Urban Service Area 2035: Yes

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

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

1. **Residential General (RG):** Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

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

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

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

In addition, the request is to rezone the northern 24.3 acres of land to **R-MF Multi-Family Residential District**. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

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

Approval Standards for Map Amendments (Chapter 17.14.040)
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

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

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

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

b. The compatibility with the zoning of nearby property.

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

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

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

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

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

c. The compatibility with established neighborhood character.

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

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

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

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

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

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

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

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

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

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

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

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

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

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

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

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

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

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

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

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

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

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

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

Findings:

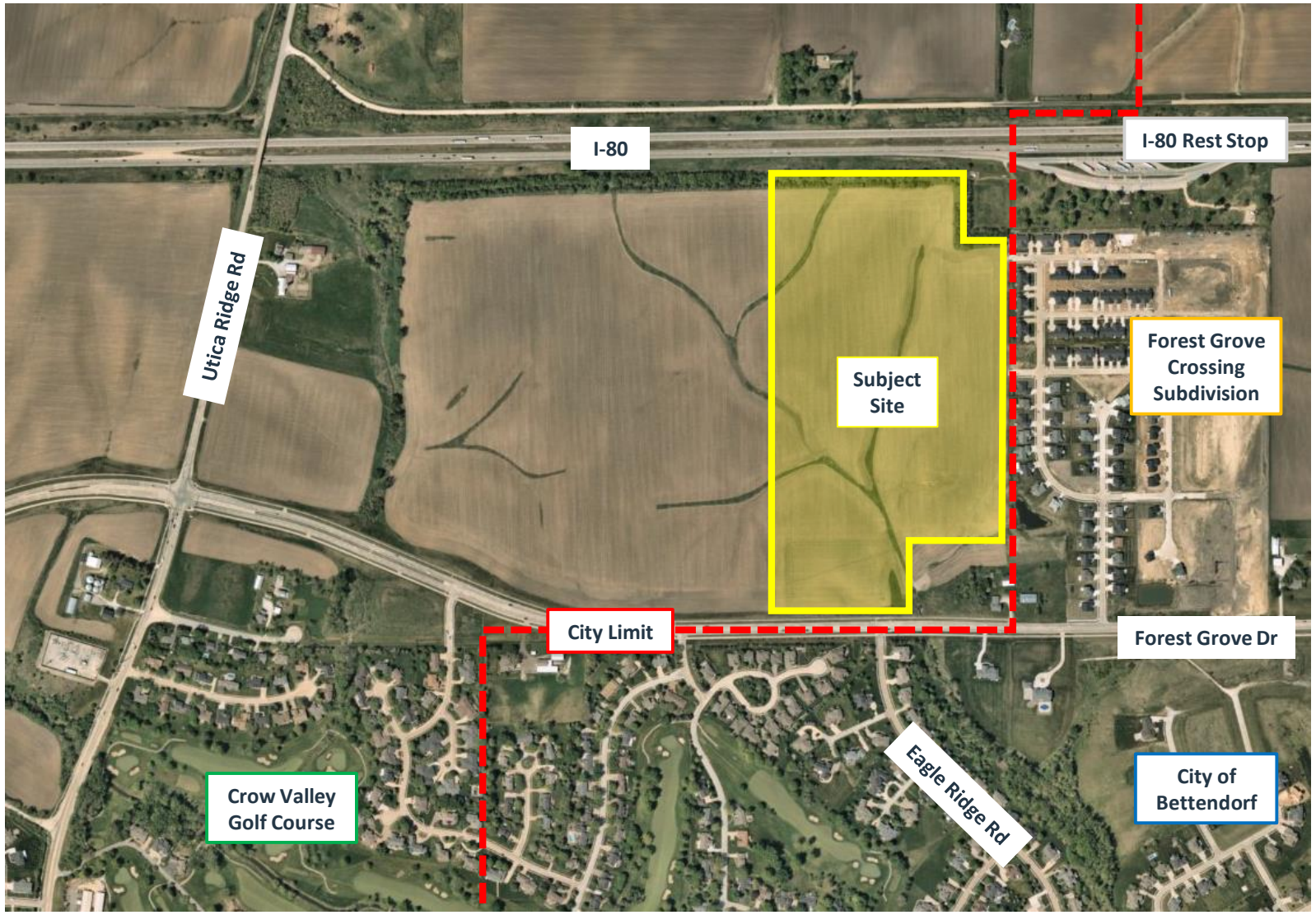
1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed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

Conditions:

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

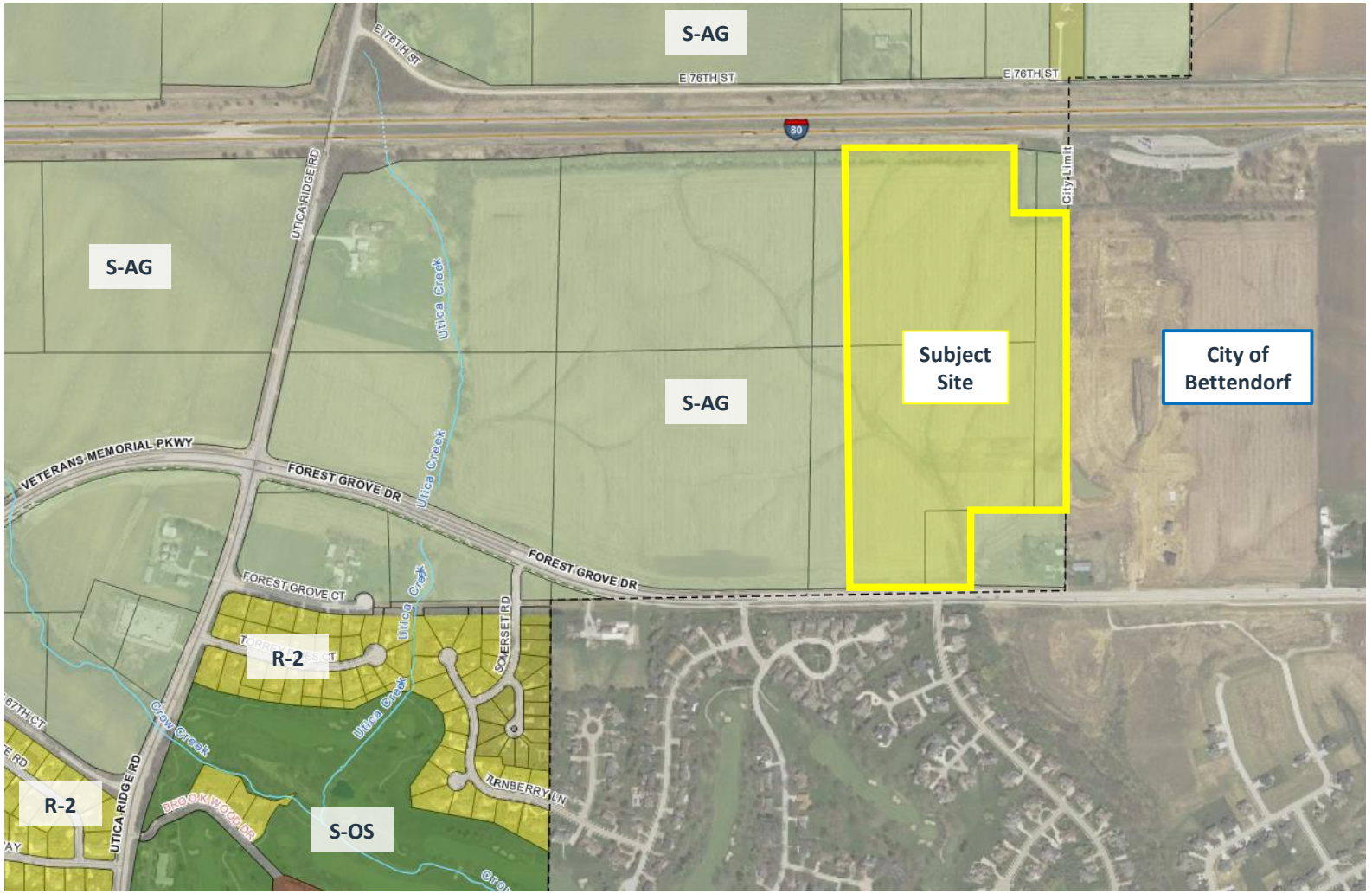
Vicinity Map

DAVENPORT
IOWA | USA



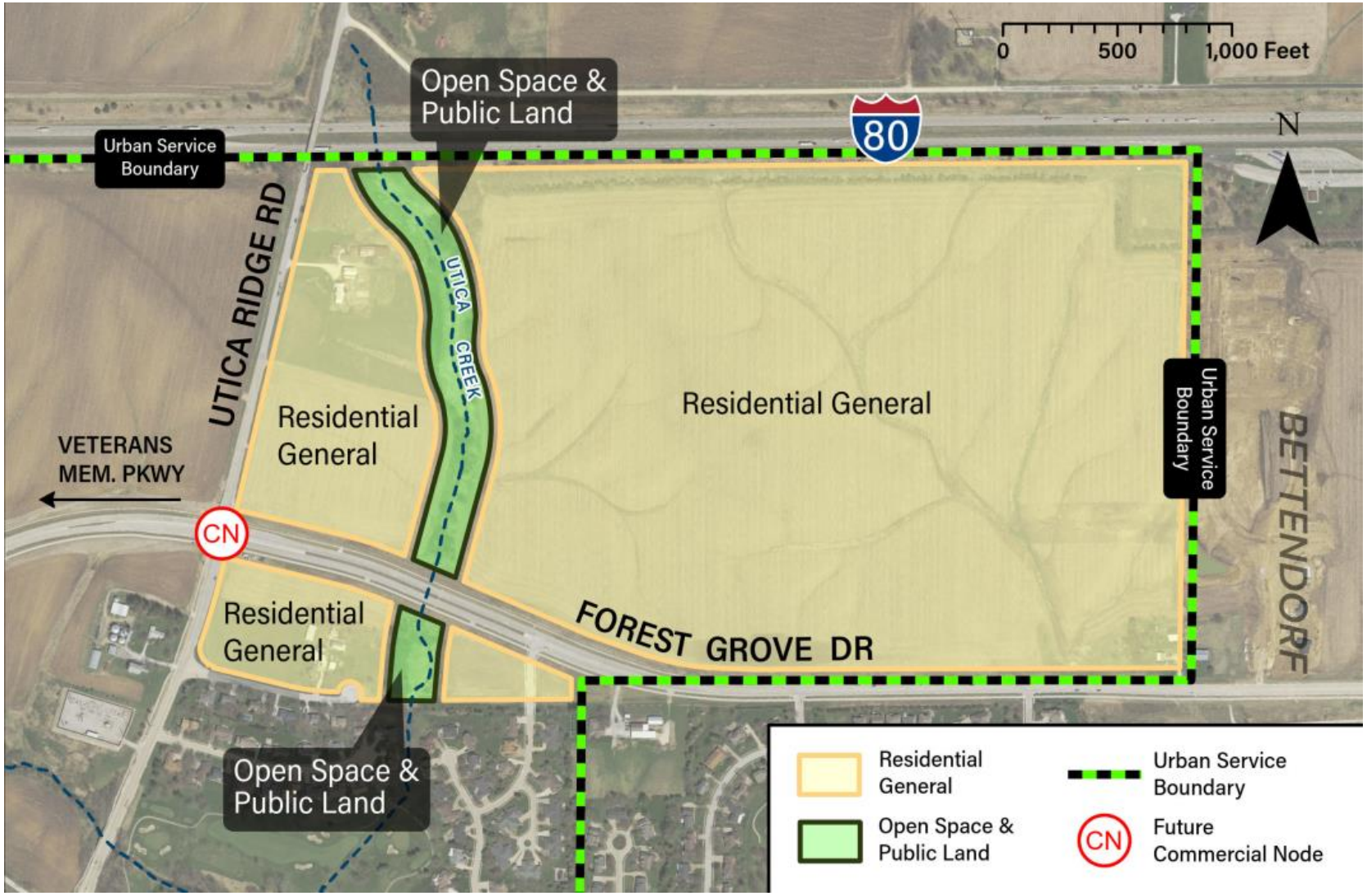
Zoning Map

DAVENPORT
IOWA | USA



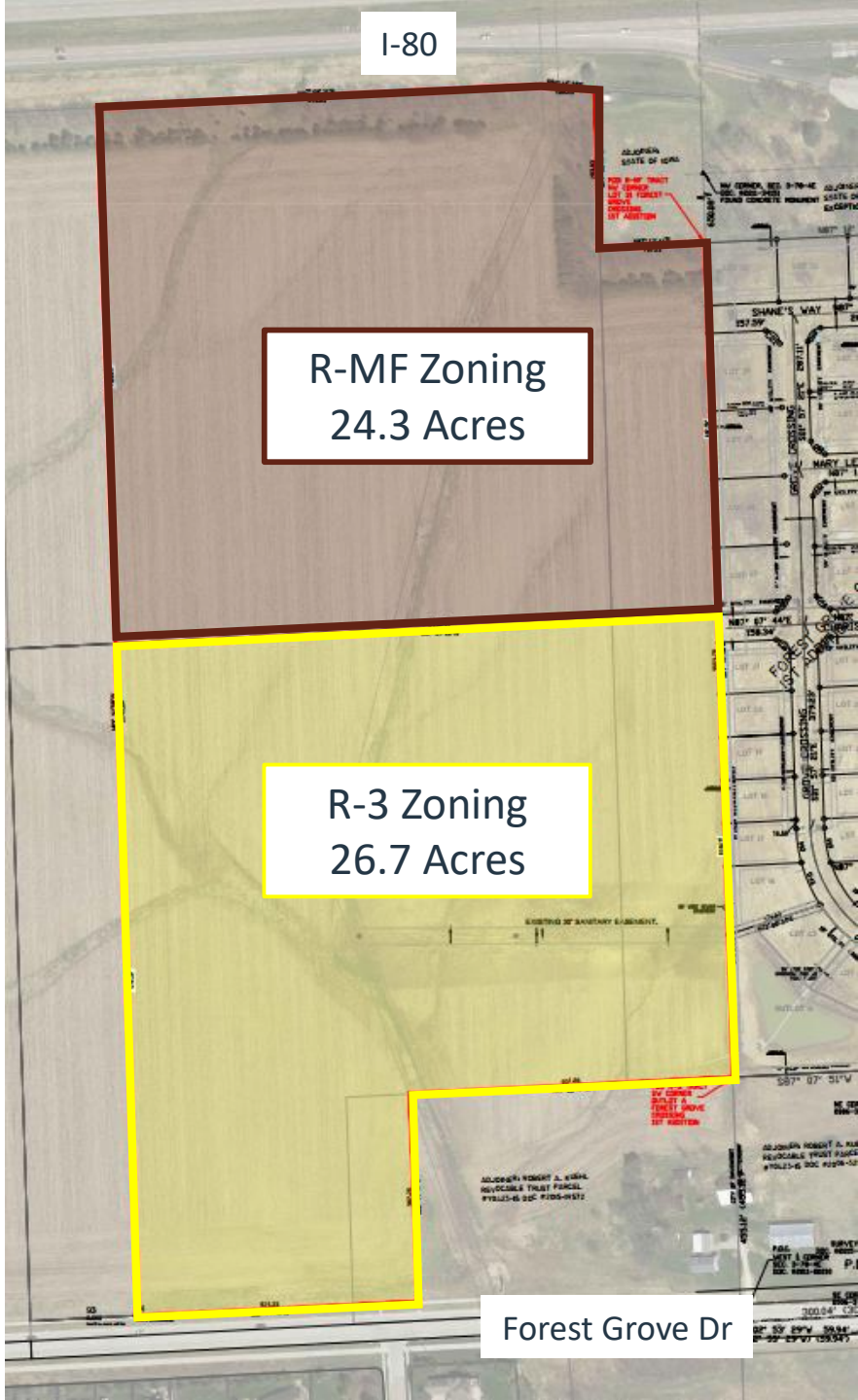
Future Land Use Map

DAVENPORT
IOWA | USA



Purpose of the Request

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



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

Property Address* 5820 Forest Grove Drive (also see attached legal description)
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:	V. Rao Ramavaram
Company:	E&A Enterprises, LLC
Address:	3885 Kensington Court
City/State/Zip:	Bettendorf, IA 52722
Phone:	309-592-7999
Email:	hosthospitality@gmx.com

Owner (if different from Applicant)

Name:	Virginia L McCall
Company:	Circle K Properties, LLC
Address:	4820 Forest Grove Court
City/State/Zip	Davenport, Iowa 52807
Phone:	
Email:	

Engineer (if applicable)

Name:	Mike Richmond (PLS)
Company:	Townsend Engineering
Address:	2224 East 12th Street
City/State/Zip	Davenport, IA 52803
Phone:	563-386-4236
Email:	mrichmond@townsendengineering.net

Architect (if applicable)

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

Attorney (if applicable)

Name:	Clark Stojan
Company:	Stojan Law Office, P.C.
Address:	423 17th Street
City/State/Zip:	Rock Island, Il 61201
Phone:	(309) 794-9386
Email:	cstojan@w-slaw.com

Application Form Type:

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

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

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

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative
- Administrative Exception ☐
- Health Services and Congregate Living Permit ☐

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

Request:

Existing Zoning: S-AG

Proposed Zoning Map Amendment: R-3 and R-MF

Purpose of the Request:

Please see attached.

Total Land Area: 51.0 +/- Acres

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

Submittal Requirements:

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
  Zoning Map Amendment is less than 1 acre - $400.
  Zoning Map Amendment is one acre but less than 10 acres - $750 plus $25/acre.
  Zoning Map Amendment is 10 acres or more - $1,000 plus $25/acre.
  $10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:
- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission public hearing:
- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: R - Vee Date: 8/25/2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

Authorization to Act as Applicant

I, Virginia L Kuehl McCall

authorize E & A Enterprises

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Circle K Properties, LLC

X Virginia L. Kuehl McCall, Member/Manager

X _____

Signature(s)

State of Iowa,

County of Scott.

Sworn and subscribed to before me

This 25th day of August 2022

Personally Known to me

Form of Identification

Terri Stewart

Notary Public

My Commission Expires: 2/19/24

TERRI STEWART
Commission Number 771481
My Commission Expires
FEBRUARY 19, 2024

Authorization to Act as Applicant

I, Calla Parochetti

authorize E & A Enterprises

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Quad City Bank & Trust Company
by: Calla Parochetti

X Calla Parochetti, VP Trust

Signature(s)

State of Illinois,

County of Rock Island.

Sworn and subscribed to before me

This 25th day of August 2022

drivers license

Form of Identification

Mary K. Cullison

Notary Public

My Commission Expires: 8/13/2025

OFFICIAL SEAL
MARY K CULLISON
NOTARY PUBLIC-STATE OF ILLINOIS
MY COMMISSION EXPIRES 08-13-2025

OFFICIAL SEAL
MARY K CULLISON
NOTARY PUBLIC-STATE OF ILLINOIS
MY COMMISSION EXPIRES 08-13-2025

SECOND OWNER*

ROBERT A KUEHL & ELAINE M KUEHL REV TRUST

3551 7TH ST STE 100

MOLINE, IL 61265

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

Authorization to Act as Applicant

I, _____

authorize _____

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

_____

_____

Signature(s)

State of _____,

County of _____.

Sworn and subscribed to before me

This _____ day of _____ 20____ _____

Form of Identification

_____

Notary Public

My Commission Expires:

PURPOSE OF THE REQUEST:

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

R-MF
ZONING
24.3 AC

R-3
ZONING
26.7 AC

N87° 08' 21"E
814.83

S85° 41' 14"E
109.43

293.93
S01° 52' 59"E

ADJOINER:
STATE OF IOWA

NW CORNER, SEC. 3-78-4E
DOC. #2011-34151
FOUND CONCRETE MONUMENT

650.08'

ADJOINER:
STATE OF
EXCEPTION

N87° 12' 14"E
197.13

N87° 12'

LOT 31

LOT 32

15' U

SHANE'S WAY

N87° 0

157.59'

J.L.-C.P. 0+00.00

26

C47

C50

15' UTILITY EASEMENT

LOT 34

LOT 30

N87° 07' 44"E
131.81

15' UTILITY EASEMENT

J.L.-C.P. 0+50.00, P. 2

N87° 09'

145.86

LOT 3

LOT 29

C52

MARY LEI

N87° 10

C51

15' UTILITY

LOT 28

LOT 3

15' UTILITY EASEMENT

N87° 09

LOT 27

LOT 37

15' SANITARY EASEMENT

15' WATER AND UTILITY EASEMENT

C48

N01° 52' 50"W 1551.79

15' UTILITY EASEMENT

C49

N87° 07' 44"E
158.34'

52.01'

S01° 52' 50"E
1551.79

15' UTILITY EASEMENT

C46

FOREST GROVE
1ST ADDITION

LOT 21

LOT 26

LOT 20

LOT 25

GROVE CROSSING

15' UTILITY AND DRAINAGE EASEMENT

LOT 19

LOT 24

15' SANITARY EASEMENT

15' UTILITY EASEMENT

LOT 18

LOT 2

15' UTILITY AND DRAINAGE EASEMENT

16.59

LOT 17

C44

C45

J.L.-C.P. 9+50.00, P. 10

J.L.-C.P. 10+50.00, P. 11

J.L.-C.P. 11+

N87° 0

LOT 16

C43

15'

20' WIDE SEWER
EASEMENT

179.86
N72° 00' 31"E

EXISTING 30' SANITARY EASEMENT.

LOT 43

15' UTILITY

EASEM

CITY OF BETTENDORF

30' WIDE STORM
EASEMENT FOR 100
YEAR STORM

LOT 4

OUTLOT A

15' UTILITY AND DRAINAGE EASEMENT

S87° 07' 51"W

NE CORN
2006-32

726.94
S87° 08' 32"W

NW CORNER
2006-3255 TRACT

ADJOINER: ROBERT A. KUEHL
REVOCABLE TRUST PARCEL
#Y0423-15 DOC #2015-19572

ADJOINER: ROBERT A. KUE
REVOCABLE TRUST PARCEL
#Y0423-15 DOC #2006-325

386.46
S02° 14' 44"E

CITY OF DAVENPORT
CITY OF BETTENDORF

455.12'

455.12' (45

P.O.C.
WEST ¼ CORNER
SEC. 3-78-4E
DOC. #2011-00210

SURVEY
DOC. #2015-1

P.

SE CORN
2006-32

300.04' (300

N02° 53' 29"W 59.94'
(N02° 53' 29"W) (59.94')

396.33
S87° 01' 16"W

93
0.000
500-FT W - KUEHL LOT PIN

94
0.000
410-FT W - KUEHL LOT PIN

N01° 52' 50"W
2246.88

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

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

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

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

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

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

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

Date: 10/19/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Rezoning Request

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

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

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

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

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

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

Findings:

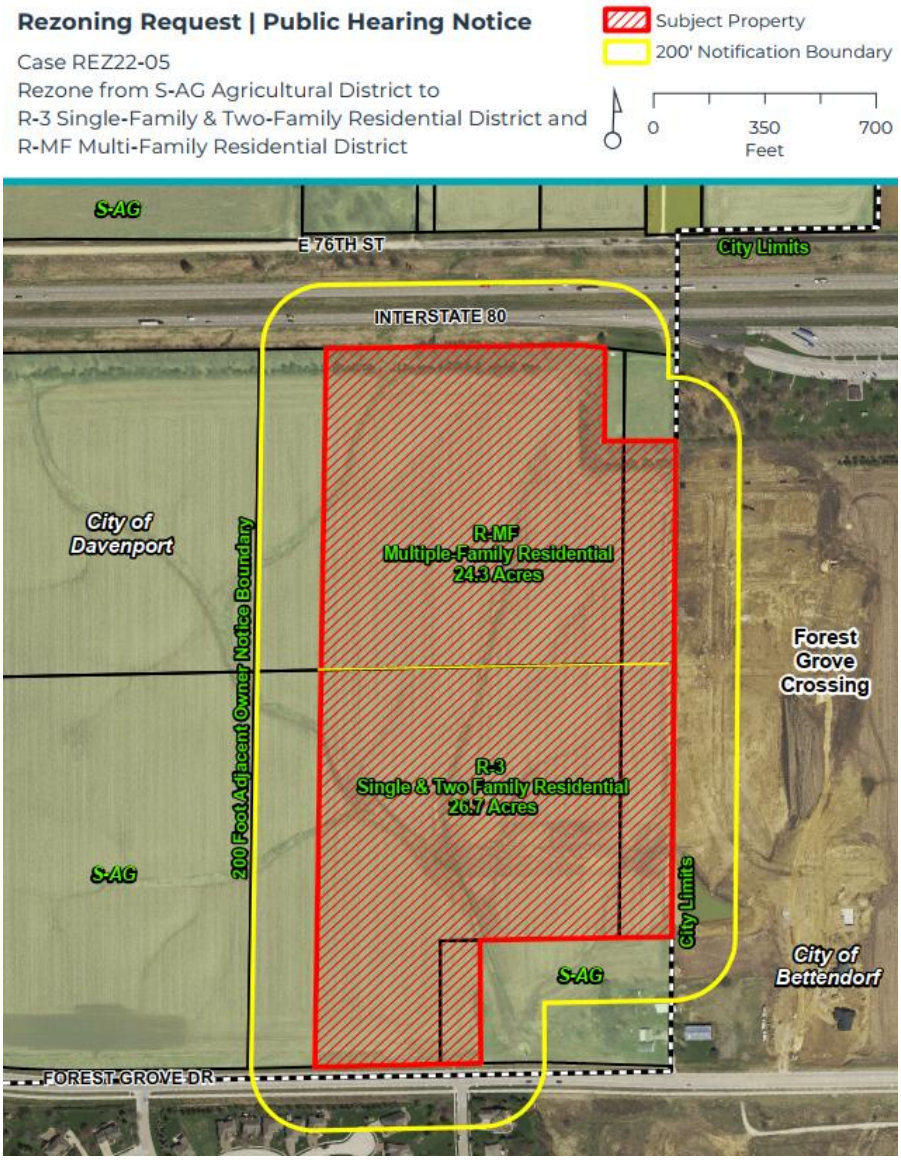
1. The proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character.
4. The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

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

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

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

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



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

October 13, 2022

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

Re: Case REZ22-06

Ms. Berkley:

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

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

Sincerely Yours,

E & A Enterprises, LLC

Ms. Samyuktha Ramavaram, Member 10/13/2022

Mr. Srikanth Reddy Kasula, Member 10/13/2022

City of Davenport

Department: Community Development Committee **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/19/2022**

Subject:
Public Hearing on the proposed amendment to the 2022 Annual Action Plan to add the HOME-ARP Allocation Plan. [All Wards]

Recommendation:
Hold the Hearing.

Background:
The amendment to the 2022 Annual Action Plan (AAP) is to include the HOME-ARP allocation plan as an attachment. The HOME-ARP plan presents funding available for specific activities and populations outlined in HUD CPD Notice 21-10 (issued on September 13, 2021). HOME-ARP eligible activities include development and support of affordable rental housing, tenant based rental assistance (TBRA), supportive services, and non-congregate shelters. These eligible activities are for qualifying populations (QP's) that include sheltered and unsheltered homeless populations, those currently housed populations at risk of homelessness, other families requiring services or housing assistance or to prevent homelessness, and those at greatest risk of housing instability or in unstable housing situations. The City of Davenport is receiving $1,533,897 for above-mentioned activities. Priority needs for qualifying populations have been identified as the following based on the consultation process and data available for the City of Davenport and surrounding metro area:

- Increase affordable rental/housing units with an emphasis on 3+ bedrooms and accessible units
- Create supportive service programs focused on preventing homelessness with an emphasis on the creation of a financial literacy and mentoring program
- Provide rental assistance for those at risk of homelessness to alleviate the need to go through the shelters and keep people in their current housing units.

