COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, October 18, 2023; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED OCTOBER 17, 2023

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 REZ23-05 being the request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES REQUIRED FOR PASSAGE.

B. Public Works

1. Public Hearing on the plans, specifications, form of contract and estimate of cost for the West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project, CIP #35062. [Ward 2]
2. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West 46th Street Bridge Over Cardinal Creek Replacement project, CIP #21010. [Ward 2]
3. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Goose Creek Trail Connection project, CIP #28028. [Ward 8]
4. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Duck Creek Sewer Interceptor Extension project, CIP #ARP18. [Wards 1 & 2]
5. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Modern Woodmen Park Fire Suppression System Replacement project, CIP #23049. [Ward 3]
6. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Traffic Signalization | 3rd & 4th Street Two-Way Conversion project,

CIP #38017. [Ward 3]

7. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project, CIP #ARP14. [Ward 3]

8. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | West River Drive and Marquette Street project, CIP #68015. [Ward 3]

C. Finance

1. Public Hearing on amending the North Urban Renewal Plan to include the Internal TIF. [Wards 2, 6, 7, & 8]

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 for Case REZ23-03 being the request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

2. Third Consideration: Ordinance for Case ROW23-04 being the request of 53rd Luxury, LLC to vacate approximately 25,900 square feet of improved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

3. Second Consideration: Ordinance for Case REZ23-04 being the request of Jason Cousineau to rezone approximately 1.19 acres of land generally located southeast of the Grand Avenue and East 46th Street intersection at 801 East 46th Street from R-MF Multi-Family Residential District to I-1 Light Industrial Zoning District. [Ward 7]

4. First Consideration: Ordinance for Case REZ23-05 being the request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES REQUIRED FOR PASSAGE.

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Maria Dickmann, Vice Chair

III. PUBLIC SAFETY

1. Third Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Jefferson Avenue along the west side from East 38th Street north to the dead end thereto. [Ward 7]

2. Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Scott Street along the west side from Rusholme Street to Lombard Street and along the east side from Rusholme Street south 355 feet thereto. [Ward 4]

3. Second Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by removing Perry Street along the east side from 12th Street to Kirkwood Boulevard between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, except holidays, therefrom. [Wards 3 & 5]

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

   Elaine Folker; Norwood Park Fall Festival; 2200 block of Ripley Street; 12:00 p.m. - 6:30 p.m. Saturday, October 28, 2023; **Closures:** Ripley Street from West Dover Court to Lombard Street; West Rusholme Street from Ripley Street east and west to the alley. [Ward 4]

   Ballet Quad Cities; Nutcracker School Program 2023; RiverCenter/Adler Theatre | 136 East 3rd Street; 8:00 a.m. – 1:00 p.m. Friday, December 8, 2023; **Closure:** northernmost parking lane and two travel lanes on East 3rd Street from Brady Street to Iowa Street. [Ward 3]

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

   Elaine Folker; Norwood Park Fall Festival; 2300 block of Ripley Street; 2:00 p.m. - 6:00 p.m. Saturday, October 28, 2023; Outdoor music, over 50 dBA. [Ward 4]

   Neko Beserra; Birthday Party; 1807 Pineacre Avenue; 7:00 p.m. - 11:00 p.m. Saturday, November 4, 2023; Outdoor music, over 50 dBA. [Ward 6]

6. Motion approving beer and liquor license applications.

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

   Ward 2

   Aldi, Inc #81 (Aldi, Inc) - 3643 West Kimberly Road - New License - License Type: Class B Beer/Wine (Carry-Out)

   Ward 3

German American Heritage Center and Museum (German American Heritage Center) - 119 East 3rd Street - Temporary Outdoor Event October 21 - License Type: Special Class C Beer/Wine (On-Premises)

TO BE VOTED ON LATER ON THE AGENDA

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

Ward 1

Lulac Club (Lulac Council #10, Inc) - 4224 Ricker Hill Road - License Type: Class C Liquor (On-Premises)

Ward 3

Analog Arcade Bar (Analog, LLC) - 302 Brady Street - License Type: Class C Liquor (On-Premises)

Armored Gardens (Armored Gardens, LLC) - 315 Pershing Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Danceland (Danceland Ltd) - 501 1/2 West 4th Street - License Type: Class C Liquor - (On-Premises)

Raw Bar (Rawbar) - 136 East 3rd Street Unit A - Outdoor Area - License Type: Class C Liquor (On-Premises)

Scott's Shovelhead Shed (SSS, Inc) - 220 North Pine Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 2606 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Hy-Vee #5 (Hy-Vee, Inc) - 2351 West Locust Street - License Type: Class E Liquor (Carry-Out)

QC Mart (Bethany Enterprises, Inc) - 1556 West Locust Street - License Type: Class B Beer (Carry-Out)

Riverside Liquor 2 (Two Brothers Locust, LLC) - 1528 West Locust Street - License Type: Class E Liquor (Carry-Out)

Ward 5

Los Primos Mexican Grill (Los Primos Mexican Grill, LLC) - 1143 East Locust Street - License Type: Class C Liquor - (On-Premises)

Ward 6

Hy-Vee Fast and Fresh (Hy-Vee, Inc) - 3200 East Kimberly Road - License Type: Class E Liquor (Carry-Out)

Monarch Kitchen & Bar (LCMR, Inc) - 4750 East 53rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Texas Roadhouse (Texas Roadhouse Holdings, LLC) - 4005 East 53rd Street - License Type: Class C Liquor (On-Premises)

Ward 7

Azteca 4 (Azteca 4, Inc) - 3566 Brady Street - License Type: Class C Liquor (On-Premises)

CASI (Center for Active Seniors, Inc) - 1035 West Kimberly Road - Outdoor Area - License Type: Class C Liquor - (On-Premises)

Chuck E Cheese's #957 (CEC Entertainment, LLC) - 903 East Kimberly Road - License Type: Special Class C Beer/Wine (On-Premises)

Hooters Of Davenport (HOA Restaurant Holder, LLC) - 110 East Kimberly Road - License Type: Class C Liquor (On-Premises)

Ward 8

Leisure Lanes (Four Bros, LLC) - 2802 West 73rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Tim Kelly, Vice Chair

V. PUBLIC WORKS

1. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project, CIP #35062. [Ward 2]
2. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 46th Street Bridge Over Cardinal Creek Replacement project, CIP #21010. [Ward 2]
3. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Goose Creek Trail Connection project, CIP #28028. [Ward 8]
4. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Duck Creek Sewer Interceptor Extension project, CIP #ARP18. [Wards 1 & 2]
5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Modern Woodmen Park Fire Suppression System Replacement project, CIP

#23049 [Ward 3]

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Traffic Signalization | 3rd & 4th Street Two-Way Conversion project, CIP #38017. [Ward 3]
7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project, CIP #ARP14. [Ward 3]
8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | West River Drive and Marquette Street project, CIP #68015. [Ward 3]
9. Resolution approving the Subaward Agreement between the Iowa Department of Homeland Security and Emergency Management and the City of Davenport for the West River Drive and Marquette Street Flood Mitigation project, CIP #68015. [Ward 3]
10. Resolution accepting work completed under the CY 2023 Pedestrian Curb Ramp Retrofit Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $274,071.38, CIP #35060. [All Wards]
11. Resolution accepting work completed under the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction and Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of $355,545.10, CIP #35061. [Ward 1]
12. Resolution accepting work completed under the CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project by Emery Construction Group, Inc of Moline, Illinois in the amount of $141,821.63, #BG250. [Ward 5]
13. Resolution awarding a contract for the 2023-2024 Sewer and Manhole Rehabilitation Program to Langman Construction, Inc of Rock Island, Illinois in the amount of $3,172,529.50, CIP #30057. [All Wards]
14. Resolution awarding a contract for construction-related services for the 2023-2024 Sewer and Manhole Rehabilitation Program to Strand Associates, Inc of Madison, Wisconsin in an amount not to exceed $463,500, CIP #30057. [All Wards]
15. Preliminary Resolution for the 2024 Alley Resurfacing Program. [Wards 3 & 5]
16. Motion approving Change Order #1 to Langman Construction, Inc of Rock Island, Illinois in the amount of $49,782.59 for the West 7th Street (Gaines Street to Ripley Street) Resurfacing project, CIP# 35062. [Ward 3]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

JJ Condon, Chair

VII. FINANCE

1. Resolution amending the North Urban Renewal Plan to include the Internal TIF.

[Wards 2, 6, 7, & 8]

2. Resolution setting a Public Hearing on granting a gas easement on City-owned property located at the southwest corner of West River Drive and Marquette Street (Parcel L0017-01) to MidAmerican Energy. [Ward 3]
3. Resolution approving the purchase of a rescue and response vehicle from Lenco Industries, Inc of Pittsfield, Massachusetts in the amount of $283,735 using State of Iowa Department of Administrative Services contract #23202. [All Wards]
4. Resolution awarding a contract for the installation of the Credit Island Nature Playground to Hagerty Earthworks LLC of Muscatine, Iowa in the amount of $136,284, CIP #64103. [Ward 1]
5. Motion awarding a contract for the purchase and installation of a replacement playground at Cork Hill Park to Fry & Associates, Inc of North Kansas City, Missouri in the amount of $85,000. [Ward 3]

VIII. Motion recommending discussion or consent for Finance items

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

1. Vermeer Sales & Service Inc | grinder parts for E611 | Amount: $10,424.13
2. Acme Sign Co | Adler Theatre marquee repairs | Amount: $11,669.50
3. Tyler Technologies Inc | Munis/Tyler support annual renewal | Amount: $13,352.19
4. Digital Intelligence Inc | forensic computer workstation | $14,913.46
5. Axon Enterprises Inc | taser batteries and cartridges | Amount: $14,944.80
6. Iowa Plains Signing Inc | bollards for 53rd Street and Kimberly Road | Amount: $27,700
7. Davenport Electric Contract Co Inc | Hickory Grove and Central Park camera replacement | Amount: $28,428
8. Front Line Plus Fire & Rescue Inc | storm warning siren | Amount: $32,254
9. Rehrig Pacific Co Inc | garbage carts and lids | Amount: $35,422

X. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to vote on the item listed below.
2. Motion approving a beer and liquor license application.

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

   Ward 3

   German American Heritage Center and Museum (German American Heritage Center) - 119 East 3rd Street - Temporary Outdoor Event October 21 - License Type: Special Class C Beer/Wine (On-Premises)

XI. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any matters of City business not appearing on this agenda. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council

cannot take action on any complaint or suggestions tonight, and cannot respond to any allegations at this time.

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

XII. Reports of City Officials

XIII. Adjourn

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/18/2023**

Subject:
Public Hearing for Case REZ23-05 being the request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES REQUIRED FOR PASSAGE.

Recommendation:
Hold the Hearing.

Background:
Staff recommend Case REZ23-05 be forwarded to the City Council with a recommendation for denial (6-3).

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.
2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.
3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.
4. Rezoning the property to R-MF does create nonconformities.

The petitioner is requesting to rezone the subject property from I-1 Light Industrial District to R-MF Multi-Family Residential District. Anthony Properties, petitioner for REZ23-05, has proposed approximately 112 to 132 units in 4 apartment buildings for the subject property. For comparison, the existing Reserve development on Brady Street has 196 units in seven (7) apartment buildings. Conceptual plans have been submitted by the applicant and are attached.

A note regarding concept plans: Re-zonings are intended to determine if the district itself is appropriate and compatible with surrounding districts and development. Any submitted concept plans or proposed designs are for reference only, but can be useful in visualizing potential development.

The vacant site is a greenfield site and has never been developed. The most intensive use of the property has been row-cropping/ag use. See the attached Vicinity Map, Zoning Map, and Davenport 2035+ Land Use Map.

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation:

Industry (I) - Designates areas devoted to manufacturing, warehousing and distribution, research and technological innovation centers, associated commercial/office, and assembly/fabrication uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Zoning:

Existing: I-1 Light Industrial District.
The I-1 Light Industrial Zoning District is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts

Proposed: R-MF Multi-Family Residential

The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:

Fire
Due to the number of units and inability to provide full access around the buildings, the Fire Marshal would require a full NFPA 13 system and drive aisles that are a minimum of 26 feet wide in order to accommodate the fire apparatus necessary to serve the buildings. Based on the submitted concept plans, there are concerns regarding the turning radius for fire apparatus. The development would require clear way finding and signage at the street in order to ensure emergency services know how to enter the property.

Engineering
The IA DOT classifies this roadway as a local road. There are no recent traffic count numbers on this section of Tremont Street; however engineering estimates the average annual traffic count to be approximately 2,500 AADT. It is likely there is a larger proportion of truck traffic in this general area due to the current uses and industrial zoning from 46th Street to Veterans Memorial Parkway. The additional traffic generated by this development may result in traffic signal warrants at Tremont Street and Veterans Memorial Parkway.

Zoning
Access to the property is through a 40-foot strip of land between two lots containing storage units. Due to the inability to construct a public street meeting the width requirements in the City of Davenport subdivision code, further subdivision of the subject property to facilitate development of single-family, single-family semi-detached, two-family, or townhouse, would not be feasible.

Public Input:

Property owners within 200 feet of the property have been notified and a sign has been placed on the property as of September 7th. A Public Hearing Notice was published in the September 9th Quad City Times per State of Iowa rezoning requirements. No one spoke in favor or against the

petition at the public hearing.

To date, staff has received two letters of opposition from surrounding properties. The letters have been included in the background information. The main concerns leading to opposition is traffic on Tremont, increased crime that is affecting their businesses, and erosion.

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 Industry (I) in the Davenport +2035 Land Use Plan. This land use category is intended to provide separation and buffering from residential uses. The proposed rezoning would introduce residential uses into an industrial corridor.

It is staff's opinion that the proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Industrial.

b. The compatibility with the zoning of nearby property.

Staff Response:

The following zoning districts abut the subject property:

- North: I-1 Light Industrial
- South: I-1 Light Industrial
- East: I-1 Light Industrial
- West: R-MF Multi-Family Residential District

While the property to the west is zoned R-MF, the subject property primarily interacts with the surrounding industrial land, where access will be taken from Tremont Avenue.

It is staff's opinion that the proposed amendment is not compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The industrial building design standards are intentionally relaxed to promote large scale manufacturing and warehouse users. Industrial districts are allowed to incorporate lower quality building materials, such as metal panels or corrugated siding. Architectural elements and design features are not regulated, enabling construction of substantial structures on large lots. In addition, there are also no transparency or articulation requirements. While there are instances of residential development adjacent to industrial districts, they are typically designed to reduce interaction with industrial uses. Introducing residential uses in the middle of industrial corridor is not compatible.

It is staff's opinion that the proposed amendment is not 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: An additional burden is placed on developed industrial properties with respect to noise standards. The noise ordinance allows a greater level of noise when the receiving property is also industrial. Introducing residential zoning will lower the decibel levels allowed. There is also a possibility that first responders may have difficulty locating this development due to its location behind developed industrial property. Over time, the properties adjacent to Tremont may choose to redevelop with different uses that could result in taller buildings. This would further obscure a residential development from view at the street.

It is staff's opinion that the proposed zoning map amendment may have factors that could impact public health, safety, and welfare of the City.

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

Staff Response: The property is presently zoned I-1 Light Industrial District. This district allows for a variety of industrial and commercial uses including manufacturing, fabrication, and distribution and warehousing. The I-1 district enables a wide range of development opportunities that will ensure consistency with the surrounding developments.

The I-1 Light Industrial District is in high demand, and the city is running out of available sites for additional development. There has been interest in the development of this property in the past. The proposed use of multi-family is allowed in many zoning districts within the city; however many of the uses in I-1 prohibited in other districts.

It is staff's opinion that the property is suitably zoned for one or more of the uses permitted under the existing zoning classification.

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

Staff Response: If rezoned to R-MF Multi-Family Residential District, the vacant 10.17 acre property would be able to conform to the district dimensional standards. The adjacent developed industrial properties would become nonconforming with respect to buffer yard requirements.

It is staff's opinion that the proposed zoning map amendment will create nonconformities on adjacent properties.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Exhibit	Application & Concept Plans
🗋	Exhibit	Apartment Complex Exterior Photos
🗋	Exhibit	Vicinity Map

Exhibit	Topographic Contour Lines
Exhibit	Davenport 2035+ Land Use
Exhibit	Zoning Map
Backup Material	Protest Letter - Siether & Cherry
Backup Material	Protest Letter - JERICO Tool Company
Backup Material	Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2023 - 9:45 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ23-05 BEING THE REQUEST OF ANTHONY PROPERTIES TO REZONE THE 10.17 ACRES OF LOT 1 OF PHOENIX CENTRE 6TH ADDITION IN THE 5600 BLOCK OF TREMONT AVENUE (PARCEL X1203-01) FROM I-1 LIGHT INDUSTRIAL ZONING DISTRICT TO 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 "RMF Multi-Family Residential" District:

LOT 1 OF PHOENIX CENTRE 6TH ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

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

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.

2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.

3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.

4. Rezoning the property to R-MF does create nonconformities.

Section 3. At its October 3, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-05 to the City Council with a recommendation for denial subject to the listed findings.