Copies of the AAP amended draft were available from 9/22/2022 to 10/21/2022 for public review at: Davenport City Hall, the City of Davenport libraries, and on the City's website www.davenportiowa.com under the Community & Economic Development Department.

Although the HOME-ARP plan is a stand-alone plan it is submitted to HUD as an attachment to the current year's Annual Action Plan (AAP). The AAP was due before the HOME-ARP plan was complete so in that case the AAP is submitted and approved by HUD then it is amended to include the HOME-ARP plan. The addition of the HOME-ARP plan is considered a "substantial amendment" which requires a 30-day comment period.

- AAP due to HUD – 7/12/22
- AAP approved by HUD – 8/18/22
- HOME-ARP plan completed – 9/14/22
- AAP amendment began to add HOME-ARP plan – 9/15/22
- 30-day comment period for amendment to AAP – 9/22/2022 to 10/21/2022
- Submit amended AAP with HOME-ARP – 10/28/22

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Admin, Default	Approved	10/13/2022 - 3:25 PM

City of Davenport

Department: City Clerk
Contact Info: Laura Berkley | 563-888-3553

Action / Date
10/19/2022

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

Recommendation:
Hold the Hearing.

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

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

A Public Hearing prior to City Council action on amendments in Chapter 15.44 is required. A notice was published in the *Quad-City Times* on October 1, 2022.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Moses, Trish	Approved	10/12/2022 - 10:26 AM

ORDINANCE NO. _____

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

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

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

R. All New and Substantially Improved Structures

1. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

    c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated

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

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

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

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

T. Nonresidential Construction.

1. All new construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

    a. A registered professional engineer or architect shall develop and/or review structural design specifications, and plans for the construction, and shall certify that the designs and methods of construction are in accordance with accepted standards of practice for meeting the applicable standards.

    b. Such certification shall be provided to and maintained by the official as set forth in Section 15.44.180.

2. If the structure is elevated through the use of fill, all fill shall be offset by corresponding grade reductions or cuts in order that there be no net loss of flood plain as measured in net cubic yards. However, the requirement stated in the preceding sentence shall have no application to the Mississippi River flood plain.

3. All new construction or substantial improvement that contains fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

5. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

_____
Mike Matson
Mayor

Attest: _____
Brian Krup

Deputy City Clerk

Published in the *Quad City Times* on _____

ORDINANCE NO. _____

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

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

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

R. All New and Substantially Improved Structures

1. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

    c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated

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

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

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

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

T. Nonresidential Construction.

1. All new construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

    a. A registered professional engineer or architect shall develop and/or review structural design specifications, and plans for the construction, and shall certify that the designs and methods of construction are in accordance with accepted standards of practice for meeting the applicable standards.

    b. Such certification shall be provided to and maintained by the official as set forth in Section 15.44.180.

2. If the structure is elevated through the use of fill, all fill shall be offset by corresponding grade reductions or cuts in order that there be no net loss of flood plain as measured in net cubic yards. However, the requirement stated in the preceding sentence shall have no application to the Mississippi River flood plain.

3. All new construction or substantial improvement that contains fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

5. New and substantially improved structures shall be constructed with ~~electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities~~ electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

_____
Mike Matson
Mayor

Attest: _____

Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/19/2022**

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Downtown Davenport Streetscape | 3rd Street and Brady Street project, CIP #60035. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
This design is for a streetscaping project on the north side of W. 3rd Street between 116 West 3rd Street (The Office Cocktail Bar and Lounge) and Brady Street, and on the west side of Brady Street between West 3rd Street and the alley. The streetscape design follows current guidance with features such as ADA-accessible sidewalks and building entrances, brick banding, ornamental lights, and street trees where possible.

This project presented the challenge of multiple vaults present beneath the sidewalk. Where no active utilities are present, the design calls for the area to be walled off from the basement and filled with a flowable concrete material. Where active utilities are present, the design calls for the sidewalk to receive structural steel to properly protect the utility area and support the sidewalk.

Per the June 2020 Streetscape Improvement Plan, costs will be shared between the City, property owners, and the Downtown Davenport Partnership. The engineer's project estimate is $356,936, which includes a $40,000 contract contingency. The projected breakdown is as follows:

- City portion: $232,361
- Property owner portion: $81,109
- DDP portion: $47,274

ATTACHMENTS:

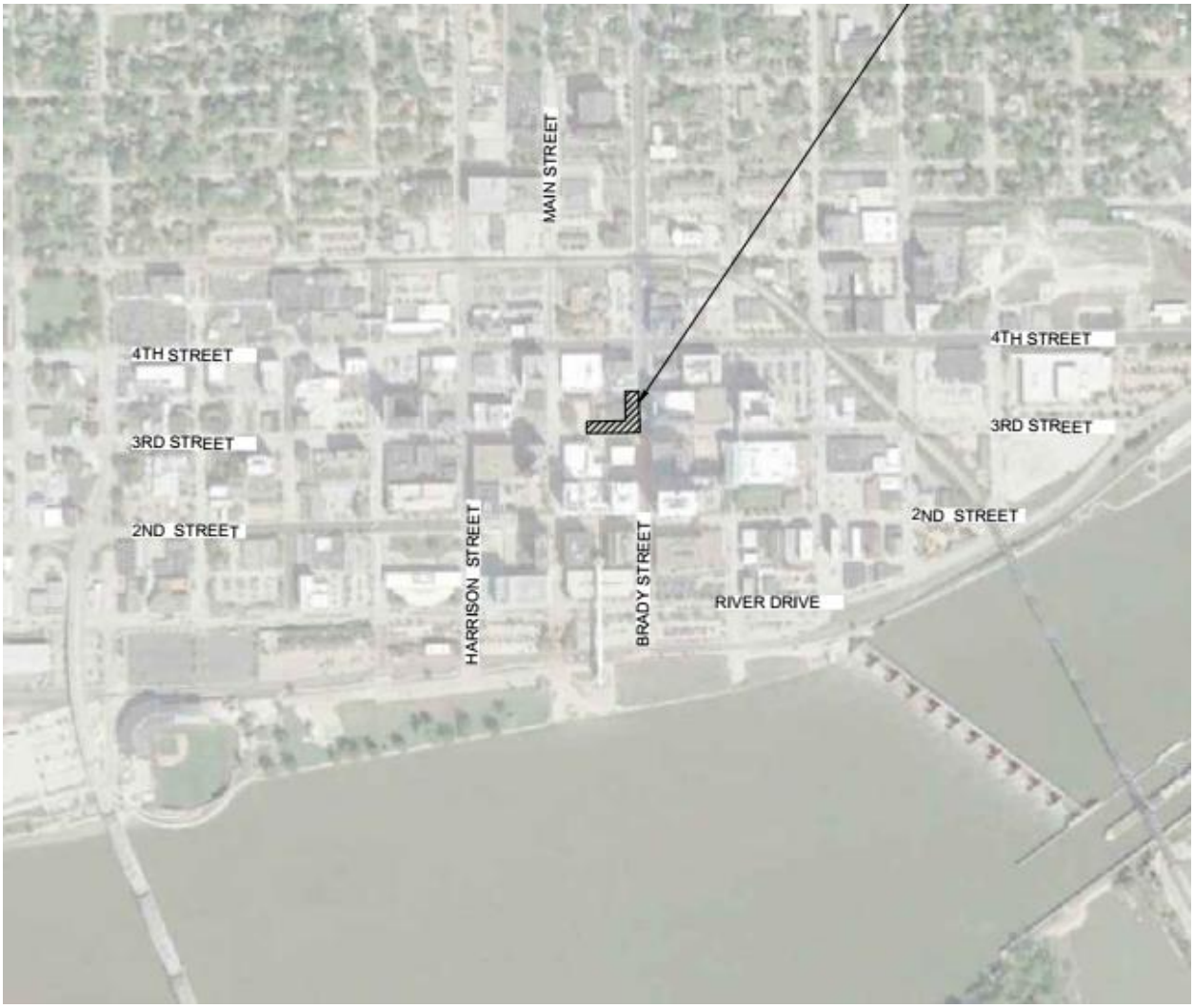
	Type	Description
🗋	Exhibit	location map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 3:50 PM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 3:50 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 10:46 AM

Proposed 3rd St. & Brady St. Streetscaping Project

(northwest corner)



City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/26/2022**

Subject:
Third Consideration: Ordinance expanding the boundaries of the Central City and North Urban Revitalization Areas. [Wards 1, 2, 5, 6, 7, & 8]

Recommendation:
Adopt the Ordinance.

Background:
UPDATE: There are two sites adjacent to the Eastern Iowa Industrial Center that staff recommends adding to the URTE area (see attached maps), one with a contingency. One site was approved to be annexed to the City just this month. The other site (same owner) plans to begin the annexation process in the coming weeks. If successful, contingent approval for inclusion in the URTE area for that second site would be consistent with the surrounding property available for industrial development. An amendment to add these areas would be needed. Language reflecting this change is also attached.

On May 31, 2022, the City Council met in a Management Update Meeting to review potential new areas to include in the Urban Revitalization Tax Exemption program. A Public Hearing on inclusion of these new areas was held at the August 17, 2022 Committee of the Whole Meeting.

The attachments show the proposed new areas to be included as well as the exemption schedules. If approved, the properties within the new areas can apply for URTE benefits for eligible improvements made within the 2022 calendar year.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	URTE Map
Backup Material	URTE Schedules
Backup Material	Legal Description of Additions
Cover Memo	Proposed Amendment to URTE area - Two sites
Cover Memo	Amendment Narrative

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/15/2022 - 8:42 AM

ORDINANCE NO. _____

ORDINANCE EXPANDING THE BOUNDARIES OF THE CENTRAL CITY AND NORTH URBAN REVITALIZATION AREAS.

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

WHEREAS, Section 404.1 of the Code of Iowa provides the authority for a local governing body to designate an area as an urban revitalization area when said area is deemed to meet the conditions of an economic development area as defined in Section 403.17, which is therein defined as an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development; and

WHEREAS, the area proposed and described in the Davenport 2022 Urban Revitalization Area Plan for Central City and North Areas is such an area; and

WHEREAS, the Davenport 2022 Urban Revitalization Area Plan for Central City and North Areas (hereinafter "Plan") was drafted and presented for public comment with written notification mailed to all owners of real property within the proposed expanded area and published a notice of a Public Hearing that was held on August 17, 2022; and

WHEREAS, in the future any changes and/or amendments to the Davenport 2022 Urban Revitalization Area Plan for the Central City and North Areas or subsequent Plans may be enacted by a Resolution.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Davenport, Iowa the expanded boundaries of the Davenport 2022 Urban Revitalization Area Plan for the Central City and North Areas are hereby approved.

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 _____

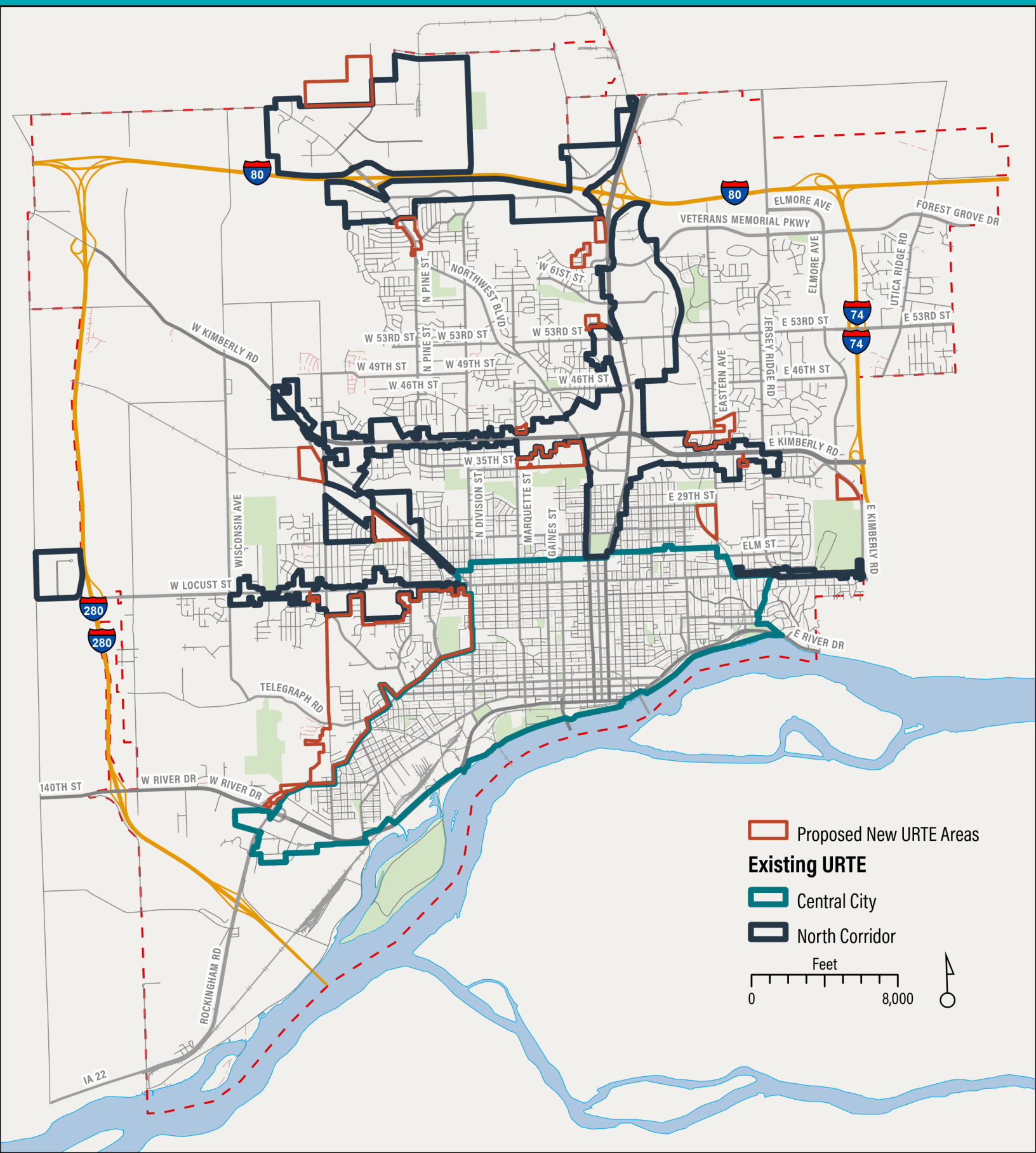
Attest:

_____	_____
Mike Matson	Brian Krup
Mayor	Deputy City Clerk

THE CITY OF DAVENPORT
IOWA | USA

URTE

Proposed New Areas



URTE Schedules

Exemption Schedule	Use	How much of improvement's value is exempted?
Central 1	Commercial & Industrial	1st yr- 80% 2nd yr- 70% 3rd yr- 60% 4th yr- 50% 5th & 6th yr- 40% 7th & 8th yr- 30% 9th & 10th yr- 20%
Central 2	Commercial & Industrial	100% for 3 years
Central 3	Residential & Multi Residential	100% for 10 years
North 1	Residential, Commercial, Multi Residential & Industrial	1st yr- 80% 2nd yr- 70% 3rd yr- 60% 4th yr- 50% 5th & 6th yr- 40% 7th & 8th yr- 30% 9th & 10th yr- 20%
North 2	Residential, Commercial, Multi Residential & Industrial	100% for 3 years

7000 Brady Street

Part of the Northeast Quarter of Section 2, Township 78 North, Range 3 East of the 5th P.M., being more particularly described as follows:
Commencing, as a point of reference, at the northeast comer of the Northeast Quarter of said Section 2; Thence South 00 degrees 02 minutes 18 seconds East 1326.37 feet along the east line of the Northeast Quarter of said Section 2 to the northeast comer of the Southeast Quarter of the Northeast Quarter of said Section 2; thence South 89 degrees 13 minutes 41 seconds West 249.25 feet along the north line of the Southeast Quarter of the Northeast Quarter of said Section 2 to a point on the westerly right of way line of U. S. Highway 61, said point being the POINT OF BEGINNING of the tract of land hereinafter described: THENCE South 19 degrees 49 minutes 00 seconds East 153.65 feet along said westerly right of way line; THENCE southeasterly 326.37 feet along said westerly right of way line being a curve concave westerly having a radius of 1046.00 feet and a chord bearing and dimension of South 10 degrees 52 minutes 45 seconds East 325.05 feet; THENCE South 02 degrees 36 minutes 24 seconds East 496.65 feet along said westerly right of way line; THENCE South 00 degrees 44 minutes 33 seconds East 337.86 feet along said westerly right of way line to a point on the north right of way line of West 67th Street as now established in the City of Davenport, Iowa; THENCE South 89 degrees 23 minutes 11 seconds West 584.98 feet along said north right of way line to a point on the east line of the West Half of the Southeast Quarter of a Northeast Quarter of said Section 2; THENCE North 00 degrees 01 minutes 20 seconds West 1298.00 feet along the east line of the West Half of the Southeast Quarter of the Northeast Quarter of said Section 2 to a point on the north line of the Southeast Quarter of the Northeast Quarter of said Section 2; THENCE North 89 degrees 13 minutes 41 seconds East 445.09 feet along the north line of the Southeast Quarter of the Northeast Quarter of said Section 2 to the point of beginning, Scott County, Iowa. More commonly known as 7000 Brady Street; Parcel X0223-31.

Annie Witt

Part of the East ½ of Section 24, Township 78 North, Range 3 East of the 5th P.M., being more particularly described as follows: Commencing at the S.E. corner of the N.E. ¼ of said Section 24; thence East 30.0 Ft. along the South line of the N.E. ¼ of said Section 24 to the point of beginning; thence S00˚ 44' W 602.14 ft. to the point of intersection of the West R.O.W line of Eastern Avenue with the Northeasterly R.O.W. line of CM&St.P. Railroad; thence Northwesterly 128.89 ft. along the Northeasterly R.O.W. line of said Railroad being a curve concave Southwesterly with a radius of 3870.0 ft. and having a long chord being N. 46˚52'W; thence N.47˚50' W 454.00 ft. along said Railroad R.O.W. line; thence Northwesterly 526.28 ft. along said Railroad R.O.W. being a curve concave Northeasterly with a radius of 1587.14 ft. and having a long chord bearing N.38˚20'W 523.91 ft.; thence Northerly 1146.95 ft. along said Railroad R.O.W. being a curve concave Northeasterly with a radius of 2084.16 ft. having a long chord bearing N13˚04'W 1132.62 ft. to a point of the South R.O.W. line of 29th St.; thence S.89˚57E. 1101.03 ft. along the said South line of 29th St.; thence Southerly 31.58 ft. along a curve concave Westerly with a radius of 20.0 ft. to a point on the Westerly line of Eastern Ave.; thence S00˚31'W 1284.30 ft. along the West line of Eastern Ave. to the point of beginning containing 31.90 acres more or less; (also known as part of the Annie Wittenmyer Home property described as Tract B-1 and Tract B-2 in the Roy R. Fisher, Inc. appraisal) together with any easements or servient estates appurtenant thereto. More commonly known as 2800 Eastern, Parcel C0025-01A.

Central City Addition

Beginning at the northwest corner of the intersection of the west right of way line of North Division Street and the north right of way line of West 9th Street;
Thence, Southwesterly on the north right of way line of said West 9th Street and the north right of way line of Telegraph Road, to the southwest corner of the premises described in a Warranty Deed recorded November 11, 2019 as Document number 2019-30911 in the Scott County Recorder of Deeds Office;
Thence, Northwesterly on the east line of said premises;
Thence, Southwesterly on the north line of said premises;
Thence, Southeasterly on the west line of said premises, to the north right of way line of Telegraph Road;
Thence, Southwesterly on said right of way line, to the intersection of said right of way line with the northerly extension of the west right of way line of South Clark Street;
Thence, South on said west right of way line and the northerly extension thereof, to the northwest corner of the intersection of said west right of way line with the northwesterly right of way line of Indian Road;
Thence, Southwesterly on said northwesterly right of way line, to the intersection of said line with the north right of way line of May Lane;
Thence, Westerly on said north right of way line, to the intersection of said line with the east right of way line of South Fairmount Street;
Thence, North on said east right of way line, to the north right of way line of Diehn Avenue;
Thence, West to the west right of way line of South Fairmount Street and the northeast corner of the Davenport and Rock Island Hebrew Cemetery Association property;
Thence, West on the north line of said cemetery, to the northwest corner of said cemetery;
Thence, South on the west line of said cemetery, to the southwest corner of said cemetery;
Thence, East on the south line of said cemetery, to the southwest corner of Grover's 2nd Addition;
Thence, North on the west line of said Addition, to the northwest corner of said Addition;
Thence, East on the north line of said Addition, to the west right of way line of South Fairmount Street;
Thence, South on said west right of way line, to the intersection of said line with the north right of way line of Rockingham Road;
Thence, Westerly and Southwesterly on said north right of way line, to the intersection of said right of way line with the south right of way line of Ricker Hill Road;
Thence, Southwesterly on the northwesterly right of way line of Rockingham Road, to the south line of the premises described in a Warranty Deed recorded March 3, 1992 as Document number 05157-92 in the Scott County Recorder of Deeds Office;
Thence, northwesterly on the southwest line of said premises, said line also being the northwesterly right of way line of Rockingham Road, to the southeast corner of the premises described in a Warranty Deed recorded April 16, 1985 as Document number 1985-05515 in said Recorder of Deeds Office;
Thence, Southwesterly on the northwest right of way line of said Rockingham Road, to the north right of way line of West River Drive;
Thence, Northwesterly on said right of way line, to the south line of the premises described in a Warranty Deed recorded November 22, 2004 as Document number 2004-40657 in said Recorder of Deeds office;
Thence, Northeasterly on said south line and the south line of the premises described in a Quit Claim Deed recorded May 14, 1997 as Document number 11697-97 in said Recorder of Deeds office, to the southeast corner of said premises described in Document number 11697-97;
Thence, Northerly on the east line of said premises, to the south right of way line of Bluegrass Road;

Thence, Northeasterly on said right of way line, to the intersection of the south right of way line of Ricker Hill Road and southerly extension of the west line of the premises described in a Quit Claim Deed, recorded March 26, 1970 in Book 333 at Page 397 in the aforesaid Recorder of Deeds Office;
Thence, North on the west line of said premises and the southerly extension thereof, to the northwest corner of said premises, said northwest corner being on the north line of the Northeast Quarter (NE 1/4) of Section 5, Township 77 North, Range 3 East of the Fifth P.M.;
Thence, East on said north line, to the Northwest corner of Midway Addition;
Thence, East on the north line of said Addition, to the north right of way line of Rockingham Road;
Thence, East on said right of way line, to the southwest corner of the premises conveyed to the Northwestern Cremation Society dated July 29, 1921;
Thence, North on the west line of said premises, to the northwest corner of said premises;
Thence, East on the north line of said premises, to the northeast corner of said premises;
Thence, South on the east line of said premises, to the north right of way line of Rockingham Road;
Thence, East on said right of way line, to the southwest corner of the premises described in a Warranty Deed, recorded April 13, 2018 as Document number 2018-8664 in the aforesaid Recorder of Deeds Office;
Thence, North on the west line of said premises, to the southwest corner of the premises described in a Special Warranty Deed recorded June 14, 2011 as Document number 2011-15515, in said Recorder of Deed's Office, said southwest corner being on the east line of Fairmount Cemetery;
Thence, North on the east line of said cemetery, to the southeast corner of the premises described in a Trustee Warranty Deed, recorded January 24, 2017 as Document number 2017-02084 in said Recorder's office;
Thence, North, East and North on the east lines of said premises to the south line of the premises described in a Warranty Deed recorded January 20, 1999 as Document number 02569-99 is said Recorder's Office;
Thence, West on said south line, to the southwest corner of said premises;
Thence, North on the west line of said premises, to the northwest corner of said premises;
Thence, East on the north line of said premises, to the southwest corner of the premises described in a Quit Claim Deed recorded June 23, 2020 as Document number 2020-18083 in said Recorder's office;
Thence, North on the west line of said premises, to the northwest corner of said premises;
hence, East on the north line of said premises, to the southwest corner of the premises described in a deed recorded June 1, 1976 as Document number 1976-09177 in said Recorder's office;
Thence, North on the west line of said premises and the west line of the premises described in a Warranty Deed recorded June 20, 2018 as Document number 2018-15697 to the northwest corner of the premises described in said Document number 2018-15697;
Thence, East on the north line of said premises to the southwest corner of the premises described in a Quit Claim Deed recorded June 10, 2021 as Document number 2021-19777 in said Recorder's Office;
Thence, North on the west line of said premises, to the northwest corner of said premises;
Thence, East on the north line of said premises to the west right of way line of South Fairmount Street;
Thence, North on said right of way line to the north right of way line of West 2nd Street, also being the southwest corner of Hussey's Plat;
Thence, North on the west line of said Hussey's Plat, said west line also being the east line of the Northeast Quarter (NE 1/4) of Section 32, Township 78 North, Range 3 East, of the 5th Principal Meridian;
Thence, North on the east line of said Northeast Quarter (NE 1/4) to the southeast corner of Section 29, Township 78 North, Range 3 East, of the 5th Principal Meridian;

Thence, North on the east line of the Southeast Quarter (SE 1/4) of said Section 29, to the southeast corner of the Northeast Quarter (NE 1/4) of said Section 29;
Thence, North on the east line of said Northeast Quarter (NE 1/4), to the southwest corner of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Township 78 North, Range 3 East, of the 5th Principal Meridian;
Thence, East on the south line of said Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4), to the west right of way line of North Elsie Avenue;
Thence, North on said west right of way line, to the westerly extension of the north line of Schwengel's First Addition;
Thence, East on the north line of said Schwengel's First Addition, and the north line of Anderson's 1st Addition, to the southwest corner of the premises described in a Warranty Deed recorded January 30, 2004 Document number 2004-03396 in said Recorder's Office;
Thence, North on the west line of said premises, to the northwest corner of said premises;
Thence, East on the north line of said premises, to the west right of way line of North Clark Street;
Thence, South on said right of way line, to the north right of way line of West 13th Street;
Thence, East, to the intersection of the east right of way line of North Clark Street and the north right of way line of West 13th Street;
Thence, East on said north right of way line, to the centerline of Hillandale Road;
Thence, North on said centerline, to the northwest corner of Foster's Indian Hills 10th Addition;
Thence, East on the north line of said Addition, and the north line of Foster's Indian Hills 9th Addition, to the centerline of North Elmwood Avenue;
Thence, North on said centerline, to the northwest corner of Van's Addition;
Thence, Northerly, to the southwest corner of the premises described in a Plat of Survey recorded November 14, 2017 as Document number 2017-31253 in said Recorder's office;
Thence, Northeasterly on the west line of said premises, to the southwest corner of Lot 1 in Dugan and Rauch's 2nd Addition;
Thence, Northeasterly on the west line of said Dugan and Rauch's 2nd Addition, to the southwest corner of the premises described in a Warranty Deed recorded March 3, 2021 as Document number 2021-07368;
Thence, Northeasterly on the west line of said premises, to the southwest corner of the premises described in a Warranty Deed recorded December 21, 2015 as Document number 2015-33215 in said Recorder's office;
Thence, East on the south line of said premises, to the west right of way line of North Lincoln Avenue;
Thence, North on said right of way line, to the northeast corner of the premises described in said Document number 2015-33215;
Thence, West on the north line of said premises described, to the east line of the premises described in a Quit Claim Deed to the Mississippi Valley Fair, Inc. dated January 31, 2000 and recorded as Document number 2000-3144 in said Recorder's Office;
Thence, North along said east line, to the northwest corner of Lot 3 in Carl E. Siegle's 4th Addition;
Thence, East on the north line of said Lot 3, to the west right of way line of West 18th Street;
Thence, South on said right of way line, to the south right of way line of said West 18th Street;
Thence, East on said right of way line, to the west right of way line of North Lincoln Avenue;
Thence, South on said right of way line, to the westerly extension of the south line of Out Lots 2 and 3 in Steinhilber's Out Lots;
Thence, East on said south line and the westerly extension thereof, to the southeast corner of said Out Lot 2;

Thence, North on the east line of said Out Lot 2, to the westerly extension of the north line of Lot 4 in Cherry Lane Subdivision;
Thence, East on said north line and the westerly extension thereof, said line being the south line of a public alley, to the east right of way line of Lookout Lane;
Thence, South on said right of way line, to the north line of the premises described in a Warranty Deed recorded April 22, 2019 as Document number 2019-09004 in the aforesaid Recorder's office;
Thence, East on said north line and the easterly extension thereof, to the west right of way line of Pacific Street;
Thence, North on said right of way line, to the westerly extension of the north line of Lot 12 in Block 4 of Fair Ground Addition;
Thence, East on said north line and the westerly extension thereof, to the east line of a public alley;
Thence, North on said east line, to the northwest corner of Lot 7 in Block 4 of said Fair Ground Addition;
Thence, East on the north line of said Lot 7, to the west right of way line of North Howell Street;
Thence, South on said right of way line, to the north right of way line of West 17th Street;
Thence, East on said right of way line, to the east right of way line of Wilkes Avenue;
Thence, North on said right of way line, to the northwest corner of Lot 11 in Block 2 of said Fair Ground Addition;
Thence, East on the north line of said Lot11, to the west line of a public alley;
Thence, North on said west line, to the westerly extension of the north line of Lot 7 in Block 2 of said Fair Ground Addition;
Thence, East on said right of way line, to the west right of way line of Davie Street;
Thence, South on said right of way line, to the north right of way line of West 17th Street;
Thence, East on said right of way line, to the west right of way line of North Division Street;
Thence, South on said right of way line, to the Point of Beginning.

Belle Trio
Lots 2, 3, and 4 of Waterpark Addition, an addition to the City of Davenport, Scott County, Iowa; According to the plat thereof recorded August 4, 2000 as document number 2000.22959. More commonly known as Parcels: N1815-02B, N1815-03B, & N1815-04B.

Eastern & 39th Addition
Beginning at the southeast corner of Lot 3 in Luther Acres Addition;
Thence, West on the south line of said Lot 3, to the east right of way line of Eastern Avenue;
Thence, South on said right of way line, to the easterly extension of the north line of the south 285 feet of Lot 67 in Kimberly Crest North Addition;
Thence, West on said easterly extension and the north line of the south 285 feet of said Lot 67, to the east right of way line of the Canadian Pacific Railroad;
Thence, South on said right of way line, to easterly extension of the south line of the North 120 feet of Lot 45 in said Kimberly Crest North Addition;
Thence, West on said easterly extension and the south line of the North 120 feet of said Lot 45, to the west right of way line of Mississippi Avenue;
Thence, Southwesterly, to the southeast corner of the North 26 feet of Lot 10 in said Kimberly Crest North Addition;
Thence, West on the south line of the North 26 feet of Lots 10 and 9 in said Addition, to the southwest corner of the North 26 feet of the East 75 feet of said Lot 9;
Thence, North on the west line of the East 75 feet of Lots 9 and 12 in said Addition, to the south right of way line of 37th Street;

Thence, West on said right of way line, to the intersection of said south right of way line with the east right of way line of Bridge Avenue;
Thence, North on said right of way line, the south right of way line of East 39th Street;
Thence East on said right of way line, to the east right of way line of Eastern Avenue;
Thence, North on said right of way line, to the northwest corner of Lot 2 in Luther Acres 2nd Addition;
Thence, East on the north line of said Luther Acres 2nd Addition, to the southwest corner of Lot 15 in Windsor Crest Heights 6th Addition;
Thence, North on the west line of said Lot 15, to the southeast corner of Lot 16 in said Addition;
Thence, West on the south line of said Lot 16, to the east right of way line of Eastern Avenue;
Thence, North on said right of way line, to the south right of way line of Winding Hill Road;
Thence, East on said right of way line, to the northeast corner of Lot 15 in said Windsor Crest Heights 6th Addition;
Thence, South on the east line of said Lot 15, to the southeast corner of said Lot 15;
Thence, West on the South line of said Lot 15, to the northeast corner of Lot 1 in Spring Village 2nd Addition;
Thence, South on the east line of said Lot 1, to the southeast corner of said Lot 1;
Thence, West on the south line of said Lot 1, to the southwest corner of said Lot 1;
Thence, West on the south line of Lot 1 in the aforesaid Luther Acres Addition, to the an east corner of Lot 3 in said Addition;
Thence, South and East on the easterly line of Lot 3 in said Addition, the same line being the westerly and southerly right of way line for 38th Street, to the northwest corner of OutLot A in the aforesaid Spring Village 2nd Addition;
Thence, South on the west line of said OutLot A, to the Point of Beginning.

Goose Creek Additions
Beginning at the southeast corner of Lot 39 in Americana Park 2nd Addition;
Thence, West on the north right of way line of West 65th Street, to the east right of way line of Scott Street;
Thence, North on the east right of way line of said Scott Street, to the northwest corner of Lot 26 in Americana Park 2nd Addition;
Thence, East on the north line of Lots 26, 27 and 28 in said Addition, to the southwest corner of Lot 1 in Woodlawn Meadows First Addition;
Thence, North on a west line of said Lot 1, to the south line of the premises described in a Warranty Deed, recorded March 11, 1994 as Document number 07599-94 in the Scott County Recorder of Deeds office;
Thence, East on said south line, to the southwest corner of the premises described in a Warranty Deed recorded December 21, 2021 as Document number 2021-43248;
Thence, North on the west line of said premises, to the north line of Lot 1 in said Woodlawn Meadows First Addition;
Thence, East on the north line of said Addition, to the west right of way line of Harrison Street;
Thence, North on said west right of way line, to the north line of said Woodlawn Meadows First Addition;
Thence, West on said north line, to the west line of Lawrence V. Clough's Subdivision;
Thence, North on the said west line, to the south right of way line of West 67th Street;

Thence, East on said south right of way line, to the northeast corner of Lot 12 in said Lawrence V. Clough's Subdivision;
Thence, South on the east line of said subdivision, to the southeast corner of said subdivision;
Thence, West on the south line of said subdivision, to the east line of Americana Park 2nd Addition;
Thence, South on the east line of said Addition, to the Point of Beginning.

Hickory Grove Addition

Commencing at the northwest corner of the Southeast 1/4 of Section 17, Township 78, North, Range 3 East of the 5th P.M., Scott County, Iowa, Thence N. 89*26' 11" E. 2,007.46 feet thence 8.29*21'30" E. 432.44 feet thence 8.28*05'05" E. 314.98 feet thence southeasterly along a curve having a radius of 1,186.3 feet for a distance of 457.82 feet, thence S. 00* 13'20" E. 963.02 feet, thence northwesterly along a curve having a radius of 5,780.00 feet for a distance of 544.40 feet, thence N. 80*01'22" W. 2,158.28 feet thence N. 00*22'48" W. 1,431.83 feet to the point of beginning, containing 95.25 acres. More commonly known as: Parcel: T1739-05A & Parcel: T1755-01C.

3300 E Kimberly Road

Part of the Northeast Quarter of the Northwest Quarter of Section 20, Township 78 North, Range 4 East of the 5th P.M., City of Davenport, Scott County, Iowa, more particularly described as follows:

Beginning at the Northwest Comer of the Northeast Quarter of the Northwest Quarter of Section 20; thence South 89 degrees 47 minutes 46 seconds East a distance of 89.68 feet along the North line of the Northeast Quarter and the South line of Kimberly Road; thence Southeasterly along the Southwesterly right-of-way line of Kimberly Road to the South line of the Northeast Quarter of the Northwest Quarter of said Section 20 the following described courses; thence South 41 degrees 41 minutes 27 seconds East 193.21feet; thence South 60 degrees 29 minutes 37 seconds East a distance of 172.71 feet; thence South 50 degrees 33 minutes 55 seconds East a distance of 277.45 feet; thence South 46 degrees 16 minutes 22 seconds East a distance of 166.93feet; thence Southerly along a curve concave Southwesterly with a radius of 1845.00 feet, an arc length of 251.08 feet, a chord length of 250.89 feet and a chord bearing South 41 degrees 24 minutes 05 seconds East; thence South 33 degrees 16 minutes 36 seconds East a distance of 135.07feet; thence South 28 degrees 48 minutes 18seconds East a distance of 192.40 feet; thence Southerly along a curve concave Southwesterly with a radius of 1835.00feet, an arc length of 191.19 feet, a chord length of 191.11 feet and a chord bearing South 24 degrees 38 minutes 38 seconds East, thence South 17 degrees 10 minutes 15 seconds East a distance of 143.94 feet; thence Southeasterly along a curve concave Southwesterly with a radius of 1830.00 feet, an arc length of 28.37 feet, a chord length of 28.37 feet and a chord bearing of South 16 degrees 24 minutes 53 seconds East, to the said South line of the Northeast Quarter of the Northwest Quarter of Section 20; thence South 89 degrees 47 minutes 21 seconds West along said South line, a distance of 1179.94 feet to the Southwest comer of the Northeast Quarter of the Northwest Quarter of Section 20; thence North 00 degrees 34 minutes 30 seconds East along the West line of the Northeast Quarter of the Northwest Quarter, Section 20, a distance of 1333.84feet to the point of beginning.

Said tract is also described as follows: All that portion of the Northeast Quarter of the Northwest Quarter of Section 20, Township 78 North, Range 4 East of the 5th P.M., lying Southerly and Westerly of Kimberly Road in the said City of Davenport, Iowa. More commonly known as 3300 E Kimberly Road: Parcel N2002-03.

Marquette & Kimberly

Beginning at the southwest corner of Lot 3 in Kimberly Village Sixth Addition;
Thence, North on the east right of way line of Marquette Street, to the northwest corner of Lot 5 in said Addition;
Thence, East on the north line of said Lot 5, to the southwest corner of Lot 4 in the First Annex to Kimberly Village First Addition;
Thence, Northeasterly on the north line of said Lot 4, to the west right of way line of Lillie Avenue;
Thence, South on said west right of way line, to the intersection of said west right of way line with the south line of Lot 3 in Kimberly Village Sixth Addition extended easterly;
Thence, West on said south line and the easterly extension thereof, to the Point of Beginning.

Meyer Keppy Addition
The NE 1/4 of the SW 1/4, the SE 1/4 of the SW1/4, & the SW1/4 of the SW1/4 of Section 28, Township 79 North, Range 3 East of the 5th Principal Meridian, and the SE 1/4 of the SE 1/4 of Section 29, Township 79 North, Range 3 East of the 5th Principal Meridian, Except for the West 10.0 Ac per Survey 2013-4565. More commonly known as: Parcels: 932835001, 932849001, 932851001 and 932955002.

NW Blvd Addition
Beginning at the intersection of the south right of way line of West 67th Street and the west right of way line of Northwest Boulevard;
Thence, South on the west right of way line of Northwest Boulevard, to a northeast corner of Lot 2 in Petersen's 3rd Addition;
Thence, West on a north line of said Lot 2, a distance of 174 feet;
Thence, North on a line 20 feet east of and parallel with the east line of said Lot 2, to the south line of Lot 2 in Rosewill Addition;
Thence, East on said south line, 45 feet;
Thence, North on a line 45 feet east of and parallel with the east line of said Lot 2, to the north line of said Rosewill Addition;
Thence, East on said north line, to a southwest corner of Lot 1 in Abbey's Estate Addition;
Thence, North on a west line of said Lot 1, to a corner on the south line of said Lot 1;
Thence, West on a south line of said Lot 1, to a southwest corner of said Lot 1;
Thence North on a west line of said Lot 1, and the northerly extension thereof, to the north right of way line of West 67th Street;
Thence, East on said north right of way line, to the east right of way line of North Hancock Avenue;
Thence, North on said east right of way line, to the south right of way line of West 71st Street;
Thence, West on said south right of way line, to the intersection of said south right of way line and the southerly extension of the east line of Lot 5 in Carl L. Siegle's 3rd Addition;
Thence, North on said east line and the southerly extension thereof, to the point of intersection of the northerly extension of said east line of Lot 5 and the northeasterly extension of the south line of Lot 6 in Willow Knolls 1st Addition;

Thence, southwesterly on said south line extended northeasterly, to the southeast corner of said Lot 6;
Thence, Northwest on the northeast line of said Lot 6, to the south right of way line of West 72nd Street;
Thence, East on said south right of way line, to the west right of way line of Northwest Boulevard;
Thence, Northwest on said west right of way line, to the north right of way line of West 72nd Street;
Thence, Northeast, to the northwest corner of Northwest Corners Condominium per plat of survey recorded April 28, 2017 as Document number 2017-10258 in the Scott County Recorder of Deeds office;
Thence, East on the north line of said condominium, to the west line of Block 1 in the Replat of a portion of Ridgeview Park Addition;
Thence, South on the west line of said Replat, to the southwest corner of Lot 9, in Block 1 of said Replat;
Thence, East on the south line of said Lot 9, to the northeast corner of Block 29 in the Replat of said Ridgeview Park Addition;
Thence, South on the east line of said Block 29 and the southerly extension of said east line, to the south right of way line of Ridgeview Drive;
Thence, West on said south right of way line, to the northeast corner of the premises described in a Warranty Deed recorded May 5, 2005 as Document number 2005-14144 in the Scott County Recorder of Deeds office;
Thence, South on the east line of said premises, to the north line of Lot 2 in Block 28 of the Replat of said Portion of Ridgeview Park Addition;
Thence, East on said north line, to the northeast corner of said Lot 2;
Thence, South on the east line of said Lot 2, to the south line of said Lot 2;
Thence, West on said south line, to the east right of way line of Northwest Boulevard;
Thence, North on said east right of way line, to the intersection of said east right of way line with the easterly extension of the south right of way line of West 67th Street;
Thence, West to the Point of Beginning.

Sheridan & West 55th Street

Beginning at the southwest corner of Lot 4 in Feldhahn Heights 1st Addition;
Thence, North on the west line of said Addition, and the west line of Welcome Way Commercial Park 3rd Addition, to the northwest corner of said Welcome Way Commercial Park 3rd Addition;
Thence, East on the north line of said Addition, and the north line of Pennock 1st Addition, to the northeast corner of said Pennock 1st Addition;
Thence, South on the east line of said Addition, to the north right of way line of West 55th Street;
Thence, Easterly on said right of way line, to the easterly extension of the south line of Welcome Way Commercial Park 2nd Addition;
Thence, West on the south line of said Addition, to the east right of way line of Sheridan Street;
Thence, South on said right of way line, to the easterly extension of the south line of Lot 4 in the aforesaid Feldhahn Heights 1st Addition;
Thence, West on said south line and the easterly extension thereof, to the Point of Beginning.

West 35th Addition

Beginning at the intersection of the west right of way line of Harrison Street and the north right of way line of West 35th Street;

Thence, West on the north right of way line of said West 35th Street, to the east right of way line of Marquette Street;
Thence, North on said east right of way line, to the north line of Lot 2 in Scotty's Highland Park 2nd Addition to the City of Davenport;
Thence, east on said north line of said Scotty's Highland Park 2nd Addition and the north line of Cottages at Shady Ridge Addition to the City of Davenport, to the west line of Lot 4 in Schuette's 1st Addition;
Thence, north on said west line, to the northwest corner of said Schuette's Addition;
Thence, east on the north line of said Lot 4, to the southwest corner of Lot 2 in Byrider Subdivision 2nd Addition;
Thence, north on the west line of said Lot 2, to the northwest corner of said Lot 2;
Thence, east on the north line of said Lot 2, to a north corner of said Lot 2;
Thence, north on the north line of said Lot 2, to a northwest corner of said lot;
Thence, east on the north line of said Lot 2, to the northwest corner of a parcel described in a Plat of Survey recorded December 28, 2015 as Document number 2015-00033599 in the Scott County Recorder of Deeds office;
Thence, south on the west line of said parcel, to the southwest corner of said parcel;
Thence, east on the south line of said parcel, to the east line of Lot 2 in said Byrider Subdivision 2nd Addition;
Thence, south on said east line, to the northeast corner of Lot 5 in Schuette's 1st Addition;
Thence, south on an east line of said Lot 5, to a north corner of said Lot 5;
Thence, east on the north line of said Lot 5 and the easterly extension of said north line, to the southwest corner of Lot 1 in Kartridg Pak First Addition;
Thence, north on the west line of said Lot 1, to the northwest corner of said Lot 1;
Thence, east on the north line of said Lot 1, to the west line of Gaines Street;
Thence, north on the west line of said Gaines Street, to the intersection of the north line of Hilltop Industrial Park 5th Addition, as extended westerly to the west right of way line of said Gaines Street;
Thence, east on the north line of Hilltop Industrial Park 5th Addition and the westerly extension thereof, to the northeast corner of said Hilltop Industrial Park 5th Addition;
Thence, south on the east line of said Hilltop Industrial Park 5th Addition, to a northwest corner of the premises described in a Warranty Deed recorded February 25, 1999 as Document number 07304-99 in the Scott County Recorder of Deeds Office;
Thence, East on a north line of said premises, 245 feet, to a westerly corner of said premises;
Thence, North on a west line of said premises, 242.45 feet, to a northwest corner of said premises;
Thence, East on a north line of said premises, to the westerly right of way line of Harrison Street;
Thence, south on said westerly right of way line, to the Point of Beginning.

West Central Park Addition
Beginning at the intersection of the north line of West Central Park Avenue and the southwesterly right of way line of the Iowa Interstate Railroad right of way;
Thence, West on the north line of said West Central Park Avenue, to the southeast corner of the premises described in a Quit Claim Deed recorded October 25, 2017 as Document number 2017-00029431 in the Scott County Recorder of Deeds office, said southeast corner being 216.59 feet east of the east right of way line of North Clark Street;
Thence, North, on the east line of said premises, 200.5 feet;
Thence, West parallel with the north right of way line of West Central Park Avenue, 60 feet, to the southeast corner of Lot 6 in Treiber's 1st Addition to the City of Davenport;

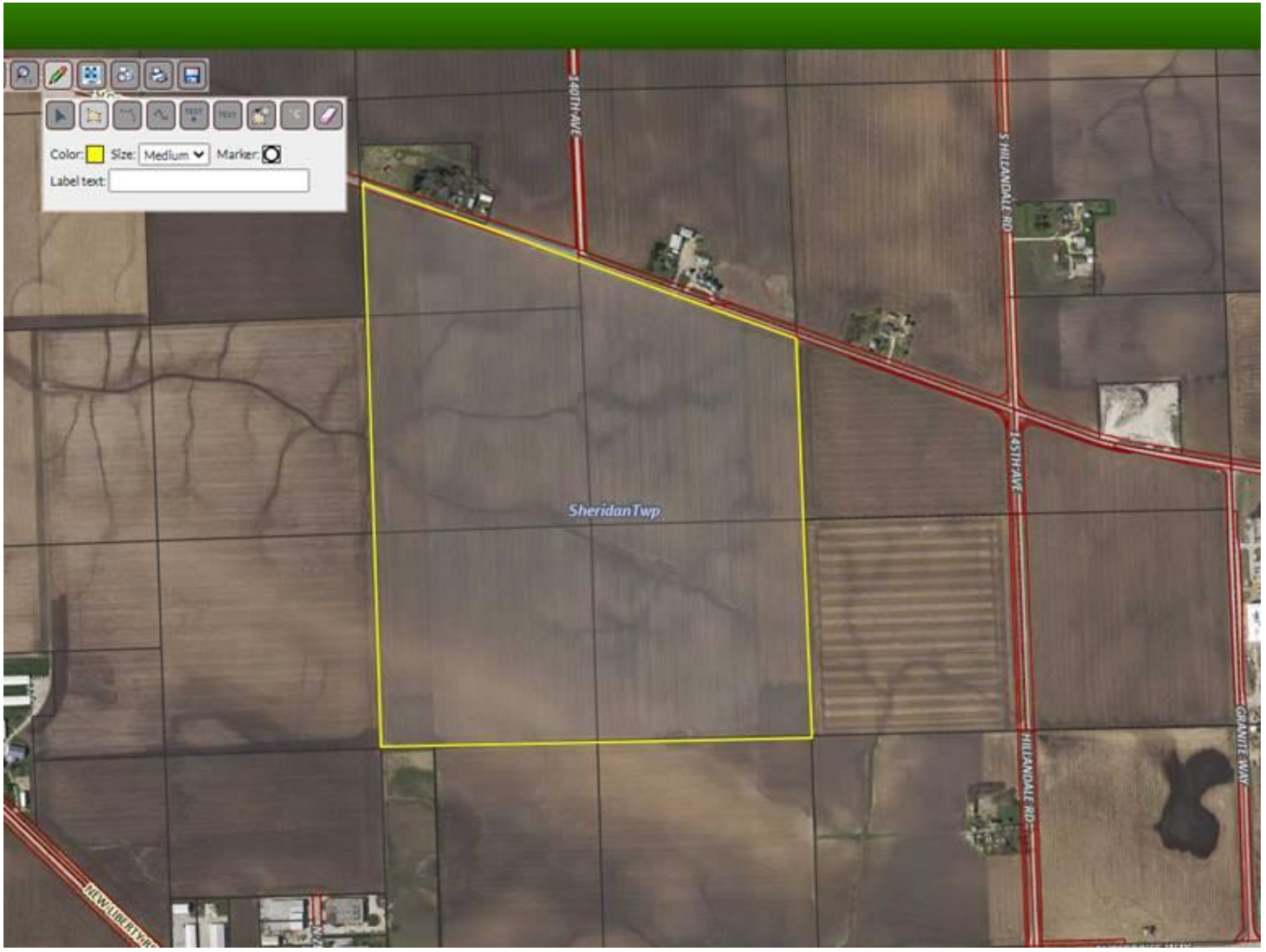
Thence, North on the east line of Treiber's 1st Addition, Brandt's 1st Addition and Hugo 1st Addition, to the southwesterly right of way line of said Iowa Interstate Railroad right of way; Thence, southeasterly on said southwesterly right of way line, to the Point of Beginning.

West Locust Street Duo

Lots 3 and 4 of the Final Plat of Ingram-Coussens Addition to the City of Davenport, Scott County, Iowa, except that portion deeded to the City of Davenport, Iowa for roadway purposes by document number 2002-40763. More commonly known as Parcels: S2907-03 and S2907-04.

Proposed Amendment to URTE Area – Site 1

Proposed Amendment to URTE Area – Site 2



Proposed Amendment to the Expanded Urban Revitalization Area Plan

1) **Add Site 1 to the North Area. Map would be revised to reflect the legal description below.**

Legal Description:

Parcel #932821007:

Part of the Southwest Quarter of the Northeast Quarter of Section 28, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa, lying South of W. Slopertown Road and excepting those tracts conveyed to the City of Davenport, Iowa, by Document #2016-29904 and Document #2020-18554recorded in the office of the Recorder of Scott County, Iowa. Also excepting all existing roads. Approximately 11.02 acres.

Parcel #932837002

The Northwest Quarter of the Southeast Quarter of Section 28, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa, excepting that tract conveyed to the City of Davenport, Iowa, by Document #2016-29904 recorded in the office of the Recorder of Scott County, Iowa. Also excepting all existing roads. Approximately 37.89 acres.

2) **Contingent upon successful future annexation, Site 2 would be added to the North Area. Map would not be revised unless/until annexation occurs.**

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/26/2022**

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

Recommendation:
Adopt the Ordinance.

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

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

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

Findings:

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

Conditions:

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

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

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

A staff report with full analysis has been attached.

ATTACHMENTS:

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

REVIEWERS:

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

ORDINANCE NO. _____

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

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "R-2 Single-Family Residential District."

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

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

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

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

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

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

Findings:

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

Conditions:

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

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

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

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

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

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

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

Comprehensive Plan:
Within Urban Service Area 2035: Yes

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

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

1. **Residential General (RG):** Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

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

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

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

In addition, the request is to rezone the northern 24.3 acres of land to **R-MF Multi-Family Residential District**. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

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

Approval Standards for Map Amendments (Chapter 17.14.040)
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

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

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

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

b. The compatibility with the zoning of nearby property.

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

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

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

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

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

c. The compatibility with established neighborhood character.