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
Development & Neighborhood Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

REZONING

(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
	8/22/23	9/19/23

PROJECT TITLE
Expansion of the Reserve @ City's Edge

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION
Lot 1 Phoenix Centre 6th Addn

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	I1	R-MF	10.17 acres

APPLICANT INFORMATION

Applicant Name
ANTHONY PROPERTIES

Address
12770 COIT RD, STE 970

City | State | Zip
DALLAS, TX 75251

Phone
(214) 432-9514

Secondary Phone

E-Mail Address
BRIAN@ANTHONYPROPERTIES.COM

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

BRIAN SHIU
Type Applicant's Name

Applicant's Signature

08/22/2023
Date

DEVELOPMENT TEAM

Property Owner
HUMANE SOCIETY OF SCOTT COUNTY

Address
2802 W CENTRAL PARK AVE DAVENPORT IA

Phone
(563) 388-6655

Secondary Phone

E-Mail Address

Project Manager/Other
THOMAS J. PASTRNAK (ATTORNEY)

Address
313 W 3RD ST DAVENPORT, IA 52801

Phone
(563) 323-7737

Secondary Phone

E-Mail Address
TPASTRNAK@PASTRNAK.COM

COMPLETE SUBMITTALS SHALL INCLUDE:

	SUBMITTED
Concept/Development Plan	☐
Authorization to Act as Applicant* *only needed if the Applicant is different than the owner	☑
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☑
Legal Description Dimensioned Sketch	☑
Application Fee* (REQUIRED) * (check payable to 'City of Davenport')	☐

Rezoning Fee Schedule

Land Area	Fee
Less than 1 acre	$400
1 to less than 10 acres	$750 plus $25/acre
10 acres or more	$1,000 plus $25/acre

1 to 3 site notice signs are required based on lot size; $10 each

PROJECT NARRATIVE: (submit separate sheet if needed)

The purpose for the rezoning would be to develop a second phase of The Reserve at City's Edge, which is on the property immediately west of the subject property. The Reserve is a highly successful multi-family community and building a second phase would allow us to accommodate the significant demand for additional units. The second phase would be very similar in nature to the first phase and would consist of approximately 4 buildings and a clubhouse.

Submit the first two pages of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.

Authorization to Act as Applicant

I/We, Humane Society of Scott County
[as property owner(s)]

authorize Brian Shiu of Anthony Properties
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at Parcel X1203-01.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization: 8.22.23
Date

State of Iowa,

County of Scott,

Sworn and subscribed before me known personally
[Identification type]

this 22 day of August, 2023

DAVI BELL
Commission Number 839302
Notary Public
My Commission Expires
MAY 10, 2025

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* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

LEGAL DESCRIPTION

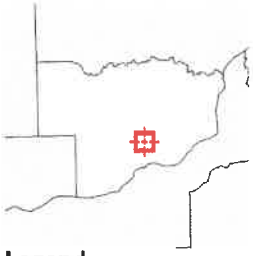
PARCEL X1203-01

Lot 1 in Phoenix Centre Sixth Addition to the City of Davenport, Scott County, Iowa

Scott County / City of Davenport, Iowa



Overview



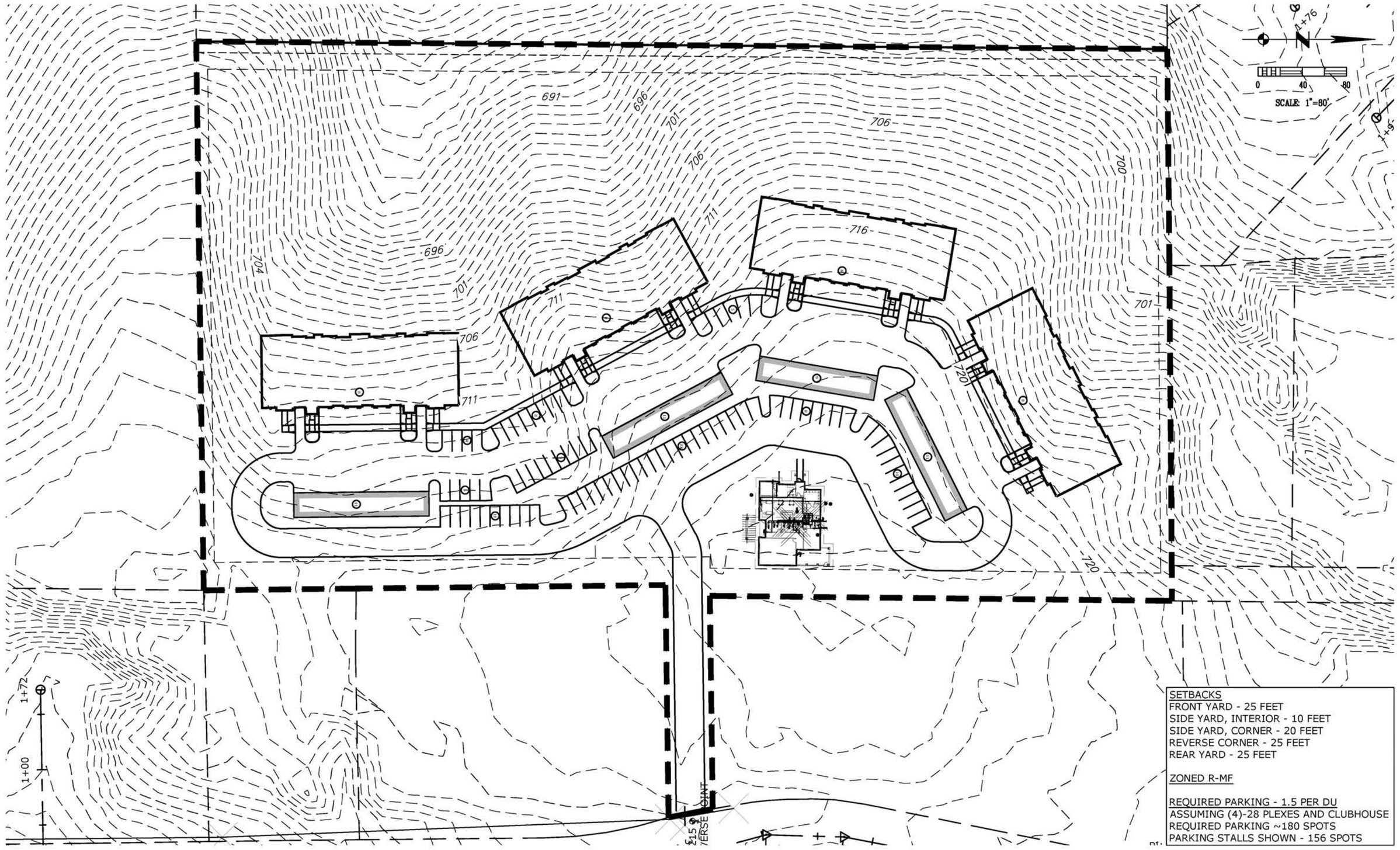
Legend

- **Political Township**
- **County Boundary**
- **Railroad**
- **All Roads**
  - Interstate
  - US Highway
  - State Highway
  - County Route
  - Major road
  - Local roads
  - Ramp
  - Alleyway/Access Road
  - Bike/Pedestrian Trail
  - Driveway
- **Rights of Way**
- **Major Rivers and Streams**
  - River Centerline
  - River Boundary
  - Major Stream
- **Minor Streams, Other**
  - Minor Stream
  - Small Lake/Pond
  - Drainageways, etc
  - Island
- **Major Rivers and Lakes**
  - Lake
  - Major Stream
  - River
- **Minor Lakes and Ponds**
- **Parcels**
- **Parcel Point**

Parcel ID	X1203-01	**Alternate ID**	X23017A	**Owner Address**	HUMANE SOCIETY OF SCOTT COUNTY
Sec/Twp/Rng	n/a	**Class**	A		2802 W CENTRAL PARK AV
Property Address		**Acreage**	10.17		DAVENPORT IA 52804
		Graphic Acres	10.161		

District	DADA
Brief Tax Description	PHOENIX CENTRE 6TH ADD Lot: 001 PHOENIX CENTRE 6THADD (Note: Not to be used on legal documents)

Date created: 8/22/2023
Last Data Uploaded: 8/22/2023 7:08:07 AM



DRAWN BY: JCF				
CHECKED BY: BWJ				
APPROVED BY: BWJ				
DATE: 07-18-2023				
FIELD BOOK: ---	NO.	REVISION DESCRIPTION	APPROVED	DATE

HALL & HALL ENGINEERS, INC.
Leaders in Land Development Since 1953
1860 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 362-9548 FAX: (319) 362-7595
CIVIL ENGINEERING ● LANDSCAPE ARCHITECTURE
LAND SURVEYING ● LAND DEVELOPMENT PLANNING
www.halleng.com

DAVENPORT
PHASE 2

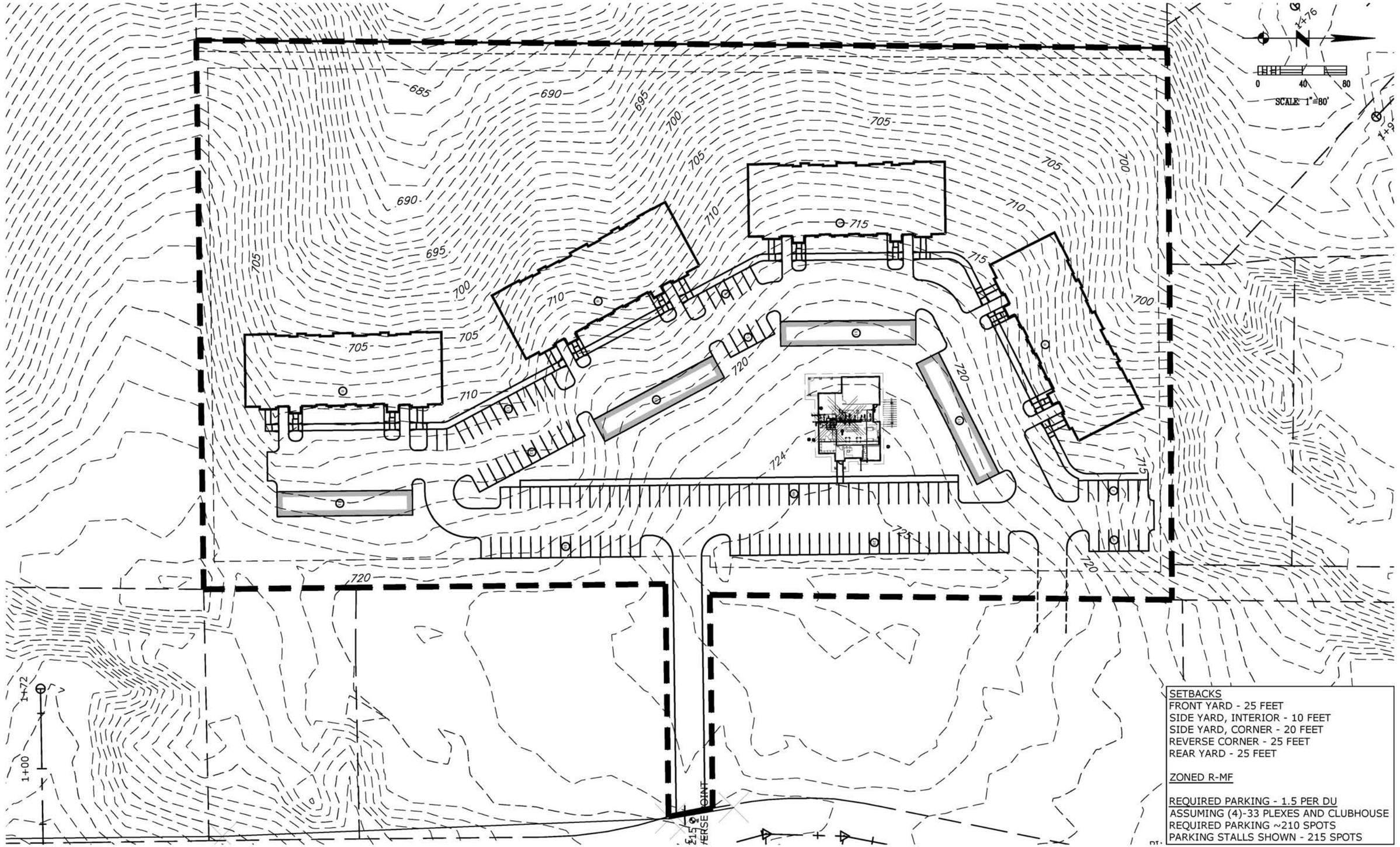
CONCEPT PLAN #1

SCALE: 1" = 80'

PROJECT NO: 10563-6

SHEET
1/2

CAD File: I:\projects\Jackman\Anthony Prop\BaseInfo\DAV PH 2 CONCEPT2.dwg Date Plotted: Tuesday, July 18, 2023 3:19:28 PM Plotted By: Josh Feldmann



DRAWN BY: JCF				
CHECKED BY: BWJ				
APPROVED BY: BWJ				
DATE: 07-18-2023				
FIELD BOOK: ---	NO.	REVISION DESCRIPTION	APPROVED	DATE

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DAVENPORT
PHASE 2

CONCEPT PLAN #2

SCALE: 1" = 80'

PROJECT NO: 10563-6

SHEET
2/2

CAD File: I:\projects\Jackman\Anthony Prop\BaseInfo\DAV PH 2 CONCEPT.dwg Date Plotted: Tuesday, July 18, 2023 3:19:04 PM Plotted By: Josh Feldmann