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

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

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

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

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

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

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

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

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

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

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

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

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

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

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

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

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

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

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

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

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

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

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

Findings:

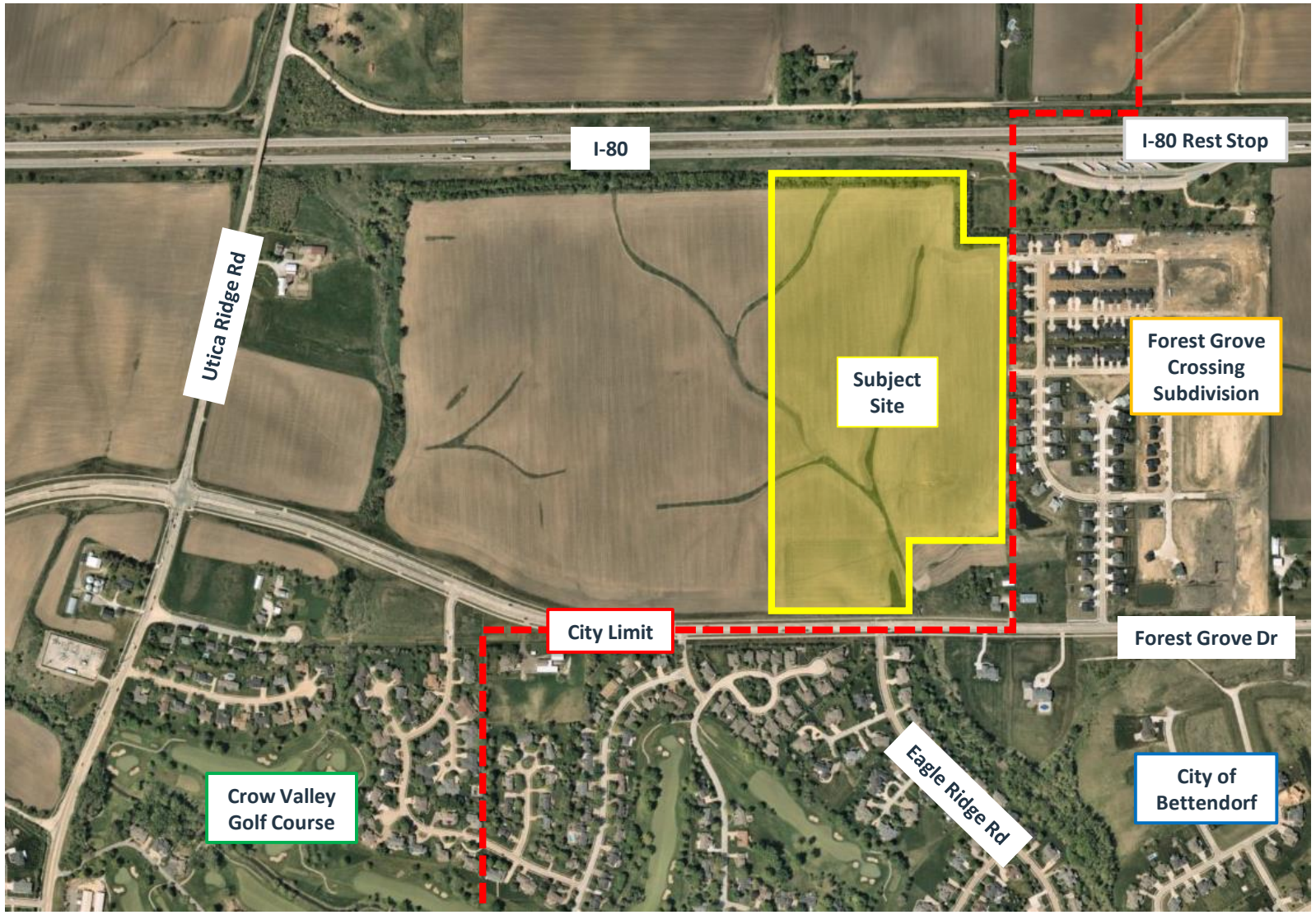
1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-2 Single-Family Residential District and R-MF Multi-Family Residential District is compatible with the zoning of nearby developed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

Conditions:

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

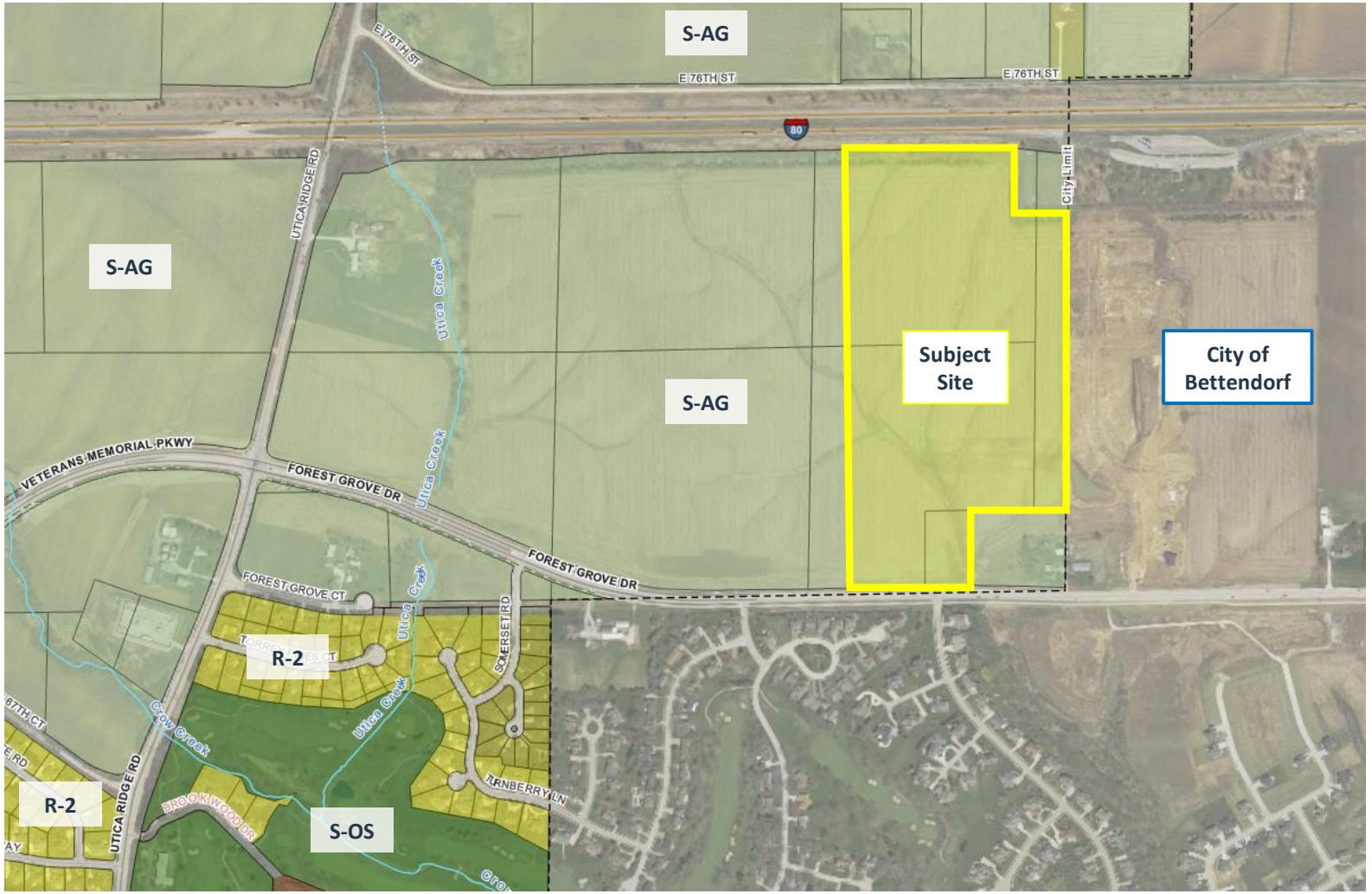
Vicinity Map

DAVENPORT
IOWA | USA



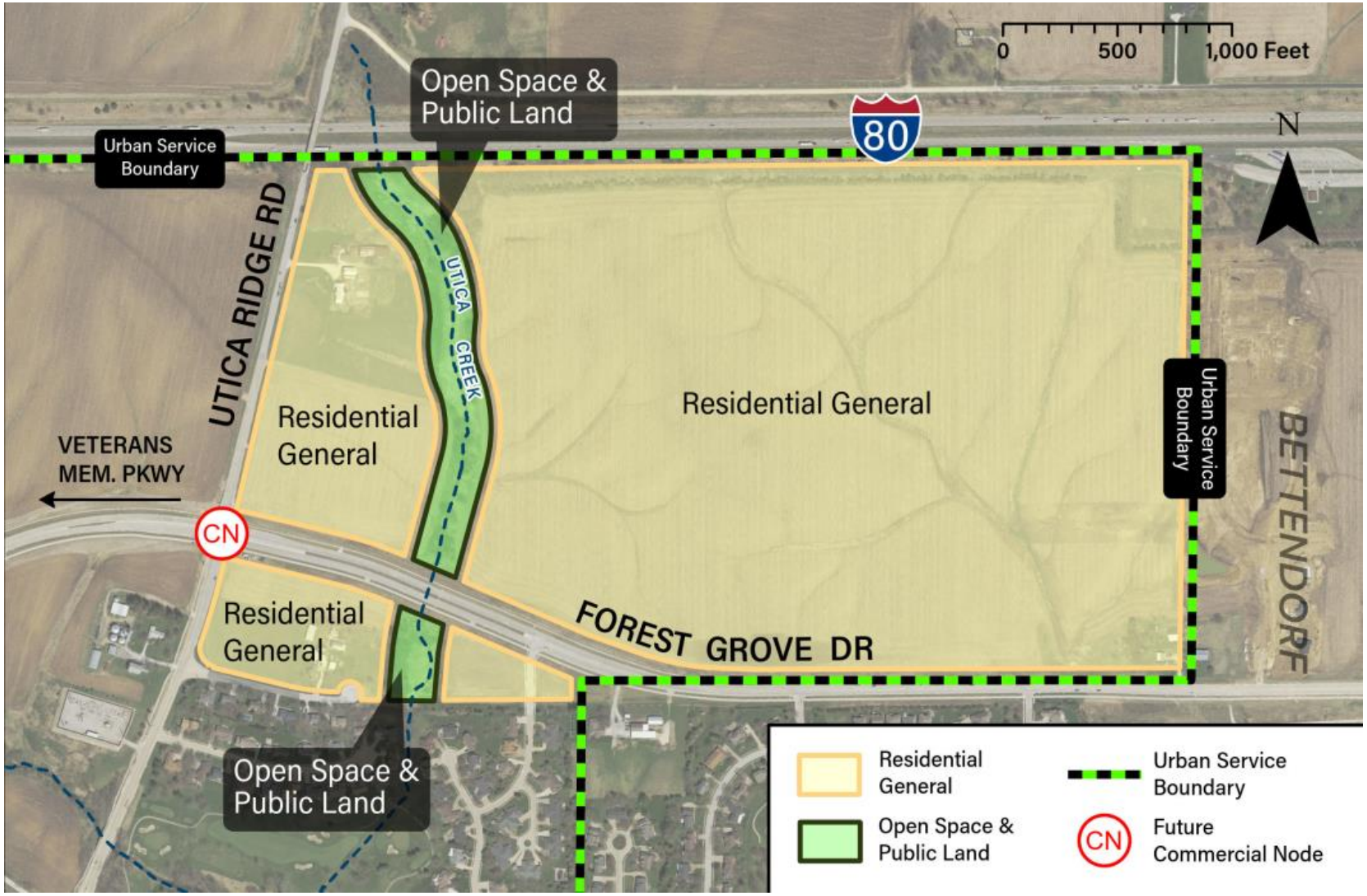
Zoning Map

DAVENPORT
IOWA | USA



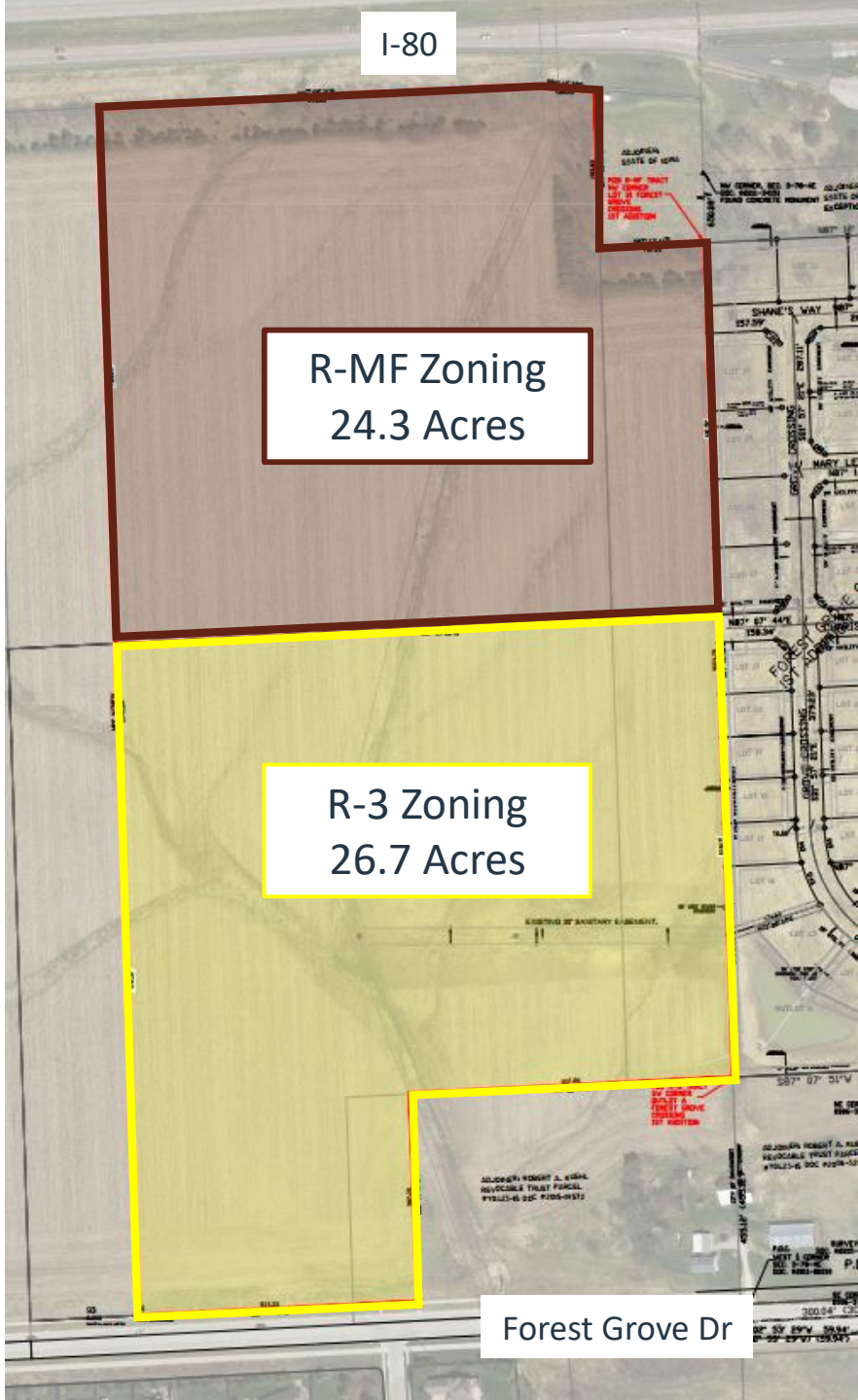
Future Land Use Map

DAVENPORT
IOWA | USA



Purpose of the Request

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



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

Property Address* 5820 Forest Grove Drive (also see attached legal description)
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)**

Name:	V. Rao Ramavaram
Company:	E&A Enterprises, LLC
Address:	3885 Kensington Court
City/State/Zip:	Bettendorf, IA 52722
Phone:	309-592-7999
Email:	hosthospitality@gmx.com

Owner (if different from Applicant)

Name:	Virginia L McCall
Company:	Circle K Properties, LLC
Address:	4820 Forest Grove Court
City/State/Zip	Davenport, Iowa 52807
Phone:	
Email:	

Engineer (if applicable)

Name:	Mike Richmond (PLS)
Company:	Townsend Engineering
Address:	2224 East 12th Street
City/State/Zip	Davenport, IA 52803
Phone:	563-386-4236
Email:	mrichmond@townsendengineering.net

Architect (if applicable)

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

Attorney (if applicable)

Name:	Clark Stojan
Company:	Stojan Law Office, P.C.
Address:	423 17th Street
City/State/Zip:	Rock Island, Il 61201
Phone:	(309) 794-9386
Email:	cstojan@w-slaw.com

Application Form Type:

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

Zoning Board of Adjustment
- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

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

Historic Preservation Commission
- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative
- Administrative Exception ☐
- Health Services and Congregate Living Permit ☐

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

Request:

Existing Zoning: S-AG

Proposed Zoning Map Amendment: R-3 and R-MF

Purpose of the Request:

Please see attached.

Total Land Area: 51.0 +/- Acres

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

Submittal Requirements:

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
  Zoning Map Amendment is less than 1 acre - $400.
  Zoning Map Amendment is one acre but less than 10 acres - $750 plus $25/acre.
  Zoning Map Amendment is 10 acres or more - $1,000 plus $25/acre.
  $10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:
- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Plan and Zoning Commission public hearing:
- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: R - Vee Date: 8/25/2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

Authorization to Act as Applicant

I, Virginia L Kuehl McCall

authorize E & A Enterprises

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Circle K Properties, LLC

X Virginia L. Kuehl McCall, Member/Manager

X _____

Signature(s)

State of Iowa,

County of Scott.

Sworn and subscribed to before me

This 25th day of August 2022

Personally Known to me

Form of Identification

Terri Stewart

Notary Public

My Commission Expires: 2/19/24

TERRI STEWART
Commission Number 771481
My Commission Expires
FEBRUARY 19, 2024

Authorization to Act as Applicant

I, Calla Parochetti

authorize E & A Enterprises

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

Quad City Bank & Trust Company
by: Calla Parochetti

X Calla Parochetti, VP Trust

Signature(s)

State of Illinois,

County of Rock Island.

Sworn and subscribed to before me

This 25th day of August 2022

drivers license

Form of Identification

Mary K. Cullison

Notary Public

My Commission Expires: 8/13/2025

OFFICIAL SEAL
MARY K CULLISON
NOTARY PUBLIC-STATE OF ILLINOIS
MY COMMISSION EXPIRES 08-13-2025

OFFICIAL SEAL
MARY K CULLISON
NOTARY PUBLIC-STATE OF ILLINOIS
MY COMMISSION EXPIRES 08-13-2025

SECOND OWNER*

ROBERT A KUEHL & ELAINE M KUEHL REV TRUST

3551 7TH ST STE 100

MOLINE, IL 61265

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

Authorization to Act as Applicant

I, _____

authorize _____

to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

_____

_____

Signature(s)

State of _____,

County of _____.

Sworn and subscribed to before me

This _____ day of _____ 20____ _____

Form of Identification

_____

Notary Public

My Commission Expires:

PURPOSE OF THE REQUEST:

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

R-MF
ZONING
24.3 AC

R-3
ZONING
26.7 AC

N87° 08' 21"E
814.83

S85° 41' 14"E
109.43

293.93
S01° 52' 59"E

ADJOINER:
STATE OF IOWA

NW CORNER, SEC. 3-78-4E
DOC. #2011-34151
FOUND CONCRETE MONUMENT

650.08'

ADJOINER:
STATE OF
EXCEPTION

N87° 12' 14"E
197.13

N87° 12'

LOT 31

LOT 32

15' U

SHANE'S WAY

N87° 0

157.59'

J.L.-C.P. 0+00.00

26

C47

C50

15' UTILITY EASEMENT

LOT 34

LOT 30

N87° 07' 44"E
131.81

15' UTILITY EASEMENT

J.L.-C.P. 0+50.00, P. 2

N87° 09'

145.86

LOT 3

LOT 29

C52

MARY LEI

N87° 10

C51

15' UTILITY

LOT 28

LOT 3

15' UTILITY EASEMENT

N87° 09

LOT 27

LOT 37

15' SANITARY EASEMENT

15' WATER AND UTILITY EASEMENT

C48

N01° 52' 50"W 1551.79

15' UTILITY EASEMENT

C49

N87° 07' 44"E
158.34'

52.01'

S01° 52' 50"E
1551.79

15' UTILITY EASEMENT

C46

FOREST GROVE
1ST ADDITION

LOT 21

LOT 26

LOT 20

LOT 25

GROVE CROSSING

15' UTILITY AND DRAINAGE EASEMENT

LOT 19

LOT 24

15' SANITARY EASEMENT

15' UTILITY EASEMENT

LOT 18

LOT 2

15' UTILITY AND DRAINAGE EASEMENT

16.59

LOT 17

C44

C45

J.L.-C.P. 9+50.00, P. 10

J.L.-C.P. 10+50.00, P. 11

J.L.-C.P. 11+

N87° 0

LOT 16

C43

15'

20' WIDE SEWER
EASEMENT

179.86
N72° 00' 31"E

EXISTING 30' SANITARY EASEMENT.

LOT 43

15' UTILITY

EASEM

CITY OF BETTENDORF

30' WIDE STORM
EASEMENT FOR 100
YEAR STORM

LOT 4

OUTLOT A

15' UTILITY AND DRAINAGE EASEMENT

S87° 07' 51"W

NE CORN
2006-32

726.94
S87° 08' 32"W

NW CORNER
2006-3255 TRACT

ADJOINER: ROBERT A. KUEHL
REVOCABLE TRUST PARCEL
#Y0423-15 DOC #2015-19572

ADJOINER: ROBERT A. KUE
REVOCABLE TRUST PARCEL
#Y0423-15 DOC #2006-325

386.46
S02° 14' 44"E

CITY OF DAVENPORT
CITY OF BETTENDORF

455.12'

455.12' (45

P.O.C.
WEST ¼ CORNER
SEC. 3-78-4E
DOC. #2011-00210

SURVEY
DOC. #2015-1

P.

SE CORN
2006-32

300.04' (300

N02° 53' 29"W 59.94'
(N02° 53' 29"W) (59.94')

396.33
S87° 01' 16"W

93
0.000
500-FT W - KUEHL LOT PIN

94
0.000
410-FT W - KUEHL LOT PIN

N01° 52' 50"W
2246.88

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

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

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

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

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

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

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

Date: 10/19/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Rezoning Request

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

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

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

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

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

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

Findings:

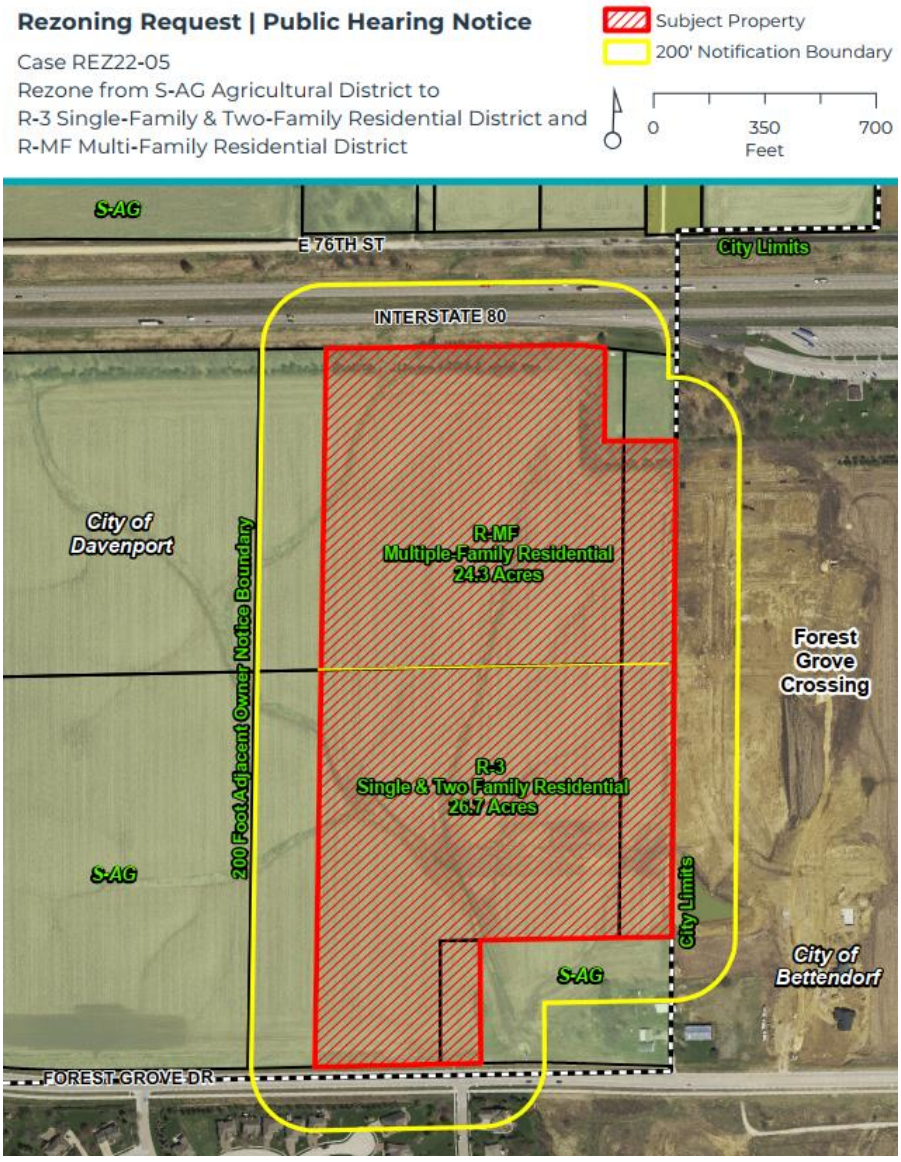
1. The proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character.
4. The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

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

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

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

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



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

October 13, 2022

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

Re: Case REZ22-06

Ms. Berkley:

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

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

Sincerely Yours,

E & A Enterprises, LLC

Ms. Samyuktha Ramavaram, Member 10/13/2022

Mr. Srikanth Reddy Kasula, Member 10/13/2022

City of Davenport

Department: Legal
Contact Info: Brian Heyer | 563-326-7735

Action / Date
10/26/2022

Subject:
Resolution setting a Public Hearing on the proposed conveyance of vacated public right-of-way lying between Christie Street and Belle Avenue (Willis and Renee Simmons, Petitioners). [Ward 5]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport currently owns the vacated public right-of-way lying between Christie Street and Belle Avenue and has a desire to sell it. Willis and Renee Simmons have offered to acquire said real estate.

Adoption of this Resolution will set the Public Hearing on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	10/12/2022 - 12:17 PM
Finance Committee	Merritt, Mallory	Approved	10/12/2022 - 4:35 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 10:40 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing on the proposed conveyance of vacated public right-of-way lying between Christie Street and Belle Avenue (Willis and Renee Simmons, Petitioners).

WHEREAS, the City of Davenport currently owns the vacated public right-of-way lying between Christie Street and Belle Avenue, legally described as:

> Part of the Northwest Quarter of Section 30, Township 78 North, Range 4 East of the 5th P.M., more particularly described as follows:
>
> Beginning at the Northwest Corner of Lot 10, Christie's 2nd Addition, also being a point on the East right of way line of Christie Street; thence along said East right of way line, North 01°31'51" West, to the Southwest corner of Lot 23, Davison and True's Plat, a distance of 40.49 feet; thence along the South line of said Lot 23, North 87°46'42" East, to the Southeast corner of said Lot 23, also being a point on the West line of the replat J.H. Whitaker's 1st Addition, a distance of 145.01 feet; thence along said West line of said Addition, South 01°31'51" East, to the Northeast corner of Lot 10, Christie's 2nd Addition, a distance of 40.49 feet; thence along the North line of said Lot 10, South 87°46'42" West, a distance of 145.01 feet, to the point of beginning, containing 5,871 square feet, more or less.
>
> For the above description the North line of Lot 10, Christie's 2nd Addition has a bearing of South 87°46'42" West.

WHEREAS, the City of Davenport desires to sell its interest in the aforementioned real estate; and

WHEREAS, Willis and Renee Simmons have offered to acquire said property; and

WHEREAS, Iowa law requires a city to hold a Public Hearing prior to conveying its interest in real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing on the proposed conveyance of vacated public right-of-way known square feet, more or less, as legally described above will be held on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 26th day of October, 2022.

Approved:

Mike Matson
Mayor

Attest:

Brian Krup
Deputy City Clerk

City of Davenport

Department: Legal
Contact Info: Brian Heyer | 563-326-7735

Action / Date
10/26/2022

Subject:
Resolution setting a Public Hearing on the proposed conveyance of vacated public right-of-way, being the Easterly 20 feet of Walt's Addition, lying south of Glaspell Street and east of South Rolff Street (Shawn Struck, Petitioner). [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport currently owns the vacated public right-of-way, being the Easterly 20 feet of Walt's Addition, lying south of Glaspell Street and east of South Rolff Street, and has a desire to sell it. Shawn Struck, First Financial Group, L.C., and Lee Ann and Steven Myers have offered to acquire said property.

Adoption of this Resolution will set the Public Hearing on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

ATTACHMENTS:

	Type	Description
🗋	Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	10/12/2022 - 12:16 PM
Finance Committee	Merritt, Mallory	Approved	10/12/2022 - 4:35 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 10:40 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing on the proposed conveyance of vacated public right-of-way, being the Easterly 20 feet of Walt's Addition, lying south of Glaspell Street and east of South Rolff Street (Shawn Struck, Petitioner).

WHEREAS, the City of Davenport currently owns the vacated public right-of-way, being the Easterly 20 feet of Walt's Addition, lying south of Glaspell Street and east of South Rolff Street, legally described as:

> Beginning at the Northeast corner of Lot 1 in Walt's Addition to the City of Davenport; thence northeasterly a distance of 20 feet to the Northwesterly corner of Lot 1 in Westwood Heights Addition to the City of Davenport; thence southerly a distance of 131.0 feet along the West lot line of said Lot 1, Westwood Heights, to the Southwesterly corner of said Lot 1, Westwood Heights; thence southwesterly a distance of 20.0 feet to the Southeast corner of Lot 3 in Walt's Addition; thence northerly along the easterly lot lines of Lots 1, 2, and 3 of Walt's Addition a distance of 131.0 feet to the Northeast corner of Lot 1, Walt's Addition and the place of beginning.
>
> Said parcel contains 2,620 square feet, more or less.

WHEREAS, the City of Davenport desires to sell its interest in the aforementioned real estate; and

WHEREAS, Shawn Struck, First Financial Group, L.C., and Lee Ann and Steven Myers have offered to acquire said property; and

WHEREAS, Iowa law requires a city to hold a Public Hearing prior to conveying its interest in real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing on the proposed conveyance of vacated public right-of-way known square feet, more or less, as legally described above will be held on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 26th day of October, 2022.

Approved:

Mike Matson
Mayor

Attest:

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/26/2022

Subject:
Resolution setting a Public Hearing for the purpose of amending the North Urban Renewal Plan to include the Fair Oaks Foods project. [Wards 2, 6, 7, & 8]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is seeking to amend the North Urban Renewal Area plan to add the 2022 Fair Oaks Foods project. Fair Oaks Farms, LLC DBA Fair Oaks Foods is constructing a 134,000 square foot food manufacturing facility at 2951 Enterprise Way. This project will create 247 new full-time positions paying an average wage of $23.95 per hour. The estimated cost of the total incentive package over a fifteen year period is $6,403,000.

The amended plan is attached. The Public Hearing is to be held at the November 2, 2022 Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Notice of Public Hearing
🗋	Backup Material	Amended North URA Plan

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/13/2022 - 7:40 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing for the purpose of amending the North Urban Renewal Plan to include the Fair Oaks Foods project.

WHEREAS, the City of Davenport has established the North Urban Renewal Area to support economic development growth for the City; and

WHEREAS, in accordance with Section 403.9 of the Code of Iowa, a Public Hearing must be held prior to amending the Urban Renewal Area Plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that a Public Hearing for the purpose of amending the North Urban Renewal Plan to include the Fair Oaks Food project will be held on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at 5:30 o'clock p.m., at City Council Chambers on the first floor of City Hall, 226 W. 4th Street, Davenport, Iowa, on the 2nd day of November 2022, there will be conducted a public hearing on the question of amending the North Urban Renewal Area Plan pursuant to Chapter 403, Code of Iowa.

North Urban Renewal Plan Amendment
1) Internal TIF: 275,000
2) Fair Oaks Foods: $6,403,000

The proposed amendment to the urban renewal plan brings the projects described above under the plan and makes it subject to the provisions of the plan.

A copy of the proposed amendment is on file for public inspection in the office of Community & Economic Development. At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Community & Economic Development CED.info@davenportiowa.com 563-326-7765

City of Davenport, Iowa

Urban Renewal Plan Amendment
North Urban Renewal Area

October 2022

The Urban Renewal Plan (the “Plan”) for the North Urban Renewal Area (the “Area”) is being amended for the purposes of 1) identifying new urban renewal projects to be undertaken therein.

1) **Identification of Projects** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following described project descriptions:
    a. **Name:** Internal TIF
    Cost: $275,000
    Rationale: To reimburse the General Fund for Economic Development staff costs and other economic development related activities such as economic research tools and training.

    b. **Name:** Fair Oaks Foods
    Cost: Approximately $6,403,000
    Rationale: To support creation of a new 134,000 square foot food manufacturing facility at 2951 Enterprise Way.

2) **Required Financial Information** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:
    Outstanding General Obligation Debt of the City: $202,220,000
    Remaining Constitutional Debt Capacity of the City: $180,023,391
    Proposed Debt to be incurred in the Urban Renewal Area: $6,678,000

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/26/2022**

Subject:
Resolution setting a Public Hearing on considering the approval of an economic development agreement with Fair Oaks Foods. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
Fair Oaks Farms, LLC, DBA Fair Oaks Foods is a family owned meat processing business that was founded in 1985. Fair Oaks Foods, headquartered in Pleasant Prairie, Wisconsin, produces a variety of protein products for national grocery stores and restaurants.

Fair Oaks Foods is currently constructing a 134,000 square foot facility at 2951 Enterprise Way. This project will create 247 new full-time positions paying an average wage of $23.95 per hour with a benefit package. The estimated cost of the total incentive package over fifteen year period is $6,403,000.This incentive package includes the following:

- Forgivable loan of $1,100,000 once an onsite pretreatment facility is completed.
- Estimated $51,000 in cost share for road improvements which the City will seek funding for through the Iowa DOT RISE Grant.
- Rebate estimated to total $5,252,000 over 15 years.

Fair Oaks Foods has also applied for and received a State of Iowa High Quality Jobs Tax Credit of $3,432,000 from the Iowa Economic Development Authority. The City's incentive package serves as the required match.

As required by Iowa Code, a public hearing is required prior to the approval of an Economic Development Agreement where the City will incur debt. In this case, the City's approximate obligation totals $6,403,000 over a fifteen year period. The incentive costs would be paid for through the use of tax increment financing applied to the assessed valuation of the improved property. The details of this financial assistance will be established and certified in an Economic Development Agreement between Fair Oaks Foods and the City.

The Public Hearing is to be held at the November 2, 2022 Committee of the Whole Meeting.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Notice of Public Hearing EDA

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/13/2022 - 7:41 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing on considering the approval of an economic development agreement with Fair Oaks Foods.

WHEREAS, the City of Davenport has established the North Urban Renewal Area to support economic development growth for the City; and

WHEREAS, in accordance with Iowa Code, a public hearing must be held prior to the approval of an economic development agreement where the City will incur debt.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing on considering the approval of an economic development agreement with Fair Oaks Foods will be held on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

NOTICE OF PUBLIC HEARING ON INCURRING DEBT FOR TAX INCREMENT FINANCING PROJECT

Notice Is Hereby Given: That at 5:30 o'clock p.m., at City Council Chambers on the first floor of City Hall, 226 W. 4th Street, Davenport, Iowa, on the 2nd day of November 2022, there will be conducted a public hearing on the question of incurring debt in the North Urban Renewal Area Plan pursuant to Chapter 403, Code of Iowa, as follows:

Fair Oaks Foods
Estimated Cost: $6,403,000
Rationale: The Company shall be eligible for reimbursement of 60% of the total property tax bill, less the City's debt service or bond repayment on a forgivable loan of $1,100,000 for an onsite pretreatment facility constructed by Fair Oaks Foods and an estimated $51,000 in cost share for road improvements which the City will seek funding for through the Iowa DOT RISE Grant.

A copy of the draft economic development agreement is on file for public inspection in the office of Community & Economic Development. At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Community & Economic Development CED.info@davenportiowa.com 563-326-7765

City of Davenport

Department: Community Development Committee **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/26/2022**

Subject:
Motion approving the amendment to the 2022 Annual Action Plan to add the HOME-ARP Allocation Plan and authorizing the City Administrator or her designees to sign necessary documents and agreements. [All Wards]

Recommendation:
Pass the Motion.

Background:
The amendment to the 2022 Annual Action Plan (AAP) is to include the HOME-ARP allocation plan as an attachment. The HOME-ARP plan presents funding available for specific activities and populations outlined in HUD CPD Notice 21-10 (Issued on September 13, 2021). HOME-ARP eligible activities include development and support of affordable rental housing, tenant based rental assistance (TBRA), supportive services, and non-congregate shelters. These eligible activities are for qualifying populations (QP's) that include sheltered and unsheltered homeless populations, those currently housed populations at risk of homelessness, other families requiring services or housing assistance or to prevent homelessness, and those at greatest risk of housing instability or in unstable housing situations. The City of Davenport is receiving $1,533,897 for the above-mentioned activities. Priority needs for qualifying populations have been identified as the following based on the consultation process and data available for the City of Davenport and surrounding metro area:

- Increase affordable rental/housing units with an emphasis on 3+ bedrooms and accessible units
- Create supportive service programs focused on preventing homelessness with an emphasis on the creation of a financial literacy and mentoring program
- Provide rental assistance for those at risk of homelessness to alleviate the need to go through the shelters and keep people in their current housing units.

Copies of the AAP amended draft were available from 9/22/2022 to 10/21/2022 for public review at Davenport City Hall, the City of Davenport libraries, and on the City's website www.davenportiowa.com under the Community & Economic Development Department.

Although the HOME-ARP plan is a stand-alone plan it is submitted to HUD as an attachment to the current year's Annual Action Plan (AAP). The AAP was due before the HOME-ARP plan was complete so in that case the AAP is submitted and approved by HUD then it is amended to include the HOME-ARP plan. The addition of the HOME-ARP plan is considered a "substantial amendment" which requires a 30-day comment period.

- AAP due to HUD – 7/12/22
- AAP approved by HUD – 8/18/22
- HOME-ARP plan completed – 9/14/22
- AAP amendment began to add HOME-ARP plan – 9/15/22
- 30-day comment period for amendment to AAP – 9/22/2022 to 10/21/2022
- Submit amended AAP with HOME-ARP – 10/28/22

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Admin, Default	Approved	10/13/2022 - 3:25 PM

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/26/2022**

Subject:
Motion approving the local objectives for the Community Development Block Grant program for the Year 49 Annual Action Plan covering July 1, 2023 – June 30, 2024. [All Wards]

Recommendation:
Pass the Motion.

Background:
Annually the Citizens' Advisory Committee makes recommendations to the City Council regarding local objectives for the next Community Development Block Grant Annual Action Plan.

The Citizens' Advisory Committee is recommending the approval of three local objectives for the Year 49 Annual Action Plan. The local objectives were based on input received from in-person "open-house" style public meetings at the Freight House Farmer's Market (7/23/2022, 8/7/2022, and 8/20/2022), Party in the Park events (7/21/2022, 8/11/2022, 8/18/2022), a virtual public input meeting (8/10/2022), a survey, census data, the Analysis of Impediments to Fair Housing, and the Housing Needs Assessment.

The recommended objectives are:

- Improve the livability of Davenport neighborhoods including availability of decent, affordable housing for owners and renters, and neighborhood infrastructure citywide.
- Support programs to retain existing businesses and to attract new businesses, with an emphasis on increasing employment and business opportunities for younger workers, low to moderate income households, and minorities.
- Provide support for human needs for the citizens of Davenport emphasizing mental health services and building life skills.

Approval of this Motion will establish the local objectives for the Year 49 Annual Action Plan (July 1, 2023 – to June 30, 2024). Council approved local objectives will tie directly into Year 49 CDBG funding recommendations. Background information provided to the CAC is included as an attachment.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	YR 49 CDBG Local Objectives Summary

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/13/2022 - 7:43 AM

Action Item:
Local Objectives for CDBG Year 49 Annual Plan, July 1, 2023 to June 30, 2024

American Community Survey (2014-2018 ACS) & Comprehensive Housing Affordability Strategy Data (2014-2018 CHAS)	Analysis of Impediments to Fair Housing Impediments (2019)	Housing Needs Assessment Recommendation (2020)	Community Input Results (2022)
Households with at least one member 65+ - 25.9%	1. Continued need for an increased supply of decent affordable housing: *Continue using CDBG and HOME funds to increase and maintain the availability of high-quality, affordable rental and for-sale housing through new construction and rehabilitation. *Develop a referral protocol for situations where a tenant household may have to be displaced due to substandard housing conditions discovered in the course of an inspection.	1. Encourage Low to Moderate Income Housing: * Encourage affordable housing development through density bonus, fee deferments or waivers, and other forms of cost benefits to developers. * Seek out funding opportunities from local and state sources.	53% support focusing funds on a targeted area versus city-wide distribution of funds
For the population 5 years and over 92.5% speak English only. Those that speak a language other than English account for 7.5% and of those 3.2% speak English "less than very well". The most common other spoken language is Spanish with 4.0%.	2. Lack of geographic diversity in affordable housing choices: * New affordable housing development, whether by the use of CDBG or HOME funds, the local housing authorities, or private-sector LIHTC developers should be given priority consideration when it will be located in an area that increases access to new types of opportunity not generally available in neighborhoods where existing affordable housing is located.	2. Encourage Rental-Multifamily Housing Development/Rehabilitation: *Assess areas with established infrastructure that can accommodate additional rental/multifamily development. *Identify existing multifamily housing developments that may be candidates for redevelopment of rehabilitation, work to secure or commit funding for these activities. *Review the availability and need for additional amenities, such as public K-12 schools, grocery stores and public transportation within the vicinity for new developments.	Highest priorities identified are Affordable Housing (46.6%) and Infrastructure (20.7%)
There are a total of 45,075 housing units in Davenport, of those approximately 10.7% are vacant. Housing units built 1979 or earlier account for almost ¾ of all housing units in the City (74.9%). The median housing value is $127,100.	3. Accessible housing for people with disabilities in short supply: * Consider opportunities to encourage or incentivize the construction of new accessible housing units for people with disabilities.	3. Encourage Development of Vacant and Underdeveloped Parcels: * Encourage the development of vacant and underdeveloped parcels in close proximity to existing services and infrastructure through development incentives and fee waivers or deferments.	More than 90% of respondents use City services on a regular basis.
Median rent is $757/month and approximately 22.6% of rental households pay over $1,000/month.	4. Community development planning lacks an equity focus: * Explore the creation of an evaluation tool that could be used to review development and policy decisions to maximize equitable outcomes. *A broad-based and trusted local convening institution should be enlisted to create and offer a periodic anti-racism training aimed at local community leaders.	4. Encourage Support for Homeless Housing and Services: *Seek out funding through federal, state, and local homeless funding sources, including government agencies and charitable foundations. * Assist with services for those facing eviction in terms of resources and other re-housing information	Highest priority in housing services were owner occupied housing rehab and down payment assistance.

The median household income is $50,001. Households with income less than 30% AMI account for 13.3% and households making less than 80% AMI account for 44.8% of total households. Families whose income is below the poverty level is 11.6% and of those 8.1% have children.	5. Protected classes face barriers to fairly accessing housing: * coordinate delivery of a regional fair housing education program that reaches the public with information about fair housing rights and responsibilities, how to recognize discrimination, and how and where to file a complaint. *Identify an appropriate partner organization and coordinate a fair housing testing program directed at potential issues of steering. * Meet with lenders and/or appraisers to inform them of goals for furthering fair housing and discuss lending barriers related to homeownership and community reinvestment in low-income neighborhoods.	5. Encourage additional production of housing units suitable for special needs populations, such as the elderly, the disabled, transitional housing and those needing care with services: *Demand for housing for a selection of special populations, such as the disabled or those needing care with services. * Research and determine sources of additional funding that will aid in securing the development of small scale facility development, taking into consideration the proximity of pertinent services and transportation options.	Highest priority economic development services are job creation/retention and employment centers/job services.
29.9% of all households have at least one housing problem and 15.5% have at least one severe housing problem. Households that are 30-50% cost burdened account for 14.8%. Approximately 13.5% of households that are cost burdened greater that 50% and those making less than 30% AMI account for 8.6%.	6. Community perceptions influence housing choices: *Explore options for a community-wide event or events that encourage interaction among diverse participants in neighborhoods throughout the region.	6. Encourage Activities for Homeowners/Homebuyers: * Supporting current homebuyers to maintain existing housing stock through rehabilitation programs * Educational classes for first time homebuyers and housing counseling services	Highest priority for infrastructure projects were street and alley improvements followed by demolition of blighted structures.
Note: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%. *Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.*			Highest priority public services are mental health services and homeless services.

City of Davenport

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

Action / Date
10/26/2022

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

Recommendation:
Adopt the Ordinance.

Background:
Many new streets and homes have been added to Westport Addition and this snow route would connect these streets to Locust Street and to Wisconsin Avenue. The existing snow routes east of there would be connected by extending Shawnee Drive one block to Westport Drive. Then the route would head north and west back to Locust Street. The additions are:

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

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

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

ORDINANCE NO. _____

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

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

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/26/2022

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

Recommendation:
Adopt the Ordinance.

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

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

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

ORDINANCE NO. _____

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

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

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/26/2022

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

Tom Simmons; Veterans Day Parade; Downtown; Friday, November 11, 2022 10:00 a.m. - 12:00 p.m.; **Closures:** Western Avenue from 5th Street to 2nd Street; 2nd Street from Western Avenue to Main Street; Main Street from 2nd Street to 4th Street; 4th Street from Main Street to the finish at the Scott County Courthouse (400 West 4th Street). [Ward 3]

Quad City Arts; Festival of Trees Holiday Parade; Downtown; Saturday, November 19, 2022 4:00 a.m. - 12:30 p.m.; **Staging area closures (beginning at 4:00 a.m.):** East 3rd Street from Pershing Avenue to LeClaire Street; Pershing Avenue and Iowa Street from East 2nd Street to East 4th Street; **Parade route (in place by 9:15 a.m.):** 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. [Ward 3]

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	Veterans Day Parade Map
🗋	Backup Material	Festival of Trees Holiday Parade Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2022 - 10:20 AM

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

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

Tom Simmons; Veterans Day Parade; Downtown; Friday, November 11, 2022 10:00 a.m. - 12:00 p.m.; ***Closures:*** *Western Avenue from 5th Street to 2nd Street; 2nd Street from Western Avenue to Main Street; Main Street from 2nd Street to 4th Street; 4th Street from Main Street to the finish at the Scott County Courthouse (400 West 4th Street). [Ward 3]*

Quad City Arts; Festival of Trees Holiday Parade; Downtown; Saturday, November 19, 2022 4:00 a.m. - 12:30 p.m.; ***Staging area closures (beginning at 4:00 a.m.):*** *East 3rd Street from Pershing Avenue to LeClaire Street; Pershing Avenue and Iowa Street from East 2nd Street to East 4th Street;* ***Parade route (in place by 9:15 a.m.):*** *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. [Ward 3]*

WHEREAS, the City, through its Special Events Policy, has accepted the above applications for events on the listed dates and times that are requesting street, lane, or public ground closures; and

WHEREAS, upon review of the application, it has been determined that said streets, lanes, or public grounds will need to be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the above street, lane, or public ground closures are hereby approved and staff is directed to proceed with the closures.

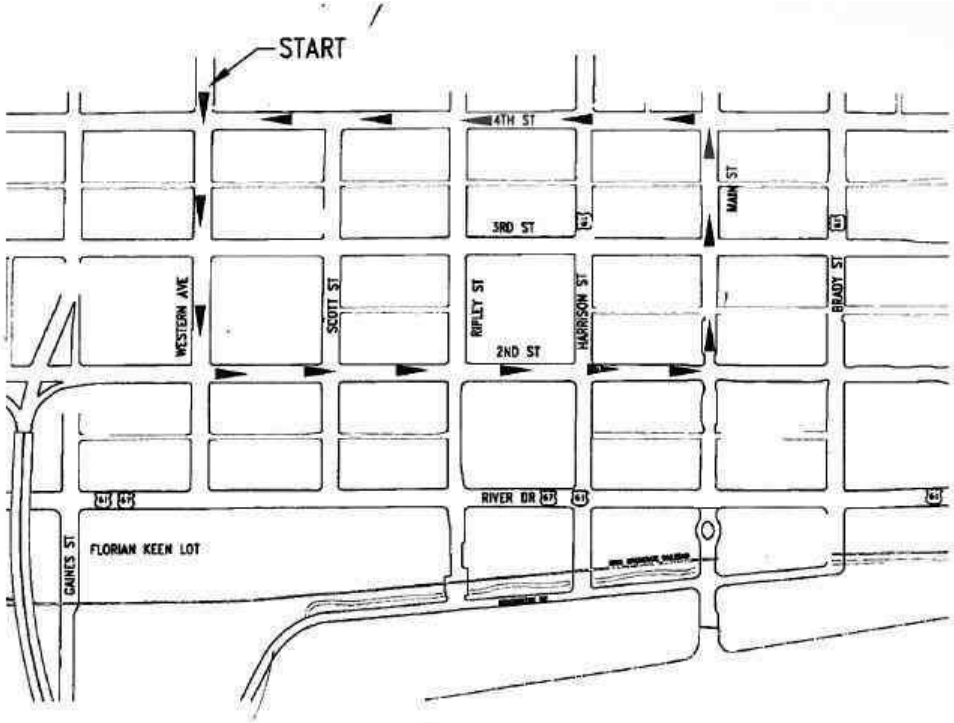
Passed and approved this 26th day of October, 2022.

Approved:

Mike Matson
Mayor

Attest:

Brian Krup
Deputy City Clerk



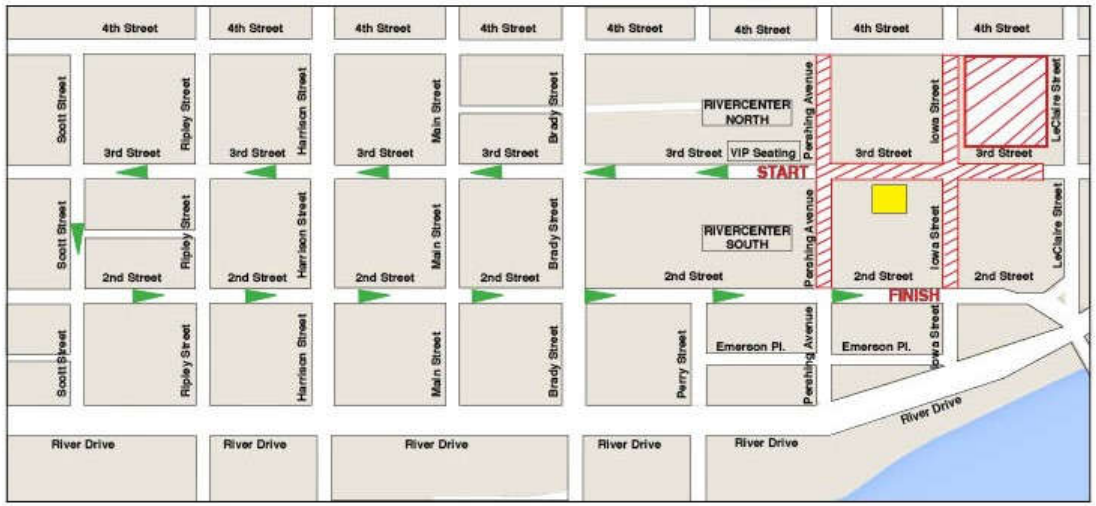
Nov. 11, 2022

Veteran's Day Parade

STAGING AREA

PARADE ROUTE *(Streets closed)*

VOLUNTEER CENTER *(Sergeant Peppers • 323 E. 3rd St.)*



City of Davenport

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

Action / Date
10/26/2022

Subject:
Motion approving noise variance requests for outdoor events on the listed dates and times.

Tom Simmons; Veterans Day Parade; Downtown (see attached parade route); Friday, November 11, 2022 9:00 a.m. - 12:00 p.m.; Outdoor music/bands, over 50 dBA. [Ward 3]

Quad City Arts; Festival of Trees Holiday Parade; Downtown (see attached parade route); Saturday, November 19, 2022 9:00 a.m. - 12:30 p.m.; Outdoor music/bands, over 50 dBA.

Recommendation:
Pass the Motion.

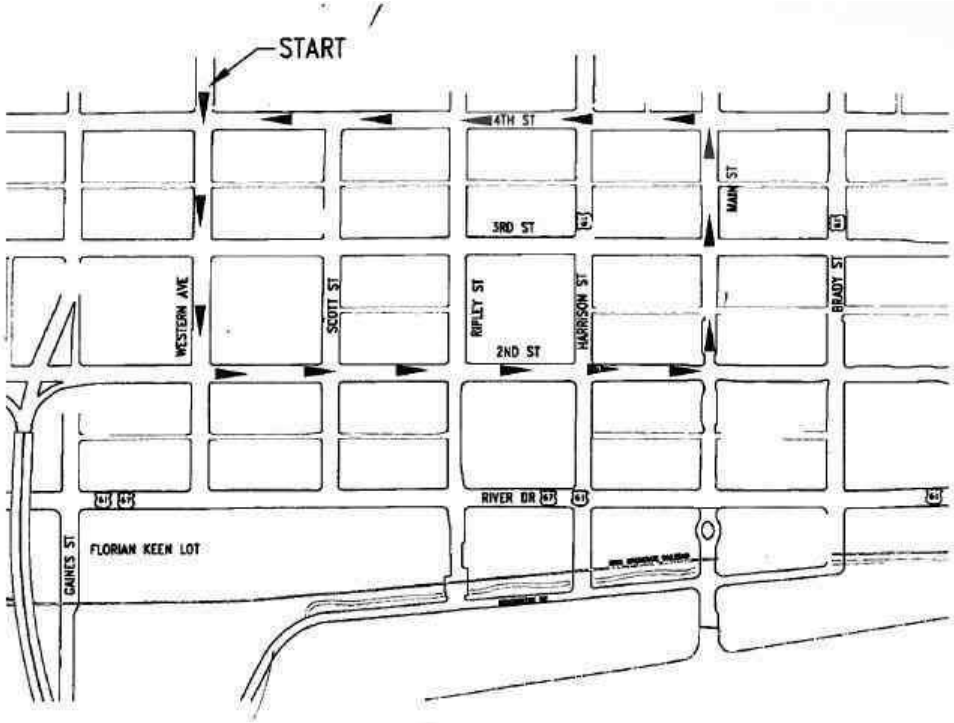
Background:
These requests for noise variances have been received pursuant to the Davenport Municipal Code, Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Veterans Day Parade Map
🗋	Backup Material	Festival of Trees Holiday Parade Route

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2022 - 10:20 AM



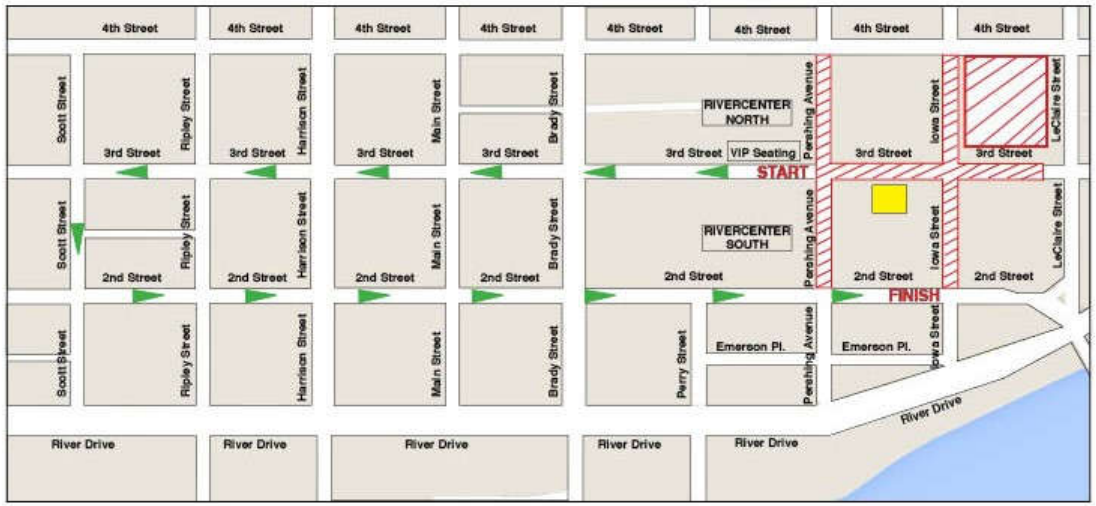
Nov. 11, 2022

Veteran's Day Parade

STAGING AREA

PARADE ROUTE *(Streets closed)*

VOLUNTEER CENTER *(Sergeant Peppers • 323 E. 3rd St.)*



City of Davenport

Department: Public Safety **Action / Date**
Contact Info: Jamie Swanson | 563-326-7795 **10/26/2022**

Subject:
Motion approving beer and liquor license applications.