THE RESERVE AT CITY'S EDGE

5705 Brady Street

Davenport, IA 52806





THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE



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THE RESERVE AT CITY'S EDGE

THE CITY OF DAVENPORT
IOWA | USA

Vicinity Map
REZ23-05

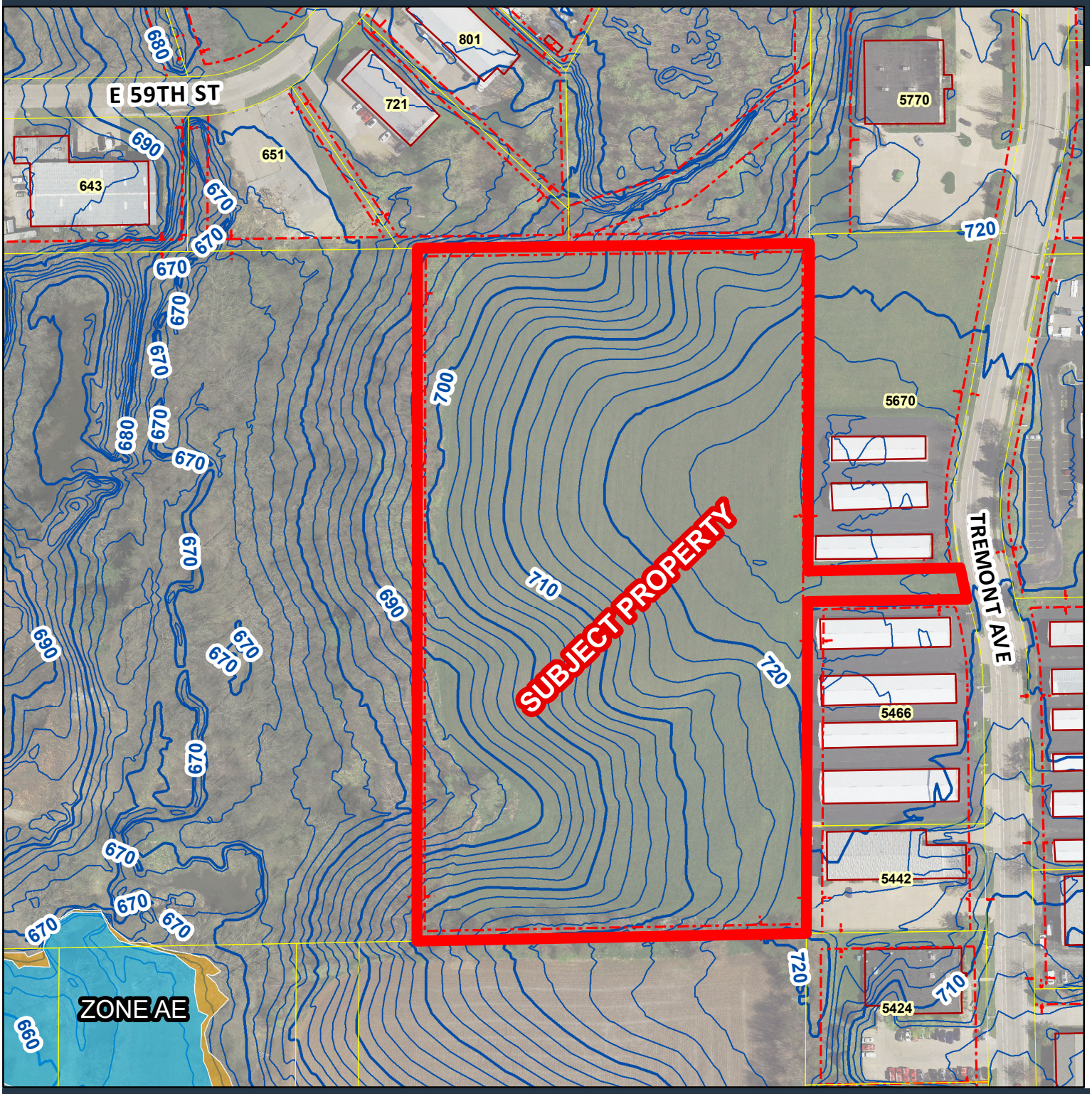


Rezone I-1 to R-MF

0 100 200 400 Feet

THE CITY OF DAVENPORT
IOWA | USA

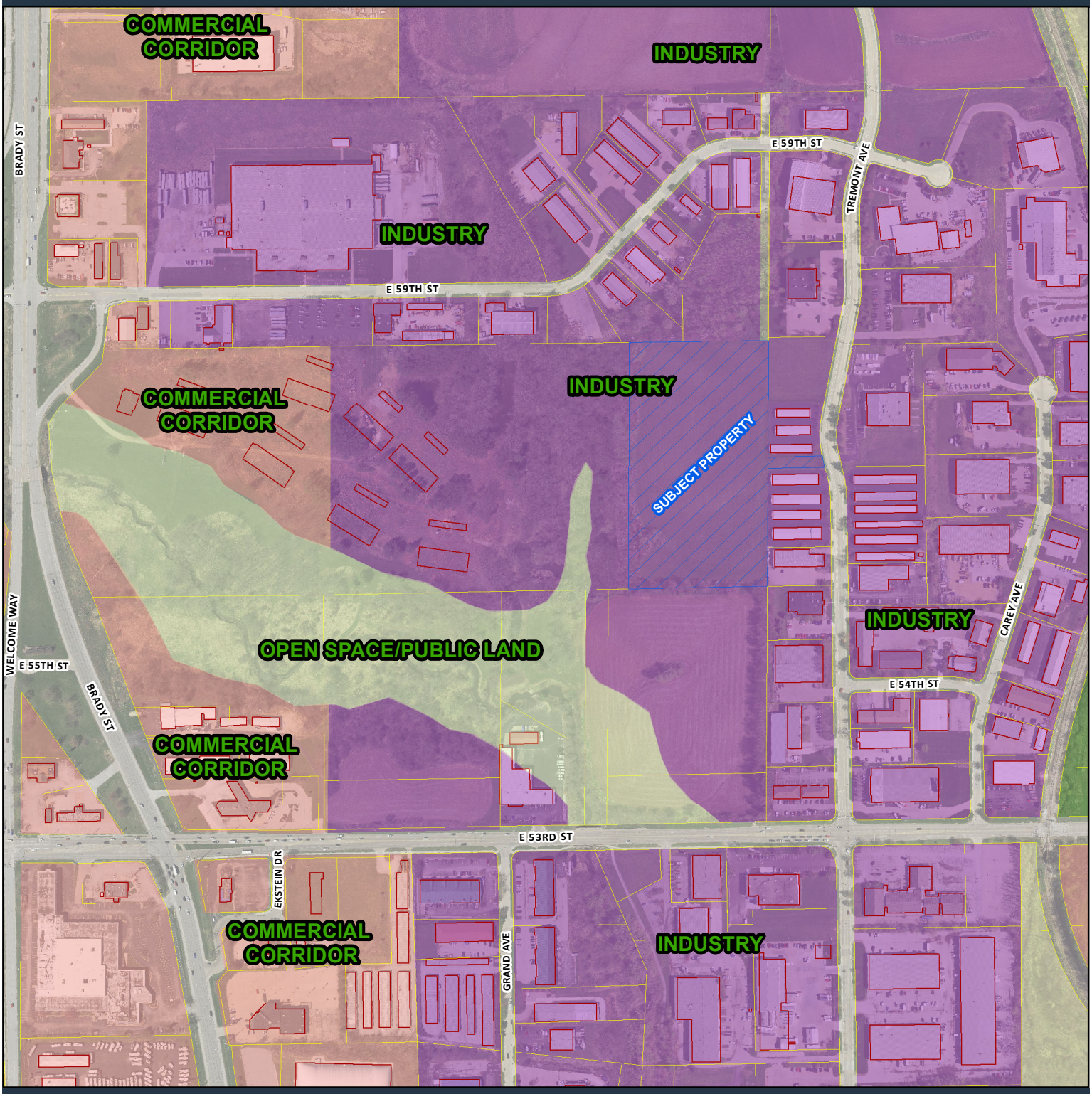
Topographic Contour Lines (2019)



0 25 50 100 150 200 Feet

THE CITY OF DAVENPORT
IOWA | USA

Davenport 2035+
REZ23-05

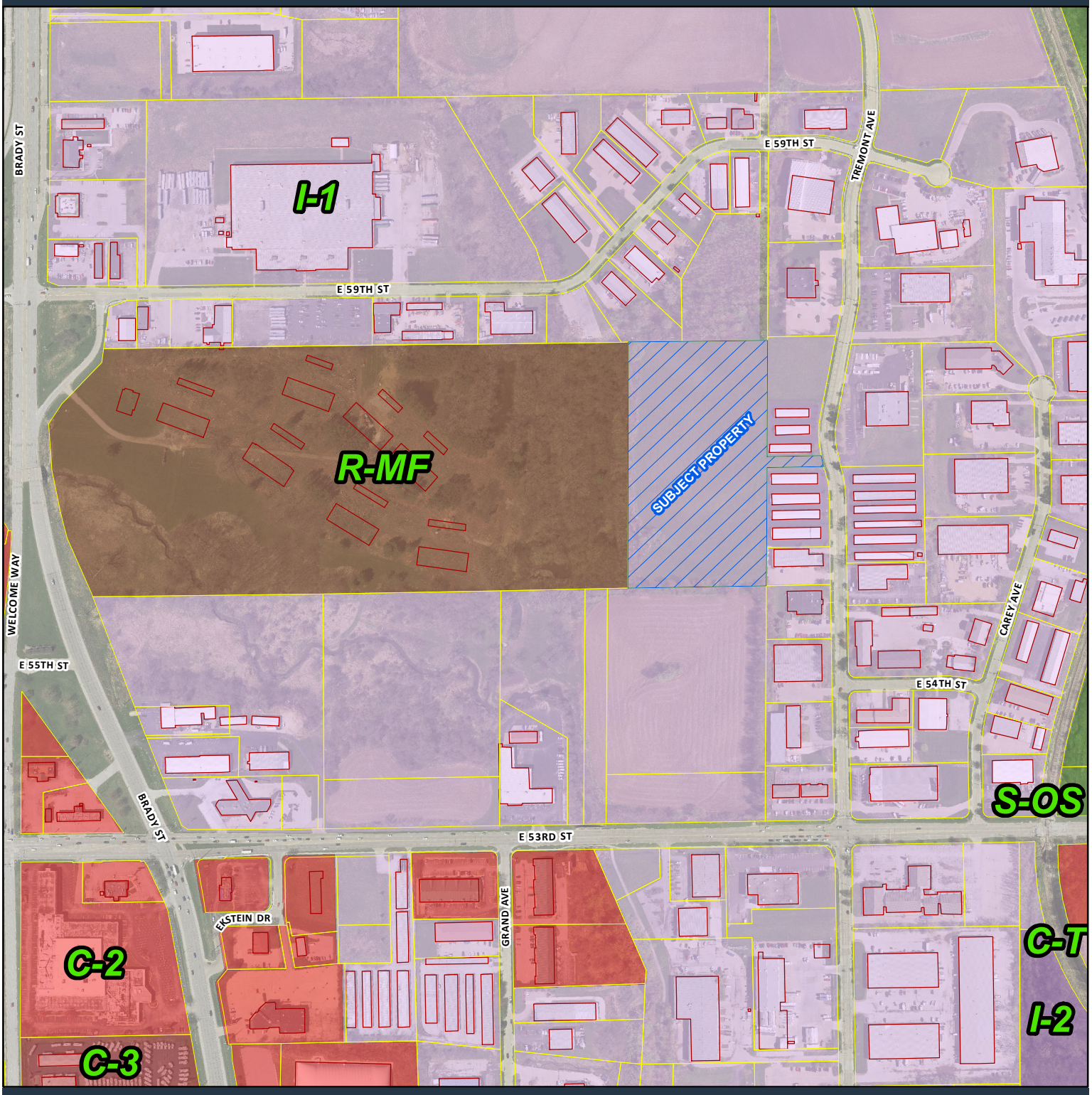


Rezone I-1 to R-MF

0 100 200 400 Feet

THE CITY OF DAVENPORT
IOWA | USA

Zoning Map
REZ23-05



Rezone I-1 to R-MF

0 100 200 400 Feet

Seither & Cherry • Quad Cities, Inc.

Telephone 563/388-9508 • FAX 563/388-9622

9/12/2023

To: Planning and Zoning Commission

Related Property: Owned by SCQC Building Company

Legal Description of related property: Brady 80 IND Park 6th Addition Davenport City Lot: 1

Parcel ID of related property: X1203-26

Objection to:

> Case REZ23-05: Request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

We object to this rezoning as the area is all Light Industrial. We do not want to have residents in the middle of any industrial park. Furthermore, it would not be wise or prudent to have housing and/or children in the middle of an industrial area, where semis and heavy equipment are constantly moving on the roads.

Sincerely,

Keith Hoste

Vice President and

Director for SCQC Building Company

(319) 388-9193
FAX (319) 388-9209

JERICO Tool Company

SPECIAL FORM TOOLS - CARBIDE & HIGH SPEED

721 E. 59TH STREET
DAVENPORT, IOWA 52807

09/15/2023

RE: Case REZ23-05

Our Location: Brady 80 IND Park 6th Addition Lot 2
Jerome Sheridan Trust - AKA: Jerico Tool Company

We strongly object to this rezoning. Labeled Light Industrial for a reason. Tremont is a dangerous Road to travel since it was connected to Veterans Memorial Park. You have to be careful coming off of 59th with cross traffic going at high rate of speed.
Semis have a hard time navigating the curves since the bike lanes were added. It's a tight squeeze.
There are semis blocking the road backing up to businesses.
Another concern is the erosion that will occur. There is quite a difference in elevation from Tremont to 59th St. We are now experiencing this from the Seven Hill construction done earlier this year.
That we of course were not notified about, and no survey was done ahead of time to address this.

We were told that when The Reserve was built they were to be sold to higher income families, which As far as I know that has happened.
But, crime has increased, since that complex was built. It's like dangling a carrot in front of criminals.
Bringing them to the area and the businesses behind are the residual.
I'm expecting it to be two fold if another residence is stuck in the middle of commercial industries.

It's an industrial park we have very few of them left in Davenport. Which Davenport should be behind and help out. They are what built this city.
Leave us be.

Cordially,

Cynthia Sheridan

Cynthia Sheridan
President

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan & Zoning Commission

Date: 9/19/2023 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 5:00:00 PM **Subject:** Hearing for rezoning request | Plan & Zoning Commission

THE RESERVE DAVENPORT LLC
9200 ANDERMATT DR
LINCOLN NE 68526

To: All property owners within 200' of the subject property: **5600 Block Tremont AVE:**

What is this About?

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

Request/Case Description

Case REZ23-05: Request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

What are the Next Steps after the Public Hearing?

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

Would You Like to Submit an Official Comment?

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

Do You Have Any Questions?

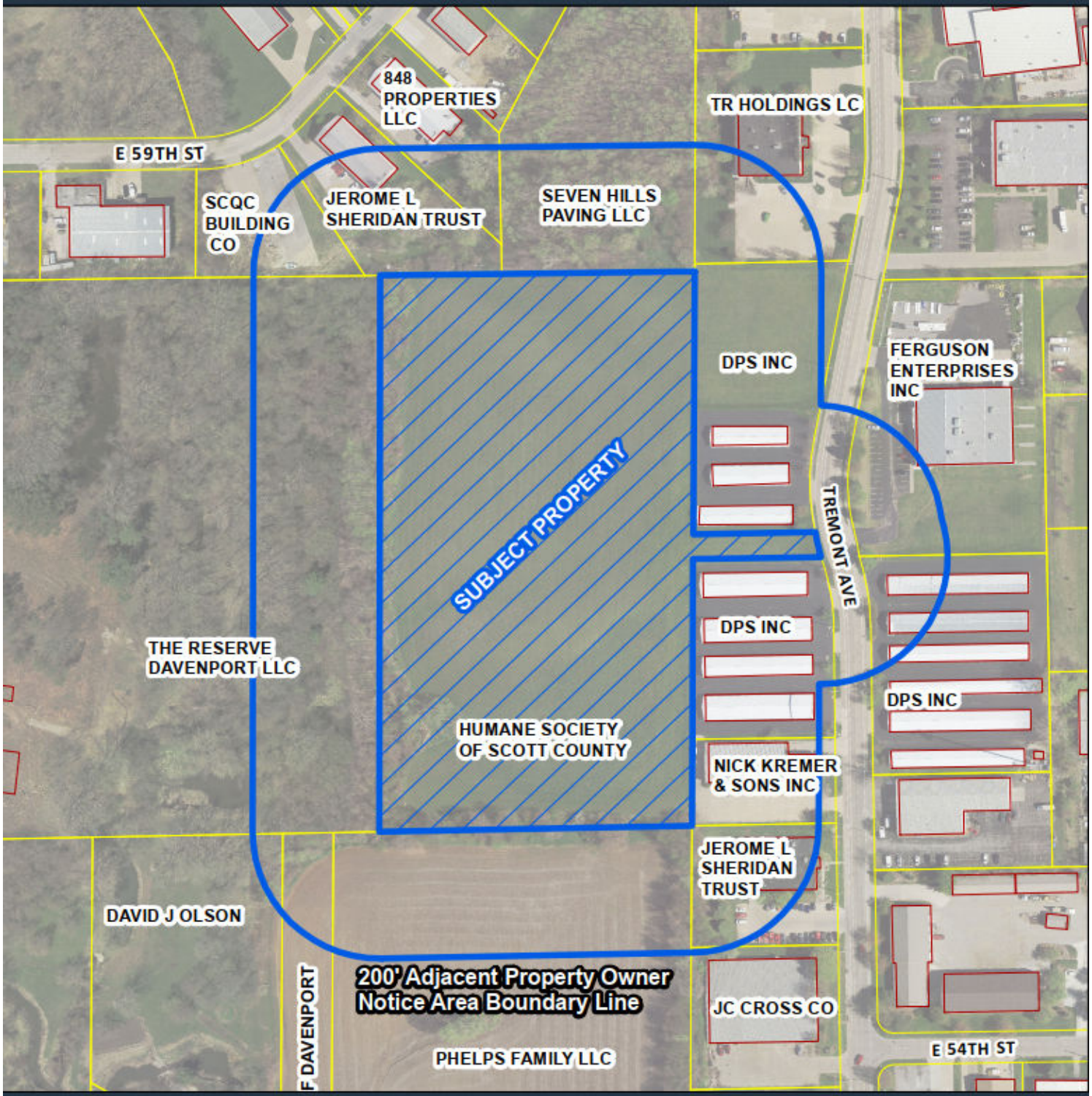
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701 . Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

THE CITY OF DAVENPORT
IOWA | USA

Rezoning Notice Map
REZ23-05

Adjacent Property Owner Notice Area



Rezone I-1 to R-MF

0 100 200 400 Feet

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Clay Merritt | 563-326-7734 **10/18/2023**

Subject:
Public Hearing on the plans, specifications, form of contract and estimate of cost for the West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project, CIP #35062. [Ward 2]

Recommendation:
Hold the Hearing.

Background:
The stretch of West 46th Street from North Lincoln Avenue to North Pine Street has been selected for reconstruction due to the condition index, traffic volume, and estimated cost. This project will remove the existing pavement and replace with proposed full depth hot mix asphalt.

The project is scheduled to be bid this fall with construction to begin at the start of the 2024 construction season. Funding for the West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project is established within CIP #35062.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:54 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:54 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:17 PM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Clay Merritt | 563-326-7734 **10/18/2023**

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West 46th Street Bridge Over Cardinal Creek Replacement project, CIP #21010. [Ward 2]

Recommendation:
Hold the Hearing.

Background:
The purpose of this project is to remove the existing West 46th Street Bridge over Cardinal Creek and replace with a new twin box culvert meeting modern design requirements. State-aid will reimburse the City 100% of the eligible construction costs up to $500,000 in total reimbursement.

The project is scheduled to be bid this fall with construction to begin at the start of the 2024 construction season. Funding for the West 46th Street Bridge Over Cardinal Creek Replacement project is established within CIP #21010.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:54 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:55 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:18 PM

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/18/2023

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Goose Creek Trail Connection project, CIP #28028. [Ward 8]

Recommendation:
Hold the Hearing.

Background:
This project will connect a gap between the Goose Creek Trail (phase 2) and Veteran's Memorial Parkway Trail Connection projects near Brady Street and East 59th Street.

The project is scheduled to be bid this fall with construction to begin at the start of the 2024 construction season. Funding for the Goose Creek Trail Connection project is established within CIP #28028.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:52 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:53 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:19 PM

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/18/2023

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Duck Creek Sewer Interceptor Extension project, CIP #ARP18. [Wards 1 & 2]

Recommendation:
Hold the Hearing.

Background:
Construction of this sanitary sewer extension will allow the City to abandon an existing wastewater treatment lagoon located within the West Lake Business Park. The removal of this lagoon system is required under the City's latest NPDES permit and the proposed sewer adheres to the City's previous comprehensive drainage district forecast.

This project was part of the City Administrator's recommended American Rescue Plan Act budget which was approved by City Council on July 27, 2021.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	PH Notice

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:49 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:51 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:24 PM

Customer Ad Proof

128-60035820 CITY OF DAVENPORT **Order Nbr 167720**

Publication	**Quad-City Times**		
Contact	CITY OF DAVENPORT	PO Number	2403440
Address 1	1200 E. 46TH ST.	Rate	Legal
Address 2		Order Price	37.87
City St Zip	DAVENPORT IA 52807	Amount Paid	0.00
Phone	5633266163	Amount Due	37.87
Fax			
Section	Notices & Legals	Start/End Dates	10/11/2023 - 10/11/2023
SubSection		Insertions	1
Category	2627 Miscellaneous Notices	Size	27
Ad Key	167720-1	Salesperson(s)	Legals 211
Keywords	Notice of Hearing DCSI Extension	Taken By	Shelby Grimsley
Notes			

Ad Proof

Notice of Hearing

On the Proposed Plans, Specifications and Proposed Contract for the Duck Creek Sewer Interceptor Extension

For the City of Davenport, Iowa

Notice is hereby given that at 5:30 P.M., on Wednesday, October 18th, 2023, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on the Proposed Plans, Specifications and Proposed Contract for the Duck Creek Sewer Interceptor Extension which the City Council has caused to be filed with the City Clerk of the City of Davenport, Iowa, and on the cost and necessity of the above project in the City of Davenport, Iowa.