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

Ward 6

California Burritos Mexican Grill (Burrito Enterprises #2, LLC) - 2960 East 53rd Street - Outdoor Area - License Type: Class C Liquor

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

Ward 1

Jimmie O's Saloon (Oldham Enterprizes, LLC) - 2735 Telegraph Road - License Type: Class C Liquor

Veterans of Foreign Wars, FW Galbraith Post #828 (Veterans of Foreign Wars, FW Galbraith Post #828) - 101 South Linwood Avenue - License Type: Class A Liquor

Ward 3

Express Lane Gas & Food Mart #84 (ExpressLane, Inc) - 321 North Division Street - License Type: Class C Beer

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

Ward 4

MCs Happy Hallow (DMC Corporation) - 1502 West 14th Street - License Type: Class C Liquor

Off Point Pub (Triple 8 Enterprises, LLC) - 2025 Hickory Grove Road - Outdoor Area - License Type: Class C Liquor

Firehouse Bar & Grill (Firehouse Bar & Grill, Inc) - 2006 Hickory Grove Road - Outdoor Area - License Type: Class C Liquor

Ward 5

Kwik Shop #578 (Kwik Shop, Inc) - 2242 East 12th Street - License Type: Class C Beer

Save More (Guru Nanak Food Mart, Inc) - 405 East Locust Street - License Type: Class E Liquor

Ward 6

The Ridge (JAR Hospitality, LLC) - 4750 Utica Ridge Road #100 - Outdoor Area - License Type: Class C Liquor

Panchero's Mexican Grill (Central Coast Hospitality, Inc) - 4888 Utica Ridge Road - License Type: Class B Beer

Hy-Vee (Hy-Vee, Inc) - 1823 East Kimberly Road - Outdoor Area - License Type: Class C Liquor

Ward 7

Tantra Asian Bistro (Zhang's Trading, Inc) - 589 East 53rd Street - Outdoor Area - License Type: Class C Liquor

Public House (Public House Davenport) - 5260 Northwest Boulevard - Outdoor Area - License Type: Class C 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	10/12/2022 - 4:37 PM
Public Safety Committee	Merritt, Mallory	Approved	10/13/2022 - 3:25 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 4:18 PM

City of Davenport

Department: Public Works - Admin
Contact Info: Brian Schadt | 563-326-7734

Action / Date
10/26/2022

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

Recommendation:
Adopt the Ordinance.

Background:
This Ordinance will amend Chapter 13.16.060 of the Davenport Municipal Code to revise the Local Limits for specific pollutants as required by the City's National Pollutant Discharge Elimination System (NPDES) Permit. Revised local discharge limits shall regulate the amounts of certain pollutants that may be discharged to the sanitary sewer system from industrial and hauled waste sources. This will alter Tables 1, 3, and 4 in the Chapter 13.16.060, B. Headworks Limits – Average Mass. The local limits Headworks allowable loading and allocation of pollutant loading to industries has been calculated according to Iowa Department of Natural Resources (DNR)/Environmental Protection Agency specifications and has been approved by Iowa DNR representatives. This revision also removes the former Kraft Oscar Meyer facility and includes the local limits for the current Kraft Heinz facility.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	9/28/2022 - 2:50 PM

ORDINANCE NO. _____

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

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

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

13.16.060. Local limits for specific pollutants.

A. General Provisions.

(1) Dilution. Users shall not increase the use of process water or, in any way; attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the NCPS, or with any other pollutant specific limitation developed by the City.

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

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

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

Table 2	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	NA
As	NA
Ba	NA
Cd	0.002
Total Cr	0.062
Cu	0.084
Fe	NA
Pb	0.011

Hg	NA
Mo	NA
Ni	0.072
Se	NA
Ag	0.002
Zn	8.338
Total Phenols	NA
Total Cyanide	0.002

Table 3			
Davenport Water Pollution Control Plant			
2606 South Concord Street			
Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	**Nestle Purina**	**Kraft Heinz**
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.14 Pounds	0.037 Pounds	0.08 Pounds
Ba	NA	NA	NA
Cd	0.070 Pounds	0.018 Pounds	0.04 Pounds
Total Cr	0.110 Pounds	0.03 Pounds	0.03 Pounds
Cu	0.320 Pounds	0.09 Pounds	0.19 Pounds
Fe	NA	NA	NA
Pb	0.070 Pounds	0.02 Pounds	0.04 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.080 Pounds	0.02 Pounds	0.04 Pounds
Se	0.08 Pounds	0.02 Pounds	0.05 Pounds
Ag	0.07 Pounds	0.018 Pounds	0.04 Pounds
Zn	1.20 Pounds	0.32 Pounds	0.70 Pounds
Total Phenols	0.27 Pounds	0.071 Pounds	0.15 Pounds
Total Cyanide	0.081 Pounds	0.022 Pounds	0.05 Pounds

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

Table 5	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	NA
Ba	NA
Cd	0.024 mg/L
Total Cr	0.924 mg/L
Cu	1.282 mg/L
Fe	NA
Pb	0.173 mg/L

Hg	NA
Mo	NA
Ni	1.099 mg/L
Se	NA
Ag	0.029 mg/L
Zn	5.00 mg/L
Total Phenols	NA mg/L
Total Cyanide	0.027 mg/L

C. Discharge Concentration Limits and Review Criteria.

(1) The admission into the POTW of any materials, water or waste having a pollutant concentration or poundage greater than the limits in Tables 1 through 5 above, or containing pollutants not listed herein, shall be subject to the review and approval of the Water Pollution Control Plant Manager. After review of the proposed discharges, the Water Pollution Control Plant Manager may:

(i) Reject the waste for reasons consistent with section 13.16.020.

(ii) Require pre-treatment to an acceptable pollutant concentration for discharge to the POTW.

(iii) Require control of the quantities and rates of discharge of the water or waste.

(iv) Require payment to cover the added cost of handling and treatment of water and waste or any combination thereof.

(v) Reduce the maximum or average mass loading of present and prospective individual users on any reasonable prorated basis to meet headworks loading limits at the POTW treatment plant.

(vi) Require the user to obtain a wastewater discharge permit and be subject to any of the rules and regulations contained therein.

(vii) Require the user to meet local limits or NCPS in cases where local limits are more restrictive than NCPS provided that headworks loading limits are met.

(viii) Initiate enforcement action in response to any non-compliance with this ordinance using the enforcement procedures outlined in this ordinance.

(ix) Take any combination of steps (i) through (viii) as appropriate.

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

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

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

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

Fe	NA	NA	NA
Pb	0.070 Pounds	0.02 Pounds	0.04 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.080 Pounds	0.02 Pounds	0.04 Pounds
Se	0.08 Pounds	0.02 Pounds	0.05 Pounds
Ag	0.07 Pounds	0.018 Pounds	0.04 Pounds
Zn	1.20 Pounds	0.32 Pounds	0.70 Pounds
Total Phenols	0.27 Pounds	0.071 Pounds	0.15 Pounds
Total Cyanide	0.081 Pounds	0.022 Pounds	0.05 Pounds

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

City of Davenport

Department: City Clerk
Contact Info: Laura Berkley | 563-888-3553

Action / Date
10/26/2022

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

Recommendation:
Adopt the Ordinance.

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

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

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

ATTACHMENTS:

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

REVIEWERS:

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

ORDINANCE NO. _____

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

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

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

R. All New and Substantially Improved Structures

1. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

    c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.

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

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

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

T. Nonresidential Construction.

1. All new construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

    a. A registered professional engineer or architect shall develop and/or review structural design specifications, and plans for the construction, and shall certify that the designs and methods of construction are in accordance with accepted standards of practice for meeting the applicable standards.

    b. Such certification shall be provided to and maintained by the official as set forth in Section 15.44.180.

2. If the structure is elevated through the use of fill, all fill shall be offset by corresponding grade reductions or cuts in order that there be no net loss of flood plain as measured in net cubic yards; however, the requirement stated in the preceding sentence shall have no application to the Mississippi River flood plain.

3. All new construction or substantial improvement that contains fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

    c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.
6. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated or floodproofed to a minimum of one foot above Base Flood Elevation or designed to be watertight and withstand inundation to such a level.

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

ORDINANCE NO. _____

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

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

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

R. All New and Substantially Improved Structures

1. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

    c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated

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

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

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

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

T. Nonresidential Construction.

1. All new construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

    a. A registered professional engineer or architect shall develop and/or review structural design specifications, and plans for the construction, and shall certify that the designs and methods of construction are in accordance with accepted standards of practice for meeting the applicable standards.

    b. Such certification shall be provided to and maintained by the official as set forth in Section 15.44.180.

2. If the structure is elevated through the use of fill, all fill shall be offset by corresponding grade reductions or cuts in order that there be no net loss of flood plain as measured in net cubic yards. However, the requirement stated in the preceding sentence shall have no application to the Mississippi River flood plain.

3. All new construction or substantial improvement that contains fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect or meet and/or exceed the following criteria:

    a. A minimum of two openings having a total net opening of not less than one square inch for every square foot of enclosed area subject to flooding.

    b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

5. New and substantially improved structures shall be constructed with ~~electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities~~ electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and similar machinery and equipment elevated or floodproofed to a minimum of one foot above Base Flood Elevation.

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

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

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

_____
Mike Matson
Mayor

Attest: _____

Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/26/2022**

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Downtown Davenport Streetscape | 3rd Street and Brady Street project, CIP #60035. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This design is for a streetscaping project on the north side of West 3rd Street between 116 West 3rd Street (The Office Cocktail Bar and Lounge) and Brady Street, and on the west side of Brady Street between West 3rd Street and the alley. The streetscape design follows current guidance with features such as ADA-accessible sidewalks and building entrances, brick banding, ornamental lights, and street trees where possible.

This project presented the challenge of multiple vaults present beneath the sidewalk. Where no active utilities are present, the design calls for the area to be walled off from the basement and filled with a flowable concrete material. Where active utilities are present, the design calls for the sidewalk to receive structural steel to properly protect the utility area and support the sidewalk.

Per the June 2020 Streetscape Improvement Plan, costs will be shared between the City, property owners, and the Downtown Davenport Partnership. The engineer's project estimate is $356,936, which includes a $40,000 contract contingency. The projected breakdown is as follows:

- City portion: $232,361
- Property owner portion: $81,109
- DDP portion: $47,274

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Exhibit	location map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 3:52 PM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 3:52 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 10:46 AM

Resolution No. _____

RESOLUTION offered by Alderman Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Downtown Davenport Streetscape | 3rd Street and Brady Street project, CIP #60035.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Downtown Davenport Streetscape | 3rd Street and Brady Street project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Downtown Davenport Streetscape | 3rd Street and Brady Street project.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

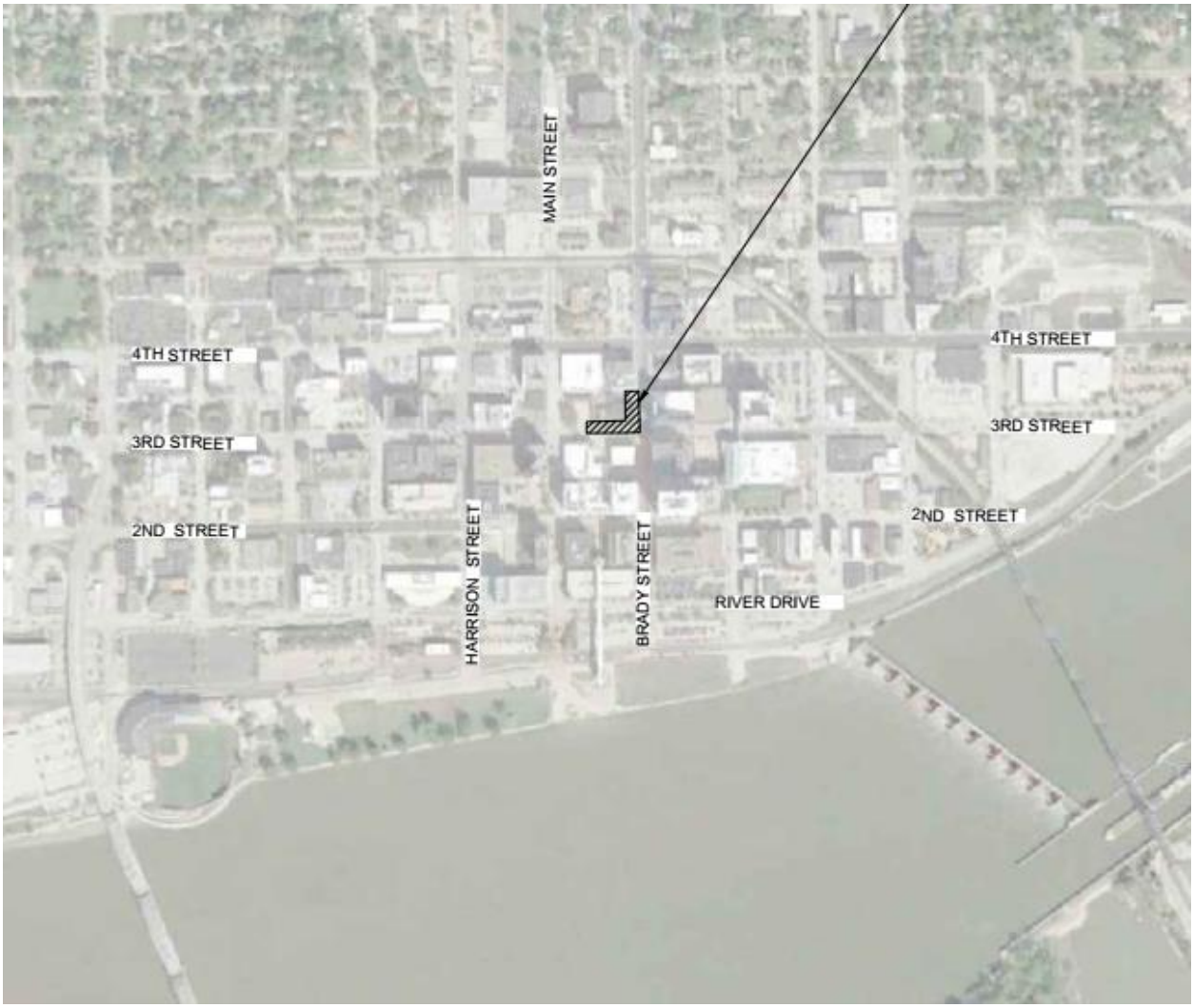
Attest:

_____

Brian Krup
Deputy City Clerk

Proposed 3rd St. & Brady St. Streetscaping Project

(northwest corner)



City of Davenport

Department: Public Works - Admin
Contact Info: Amy Kay | 563-327-5160

Action / Date
10/26/2022

Subject:
Resolution awarding a contract for the Davenport State Revolving Fund (SRF) Parks Projects to Miller Trucking & Excavating of Silvis, Illinois in the amount of $295,826, CIP #33041. [Wards 2,7, & 8]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on September 20, 2022 and sent to contractors. On October 11, 2022 the Purchasing Division opened and read two (2) responsive and responsible bids. See attached bid tab.

Miller Trucking & Excavating of Silvis, Illinois was the lowest responsive and responsible bidder. This project will install water quality improvement projects at the following City parks: Red Hawk Golf Course, Prairie Heights Park, Northwest Park, Marquette Park, and Eastern Avenue Park.

Sanitary sewer improvements that are funded through the State Revolving Fund loan program allow loan recipients to have any projected interest payments returned to the borrower to implement water quality improvement projects. In conjunction with the UV Disinfection and 1930 Sanitary Sewer Separation projects, we are able to construct five water quality improvement sponsored projects. These consist of a bioretention swale along Pine Street, near Red Hawk Golf Course; a prairie reconstruction along Eastern Avenue, near the Eastern Avenue Library at Prairie Heights Park; a prairie installation at Northwest Park; and two reconstructed grass swales at Marquette Park and Eastern Avenue Park.

These are SRF-sponsored projects and funding is from CIP #33041 SRF Water Quality Match.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/14/2022 - 10:48 AM
Public Works Committee	Moses, Trish	Approved	10/14/2022 - 10:49 AM
City Clerk	Admin, Default	Approved	10/14/2022 - 2:00 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the Davenport State Revolving Fund (SRF) Parks Projects to Miller Trucking & Excavating of Silvis, Illinois in the amount of $295,826, CIP #33041.

WHEREAS, the City needs to contract for the Davenport SRF Parks Projects; and

WHEREAS, Miller Trucking & Excavating of Silvis, Illinois was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Davenport State Revolving Fund (SRF) Parks Projects is hereby awarded to Miller Trucking & Excavating of Silvis, Illinois in the amount of $295,826.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Thomas Vesalga | 563-326-7783

Action / Date
10/26/2022

Subject:
Resolution accepting the grant offer of $400,000 and approving the associated Grant Agreement between the City of Davenport and the Iowa Department of Transportation for funding for the Airport South Ramp Reconstruction project at the Davenport Municipal Airport, CIP #20015. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
The Airport's south ramp pavement dates back to 1947 and given the age of the existing pavement and the severity of the distress, it has served beyond its intended life. The airport has historically performed panel replacements on a regular basis in order to maintain the pavement at a serviceable level; however, the pavement has deteriorated to a point where it is no longer cost effective to continue with panel replacements. A comprehensive pavement analysis shows that a full reconstruction is needed to maintain the continued functionality of this part of the airport.

This $400,000 grant offer and associated Grant Agreement will constitute the State of Iowa share of the funding needed to complete the construction of the Airport South Ramp Reconstruction project to the specifications of the Federal Aviation Administration. This project is a follow-on project to the South Ramp Reconstruction Design project.

The source of funding is through the Iowa Department of Transportation Airport Improvement Program grant of $400,000 (80%) and CIP #20015 of $100,000 (20%).

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/12/2022 - 11:23 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:23 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 1:57 PM

Resolution No. _____

RESOLUTION offered by Alderman Dunn.

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

RESOLUTION accepting the grant offer of $400,000 and approving the associated Grant Agreement between the City of Davenport and the Iowa Department of Transportation for funding for the Airport South Ramp Reconstruction project at the Davenport Municipal Airport.

WHEREAS, the Airport's south ramp pavement dates back to 1947 and has served beyond its intended life; and

WHEREAS, the pavement has deteriorated to a point where panel replacements are no longer cost effective; and

WHEREAS, project funding has been budgeted in the City's Capital Improvement Program.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa that the grant offer of $400,000 is hereby accepted and associated Grant Agreement between the City of Davenport and Iowa Department of Transportation is hereby approved for the Airport South Ramp Reconstruction project at the Davenport Municipal Airport.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/26/2022

Subject:
Resolution accepting work completed under the Marquette Street and West 12th Street Reconstruction project, by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $1,500,559.04, CIP #35046. [Wards 3 & 4]

Recommendation:
Adopt the Resolution.

Background:
Marquette Street between 5th Street and 12th Street had the drive lane concrete removed and replaced with a rock base, underdrains, and 10 inches of asphalt. The existing concrete curb and gutter was repaired where it was in poor condition, but most existing curb and gutter was kept as a cost savings. 12th Street had the concrete pavement removed and replaced with subdrains, rock base, and 8" concrete pavement. Also, storm sewer, curb and gutter, and sidewalk ADA improvements were performed.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 11:24 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:24 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 1:57 PM

Resolution No. _____

RESOLUTION offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the Marquette Street and 12th Street Reconstruction project by CDMI Concrete Contractors, Inc of Port Byron, Illinois in the amount of $1,500,559.04, CIP #35046.

WHEREAS, the City of Davenport entered into a contract with CDMI Concrete Contractors, Inc of Port Byron, Illinois for construction work; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the Marquette Street and 12th Street Reconstruction project by CDMI Concrete Contractors, Inc of Port Byron, Illinois in the amount of $1,500,559.04 is hereby accepted.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/26/2022

Subject:
Resolution accepting work completed under the 2nd Street Resurfacing Project by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $488,178.61, CIP #35053. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This project involved asphalt milling and overlay on 2nd Street between Harrison Street and the Government Bridge. Besides asphalt work, three storm sewer catch basins were rebuilt, curbs were repaired, and ADA-accessible curb ramps were updated. The total project cost was $488,178.61, which was funded by Capital Improvements Program funds for high volume roads (CIP #35053) using a combination of Road Use Tax and General Obligation Bond proceeds.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 11:22 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:23 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 2:54 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the 2nd Street Resurfacing project by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $488,178.61, CIP #35053.

WHEREAS, the City entered into a contract with CDMI Concrete Contractors Inc of Port Byron, Illinois; and

WHEREAS, the project limits on 2nd Street were from Harrison Street to the Government Bridge; and

WHEREAS, the scope of work included asphalt milling and overlay, storm sewer catch basin rebuilds, curb repairs, and ADA curb ramp upgrades; and

WHEREAS, the final cost of the contract was $488,178.61; and

WHEREAS, the work of constructing the above-named project has been duly and fully completed by the contractor in accordance with the terms of the contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under 2nd Street Resurfacing project by CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $488,178.61 is hereby accepted.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/26/2022

Subject:
Resolution accepting work completed under the West Locust Street (Michigan Avenue to Clark Street) Resurfacing project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of $351,882.54, CIP # 35054. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
The surface of West Locust Street between North Michigan Avenue and North Clark Street had fallen into disrepair. The surface was rotary milled and then replaced with a 4" overlay of asphalt. Also included were concrete sidewalk, curb and gutter, and storm inlet improvements.

Work has been satisfactorily completed by Hawkeye Paving Corporation of Davenport, Iowa at a final cost of $351,882.54.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution to Accept Locust St. Resurf., Mich. to Clark

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 11:25 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:26 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 2:55 PM

Resolution No._____

Resolution offered by Alderman Dunn

Resolution of acceptance for the construction of the Locust Street Resurfacing Project, N. Michigan to N. Clark St., CIP 35054, completed by Hawkeye Paving Corporation of Davenport, Iowa.
Whereas, the City of Davenport entered into a contract with Hawkeye Paving Corporation of Davenport, Iowa for construction work; and

Whereas, work on the project has been satisfactorily completed

Now, Therefore, Be It Resolved, by the City Council of the City of Davenport, Iowa: that the Locust Street Resurfacing Project, N. Michigan to N. Clark St., CIP 35054, is hereby accepted.

Passed and approved this 26th day of October, 2022.

Approved: Attest:

_____ _____

Mike Matson, Mayor Brian Krup, Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/26/2022**

Subject:
Resolution accepting the sanitary sewer, storm sewer, and pavement associated with Prairie Heights Fifth Addition. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
The Prairie Heights Fifth Addition is located west of Eastern Avenue and south of Veteran's Memorial Parkway. The developer is Prairie Heights Development, LLC of Cedar Rapids, Iowa. The plans for the subdivision were prepared by Axiom Consultants of Cedar Rapids, 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 4,299 square yards of 7-inch concrete pavement constructed in Deere Creek Lane and College Avenue; 12 new storm sewer structures; and 933 linear feet of new storm sewer, 1,365 linear feet of new sanitary sewer, and 7 new sanitary sewer 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.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 11:24 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:24 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 2:55 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 Prairie Heights Fifth Addition.

WHEREAS, Prairie Heights Fifth Addition has been developed by Prairie Heights Development, LLC of Cedar Rapids, Iowa; and

WHEREAS, 1,365 linear feet of 8" sanitary sewer main and 7 new sanitary manholes were constructed by Legacy Corporation of East Moline, Illinois; and

WHEREAS, 933 linear feet of 15" storm sewer, 8 new storm intakes, and 4 new storm manholes were constructed by Legacy Corporation of East Moline, Illinois; and

WHEREAS, 4,299 square yards of 7" concrete pavement was constructed in Deere Creek Lane and College Avenue by Hawkeye Paving Corporation of Davenport, Iowa; and

WHEREAS, the sewer and pavement installation has been satisfactorily completed, and the City has four-year maintenance bonds on file in the amounts of $610,913 (sewer) and $301,025 (paving).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Prairie Heights Fifth 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, are hereby formally accepted.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/26/2022**

Subject:
Resolution accepting the sanitary sewer associated with Russell-Frye/Armstrong Industrial Park First Addition. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
The Russell-Frye/Armstrong Industrial Park First Addition is located south of Northwest Boulevard (IA-130) at Zenith Avenue. The developer is Russell Construction of Davenport, Iowa. The plans for the subdivision were prepared by Origin Design of Davenport, Iowa. Sanitary sewer was completed by McCleary Excavation Company, Inc of Blue Grass, Iowa.

This Resolution is accepting 183 feet of 8" sanitary sewer extended across Northwest Boulevard between manholes S-70-47 and S-70-48. Paving and storm sewer were previously accepted by City Council (September 14, 2022).

Davenport Public Works has inspected the work and found it to be acceptable according to City of Davenport specifications. This portion of the sanitary sewer has been satisfactorily completed and is hereby formally accepted, and, as of this date, considered public infrastructure.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 11:25 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:25 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 2:58 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting the sanitary sewer associated with Russell-Frye/Armstrong Industrial Park First Addition.

WHEREAS, Russell-Frye/Armstrong Industrial Park First Addition has been developed by Russell Construction of Davenport, Iowa; and

WHEREAS, 183 feet of 8" sanitary sewer was constructed by McCleary Excavation Company, Inc of Blue Grass, Iowa; and

WHEREAS, the sewer installation extended across Northwest Boulevard between manholes S-70-47 and S-70-48 which has been satisfactorily completed, and the City has four-year maintenance bonds on file in the amount of $220,629 (sewer).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Russell-Frye/Armstrong Industrial Park First Addition site improvements, which sanitary sewer constructed by McCleary Excavation Company, Inc of Blues Grass, Iowa, having been satisfactorily completed, are hereby formally accepted.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/26/2022**

Subject:
Resolution accepting sanitary sewer associated with Russell-Frye/Armstrong Industrial Park Second Addition. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
The Russell-Frye/Armstrong Industrial Park First Addition is located south of Northwest Boulevard (IA-130) at Zenith Avenue. The developer is Russell Construction of Davenport, Iowa. The plans for the subdivision were prepared by Origin Design of Davenport, Iowa. Sanitary sewer was completed by McCleary Excavation Company, Inc of Blue Grass, Iowa.

This Resolution is accepting 4 new sanitary sewer manholes and 337 feet of 8" sanitary sewer extended from previously existing sewer in 85th Court. Paving and storm sewer on Zenith Avenue and 83rd Street will be completed at a later date under the Iowa DOT RISE agreement previously approved by City Council. Additional sanitary sewer will be constructed by the developer as the paving is completed.

Davenport Public Works has inspected the work and found it to be acceptable according to City of Davenport specifications. This portion of the sanitary sewer has been satisfactorily completed and is hereby formally accepted, and, as of this date, considered public infrastructure.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 11:25 AM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 11:25 AM
City Clerk	Admin, Default	Approved	10/12/2022 - 3:02 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting sanitary sewer associated with Russell-Frye/Armstrong Industrial Park Second Addition.

WHEREAS, Russell-Frye/Armstrong Industrial Park Second Addition has been developed by Russell Construction of Davenport, Iowa; and

WHEREAS, 4 new sanitary manholes and 337 feet of 8" sanitary sewer were constructed by McCleary Excavation Company, Inc of Blue Grass, Iowa; and

WHEREAS, the sewer installation extended from 85th Court which has been satisfactorily completed, and the City has four-year maintenance bonds on file in the amount of $220,629 (sewer).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Russell-Frye/Armstrong Industrial Park First Addition site improvements, which sanitary manholes and sewer constructed by McCleary Excavation Company, Inc of Blues Grass, Iowa, having been satisfactorily completed, are hereby formally accepted.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/26/2022**

Subject:
Preliminary Resolution for the 2023 Alley Resurfacing Program. [Wards 3, 5, & 6]

Recommendation:
Adopt the Resolution.

Background:
This Resolution begins the alley reconstruction assessment program for next calendar year's construction. Costs are shared according to the following percentages:
Residential - 25% property owner/ 75% City funds
Commercial - 50% property owner/ 50% City funds

The below alleys have requested to be included in the upcoming program.