At said hearing any interested person may file written objection or comments with respect to the above mentioned program or cost of and necessity for such improvements and may be heard orally with respect thereto.

Brian Krup,
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/18/2023

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Modern Woodmen Park Fire Suppression System Replacement project, CIP #23049. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
The fire suppression system at Modern Woodmen Park is past its useful life and needs to be replaced. The project will remove and replace the existing sprinkler piping throughout the facility, along with the existing fire pump and wet hose valve system.

The design and specifications for this new system was completed by IMEG Corp of Rock Island, Illinois. Funding for the project is from the annual capital program titled Modern Woodmen Park Capital Improvements, CIP #23049.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/11/2023 - 3:53 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:53 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 4:26 PM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Clay Merritt | 563-326-7734 **10/18/2023**

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Traffic Signalization | 3rd & 4th Street Two-Way Conversion project, CIP #38017. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
This project is for the modifications to the traffic signalization on 3rd Street and 4th Street from Marquette Street to River Drive as needed to convert the roadways from one-way traffic to two-way traffic. Work includes additions, removals, and upgrades to the traffic signals.

The following intersection modifications are included:

Signals removed
- Iowa Street and 3rd/4th Streets - 4-way stop added
- Pershing Avenue and 3rd/4th Streets - 4-way stop added
- Ripley Street and 3rd Street - northbound and southbound 2-way stop
- Scott Street and 3rd Street - northbound and southbound 2-way stop
- Warren Street and 3rd/4th Streets - northbound and southbound 2-way stop

Signals added (not currently existing)
- River Drive and 4th Street
- Scott Street and 4th Street - activated by Central Fire Station

Signals modified for two-way traffic
- Marquette Street and 3rd/4th Streets
- Gaines Street and 3rd/4th Streets
- Harrison Street and 3rd/4th Streets
- Main Street and 3rd/4th Streets
- Brady Street and 3rd/4th Streets

The required mast arms, signal heads, controllers, and other equipment will be ordered after the contract has been awarded. Due to extended lead times, it is expected installation work will not commence until Summer of 2024. If awarded, the contractor will begin underground work as required when weather allows.

The resurfacing of 3rd and 4th Streets from Harrison to Telegraph Road, which is funded partially by Iowa DOT STBG funds, is under design and being bid as a separate project. The first phase of this work is anticipated to be bid in Spring of 2024 with work commencing in Summer of 2024.

Work will be coordinated between the two contracts. It is anticipated that at the completion of 3rd Street resurfacing, 3rd Street will be converted to two-way traffic. This is anticipated to occur in 2025. At the completion of 4th Street resurfacing, 4th Street will be converted to two-way traffic. Traffic lane markings are included in the resurfacing project.

Notice of Public Hearing was published in the *Quad-City Times* on October 7, 2023.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:02 PM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7923 **10/18/2023**

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project, CIP #ARP14. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
This is a flood mitigation project to include the installation of gatewell structures and additional necessary storm sewer rehabilitation and construction. Work will also include HMA and PCC pavement and trail restoration, retaining wall, landscaping, seeding and other necessary work to facilitate construction.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:51 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:51 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 4:47 PM

City of Davenport

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

Action / Date
10/18/2023

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | West River Drive and Marquette Street project, CIP #68015. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
This is a flood mitigation project including necessary work for the installation of a gatewell structure and additional necessary storm sewer work. Work will also include HMA and PCC pavement and driveway restoration, seeding, and other necessary work to facilitate the installation.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:52 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:52 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 4:47 PM

City of Davenport

Department: Finance
Contact Info: Bruce Berger | 563-326-7769

Action / Date
10/18/2023

Subject:
Public Hearing on amending the North Urban Renewal Plan to include the Internal TIF. [Wards 2, 6, 7, & 8]

Recommendation:
Hold the Hearing.

Background:
By law, the City can certify with Scott County an internal monetary advance to its TIF Increment Fund. On the advice of City's bond council Dorsey & Whitney, the City Council initiated the program to fund staff working with economic development activities and administrative actions through TIF proceeds. This request must be approved by the City Council annually.

In order to offset economic development personnel costs currently paid from the City's general fund, staff is recommending an internal advance of TIF funding of $275,000. This money will then be utilized to reimburse the general fund for staff and economic development related activities. Staff costs spent administratively each year include activities such as ongoing TIF project monitoring, debt certification and working with new projects.

As required by State Code, notice of this Public Hearing was published in the *Quad-City Times* on October 12, 2023.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Public Hearing Notice
🗋	Backup Material	North URA Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/11/2023 - 5:42 PM
Finance Committee	Merritt, Mallory	Approved	10/11/2023 - 5:42 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 5:42 PM

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 18th day of October, 2023, 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: North Urban Renewal Area: $275,000

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 2023

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.

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: $208,670,000
    Remaining Constitutional Debt Capacity of the City: $196,872,672
    Proposed Debt to be incurred in the Urban Renewal Area: $275,000

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/25/2023**

Subject:
Third Consideration: Ordinance for Case REZ23-03 being the request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

Recommendation:
Hold the Hearing.

Background:
The subject property consists of approximately 16 acres of undeveloped land generally located southeast of 53rd Street and Spring Street. The site is adjacent to the Smart Luxury Motors dealership to the west, Hanlin's Creek to the east, and residential neighborhoods to the south.

The applicant, 53rd Luxury LLC, currently operates the Audi, Volkswagen, and Mercedes dealership at the corner of Eastern Avenue and 53rd Street. If a rezoning were approved, the site will be developed for approximately three vehicle dealerships, including Lexus, Hyundai, and Kia. Four buildings are proposed, one for each dealership brand in addition to an office building. The intent is to create a centralized location of car dealerships within Davenport.

This project is related to Case ROW23-04, being the right-of-way vacation of Spring Street, south of 53rd Street. Vacating this section of right-of-way will better facilitate the development of the site. A concept plan has been submitted by the applicant for review.

The Plan and Zoning Commission reviewed Case REZ23-03 at its September 5, 2023 meeting and have recommended approval subject to the listed findings and conditions. The vote has unanimous.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Commercial Corridor and Residential General.
2. The proposed zoning map amendment to C-3 General Commercial District is compatible with the zoning and uses of nearby developed property.
3. With the proposed conditions recommended by staff, the zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. With conditions requiring transportation improvements, 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 with future development.

Conditions:

1. A traffic study shall be required prior to approval of any development. Any traffic safety measures installed as a result of the development of the subject property shall be installed at

the developer's expense.
2. A buffer yard shall be established commensurate with the depth of the established buffer yard to the west of the subject property along the north property line of the Stone Gate development.
3. Any non-residential use development south of the northern boundary of the Stone Gate development extended, a fifty-foot buffer yard shall be established as required by code. Any multi-family development shall provide buffer yards as required by code.
4. The buffer yard shall be landscaped with a density commensurate to the established buffer yard to the west of the subject property. If the minimum landscaping required by code is installed, a certificate of occupancy may be granted via performance bond for the remaining landscaping which must be installed within the next growing season.
5. Lighting shall consist of LED Dark Sky compliant fixtures not higher than thirty-five feet. The level of lighting shall be reduced to a level necessary to provide security lighting only within one half-hour after of the close of business.
6. Routine use of PA systems or similar devices outside of buildings on the property shall not be permitted.
7. Car washes on the property shall not be located closer than one-hundred twenty-five feet from residential districts, and operate only when the dealership is open for business.
8. Billboards shall be prohibited.
9. In addition to ancillary Auto Dealer uses granted in the C-3 district by Special Use, only C-3 uses which are allowed in the C-T Commercial Transitional Zoning District are permitted south of the northern boundary of the Stone Gate development extended.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the August 7, 2023 neighborhood meeting and August 15, 2023 Plan and Zoning Commission Public Hearing. In addition, a sign was posted on the property notifying the public of the pending application.

The neighborhood meeting was held at Eastern Avenue Library on August 7th at 5:30pm. There were approximately twelve members of the public in attendance. Topics of conversation and concerns raised by abutting homeowners included development of the site for multiple car dealerships, site layout, traffic, access points, site lighting, landscaping, buffering adjacent homes, stormwater management, and potential development of the southern portion of the property.

The Public Hearing was held on August 15, 2023, where neighbors voiced generally similar concerns as those voiced at the neighborhood meeting.

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.

The attached staff report from the September 5, 2023 Plan and Zoning Commission meeting includes further review of the the rezoning request and approval standards.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Staff Report - P&Z 9-5-23
🗋	Backup Material	Zoning Map
🗋	Backup Material	Vicinity, Zoning, & Future Land Use Map
🗋	Backup Material	Application
🗋	Backup Material	Exhibits
🗋	Exhibit	Building Renderings
🗋	Exhibit	Buffer Yard Existing Conditions
🗋	Backup Material	Public Notice
🗋	Backup Material	Minutes of Neighborhood Meeting-Applicant Copy
🗋	Backup Material	Neighborhood Meeting Attendance List

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	9/28/2023 - 8:43 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ23-03 BEING THE REQUEST OF 53RD LUXURY, LLC ON BEHALF OF ED SPEER CONSTRUCTION, INC AND SHEILA M SPEER LIVING TRUST TO REZONE APPROXIMATELY 16 ACRES OF LAND GENERALLY LOCATED SOUTHEAST OF 53RD STREET AND SPRING STREET (SPEER COMMERCIAL PARK 1ST AND 2ND ADDITION) FROM C-2 CORRIDOR COMMERCIAL DISTRICT AND R-MF MULTI-FAMILY RESIDENTIAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-3 General Commercial District":

THE EAST SIXTY FEET OF LOT 1 OF THE FINAL PLAT OF SPEER COMMERCIAL PARK 1ST ADDITION AND LOT 1 AND OUTLOT A OF THE FINAL PLAT OF SPEER COMMERCIAL PARK 2ND ADDITION BEING A REPLAT OF LOTS 2 AND 3 AND OUTLOT 1 OF SPEER COMMERCIAL PARK 1ST ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Commercial Corridor and Residential General.
2. The proposed zoning map amendment to C-3 General Commercial District is compatible with the zoning and uses of nearby developed property.
3. With the proposed conditions recommended by staff, the zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. With conditions requiring transportation improvements, 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 with future development.

Conditions:

1. A traffic study shall be required prior to approval of any development. Any traffic safety measures installed as a result of the development of the subject property shall be installed at the developer's expense.
2. A buffer yard shall be established commensurate with the depth of the established buffer yard to the west of the subject property along the north property line of the Stone Gate development.

3. With any non-residential use development south of the northern boundary of the Stone Gate development extended, a fifty-foot buffer yard shall be established as required by code. Any multifamily development shall provide buffer yards as required by code.
4. The buffer yard shall be landscaped with a density commensurate to the established buffer yard to the west of the subject property. If the minimum landscaping required by code is installed, a certificate of occupancy may be granted via performance bond for the remaining landscaping which must be installed within the next growing season.
5. Lighting shall consist of LED Dark Sky compliant fixtures not higher than thirty-five feet. The level of lighting shall be reduced to a level necessary to provide security lighting only within one half-hour after of the close of business.
6. Routine use of PA systems or similar devices outside of buildings on the property shall not be permitted.
7. Car washes on the property shall not be located closer than one-hundred twenty-five feet from residential districts, and operate only when the dealership is open for business.
8. Billboards shall be prohibited.
9. In addition to ancillary Auto Dealer uses granted in the C-3 district by Special Use, only C-3 uses which are allowed in the C-T Commercial Transitional Zoning District are permitted south of the northern boundary of the Stone Gate development extended.

Section 3. At its September 5, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-03 to the City Council with a recommendation for approval subject to the listed findings and conditions.CD

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 and Zoning Commission-Staff Report
September 5, 2023

Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

Background:
The subject property consists of approximately 16 acres of undeveloped land generally located southeast of 53rd Street and Spring Street. The site is adjacent to the Smart Luxury Motors dealership to the west, Hanlin's Creek to the east, and residential neighborhoods to the south.

The applicant, 53rd Luxury LLC, currently operate the Audi, Volkswagen, and Mercedes dealership at the corner of Eastern Avenue and 53rd Street. If a rezoning were approved, the site will be developed for approximately three vehicle dealerships, including Lexus, Hyundai, and Kia. Four buildings are proposed, one for each dealership brand in addition to an office building. The intent is to create a centralized location of car dealerships within Davenport.

This project is related to Case ROW23-04, being the right-of-way vacation of Spring Street, south of 53rd Street. Vacating this section of right-of-way will better facilitate the development of the site. A concept plan has been submitted by the applicant for review.

Why is a Zoning Map Amendment Required?
The subject property is currently split zoned between C-2 Corridor Commercial District and R-MF Multi-Family Residential District. The applicant is petitioning a rezoning to C-3 General Commercial District for the purpose of developing the site for one or more vehicle dealerships. The principal use 'Vehicle Dealership-With Outdoor Storage/Display' is a special use in the C-3 District. If the rezoning request is approved, the applicant will need to apply for a Special Use Permit, which is reviewed and approved by the Zoning Board of Adjustment.

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

Future Land Use Designation:

1. **Commercial Corridor (CC)** – Well-established corridors located along high-volume major streets dominated by retail and office uses that serve the greater community. Development is generally newer and redevelopment is not anticipated within the 20 year planning horizon. Improvements should focus on façade and site improvements, including pedestrian circulation systems and consolidated/updated signage. (Approximately 5.5 acres)
2. **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. (Approximately 10.5 acres)

Zoning:
The subject property is currently split zoned between the following zoning districts:

1. **C-2 Corridor Commercial District** (Approximately 5.5 acres): This district is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.
2. **R-MF Multi-Family Residential District** (Approximately 10.5 acres): This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

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

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

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the August 7, 2023 neighborhood meeting and August 15, 2023 Plan and Zoning Commission Public Hearing. In addition, a sign was posted on the property notifying the public of the pending application.

The neighborhood meeting was held at Eastern Avenue Library on August 7th at 5:30pm. There were approximately twelve members of the public in attendance. Topics of conversation and concerns raised by abutting homeowners included development of the site for multiple car dealerships, site layout, traffic, access points, site lighting, landscaping, buffering adjacent homes, stormwater management, and potential development of the southern portion of the property.

The Public Hearing was held on August 15, 2023, where neighbors voiced generally similar concerns as those voiced at the neighborhood meeting.

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 both Commercial Corridor and Residential General (RG) in the Davenport +2035 Land Use Plan. Residential General allows for neighborhood compatible uses, such as the proposed use.

It is staff's opinion the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies. An amendment to the Comprehensive Plan is not required with this petition.

b. The compatibility with the zoning of nearby property.

Staff Response: The property to the west is also zoned C-3. Properties to the east are zoned C-T. As conditioned, the land south of the proposed dealership location will be more similar to the C-T zoning district and provide a transition area from the residential to the south of the subject property. As conditioned, the additional buffer yard provides further separation between residential zoning districts and higher intensity commercial uses.

It is staff's opinion the proposed zoning amendment is compatible with the established zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The subject property is located on a high traffic corridor generally surrounded by commercial and medical/office uses, with multiple-family and single-family zoning and uses adjacent to the southern portion of the property.

It is staff's opinion the proposed zoning amendment is 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 zoning map amendment will allow for similar uses as those already existing in the neighborhood. Police, Fire, and emergency crews will be able to adequately service the subject property should the proposed zoning change be granted. Public health and safety shall be not be impacted.

Traffic:
The most recent IA DOT traffic counts for this section of E 53rd Street 27,500 vehicles per day. Due to the ongoing 53rd Street expansion project there are not recent traffic counts.

Crash data can sometimes indicate if there is a problem not clear from data or from observations. At 53rd Street and Spring Street, there were 13 reported crashes in the last 5 years. Approximately 1

crash per year was an angle-type crash that might be eliminated with a traffic signal. There was also approximately 1 crash per year that was a rear-end type of crash. These types of crashes are expected to increase with a traffic signal. The crash data does not indicate any type of on-going problems.

By requiring a traffic study, city staff will have the information needed to determine what level of traffic safety measures are required in order to balance the needs for the development and traffic flow on 53rd Street. The following information has been provided by Engineering:
1. There will be left turn lanes in both directions on 53rd Street at Spring Street as part of the ongoing 53rd Street expansion project.
2. No right turn lanes are shown in the 53rd Street project plans. While a car dealership is unlikely to generate enough traffic to warrant a right turn lane, if the developer is installing the turn lane at their expense, the city would not object to its construction.
3. While there are benefits to traffic signals, a traffic signal causes delays, increases emissions, and increases rear-end crashes. If the traffic study determines a traffic signal is not warranted, Engineering Staff is not supportive of a traffic signal installation/ If a traffic signal is warranted as a result of this development, the developer would be required to install the signal at their expense.

Stormwater: Stormwater for this development will be addressed by utilizing the regional detention basin within the subject property and stormwater detention and water quality will be part of the site plan and civil review of the development. In addition, as part of the 53rd Street expansion project currently underway, stormwater detention was installed under 53rd Street to address stormwater collected by 53rd Street that is eventually released into Hanlin's Creek.

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 land along 53rd Street is a heavily used arterial corridor. As such, higher end uses, such as those allowed by the C-3 district should be permitted for orderly development and consistency with development needs.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with Davenport's neighborhoods and commercial corridors.