1. The east-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end.
2. The east-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street.
3. The north-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard.
4. The east-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road.
5. The north-south residential alley south of Hildreth Street from East 11th Street.
6. The east-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street.

During the process, if greater than 50% of the adjacent property owners declare they wish to opt out of the program, that alley will be removed from the program. Alleys removed during the process are eligible to participate in future years. The total estimated cost of these improvements is $600,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Preliminary Schedule
🗋	Backup Material	Preliminary Plat

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/12/2022 - 3:51 PM
Public Works Committee	Moses, Trish	Approved	10/12/2022 - 3:51 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 10:45 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

PRELIMINARY RESOLUTION for the 2023 Alley Resurfacing Program.

WHEREAS, it is deemed advisable and necessary to resurface certain alleys in the City of Davenport, Iowa; and

WHEREAS, Iowa Code requires that the City Council arrange for engineering services when an assessment project is involved; and

WHEREAS, Iowa Code 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 referred to as the 2023 Alley Resurfacing Program.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

2023 Alley Resurfacing - Alley 1

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency
D0055-15	2704 E HIGH ST	MARK S ZAPUTIL	1626 PINEACRE AV	DAVENPORT IA 52803	$ 142,290.00	$ 35,572.50	$ 1,040.00	$ 1,040.00	$ -
D0055-16	2708 E HIGH ST	KURT B GEHRING	2708 E HIGH ST	DAVENPORT IA 52803-3442	$ 104,720.00	$ 26,180.00	$ 1,040.00	$ 1,040.00	$ -
D0055-17	2712 E HIGH ST	MICHAEL P MCKINNEY	2712 E HIGH ST	DAVENPORT IA 52803-3442	$ 99,200.00	$ 24,800.00	$ 1,040.00	$ 1,040.00	$ -
D0055-18	2716 E HIGH ST	JAKOB L WETHINGTON	2716 E HIGH ST	DAVENPORT IA 52803-3442	$ 132,210.00	$ 33,052.50	$ 1,040.00	$ 1,040.00	$ -
D0055-19	2720 E HIGH ST	KAILEY CLAIRE MULLIN	2720 E HIGH ST	DAVENPORT IA 52803-3442	$ 150,440.00	$ 37,610.00	$ 1,040.00	$ 1,040.00	$ -
D0055-20	2724 E HIGH ST	JOHN R COPP	2724 E HIGH ST	DAVENPORT IA 52803-3442	$ 130,100.00	$ 32,525.00	$ 1,040.00	$ 1,040.00	$ -
D0055-21	2728 E HIGH ST	JOANNE R STICE	2728 E HIGH ST	DAVENPORT IA 52803-3442	$ 127,450.00	$ 31,862.50	$ 1,040.00	$ 1,040.00	$ -
D0055-22	2732 E HIGH ST	SAMANTHA J CAWIEZELL	2732 E HIGH ST	DAVENPORT IA 52803	$ 132,430.00	$ 33,107.50	$ 1,040.00	$ 1,040.00	$ -
D0055-23	2736 E HIGH ST	RANDY L KEARNEY	2736 E HIGH ST	DAVENPORT IA 52803	$ 121,200.00	$ 30,300.00	$ 1,040.00	$ 1,040.00	$ -
D0055-24	2740 E HIGH ST	JILL A RIEDESEL	2740 E HIGH ST	DAVENPORT IA 52803-3442	$ 149,700.00	$ 37,425.00	$ 1,040.00	$ 1,040.00	$ -
D0055-25	2742 E HIGH ST	DIANE L OVERSTREET TYLER	3834 26TH ST	ROCK ISLAND IL 61201-6906	$ 148,750.00	$ 37,187.50	$ 1,040.00	$ 1,040.00	$ -
D0055-26	2746 E HIGH ST	MICHAEL L LAURITSEN	4025 ASPEN HILLS DR	BETTENDORF IA 52722-2165	$ 120,730.00	$ 30,182.50	$ 1,040.00	$ 1,040.00	$ -
D0055-27A	2754 E HIGH ST	MARTIN D REYHONS	2754 E HIGH ST	DAVENPORT IA 52803-3442	$ 264,300.00	$ 66,075.00	$ 520.00	$ 520.00	$ -
D0055A31A	2743 ELM ST	CHRISTINE A SZALO	2743 ELM ST	DAVENPORT IA 52803-2330	$ 231,220.00	$ 57,805.00	$ 2,236.00	$ 2,236.00	$ -
D0055A32	2733 ELM ST	ANTHONY E PEET	2733 ELM ST	DAVENPORT IA 52803-2330	$ 288,840.00	$ 72,210.00	$ 2,600.00	$ 2,600.00	$ -
D0055A34A	2727 ELM ST	WARREN FIERCE	2727 ELM ST	DAVENPORT IA 52803-2330	$ 264,320.00	$ 66,080.00	$ 2,600.00	$ 2,600.00	$ -
D0055A35	2713 ELM ST	TED J REICHER	2713 ELM ST	DAVENPORT IA 52803	$ 163,850.00	$ 40,962.50	$ 2,340.00	$ 2,340.00	$ -
D0055A36	2121 LORTON AV	JANET L PETERSON	2121 LORTON AV	DAVENPORT IA 52803	$ 198,450.00	$ 49,612.50	$ 2,600.00	$ 2,600.00	$ -

2023 Alley Resurfacing - Alley 2

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency
E0007-35	2702 E 18TH ST	TRACE A TIMMONS	2702 E 18TH ST	DAVENPORT IA 52803-3405	$ 155,020.00	$ 38,755.00	$ 1,000.00	$ 1,000.00	$ -
E0007-36	2708 E 18TH ST	PATRICIA M STEPHENSON	2708 E 18TH ST	DAVENPORT IA 52803-3405	$ 177,540.00	$ 44,385.00	$ 1,000.00	$ 1,000.00	$ -
E0007-37	2712 E 18TH ST	DAVID E HARNAGE	2712 E 18TH ST	DAVENPORT IA 52803-3405	$ 130,060.00	$ 32,515.00	$ 1,000.00	$ 1,000.00	$ -
E0007-38	2716 E 18TH ST	DIXIE L HARRINGTON TRUST	2716 E 18TH ST	DAVENPORT IA 52803-3405	$ 142,380.00	$ 35,595.00	$ 1,000.00	$ 1,000.00	$ -
E0007-39	2720 E 18TH ST	MICHAEL R LINTZ	2720 E 18TH ST	DAVENPORT IA 52803-3405	$ 159,110.00	$ 39,777.50	$ 1,000.00	$ 1,000.00	$ -
E0007-40	2726 E 18TH ST	SARAH E STAHL	2726 E 18TH ST	DAVENPORT IA 52803-3405	$ 176,050.00	$ 44,012.50	$ 1,000.00	$ 1,000.00	$ -
E0007-41	2728 E 18TH ST	LLC VORTEX PROPERTIES	3208 E 18TH PL	DAVENPORT IA 52803-3505	$ 137,680.00	$ 34,420.00	$ 1,000.00	$ 1,000.00	$ -
E0007-42	2732 E 18TH ST	DEBORAH L ORTH	2732 E 18TH ST	DAVENPORT IA 52803-3405	$ 158,630.00	$ 39,657.50	$ 1,000.00	$ 1,000.00	$ -
E0007-43	2736 E 18TH ST	TOM SWANSON	5420 W 11TH ST	DAVENPORT IA 52804-4606	$ 199,590.00	$ 49,897.50	$ 1,000.00	$ 1,000.00	$ -
E0007-44	1806 FOREST RD	ALAN M MENDOZA-CARRILLO	1806 FOREST RD	DAVENPORT IA 52803-3460	$ 117,250.00	$ 29,312.50	$ 1,000.00	$ 1,000.00	$ -
E0007-45	2739 E LOCUST ST	LLC MW HOMES	2820 E LOCUST ST	DAVENPORT IA 52803-3430	$ 107,380.00	$ 26,845.00	$ 1,000.00	$ 1,000.00	$ -
E0007-46A	2735 E LOCUST ST	THERESA A NORMAN	3516 CENTRAL AV	BETTENDORF IA 52722	$ 97,140.00	$ 24,285.00	$ 1,000.00	$ 1,000.00	$ -
E0007-47	2731 E LOCUST ST	BELLA VENTURA PROPERTIES LLC	PO BOX 579	SEAL BEACH CA 90740-0579	$ 133,430.00	$ 33,357.50	$ 1,000.00	$ 1,000.00	$ -
E0007-48	2729 E LOCUST ST	JORDAN Z HARMS	2729 E LOCUST ST	DAVENPORT IA 52803-3414	$ 178,430.00	$ 44,607.50	$ 1,000.00	$ 1,000.00	$ -
E0007-49	2727 E LOCUST ST	SCOTT A ALLEN	2727 E LOCUST ST	DAVENPORT IA 52803	$ 107,180.00	$ 26,795.00	$ 1,000.00	$ 1,000.00	$ -
E0007-50	2723 E LOCUST ST	KELLY BURNS	2723 E LOCUST ST	DAVENPORT IA 52803-3414	$ 101,930.00	$ 25,482.50	$ 1,000.00	$ 1,000.00	$ -
E0007-51	2715 E LOCUST ST	MIGUEL DELGADO	2715 E LOCUST ST	DAVENPORT IA 52803-3414	$ 146,420.00	$ 36,605.00	$ 1,000.00	$ 1,000.00	$ -
E0007-52	2711 E LOCUST ST	GATOR PROPERTIES 13 LLC	2435 KIMBERLY RD STE 40N	BETTENDORF IA 52722	$ 113,030.00	$ 28,257.50	$ 1,000.00	$ 1,000.00	$ -
E0007-53	2705 E LOCUST ST	MEGAN ROSE LINK	2705 E LOCUST ST	DAVENPORT IA 52803-3414	$ 111,500.00	$ 27,875.00	$ 1,000.00	$ 1,000.00	$ -
E0007-54A	2701 E LOCUST ST	KERYN L HANSMEIER	2701 E LOCUST ST	DAVENPORT IA 52803-3414	$ 109,930.00	$ 27,482.50	$ 1,000.00	$ 1,000.00	$ -

2023 Alley Resurfacing - Alley 3

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency
E0007-06	2702 MIDDLE RD	JULIE A GOODWIN	2702 MIDDLE RD	DAVENPORT IA 52803-3417	$ 173,310.00	$ 43,327.50	$ 1,000.00	$ 1,000.00	$ -
E0007-07	2706 MIDDLE RD	CHARLES W MAXWELL TRUSTEE	2706 MIDDLE RD	DAVENPORT IA 52803	$ 148,410.00	$ 37,102.50	$ 1,000.00	$ 1,000.00	$ -
E0007-08	2710 MIDDLE RD	DAVID ALEX SANDERSON	2710 MIDDLE RD	DAVENPORT IA 52803-3417	$ 147,800.00	$ 36,950.00	$ 1,000.00	$ 1,000.00	$ -
E0007-09	2716 MIDDLE RD	VIRGINIA P RUGENSTEIN	2716 MIDDLE RD	DAVENPORT IA 52803-3417	$ 134,090.00	$ 33,522.50	$ 1,000.00	$ 1,000.00	$ -
E0007-10	2720 MIDDLE RD	MATTHEW R SANDY	2720 MIDDLE RD	DAVENPORT IA 52803-3417	$ 167,360.00	$ 41,840.00	$ 1,000.00	$ 1,000.00	$ -
E0007-11	2726 MIDDLE RD	MARY TERESE ROCK REVOCABLE LIVING	2726 MIDDLE RD	DAVENPORT IA 52803-3417	$ 176,370.00	$ 44,092.50	$ 1,000.00	$ 1,000.00	$ -
E0007-12	2730 MIDDLE RD	JOHN AARON WINEINGER	2730 MIDDLE RD	DAVENPORT IA 52803-3417	$ 155,660.00	$ 38,915.00	$ 1,000.00	$ 1,000.00	$ -
E0007-13	2734 MIDDLE RD	MARIA J PRICE	2734 MIDDLE RD	DAVENPORT IA 52803	$ 151,280.00	$ 37,820.00	$ 1,000.00	$ 1,000.00	$ -
E0007-14	2738 MIDDLE RD	JENNIFER A MODJESKE	2738 MIDDLE RD	DAVENPORT IA 52803-3417	$ 134,480.00	$ 33,620.00	$ 1,000.00	$ 1,000.00	$ -
E0007-15	2742 MIDDLE RD	STEVEN J BRUEN	2742 MIDDLE RD	DAVENPORT IA 52803	$ 214,000.00	$ 53,500.00	$ 1,000.00	$ 1,000.00	$ -
E0007-16	1728 FOREST RD	JOSUE A RODRIGUEZ	1728 FOREST RD	DAVENPORT IA 52803-3450	$ 220,590.00	$ 55,147.50	$ 1,000.00	$ 1,000.00	$ -
E0007-17	2737 E 18TH ST	ERIN M HAYEK	2737 E 18TH ST	DAVENPORT IA 52803-3404	$ 88,690.00	$ 22,172.50	$ 1,000.00	$ 1,000.00	$ -
E0007-18	2733 E 18TH ST	JOHNNA CHESNEY	1938 E 47TH PL	DAVENPORT IA 52807-1269	$ 182,270.00	$ 45,567.50	$ 1,000.00	$ 1,000.00	$ -
E0007-19	2729 E 18TH ST	KEITH A AVEY	2729 E 18TH ST	DAVENPORT IA 52803-3404	$ 150,210.00	$ 37,552.50	$ 1,000.00	$ 1,000.00	$ -
E0007-20	2725 E 18TH ST	OLIVIA KYLEEN CARROLL-CHANDLER	2725 E 18TH ST	DAVENPORT IA 52803-3404	$ 189,810.00	$ 47,452.50	$ 1,000.00	$ 1,000.00	$ -
E0007-21	2719 E 18TH ST	BRENT A PEARSON	2719 E 18TH ST	DAVENPORT IA 52803-3404	$ 189,130.00	$ 47,282.50	$ 1,000.00	$ 1,000.00	$ -
E0007-22	2715 E 18TH ST	DAVID P KISSACK	2715 E 18TH ST	DAVENPORT IA 52803-3404	$ 141,000.00	$ 35,250.00	$ 1,000.00	$ 1,000.00	$ -
E0007-23	2711 E 18TH ST	MARK A LELLIG	2711 E 18TH ST	DAVENPORT IA 52803	$ 169,650.00	$ 42,412.50	$ 1,000.00	$ 1,000.00	$ -
E0007-24	2707 E 18TH ST	GILLIES ELIZABETH L	2707 E 18TH ST	DAVENPORT IA 52803-3404	$ 164,480.00	$ 41,120.00	$ 1,000.00	$ 1,000.00	$ -
E0007-26	1717 KENWOOD AV	DEBORAH J TORREZ	1717 KENWOOD AV	DAVENPORT IA 52803-3457	$ 104,930.00	$ 26,232.50	$ 1,000.00	$ 1,000.00	$ -

2023 Alley Resurfacing - Alley 4

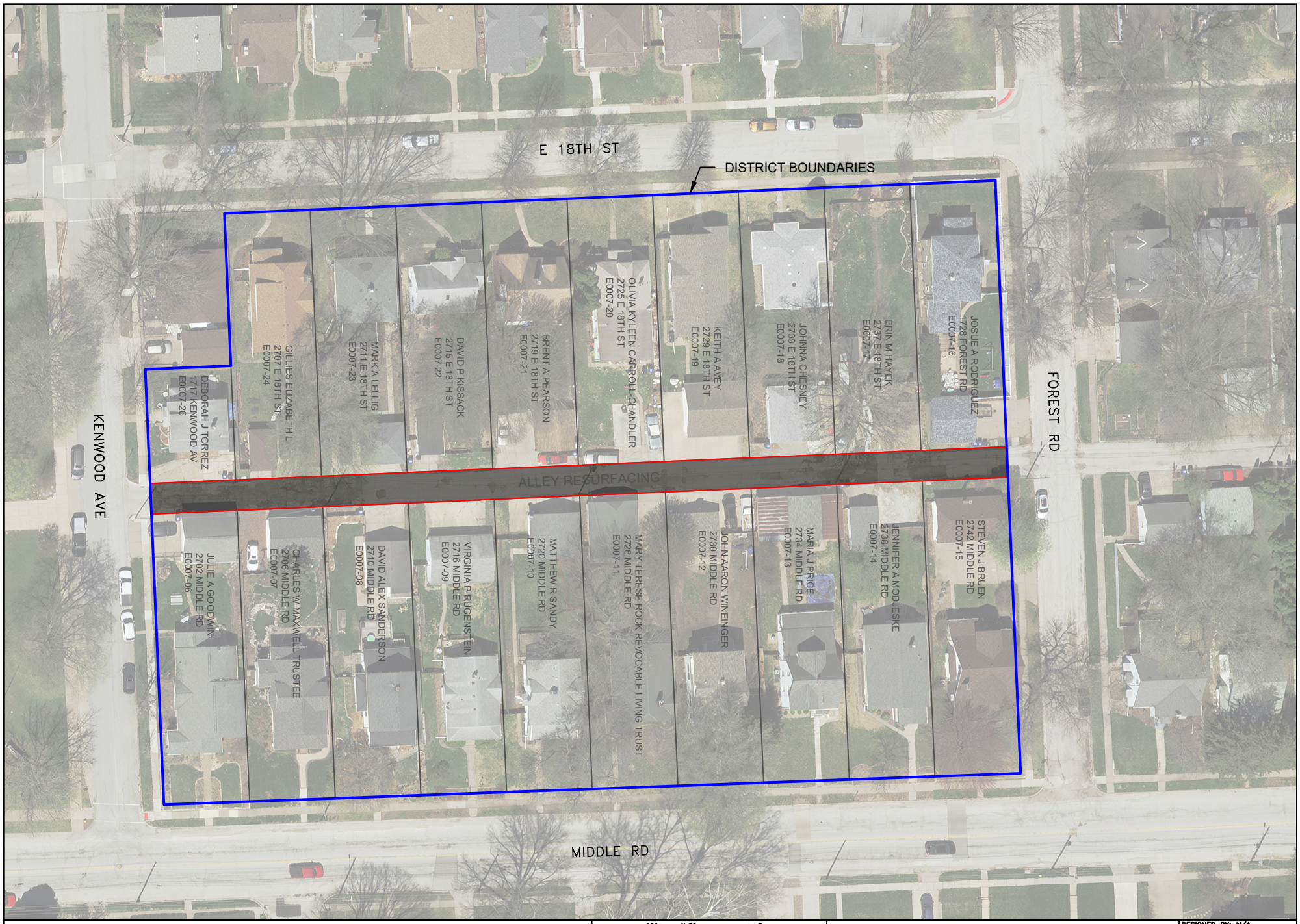
Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency
F0006-32	1207 E LOCUST ST	JUN JONG K	1590 CARPENTER CT	BETTENDORF IA 52722	$ 276,630.00	$ 69,157.50	$ 6,200.00	$ 6,200.00	$ -
F0006-33	1803 BRIDGE AV	RICHARD W KIMMEL	3420 CENTRAL AVE	BETTENDORF IA 52722-5145	$ 85,500.00	$ 21,375.00	$ 1,300.00	$ 1,200.00	$ -
F0006-34	1733 BRIDGE AV	DACHELLE PROPERTIES LLC	1733 BRIDGE AV	DAVENPORT IA 52803-3137	$ 107,310.00	$ 26,827.50	$ 1,300.00	$ 1,200.00	$ -
F0006-35	1727 BRIDGE AV	LLC K & L HOFFMAN	318 35TH ST	BETTENDORF IA 52722	$ 93,540.00	$ 23,385.00	$ 1,600.00	$ 1,600.00	$ -
F0006-36	1721 BRIDGE AV	DAVID NIENABER	1721 BRIDGE AVE	DAVENPORT IA 52803-3137	$ 85,250.00	$ 21,312.50	$ 1,300.00	$ 1,200.00	$ -
F0006-37	1711 BRIDGE AV	EBAN S HILL	1711 BRIDGE AV	DAVENPORT IA 52803	$ 83,330.00	$ 20,832.50	$ 1,300.00	$ 1,200.00	$ -
F0006-38	1709 BRIDGE AV	DANIEL R MURPHY	1709 BRIDGE AV	DAVENPORT IA 52803	$ 76,930.00	$ 19,232.50	$ 1,300.00	$ 1,200.00	$ -
F0006-39	1707 BRIDGE AV	BRANDON E DAVIS	1707 BRIDGE AVE	DAVENPORT IA 52803-3137	$ 63,650.00	$ 15,912.50	$ 1,300.00	$ 1,200.00	$ -
F0006-40	1705 BRIDGE AV	REBECCA M WOODS	1705 BRIDGE AVE	DAVENPORT IA 52803-3137	$ 45,960.00	$ 11,490.00	$ 1,300.00	$ 1,200.00	$ -
F0006-41	1703 BRIDGE AV	DIANE MOSLEY	1703 BRIDGE AV	DAVENPORT IA 52803	$ 54,870.00	$ 13,717.50	$ 1,200.00	$ 1,100.00	$ -
F0006-42	1701 BRIDGE AV	PENTECOSTAL APOSTOLIC FAITH CHURCH	700 E 6TH ST	DAVENPORT IA 52803	$ 9,720.00	$ 2,430.00	$ 1,800.00	$ 1,800.00	$ -
F0006-43		IOWA ILLINOIS GAS & ELECTRIC C	666 GRAND AVE	DES MOINES IA 50303-0657	$ 15,130.00	$ 3,782.50	$ 1,800.00	$ 1,800.00	$ -
F0007-30	1608 COLLEGE AV	DENNIS P QUINLAN	1608 COLLEGE ST	DAVENPORT IA 52803	$ 49,590.00	$ 12,397.50	$ 1,300.00	$ 1,200.00	$ -
F0007-31	1612 COLLEGE AV	BRYAN BRIGGS	1535 FAIRLANE DR	BETTENDORF IA 52722	$ 67,160.00	$ 16,790.00	$ 2,220.00	$ 2,120.00	$ -
F0007-33	1624 COLLEGE AV	EDDIE D VANDERPOOL	1701 COLLEGE AV	DAVENPORT IA 52803	$ 56,590.00	$ 14,147.50	$ 1,300.00	$ 1,200.00	$ -
F0007-35	1708 COLLEGE AV	DOUGLASS IV THOMAS S	1708 COLLEGE AV	DAVENPORT IA 52803	$ 75,890.00	$ 18,972.50	$ 2,500.00	$ 2,400.00	$ -
F0007-37A	1720 COLLEGE AV	EDITH M EGLI	1720 COLLEGE AVE	DAVENPORT IA 52803	$ 61,130.00	$ 15,282.50	$ 2,600.00	$ 2,500.00	$ -
F0007-38	1810 COLLEGE AV	5 LC OHP	C/O OAK HELM PARTNERS	DAVENPORT IA 52803	$ 51,370.00	$ 12,842.50	$ 2,500.00	$ 2,400.00	$ -
F0007-41	1217 E LOCUST ST	CHAD L HEIN	1217 E LOCUST ST	DAVENPORT IA 52803-3121	$ 67,720.00	$ 16,930.00	$ 1,300.00	$ 1,200.00	$ -
F0010-27	1520 COLLEGE AV	MADSEN JANET L	1520 COLLEGE AV	DAVENPORT IA 52803	$ 79,890.00	$ 19,972.50	$ 700.00	$ 600.00	$ -
F0010-28	1524 COLLEGE AV	KENNETH A WINFIELD	PO BOX 1693	DAVENPORT IA 52809-1693	$ 75,910.00	$ 18,977.50	$ 1,300.00	$ 1,200.00	$ -
F0010-29	1602 COLLEGE AV	CATHY J THOMAS	1602 COLLEGE AV	DAVENPORT IA 52803	$ 82,590.00	$ 20,647.50	$ 1,300.00	$ 1,200.00	$ -

2023 Alley Resurfacing - Alley 5

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency
E0034-02	2001 E 11TH ST	ESTES DAVID R	10801 95TH ST	COAL VALLEY IL 61240-9364	$ 77,390.00	$ 19,347.50	$ 4,100.00	$ 4,100.00	$ -
E0034-03	1931 E 11TH ST	THE CHRISTOPHER SCHNEIDER REVOCABL	224 PROSPECT TER	DAVENPORT IA 52803-3943	$ 147,090.00	$ 36,772.50	$ 3,600.00	$ 3,600.00	$ -

2023 Alley Resurfacing - Alley 6

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency
L0016A23A	308 E RIVER DR	RANZOW LLC	PO BOX 4927	DAVENPORT IA 52808	$ 179,920.00	$ 44,980.00	$ 15,400.00	$ 15,400.00	$ -
L0016A28B	324 E RIVER DR	VESOLE ASSOCIATES LLLP	532 W 3RD ST	DAVENPORT IA 52801	$ 67,560.00	$ 16,890.00	$ 9,600.00	$ 9,600.00	$ -
L0016A11	325 E 2ND ST	325 PARTNERS LLC	1940 CROMWELL CIR	DAVENPORT IA 52807-2839	$ 124,580.00	$ 31,145.00	$ 5,000.00	$ 5,000.00	$ -
L0016A12	321 E 2ND ST	321 PARTNERS LLC	220 EMERSON PL STE 101	DAVENPORT IA 52801-1627	$ 1,075,200.00	$ 268,800.00	$ 7,300.00	$ 7,300.00	$ -
L0016A13B	311 E 2ND ST	311 PARTNERS LLC	1940 CROMWELL CIR	DAVENPORT IA 52807-2839	$ 213,720.00	$ 53,430.00	$ 5,200.00	$ 5,200.00	$ -
L0016A14		PETERSON HTC LLC	811 W 2ND ST	DAVENPORT IA 52808	$ 23,280.00	$ 5,820.00	$ 2,400.00	$ 2,400.00	$ -
L0016A15		PETERSON HTC LLC	811 W 2ND ST	DAVENPORT IA 52802-1409	$ 52,370.00	$ 13,092.50	$ 1,900.00	$ 1,900.00	$ -
L0016A16	301 E 2ND ST	PETERSON HTC LLC	811 W 2ND ST	DAVENPORT IA 52802-1409	$ 562,770.00	$ 140,692.50	$ 3,300.00	$ 3,300.00	$ -



City of Davenport, Iowa
Engineering Division
1200 E. 46th Street Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

2023 ALLEY RESURFACING PROGRAM

DESIGNED BY: N/A
DRAWN BY: NHK
CHECKED BY: N/A
DWG.FILE:
SCALE: 1"=50'

SCOTT COUNTY

PROJECT NUMBER

PLAT

STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
IOWA	7	FY	1	1

City of Davenport, Iowa
Engineering Division
1200 E. 46th Street Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

2023 ALLEY RESURFACING PROGRAM

DESIGNED BY:	N/A
DRAWN BY:	NHK
CHECKED BY:	N/A
DWG.FILE:	
SCALE:	1"=50'

SCOTT COUNTY

PROJECT NUMBER	PLAT	STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
		IOWA	7	FY	1	1

City of Davenport, Iowa
Engineering Division
1200 E. 46th Street Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

2023 ALLEY RESURFACING PROGRAM

DESIGNED BY: N/A
DRAWN BY: NHK
CHECKED BY: N/A
DWG.FILE:
SCALE: 1"=50'

SCOTT COUNTY

PROJECT NUMBER

PLAT

STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
IOWA	7	FY	1	1

City of Davenport, Iowa
Engineering Division
1200 E. 46th Street Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