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

Staff Response: The proposed rezoning will not create any nonconformities.

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

It is staff’s opinion that the proposed amendment will not create any nonconformities as the property is developed.

Staff Recommendation:
Staff recommends Case REZ23-03 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 Commercial Corridor and Residential General.
2. The proposed zoning map amendment to C-3 General Commercial District is compatible with the zoning and uses of nearby developed property.
3. With the proposed conditions recommended by staff, the zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. With conditions requiring transportation improvements, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
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Conditions:

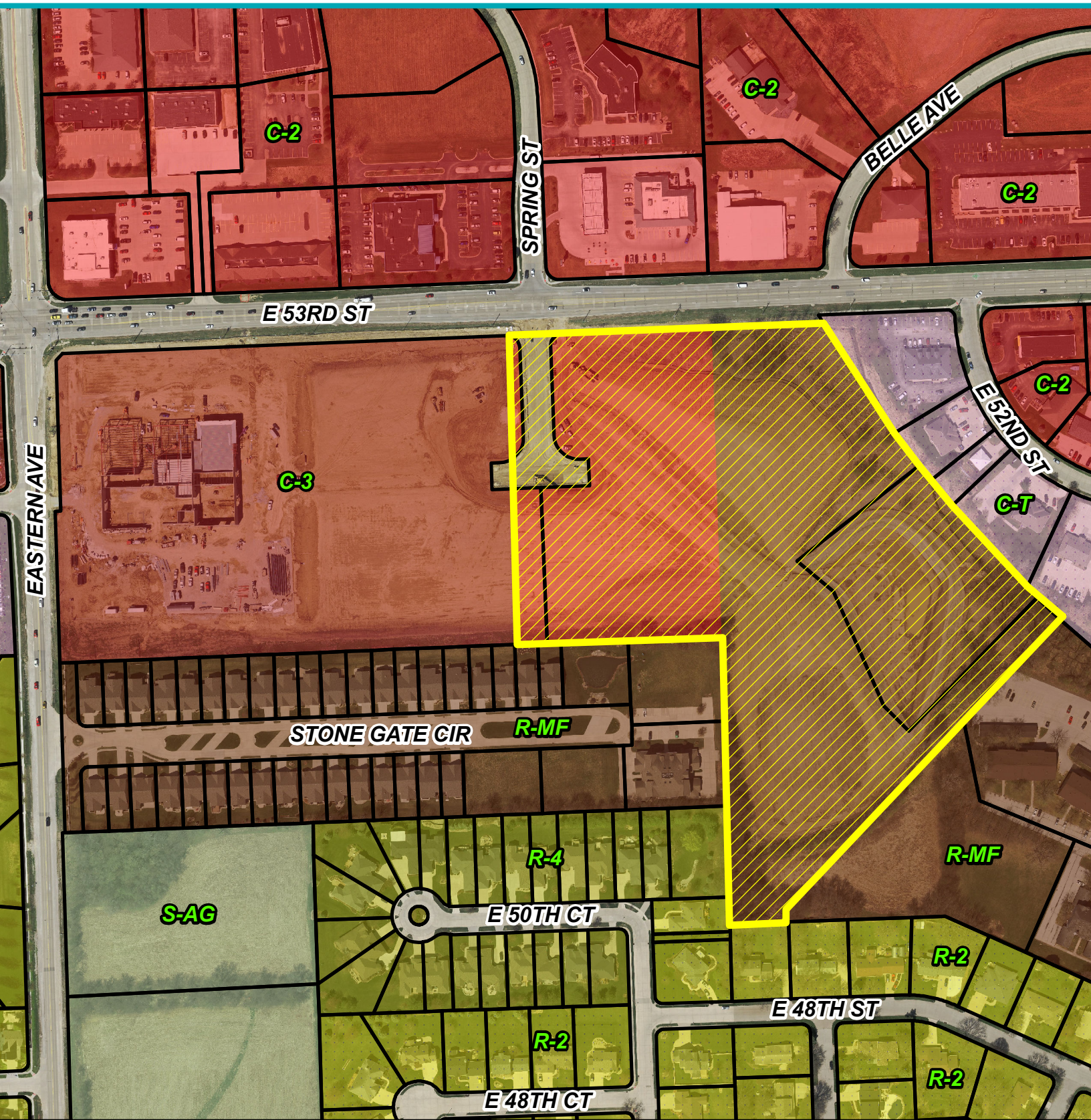
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3. Any non-residential use development south of the northern boundary of the Stone Gate development extended, a fifty-foot buffer yard shall be established as required by code. Any multi-family development shall provide buffer yards as required by code.
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8. Billboards shall be prohibited.
9. In addition to ancillary Auto Dealer uses granted in the C-3 district by Special Use, only C-3 uses which are allowed in the C-T Commercial Transitional Zoning District are permitted south of the northern boundary of the Stone Gate development extended.

Rezoning Request

Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

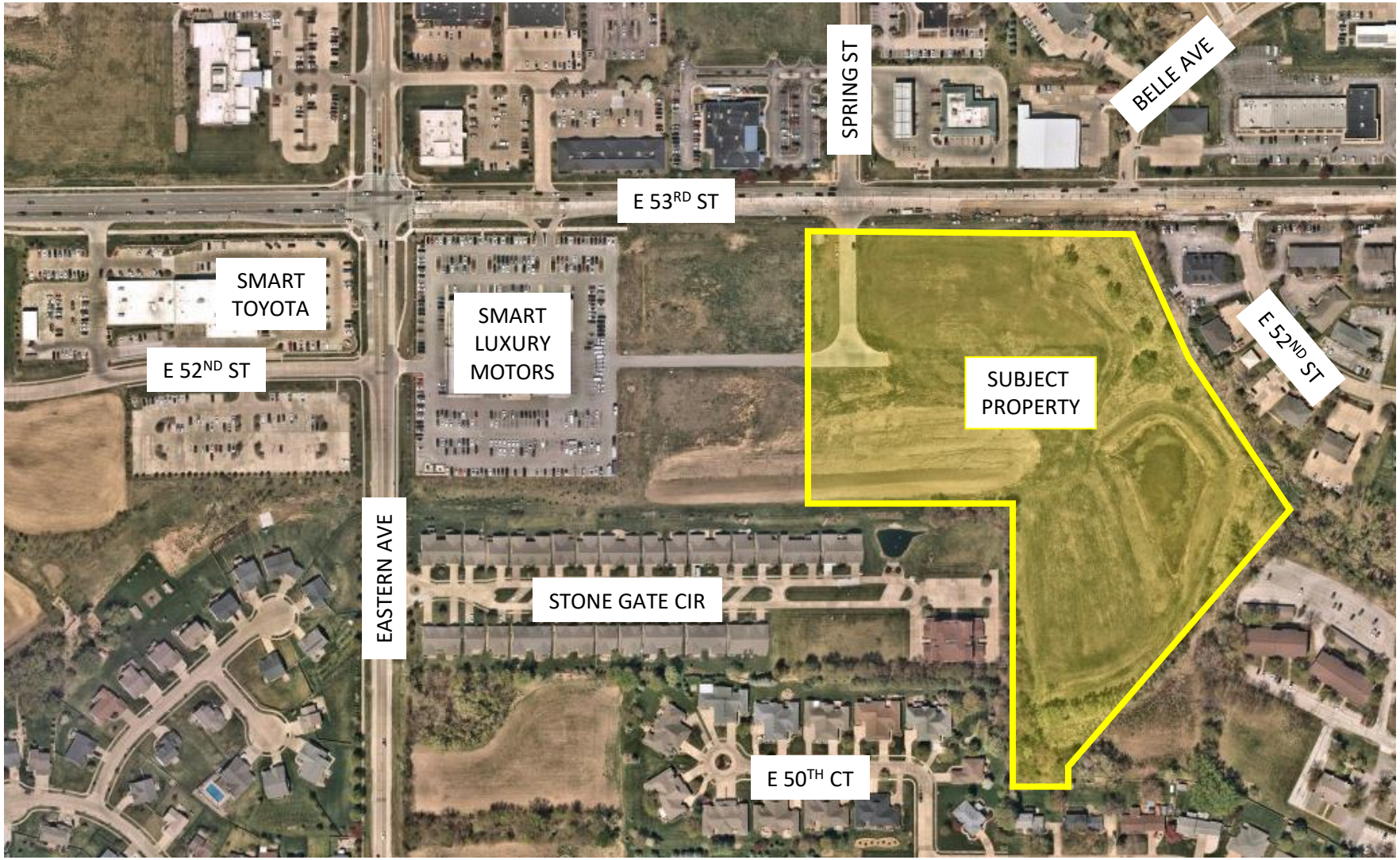
Subject Property

0 250 500
Feet



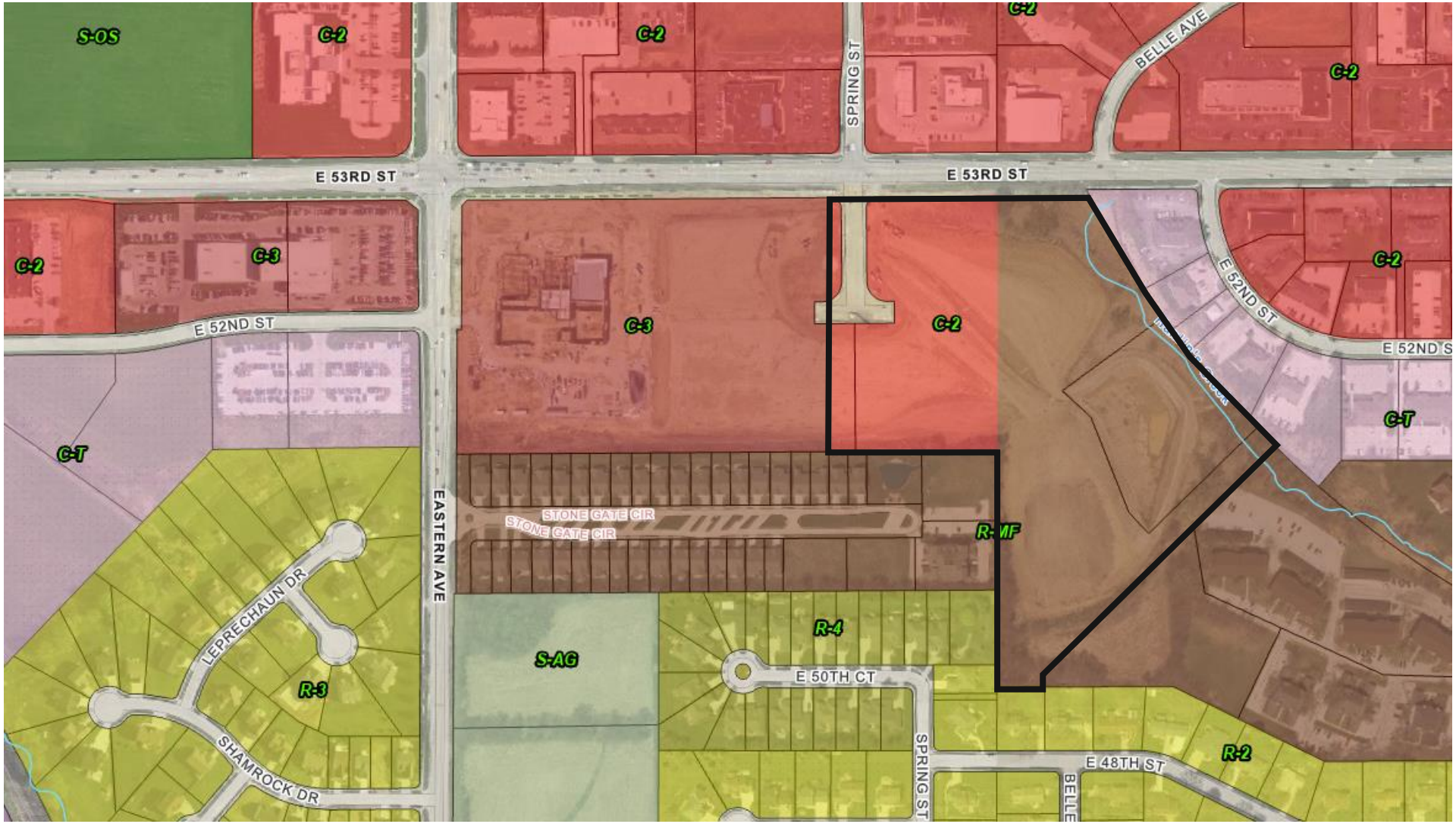
Vicinity Map

DAVENPORT
IOWA | USA



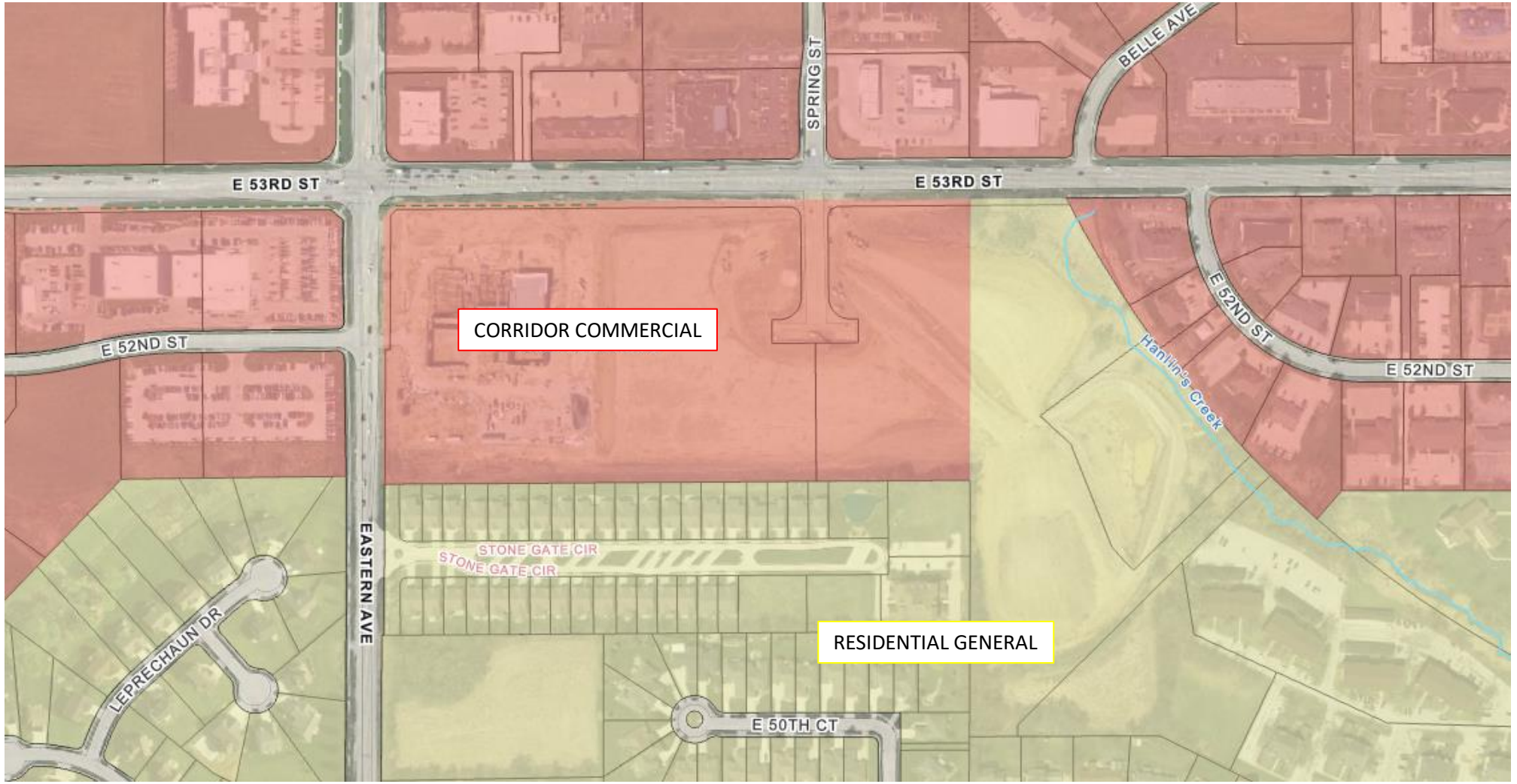
Zoning Map

DAVENPORT
IOWA | USA



Future Land Use Map

DAVENPORT
IOWA | USA



CITY OF DAVENPORT
Public Works - DNS Planning
1200 E. 46th St.
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com
davenportiowa.com/citycode

APPLICATION FOR

REZONING

(Map Amendment)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING

PROJECT TITLE

APPLICANT INFORMATION

APPLICANT NAME

ADDRESS

CITY, STATE, ZIP

PHONE

SECONDARY PHONE

E-MAIL ADDRESS

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICT	EXISTING	PROPOSED	SQ. AREA

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Type Applicant's Name

Applicant's Signature

Date

COMPLETE SUBMITTALS SHALL INCLUDE: ***SUBMITTED***

Concept/Development Plan

Consent to Rezone/legal interest Affidavit*
*shall include owner contact information

Legal Description* (bearing & distance)
* shall include a MS Word or Text file

Legal Description Dimensioned Sketch

Application Fee*
*required for a complete application

Rezoning Fee Schedule	
Land Area	**Fee**
Less than 1 acre	$400
1 to less than 10 acres	$750 plus $25/acre
10 acres or more	$1,000 plus $25/acre

1 to 3 site notice signs are required based on lot size; $10 each

DEVELOPMENT TEAM

Property Owner

Address

Phone | Secondary Phone

E-Mail Address

Project Manager/Other

Address

Phone | Secondary Phone

E-Mail Address

***PROJECT NARRATIVE*:** (submit separate sheet if needed)

Contact Development & Neighborhood Services (DNS) Planning Division at planning@davenportiowa.com with any questions, for additional information, and to submit this form.

Supplemental Answer to "Property Owners" (p.1)

Property Owner 1

Address

Phone 1 Phone 2

Email

Property Owner 2

Address

Phone 1 Phone 2

Email

Authorization to Act as Applicant

I/We,

[as property owner(s)]

authorize

[the above person(s)]

to act as applicant, representing me/us before the following board:

for the property located at .

Signature(s)*

*Please note: original signature(s) or images of them are required.

Date

Application Form Types

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Appeal

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

Authorization to Act as Applicant

I/We,

[as property owner(s)]

authorize

[the above person(s)]

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Signature(s)*

*Please note: original signature(s) or images of them are required.

Date

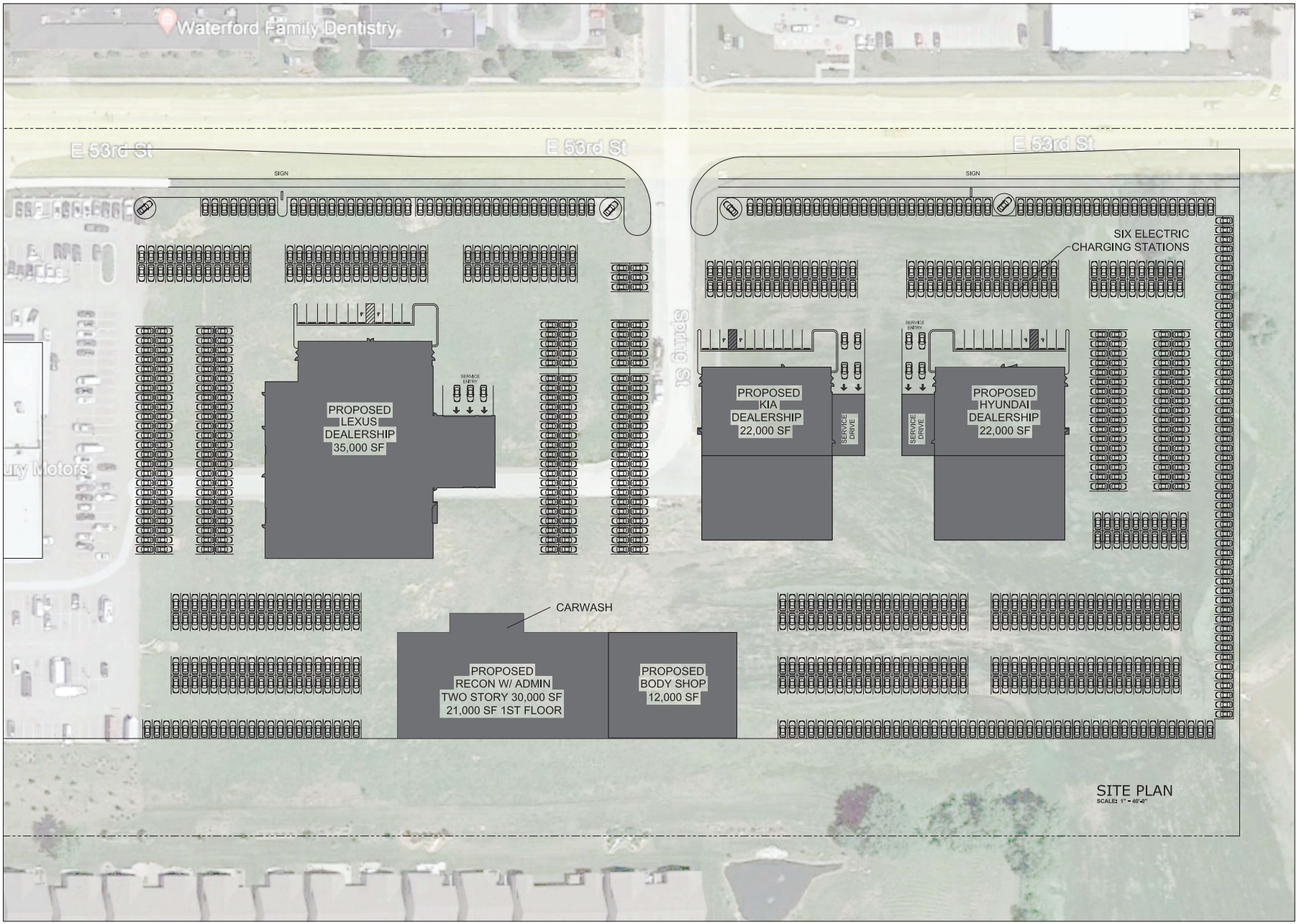
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Design Approval
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Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request



CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-6038
FAX 317-259-4783
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

NEW AUTO SITE

1777 East 53rd Street
Davenport, Iowa
52807

06/29/2023
Seal

Project No.: 20021
Drawn By: KTM
Checked By: KTM

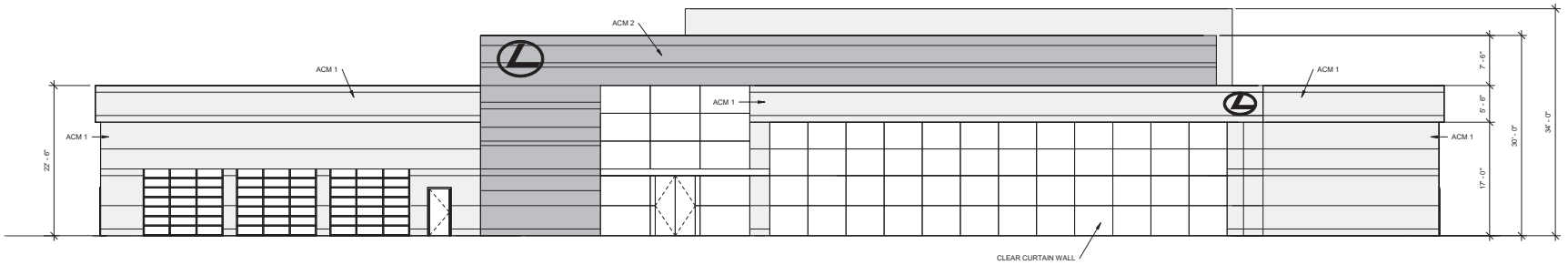
Revisions

Mark	Date	Remarks

DO NOT SCALE DRAWINGS.
Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered and/or on the drawings.

SITE PLAN

ST-1



1 Front Elevation
1/8" = 1'-0"

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6266 Rucker Road
Suite C
Indianapolis, IN
46220-4566
TEL 317-259-6018
FAX 317-259-6183
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Lexus

Davenport, Iowa

Project 21122
Drawn By: KTM
Checked KTM

Revision
Mark | Date | Remark

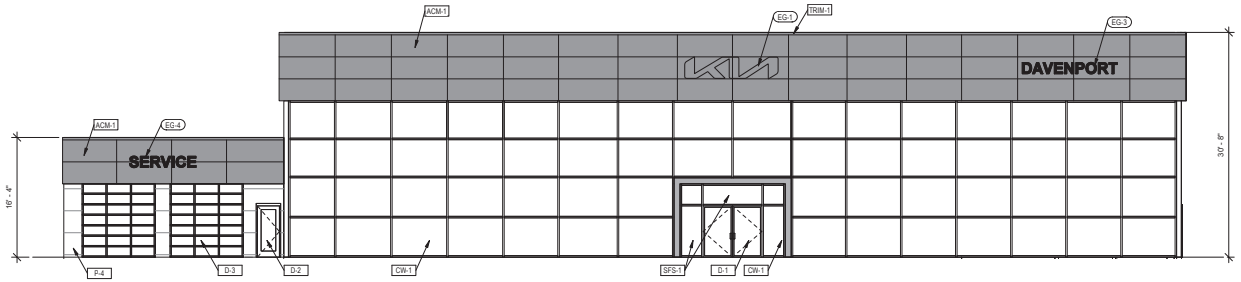
DO NOT SCALE

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Elevations

A4-1

6/29/2023 3:59:53 PM



3 A4-1 Front Elevation
1/8" = 1'-0"

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6266 Rucker Road
Suite C
Indianapolis, IN
46220-4566
TEL 317-259-0018
FAX 317-259-4785

CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Davenport Kia

Davenport, Iowa

6/29/2023 3:24:56 PM

Seal

Project	20021
Drawn By:	KTM
Checked	KTM

Revision

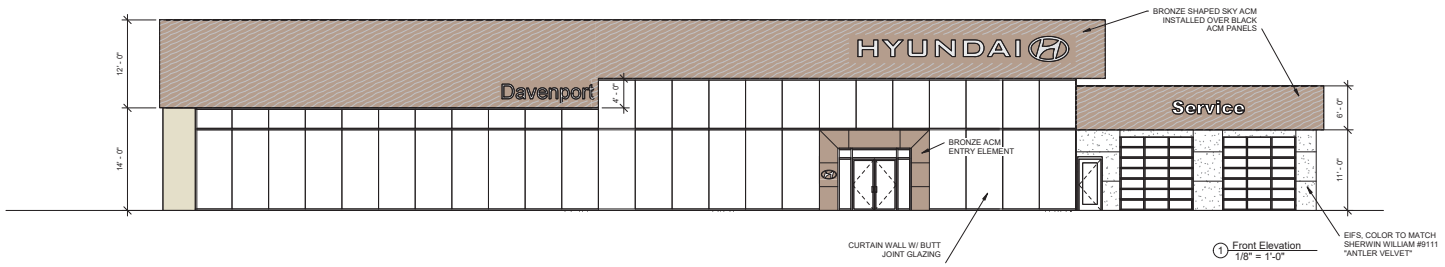
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Exterior Elevations

A4-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:36:43 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6266 Rucker Road
Suite C
Indianapolis, IN
46220-4566
TEL 317-259-0018
FAX 317-259-4785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Hyundai of Davenport

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

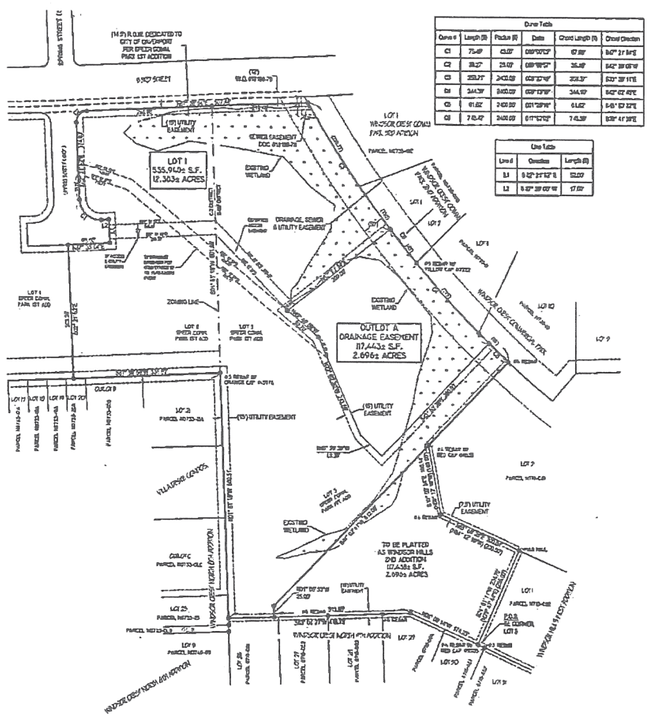
Elevations

A4-1

Legal Description

Lot 1 and Outlot A of Speer Commercial Park 2nd Addition to the City of Davenport, Scott County, Iowa.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	75.49'	45.00'	096°07'07"	67.00'	S47° 21' 54"E
C2	39.27'	25.00'	090°00'00"	35.36'	S42° 38' 06"W
C3	253.27'	2402.00'	006°02'46"	253.15'	S37° 39' 11"E
C4	344.39'	2402.00'	008°12'59"	344.10'	S40° 42' 49"E
C5	41.62'	2402.00'	001°11'26"	41.62'	S45° 53' 32"E
C6	7 45.49'	2402.00'	017°46'52"	7 45.39'	S39° 41' 39"E

Line Table		
Line #	Direction	Length (ft)
L1	S 42° 21' 52" E	52.00'
L2	S 37° 38' 08" W	17.00'

FINAL PLAT OF:
SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES
1. ALL STREET RIGHTS OF WAY TO BE DEDICATED WITH THIS PLAT TO THE CITY OF DAVENPORT.
2. SIDEWALKS SHALL BE CONSTRUCTED ALONG THE FRONTAGE OF EACH LOT WHEN THE LOT IS DEVELOPED OR WHEN SO ORDERED BY THE CITY OF DAVENPORT.
3. ALL LOTS WILL BE CONNECTED TO THE PRIVATE WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC SANITARY SEWER SYSTEM OF DAVENPORT.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THIS LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR STREET LIGHTING WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS (SUDAS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
8. OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION. SAID OUTLOT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION OF SUBDIVISION.
9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION SHALL NOT BE CUT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION. IN THE EVENT THAT THE AREA DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT-ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORD. 2017-520)
13. STORMWATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED WITH THIS SUBDIVISION AND WILL BE SUBJECT TO THE APPLICABLE ORDINANCES IN PLACE AT THE TIME OF DEVELOPMENT.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-520.
Section 17.17.010J.

[Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-193 § 10]
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Routine use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA
BY: _____ DATE: 24 JAN 23 ATTEST: Brian Krup

CITY PLAN & ZONING COMMISSION
BY: _____ DATE: 1-20-23

MEDIACOM
_____ DATE: 1-10-2023

IOWA AMERICAN WATER COMPANY
_____ DATE: 1-11-2023

CENTURY LINK
_____ DATE: 1 10 2023

MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN
_____ DATE: 1-10-2023

METRONET
_____ DATE 1 10 2023

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/ YELLOW CAP #23503 UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
WETLAND LINE=
SECTION LINE=

1. Area of Subdivision-
Total: 14.999 Acres +/-
Lot 1: 12.303 Acres +/-
Outlot A: 2.696 Acres +/-

2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

3. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

4. Attorney:
R. Doug Wells
Gomez May, LLP
Davenport, Iowa 52807
Ph: (563) 359-3591

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

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.
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING
2224 East 12th Street, Davenport, IA 52803
563 388.4238 p/fax 386.4237 fx

DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD
DRAWN BY: KLC
CHECKED BY: MDR
DRAWING LOCATION: S:\SPEER\EASTERN 53RD\SUBDIVISION

NO.	REVISIONS: DESCRIPTION	DATE

PROJECT: FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

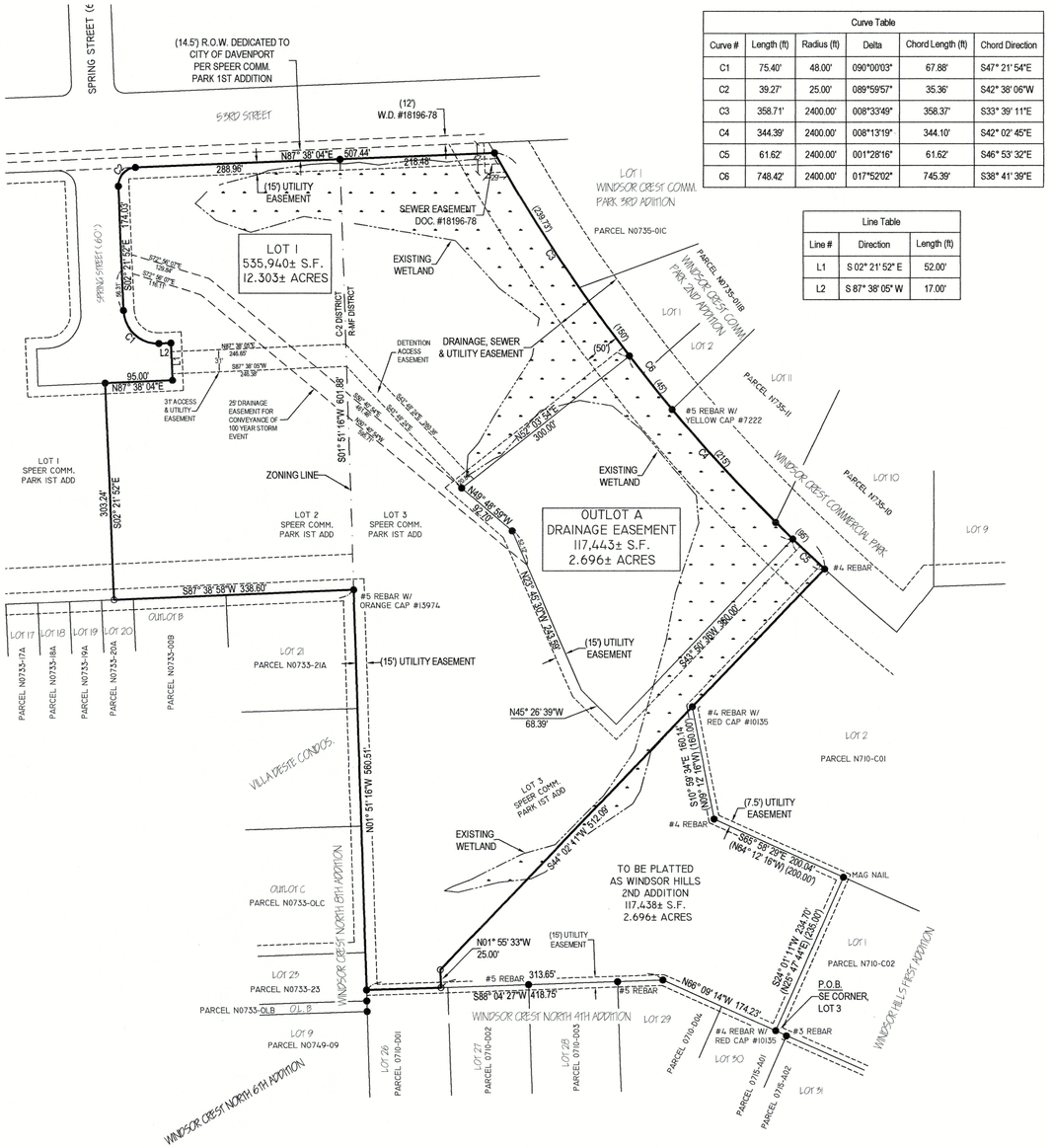
PREPARED FOR: SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO. 1 OF 1