2023 ALLEY RESURFACING PROGRAM

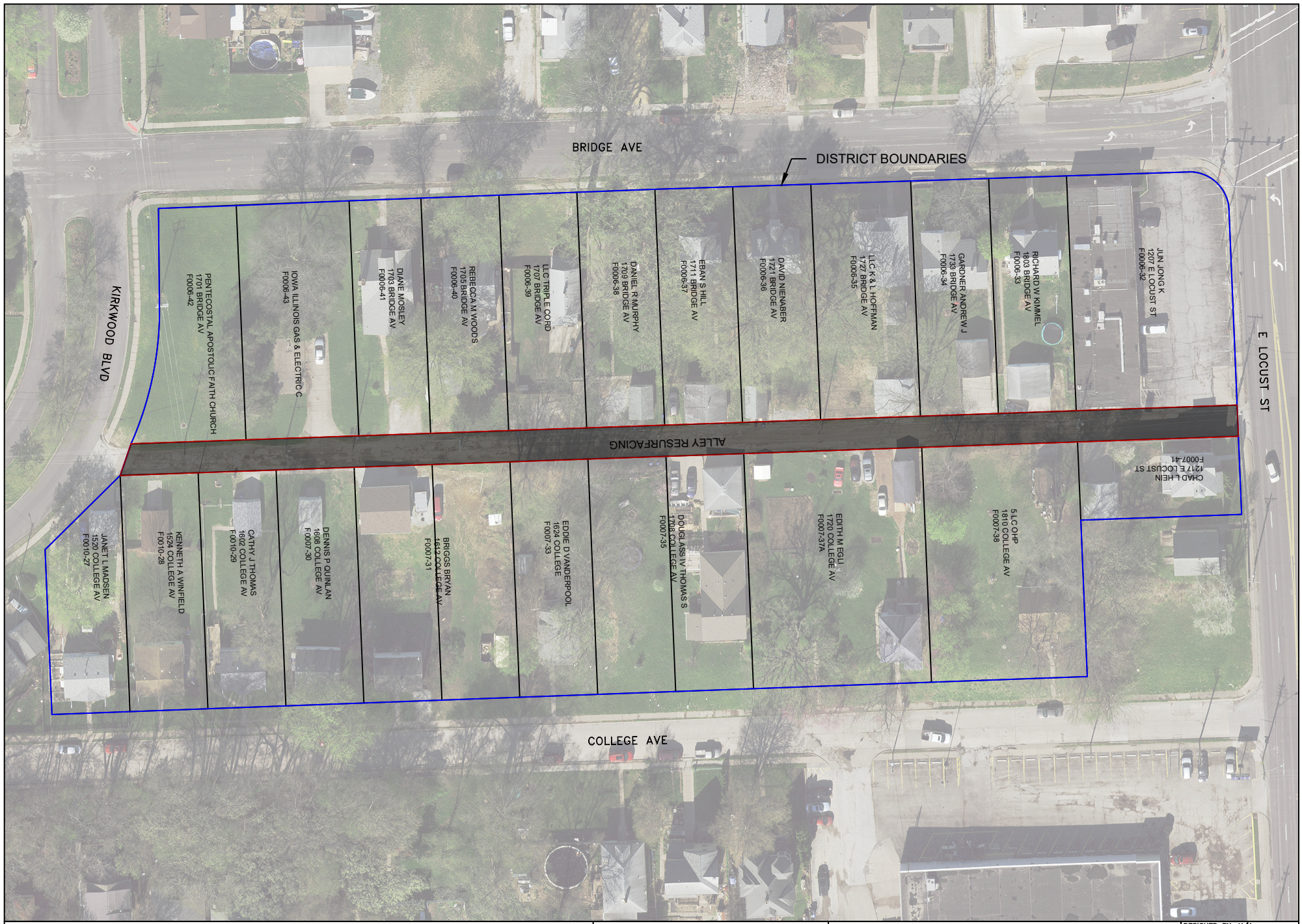
DESIGNED BY: N/A
DRAWN BY: NHK
CHECKED BY: N/A
DWG.FILE:
SCALE: 1"=50'

SCOTT COUNTY

PROJECT NUMBER

PLAT

STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
IOWA	7	FY	1	1



City of Davenport, Iowa
Engineering Division
1200 E. 46th Street Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

2023 ALLEY RESURFACING PROGRAM

DESIGNED BY:	N/A
DRAWN BY:	NHK
CHECKED BY:	N/A
DWG.FILE:	
SCALE:	1"=50'

SCOTT COUNTY

PROJECT NUMBER	PLAT	STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
		IOWA	7	FY	1	1

City of Davenport, Iowa
Engineering Division
1200 E. 46th Street Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

2023 ALLEY RESURFACING PROGRAM

DESIGNED BY: N/A
DRAWN BY: NHK
CHECKED BY: N/A
DWG.FILE:
SCALE: 1"=50'

SCOTT COUNTY

PROJECT NUMBER

PLAT

STATE	FHWA REGION	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
IOWA	7	FY	1	1

City of Davenport

Department: City Clerk
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
10/26/2022

Subject:
Resolution approving a policy to establish guidelines on naming rights and commemoration procedures when opening, dedicating, or remodeling buildings, properties, or other assets where primary City operations occur. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The purpose of this document is to establish guidelines on the naming rights and commemoration procedures when opening, dedicating, or remodeling buildings, properties, or other assets where primary City operations occur.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Naming Rights and Commemoration Policy

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2022 - 3:21 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION approving a policy to establish guidelines on naming rights and commemoration procedures when opening, dedicating, or remodeling buildings, properties, or other assets where primary City operations occur.

WHEREAS, when City assets are opened, dedicated, or remodeled though the use of public funds, City staff may install a plaque commemorating the asset; and

WHEREAS, all naming rights shall be approved by a vote of the City Council through resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the policy establishing guidelines on the naming rights and commemoration procedures when opening, dedicating, or remodeling buildings, properties, or other assets where primary City operations occur is hereby approved.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

Commemorating & Naming of City Assets

Date: October 13, 2022

General Policy:

The purpose of this policy is to establish guidelines on the naming rights and commemoration procedures when opening, dedicating, or remodeling buildings, properties, or other assets where primary City operations occur.

Provisions:

1. **Commemorating City Assets**

    a. When City assets are opened, dedicated, or remodeled through the use of public funds, City staff may install a plaque commemorating the asset. When such plaques are anticipated the inscription shall be limited to:
        i. Facility or asset name
        ii. Description of dedication, if applicable
        iii. The date of dedication
        iv. The names of Elected Officials in office at the time of dedication and the names of the seated Elected Officials at the time the budget was adopted
        v. The name of the City Administrator
        vi. The name of the applicable Department Director(s); if the plaque is for the dedication of significant remodeling or expansion of an existing facility and a previous plaque(s) exists, the new plaque shall be placed in the expanded or remodeled area
        vii. Other staff or recognitions (partners, third party organizations, consultants, architectural and engineering firms, construction managers, etc.)

    b. All plaques must be:
        i. Made of a durable and permanent material
        ii. Reviewed by the Communications Division
        iii. Installed and maintained in accordance with City standards
        iv. Inclusive of the City logo and consistent with the City's brand
        v. Approved by the City Administrator

    c. When a commemoration plaque is anticipated, plans and specifications for the associated plaque or sign will be included in the bid package for vertical buildings; all other plaques are subject to budget appropriation.

d. Exceptions: Requests to place plaque(s) that are not outlined in this policy may only be approved by a vote of the City Council through resolution. If approved by the City Council, the plaque(s) must meet all other requirements of this policy (design, consultation with City staff, etc.).
    i. External or public requests for plaques: These may be requested and funded by the requestor. They will be subject to an installation and maintenance agreement with the City Council and are subject to City Council approval.
    ii. Parks Plaques & Memorials
        1. Official opening plaques for park openings will only be installed where this is an associated building, other than washrooms, where the plaque can be displayed. However, all parks will include park signage indicating the name of the park.
        2. Public memorials will be funded by the requestor and will be subject to an installation and maintenance agreement with the City as outlined by the Parks and Recreation Department's Memorial and Tribute Gifts process.
        3. Exceptions may be granted to the Park Plaques & Memorials section as determined by the Parks and Recreation Director and in concurrence with the City Administrator.

2. Naming City Assets

a. City Departments or Elected Officials may periodically request to name new or existing City assets including buildings, structures, rooms, land, or equipment.
    i. City Department requests shall be made to the City Administrator.
b. All naming rights shall be approved by a vote of the City Council through resolution.
c. Any relevant or necessary signage updates are subject to budget appropriation.

City of Davenport

Department: Finance
Contact Info: Betsy Tubbs | 563-888-2220

Action / Date
10/26/2022

Subject:
Resolution awarding a contract for the Dillon Fountain Electrical Upgrades project to Shaw Electric, Inc of Davenport, Iowa in the amount of $122,235, CIP #64102. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on September 7, 2022 and sent to contractors. On October 5, 2022 the Purchasing Division opened and read one (1) responsive and responsible bid. See attached bid tab.

Shaw Electric, Inc of Davenport, Iowa was the lowest responsive and responsible bidder. This project will move the electrical service to Dillon Fountain out of the flood plain to the existing electric platform under the Skybridge.

Funding for this project is from CIP #64102 LeClaire Park Electrical Upgrades.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/13/2022 - 3:24 PM
Finance Committee	Merritt, Mallory	Approved	10/13/2022 - 3:25 PM
City Clerk	Admin, Default	Approved	10/13/2022 - 4:24 PM

Resolution No. _____

RESOLUTION offered by Alderman Condon.

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

RESOLUTION awarding a contract for the Dillon Fountain Electrical Upgrades project to Shaw Electric, Inc of Davenport, Iowa in the amount of $122,235 CIP #64102.

WHEREAS, the City needs to contract for the Dillon Fountain Electrical Upgrades project; and

WHEREAS, Shaw Electric, Inc of Davenport, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Dillon Fountain Electrical Upgrades project is hereby awarded to Shaw Electric, Inc of Davenport, Iowa in the amount of $122,235.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

Bid Request Number	23-26 Addendum 1	Organization	City of Davenport IA
Title	Dillon Fountain Electric Upgrades	Bid Creator	Kari Thoren
Description	The City of Davenport, Iowa is accepting bids for electrical upgrades to Dillon fountain including movi	Email	kari.thoren@davenportiowa.com
Bid Type	ITB	Phone	(563) 5638882267
Open Date	9/7/2022 10:03:40 AM (CT)	Fax	
Close Date	10/5/2022 10:00:00 AM (CT)		

Responding Suppliers

Name	City	State	Response Submitted	Lines Responded	Response Total
Shaw Electric, Inc.	Davenport	IA	10/5/2022 08:51:48 AM (CT)	1	$122,235.00

Line Items

Line 1 **All labor, materials, equipment, vehicles, tools, and any incidentals required to complete this p**

Name	Qty	UOM	Unit Price	Extended
Shaw Electric, Inc.	1	LS	$122,235.00	$122,235.00

City of Davenport

Department: Finance
Contact Info: Mike Atchley | 563-327-5149

Action / Date
10/26/2022

Subject:
Resolution setting a Public Hearing on granting a 10-foot wide access and utility easement to Scott County from the Scott Emergency Communications Center north to the Emergency Management storage building in the southeast corner of parcel P1214-07I. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
The purpose of the easement is to provide generator backed power to the Scott Emergency Communications Center/Emergency Management storage building located on the north side of the drive from SECC. This building houses emergency response equipment that is used throughout the entire county. Previously it was fed from the now demolished warehouse. SECC needs to get power restored as soon possible to that location.

Adoption of this Resolution will set the Public Hearing for November 2 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Easement Plat
🗋	Cover Memo	Easement Agreement
🗋	Cover Memo	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/12/2022 - 4:33 PM
Finance Committee	Merritt, Mallory	Approved	10/12/2022 - 4:34 PM
City Clerk	Admin, Default	Approved	10/12/2022 - 5:19 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION setting a Public Hearing on granting a 10-foot wide access and utility easement to Scott County from the Scott Emergency Communications Center north to the Emergency Management storage building in the southeast corner of parcel P1214-07I.

WHEREAS, the warehouse was demolished that housed the power and backup emergency power to the Emergency Management storage building; and

WHEREAS, the Scott Emergency Communications Center has the necessary power and emergency backup power sufficient for both facilities.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that a Public Hearing shall be held on November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, to allow public to object or comment on granting a 10-foot wide access and utility easement to Scott County from the Scott Emergency Communications Center north to the Emergency Management storage building in the southeast corner of parcel P1214-07I.

Passed and approved this 26th day of October, 2022.

Approved:

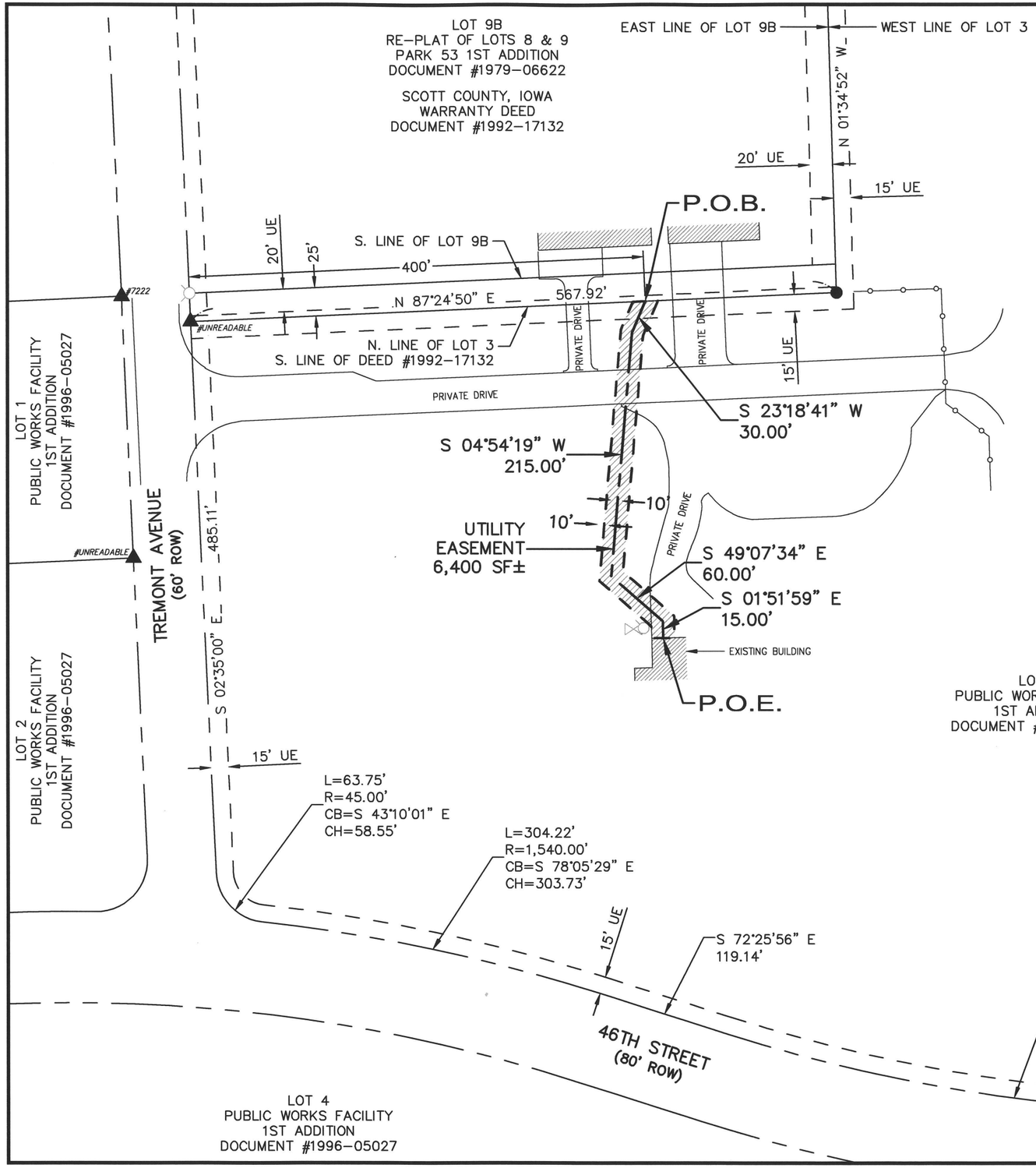
_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk



RESERVED FOR RECORDER

Location:	Part of Lot 3 in Public Works Facility 1st Add.
City:	Davenport
County:	Scott
Requestor:	Scott County, Iowa
Proprietor:	City of Davenport
Surveyor:	Daryl A. Brickner
Surveyor Company:	IMEG Corp.
Return to :	IMEG Corp. 1717 State St. Suite 201 Bettendorf, IA 52807 Attn: Daryl Brickner

BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM SOUTH ZONE NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT)

0 100'

SCALE: 1" = 100'

LEGEND

- REBAR, FOUND
- REBAR WITH CAP #_____, FOUND
- HYDRANT AT PROPERTY CORNER
- P.O.B. — POINT OF BEGINNING
- P.O.E. — POINT OF ENDING
- PROPERTY LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- R.O.W. LINE

DARYL A. BRICKNER LICENSED 13581 IOWA LAND SURVEYOR

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Daryl A. Brickner, PLS No. 13581 — Date 9/14/22

My license renewal date is December 31, 2023

No. of sheets covered by this seal: 1

REVISIONS

No.	DESCRIPTION	DATE

IMEG
PH: 563.344.0260
www.imegcorp.com
1717 STATE STREET
SUITE 201
BETTENDORF, IA 52722

Scott County Iowa / City of Davenport
DAVENPORT, IOWA

Utility Easement Plat

IMEG Project No: 22006532.00

File Name: 22006532.00 Easement.dwg

© COPYRIGHT 2022 ALL RIGHTS RESERVED

Field Book No:

Drawn By: DAB

Checked By: CEJ

Date: 9/13/2022

Sheet 1 of 1

Wednesday, September 14, 2022 9:45:38 AM
G:\2022\22006532.00\DESIGN\CIVIL\C3D\SURVEY\22006532.00 EASEMENT.DWG

Prepared By & Return To:
Leslie E. Aboud, 5119 Utica Ridge Road, Davenport, Iowa 52807

ACCESS AND UTILITY EASEMENT AGREEMENT

This Agreement entered into this _____ day of _____, 2022, by and between the City of Davenport, Iowa ("Grantor") and Scott County, Iowa ("Grantee").

WHEREAS, Grantor is the owner of the real estate described as:

Lot 3 of Public Works Facility 1st Addition to the City of Davenport, Iowa

("Grantor's Real Estate")

WHEREAS, Grantee is the owner of the real estate described as:

Part of the South Half of Section 12, Township 78 North, Range 3 East of the 5th Principal Meridian in Davenport, Scott County, Iowa and more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 12, Township 78 North, Range 3 East of the 5th Principal Meridian, said corner also being the intersection of 53rd Street and Eastern Avenue; thence along the North line of said Southeast Quarter and the centerline of 53rd Street, North 89º 59' 48" West a distance of 1974.30 feet; thence South 01º 00' 16" West a distance of 1845.01 feet to the point of beginning; thence along the South line of Lot 9B of the Replat of Lots 8 and 9 of Park 53 1st Addition as shown on the Final Plat thereof filed in the Scott County Recorder's Office, North 89º 59' 48" West a distance of 568.55 feet to a point on the Easterly right-of-way line of Tremont Avenue; thence South 00º 00' 12" West a distance of 25.00 feet along said right-of-way line extended; thence South 89º 59' 48" East a distance of 568.11 feet; thence North 01º 00' 16" East a distance of 25.00 feet to the point of beginning and containing 0.33 acres (14,208 square feet) more ore less.

("Grantee's Real Estate")

WHEREAS, Grantor agrees to give Grantee an easement over Grantor's Real Estate, more specifically described as:

The private road extending easterly from Tremont Avenue along the northern border of Grantor's Real Estate, together with the three (3) driveways extending from said private road, as indicated on Plat of

Survey recorded on _____, 2022 as Document #2022-_____ in the Office of the Recorder of Scott County, Iowa ("Easement Area 1").

for the purposes of providing additional access to Grantee's Real Estate and access to the commercial building located on Grantor's Real Estate.

AND

Utility easement as indicated on Plat of Survey recorded on _____, 2022 as Document #2022-_____ in the Office of the Recorder of Scott County, Iowa, running north and south between Grantor and Grantee's Real Estate, for purposes of having utilities provided to Grantee's Real Estate ("Easement Area 2").

(collectively referred to as the "Easement Areas").

NOW THEREFORE, it is hereby agreed as follows:

For value received, Grantor grants, transfers, and conveys to Grantee permanent and perpetual easements ("Easements") over, across, and through Easement Area for the purposes of providing additional access to Grantee's Real Estate and access to the commercial building located on Grantor's Real Estate Avenue and through Easement Area 2 for purposes of having utilities provided to Grantee's Real Estate.

1. The consideration for each of these Easements does not exceed $500.00.

2. Grantor, for themselves, reserves the right to use the Easement Areas for any and all legal purposes, but Grantor shall not hinder Grantee's use or access to the Easement Areas.

3. These Easements shall run with the land and is nonexclusive.

4. Whenever Grantor or their assignees or invitees use the Easements, Grantor shall repair any damage Grantor or their assignees or invitees cause to Easement Areas.

5. Grantor's obligations to repair damages to the Easement Areas include, but are not limited to, doing such things reasonably required to return the Easement Areas to substantially the same condition as it existed before the Grantor or their assignees or invitees damaged the Easement Areas. Grantee shall be liable for any damages to any property of Grantor caused by Grantee while using the Easement Areas.

6. Grantor reserves the title to the Easement Areas, and Grantee's use of the Easement Areas for the above purposes, however long continued, shall not vest in Grantee's rights adverse to those of Grantor other than those granted by these Easements.

7. Grantee shall be responsible for all maintenance and repairs to the Easement Areas.

8. If either or both of the Easement Areas or any part of it shall at any time cease to be used for the above referenced purposes, Grantee's interest in the non-utilized Easement Area shall cease, and Grantor, their successors and assigns, may retake the non-utilized Easement Area

without compensation to Grantee for any improvements removed or destroyed, or liable for damage to any of the non-utilized Easement Area or the improvements thereon abutting on the non-utilized Easement Area.

9. Grantor and Grantee agree to hold harmless each other from any liability, claims or lawsuits pertaining to injuries or damages suffered as the result of the use of said Easement Areas. However, Grantor and Grantee retain the right to call for a larger contribution from the other owner under any rule of law regarding liability for negligent and/or willful acts or omission on the part of any owner or its agents.

GRANTOR – CITY OF DAVENPORT

_____

By:

STATE OF IOWA, COUNTY OF SCOTT, SS:

On this __ day of _____, 2022, before, me the undersigned, a Notary Public in and for said State, personally appeared and _____, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

_____

Notary Public

GRANTEE – SCOTT COUNTY, IOWA

_____

By:

STATE OF IOWA, COUNTY OF SCOTT, SS:

On this __ day of _____, 2022, before, me the undersigned, a Notary Public in and for said State, personally appeared_____, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

_____

Notary Public

Notice of Hearing

ON A RESOLUTION TO GRANT A 10 FT WIDE ACCESS & UTILITY EASEMENT TO SCOTT COUNTY FROM THE SCOTT EMERGENCY COMMUNICATIONS CENTER NORTH TO THE EMERGENCY MANAGEMENT STORAGE BUILDING IN THE SOUTHEAST CORNER OF PARCEL P1214-07I

Notice is hereby given that at 5:30 P.M., on Wednesday, November 2, 2022, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on a RESOLUTION granting Scott County a 10 ft. wide access & utility easement across city property, from the Scott Emergency Communications Center north to the Emergency Management Storage Building in the southeast corner of parcel P1214-07I:

Part of the South Half of Section 12, Township 78 North, Range 3 East of the 5th Principal Meridian in Davenport, Scott County, Iowa and more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 12, Township 78 North, Range 3 East of the 5th Principal Meridian, said corner also being the intersection of 53rd Street and Eastern Avenue; thence along the North line of said Southeast Quarter and the centerline of 53rd Street, North 89º 59' 48" West a distance of 1974.30 feet; thence South 01º 00' 16" West a distance of 1845.01 feet to the point of beginning; thence along the South line of Lot 9B of the Replat of Lots 8 and 9 of Park 53 1st Addition as shown on the Final Plat thereof filed in the Scott County Recorder's Office, North 89º 59' 48" West a distance of 568.55 feet to a point on the Easterly right-of-way line of Tremont Avenue; thence South 00º 00' 12" West a distance of 25.00 feet along said right-of-way line extended; thence South 89º 59' 48" East a distance of 568.11 feet; thence North 01º 00' 16" East a distance of 25.00 feet to the point of beginning and containing 0.33 acres (14,208 square feet) more or less.

At said hearing any interested person may file written objection or comments with respect to the proposed granting Scott County a 10 ft. wide access & utility easement across city property, from the Scott Emergency Communications Center north to the Emergency Management Storage Building in the southeast corner of parcel P1214-07I.

Brian J. Krup
Deputy City Clerk

Davenport, Iowa
October 28, 2022

Publish once October 28, 2022
QUAD-CITY TIMES

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **10/26/2022**

Subject:
Resolution setting a Public Hearing on the proposed amendment to the North Urban Renewal Plan to include the Internal TIF. [Wards 2, 6, 7, & 8]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is seeking to amend the North Urban Renewal Area Plan. The amendment will add the 2022 Internal TIF project in the amount of $275,000.

Adoption of this Resolution will set the Public Hearing for November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in Council Chambers at Davenport City Hall, 226 West 4th Street.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Amended North URA Plan
🗋	Backup Material	Notice of Public Hearing

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/13/2022 - 7:38 AM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION setting a Public Hearing on the proposed amendment to the North Urban Renewal Plan to include the Internal TIF.

WHEREAS, the City of Davenport has established the North Urban Renewal Area to support economic development growth for the City; and

WHEREAS, in accordance with Section 403.9 of the Iowa Code, a Public Hearing must be held prior to amending the Urban Renewal Area Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing on the proposed amendment to the North Urban Renewal Plan to include the Internal TIF will be held on Wednesday, November 2, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 26th day of October, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport, Iowa

Urban Renewal Plan Amendment
North Urban Renewal Area

October 2022

The Urban Renewal Plan (the “Plan”) for the North Urban Renewal Area (the “Area”) is being amended for the purposes of 1) identifying new urban renewal projects to be undertaken therein.

1) **Identification of Projects** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following described project descriptions:
    a. **Name:** Internal TIF
    Cost: $275,000
    Rationale: To reimburse the General Fund for Economic Development staff costs and other economic development related activities such as economic research tools and training.

    b. **Name:** Fair Oaks Foods
    Cost: Approximately $6,403,000
    Rationale: To support creation of a new 134,000 square foot food manufacturing facility at 2951 Enterprise Way.

2) **Required Financial Information** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:
    Outstanding General Obligation Debt of the City: $202,220,000
    Remaining Constitutional Debt Capacity of the City: $180,023,391
    Proposed Debt to be incurred in the Urban Renewal Area: $6,678,000

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at 5:30 o'clock p.m., at City Council Chambers on the first floor of City Hall, 226 W. 4th Street, Davenport, Iowa, on the 2nd day of November 2022, there will be conducted a public hearing on the question of amending the North Urban Renewal Area Plan pursuant to Chapter 403, Code of Iowa.

North Urban Renewal Plan Amendment
1) Internal TIF: 275,000
2) Fair Oaks Foods: $6,403,000

The proposed amendment to the urban renewal plan brings the projects described above under the plan and makes it subject to the provisions of the plan.

A copy of the proposed amendment is on file for public inspection in the office of Community & Economic Development. At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Community & Economic Development CED.info@davenportiowa.com 563-326-7765