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236

Page 1 of 10

Doc ID: 023406030010 Type: PLA
Recorded: 01/27/2023 at 10:37:39 AM
Fee Amt: $52.00 Page 1 of 10
Scott County Iowa
Rita A. Vargas Recorder
File 2023-00001524



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	75.40'	48.00'	090°00'03"	67.88'	S47° 21' 54"E
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C6	748.42'	2400.00'	017°52'02"	745.39'	S38° 41' 39"E

Line Table		
Line #	Direction	Length (ft)
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L2	S 87° 38' 05" W	17.00'

FINAL PLAT OF:

SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

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b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____

DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

MEDIACOM — DATE: 1-10-2023

IOWA - AMERICAN WATER COMPANY — DATE: 1-11-2023

CENTURY LINK — DATE: 1 10 2023

MIDAMERICAN ENERGY — DATE: 1-10-2023
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

METRONET — DATE 1 10 2023

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/ YELLOW CAP #23503
UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
WETLAND LINE=
SECTION LINE=

1. Area of Subdivision-
   Total: 14.999 Acres +/-
   Lot 1: 12.303 Acres +/-
   Outlot A: 2.696 Acres +/-

2. Engineer:
   Townsend Engineering
   2224 East 12th Street
   Davenport, Iowa 52803
   Ph: (563) 386-4236

3. Surveyor:
   Michael D. Richmond
   2224 East 12th Street
   Davenport, Iowa 5280
   Ph: (563) 386-4236

4. Attorney:
   R. Doug Wells
   Gomez May, LLP
   Davenport, Iowa 52807
   Ph: (563) 359-3591

N W E S

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

LICENSED LAND SURVEYOR
MICHAEL D. RICHMOND
23503
IOWA

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.
Michael Richmond 12/29/2023
MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING
CIVIL ○ STRUCTURAL ○ LAND DEVELOPMENT

DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KLC
CHECKED BY: MDR

DRAWING LOCATION
S: \SPEER\EASTERN 53RD\SUBDIVISION

NO.	REVISIONS: DESCRIPTION	DATE

PROJECT
FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236


HYUNDAI
Smart
Service


Smart
SERVICE
DELIVERY


LEXUS OF ANYTOWN


Smart Luxury Motors
5043 Eastern Ave
Davenport, Iowa
Google Street View
May 2023
See more dates
Spring St
Stone Gate Cir
Google
Image capture: May 2023 © 2023 Google United States Terms Privacy Report a problem









DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property generally located southeast of 53rd Street and Spring Street.

Neighborhood Meeting
Date: 8/7/2023 Time: 5:30 PM Location: Eastern Avenue Library | 6000 Eastern Avenue

Plan & Zoning Commission Public Hearing Meeting
Date: 8/15/202 Time: 5:00 PM Location: Council Chambers | City Hall | 226 West 4th Street

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 C-2 Corridor Commercial District and R-MF Multi-Family Residential District. The property owner is requesting a rezoning to C-3 General Commercial District to develop the site for one or more motor vehicle dealerships, including outdoor storage.

Request/Case Description
Case REZ23-03: Request of 53rd Luxury, LLC on behalf of Ed Speer Construction, Inc. and Sheila M Speer Living Trust to rezone approximately 16 acres of land generally located southeast of 53rd Street and Spring Street (Speer Commercial Park 1st and 2nd Addition) from C-2 Corridor Commercial District and R-MF Multi-Family Residential District to C-3 General Commercial District. [Ward 8]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on August 15, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on September 5, 2023. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

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

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

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

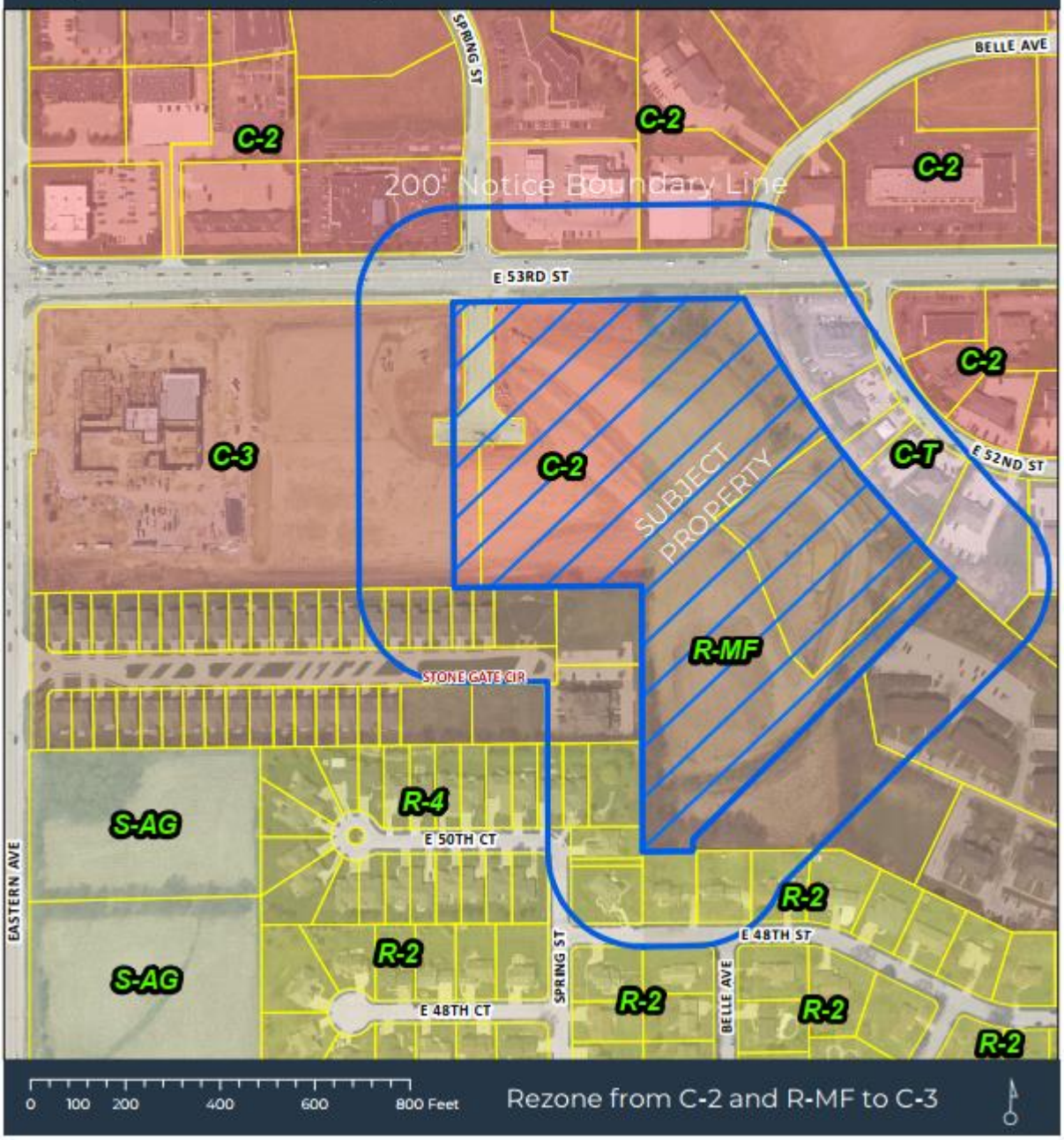
Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

THE CITY OF DAVENPORT
IOWA | USA

P&Z Notice

CASE#: REZ23-03

Adjacent Property Owner Notice Area



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS

MINUTES OF NEIGHBORHOOD MEETING

Case No: REZ23-03; ROW23-04
Date: Monday, August 7, 2023
Time: 5:30 PM
Location: Eastern Avenue Library, 6000 Eastern Avenue, Davenport, Iowa

John Hofmeyer, IV opened the meeting and identified the city personnel present: Judith Lee, 8th Ward Alderwoman; Kyle Gripp, At-Large Alderman; JJ Condon, At-Large Alderman, and Inghram, Planning and Zoning Commission Chair. Werderitch, Koops, and Berley from the city were also present at the meeting.

Developer gave its presentation as follows:

> Michael Leep, Jr., President of applicant/developer, provided information and background on the applicant/developer.
>
> Chip Walker, architect for applicant/developer, made a presentation regarding the preliminary design proposal for the development including three motor vehicle dealerships and supporting buildings.
>
> Eric Cannon, engineer for applicant/developer, made a presentation regarding steps taken to address stormwater runoff and environmental considerations at the site.

The floor was open for questioning and a general discussion was had. Multiple attendees asked questions regarding the following general topics:

1. Why applicant/developer was rezoning the whole parcel for C-3 zoning if only using the northern portion. Applicant/developer advised that there are no current plans to develop the southern portion of the parcel.

2. Whether C-3 zoning would allow development of the southern portion of the parcel for multi-family apartments if rezoned to C-3. City staff advised that multi-family apartments are a permitted use in the C-3 zoning.

3. Stormwater runoff to the east. Applicant/developer advised that all stormwater runoff would be handled through a comprehensive stormwater retention and mitigation system utilizing the existing reservoir and that decisions would be made after detailed analysis to determine the best course of action. Applicant/developer advised further that the site would not utilize “sheet” drainage and would instead utilize inlet (drains) that would take stormwater to the reservoir.

4. An attendee asked about drainage from the Stone Gate Cir. development to the SW, across the property to the reservoir. Another attendee identified that there was a culvert that takes water across between the two reservoirs. Applicant/developer did not provide an opinion on this.

5. A question was presented regarding lighting of the site and spillage. Applicant/developer discussed dark-sky initiatives and the technology that allows new lighting systems to mitigate, if not prevent, light pollution and spillage beyond the property boundaries.

When there were no further questions, John Hofmeyer, IV closed the meeting. City staff took a list of the neighborhood attendees.

Neighborhood Meeting Attendance List

Date: Time: Location:

Case:

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Scott Bliss	taylorclexm0421@gmail.com		1871 Stone Gate Cir Unit 8
2	Carrie Bliss	"		"
3	Mary Ann Damann			1822 STONE GATE
4	Steve Damann			" " "
5	Bob Ingraham	BINGHRAM55@GMAIL		
6	Lucy Moss	gmoss47@hotmail.com		1871 Stone Gate Cir Unit 10
7	Carla Osborn	cmmosborne@gmail.com		1820 Stone Gate Circle
8	MIKE OSBORN	OSBORNMCM@YMOL.COM		" "
9				
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	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Darren Courville	dcourville@mchsi.com		2026 E. 48th St.
2	Ann Lausen	aslausen@gmail.com		1742 Stone Gate Cir.
3	Cheryl Luders	caluders@gmail		1871 Stone Gate Cir.
4	JJ GNDON			ALDERMAN AT LARGE
5				
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City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/25/2023**

Subject:
Third Consideration: Ordinance for Case ROW23-04 being the request of 53rd Luxury, LLC to vacate approximately 25,900 square feet of improved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

Recommendation:
Hold the Hearing.

Background:
The petitioner has requested a vacation for the portion of Spring Street located south of 53rd Street. The area to be vacated is approximately 25,900 square feet (.59 acres). The purpose of the vacation is to better facilitate development of the abutting property for one or more vehicle dealerships. This project is closely related to Case REZ23-03, being the rezoning of abutting property to C-3 General Commercial District. The Plan and Zoning Commission reviewed Case ROW23-03 at its September 5, 2023 meeting and have recommended approval, subject to the following findings and condition. The vote was unanimous.

Findings:

1. The existing public right-of-way is not required for City purposes.
2. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Condition:

1. All existing utilities located in the right-of-way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation:

The abutting property is currently designated as Commercial Corridor in the Davenport +2035 Future Land Use Map. Commercial Corridor (CC)

Abutting Zoning:

The abutting property is currently zoned C-2 Corridor Commercial District to the east and C-3 General Commercial District to the west of the subject right-of-way.

Technical Review:

The following technical review comments were received from City Departments and utility companies:

- Streets: If vacated, the street will be converted into a private driveway for a shared business access from 53rd Street.
- Natural Resources/Storm Water: No issues with the proposed vacation. Stormwater sewer is located within the ROW. A blanket utility and access easement is necessary until any infrastructure is relocated with the proposed development.
- Sanitary Sewer: There is no sewer infrastructure within the subject right-of-way. Future development is anticipated to connect to the existing sanitary sewer main on East 53rd Street.
- Other Utilities: No comments were received.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the August 7, 2023 neighborhood meeting and August 15, 2023 Plan and Zoning Commission Public Hearing.

The neighborhood meeting was held at Eastern Avenue Library on August 7th at 5:30pm. The purpose of the neighborhood meeting was to discuss both the right-of-way vacation and rezoning of abutting property. There were approximately twelve members of the public in attendance. No comments specific to the vacation request were received.

The vacation of public right-of-way is a two step process:

1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Subject Right-of-Way Map
🗋	Backup Material	Vicinity, Zoning, & Future Land Use Map
🗋	Backup Material	Application
🗋	Backup Material	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	9/28/2023 - 8:43 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW23-04 BEING THE REQUEST OF 53RD LUXURY, LLC TO VACATE APPROXIMATELY 25,900 SQUARE FEET OF IMPROVED SPRING STREET RIGHT-OF-WAY LOCATED SOUTH OF EAST 53RD STREET.

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

Section 1. The following described units of Scott County, Iowa real estate are hereby vacated (abandoned). The property has the following legal description:

The 287.53 feet of Spring Street as dedicated as public right-of-way in Speer Commercial Park 1st Addition, to the City of Davenport, County of Scott, State of Iowa.

The above-described area contains 25,900 square feet, more or less.

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

Right-Of-Way Vacation | Public Hearing Notice

Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

ROW Vacation

0 200 400
Feet



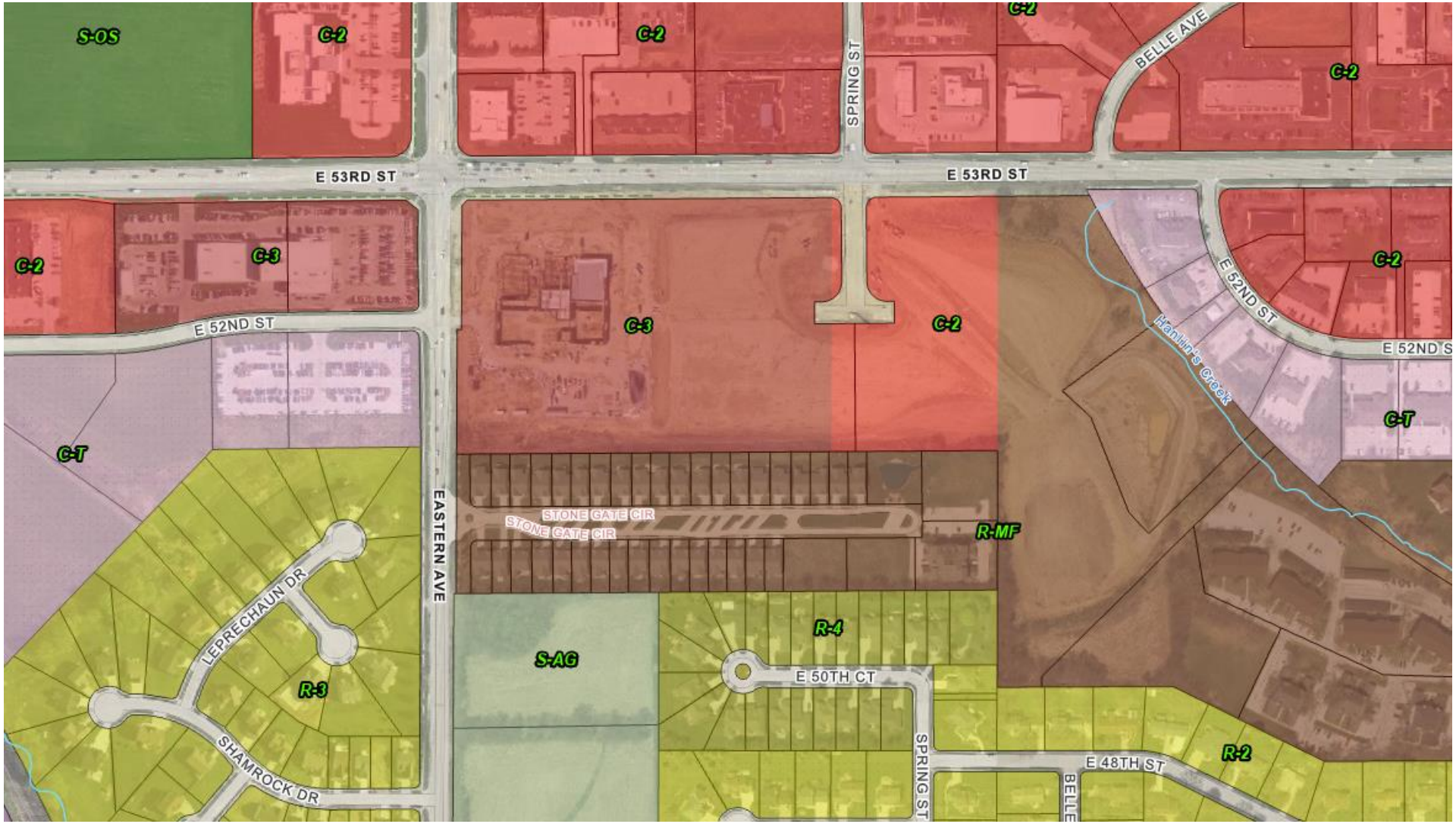
Vicinity Map

DAVENPORT
IOWA | USA

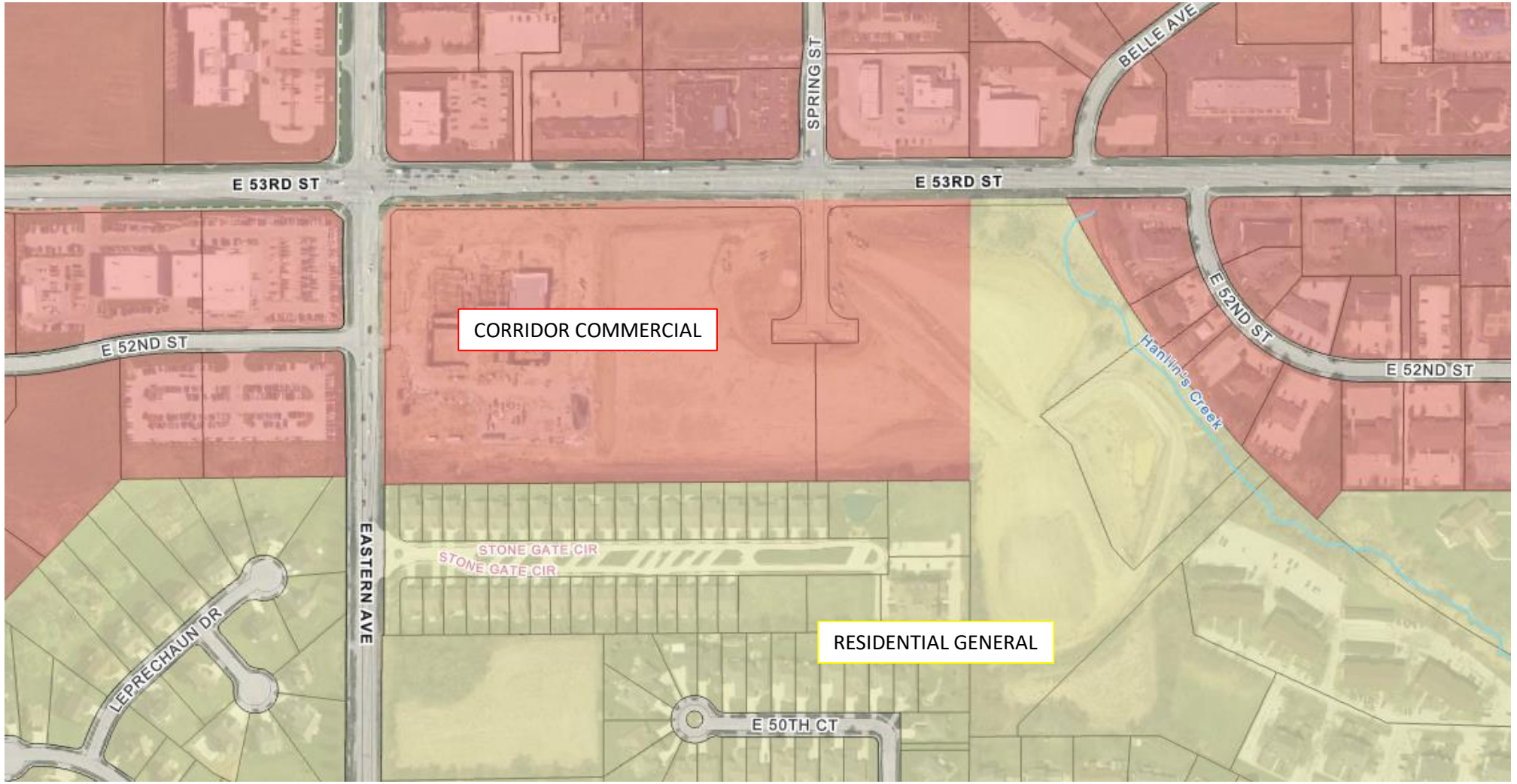


Zoning Map

DAVENPORT
IOWA | USA



Future Land Use Map



CITY OF DAVENPORT
Development & Neighborhood Services – Planning
1200 W. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

RIGHT-OF-WAY VACATION

(EASEMENT ABANDONMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING

PROJECT TITLE
Tip of the Speer

GENERAL LOCATION DESCRIPTION
S of E 53rd St at Spring St and E of Spring St

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

AREA OF VACATION	EXISTING USE	PROPOSED USE	SQUARE AREA

APPLICANT INFORMATION

Applicant Name
53rd Luxury LLC

Address
5201 N. Grape Road

City | State | Zip
Mishawaka, IN 46545

Phone
(574) 272-2009

Secondary Phone
(480) 334-4323

E-Mail Address
cpustelak@gurleyleep.com

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Chris Pustelak, VP of 53rd Luxury LLC
Type Applicant's Name

Applicant's Signature

07/12/2023
Date

DEVELOPMENT TEAM

Surveyor

Address

Phone | Secondary Phone

E-Mail Address

Attorney/Other
John W. Hofmeyer IV, Attorney with Arenson Law Gr

Address
425 2nd St SE, STE 900, Cedar Rapids, IA 52401

Phone
(319) 731-0543

Secondary Phone
(319) 400-8785

E-Mail Address
jhofmeyer@arensonlaw.com

COMPLETE SUBMITTALS SHALL INCLUDE:	SUBMITTED
Concept/Development Plan, if applicable	☑
Authorization to Act as Applicant	☑
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☑
Legal Description Dimensioned Sketch	☑
Application Fee: (REQUIRED) **$400*** * check payable to 'City of Davenport'	☑

PROJECT NARRATIVE: (submit separate sheet if needed)

Applicant seeks to develop the lots, after rezoning and special use permit obtained, for use with one or more motor vehicle dealerships. This would include development of the space currently designated for right of way. The applicant has already submitted special use permit request and application for rezoning.

Submit the first page of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.

Authorization to Act as Applicant

I/We, Sheila M Speer Living Trust
[as property owner(s)]

authorize Chris Pustelak, VP, and John Hofmeyer, attorney, for 53rd Luxury LLC
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at Auditor's Parcel No. N0709A02.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

7/12/23
Date

Notarization:

State of Iowa,

County of Johnson,

Driver License
[identification type]

Sworn and subscribed before me

this 12 day of July, 2023

Notary Public

My Commission Expires: 4/29/2025

JENNIFER A. CROKER
Commission Number 839579
My Commission Expires
4-29-2025

---

* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

Authorization to Act as Applicant

I/We, Ed Speer Construction, Inc.
[as property owner(s)]

authorize Chris Pustelak, VP, and John Hofmeyer, attorney, for 53rd Luxury LLC
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at Auditor's Parcel Nos. N0710AOLA and N0710A04.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

7/12/23
Date

Notarization:

State of Iowa,

County of Johnson,

Sworn and subscribed before me

this 12th day of July 2023

Notary Public

Driver License
[identification type]

My Commission Expires:

JENNIFER A. CROKER
Commission Number 839579
My Commission Expires
4-29-2025

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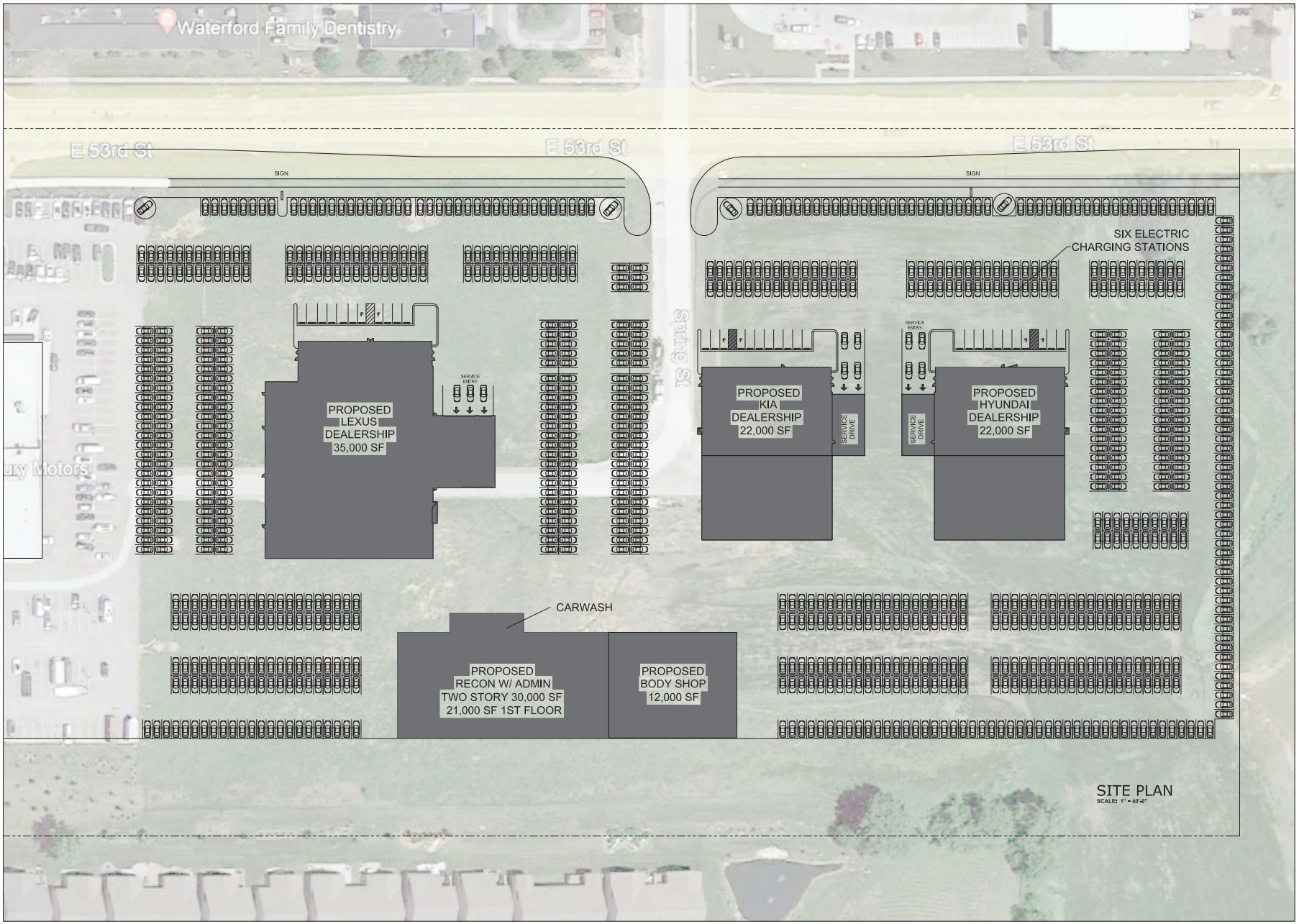
* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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



CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-6038
FAX 317-259-4383
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

NEW AUTO SITE

1777 East 53rd Street
Davenport, Iowa
52807

06/29/2023

Seal

Project No.: 20021

Drawn By: KTM

Checked By: KTM

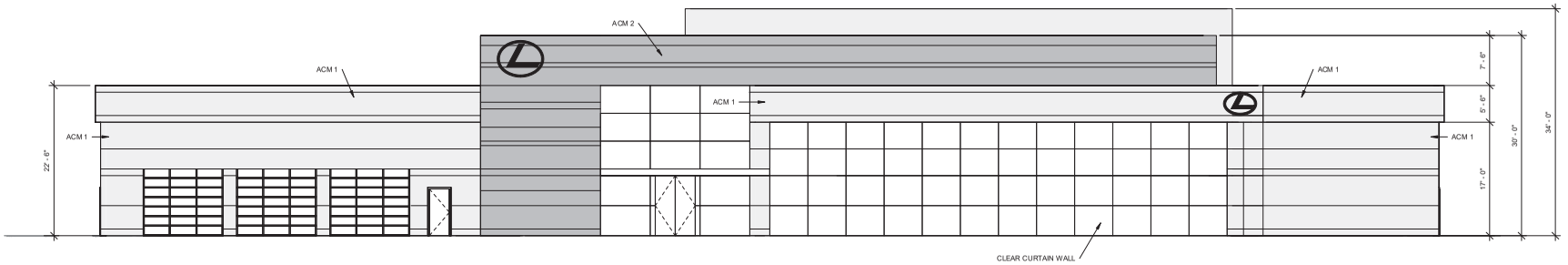
Revisions

Mark	Date	Remarks

DO NOT SCALE DRAWINGS.
Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered and/or on the drawings.

SITE PLAN

ST-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:59:53 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-0458
FAX 317-259-0785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Lexus

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

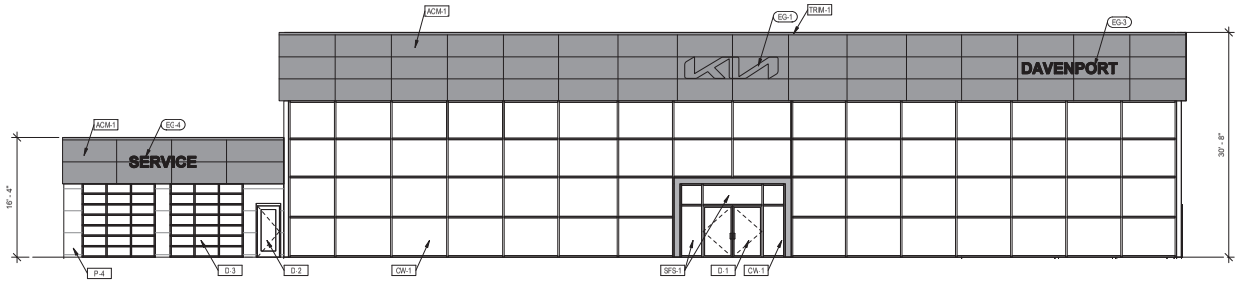
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Elevations

A4-1



3 A4-1 Front Elevation
1/8" = 1'-0"

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-0458
FAX 317-259-4785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Davenport Kia

Davenport, Iowa

6/29/2023 3:24:56 PM

Seal

Project	20021
Drawn By:	KTM
Checked	KTM

Revision

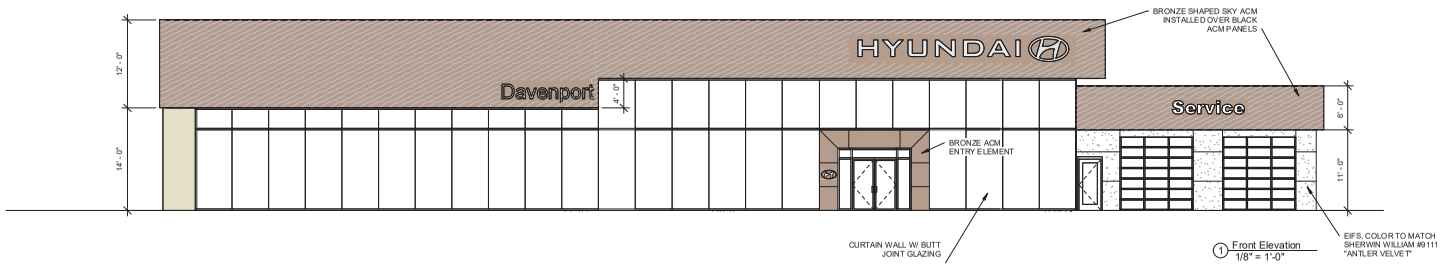
Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Exterior Elevations

A4-1



1 Front Elevation
1/8" = 1'-0"

6/29/2023 3:36:43 PM

CONSTRUCTION MANAGERS
GENERAL CONTRACTORS
DESIGN/BUILD
6296 Rucker Road
Suite C
Indianapolis, IN
46220-4486
TEL 317-259-0458
FAX 317-259-0785
CUSTOM FACILITIES
www.customfacilities.com

Client Project Information

Hyundai of Davenport

Davenport, Iowa

Project	21122
Drawn By:	KTM
Checked	KTM

Revision

Mark	Date	Remark

DO NOT SCALE

Custom Facilities shall be notified immediately should any errors, omissions, discrepancies inconsistencies be discovered the drawings.

Elevations

A4-1

Legal Description

Lot 1 and Outlot A of Speer Commercial Park 2nd Addition to the City of Davenport, Scott County, Iowa.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

Doc ID: 023406030010 Type: PLA
Recorded: 01/27/2023 at 10:37:39 AM
Fee Amt: $52.00 Page 1 of 10
Scott County Iowa
Rita A. Vargas Recorder
File 2023-00001524

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236 GOM

FINAL PLAT OF SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.
Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES
1. ALL STREET RIGHTS OF WAY TO BE DEDICATED WITH THIS PLAT TO THE CITY OF DAVENPORT.
2. SIDEWALKS SHALL BE CONSTRUCTED ALONG THE FRONTAGE OF EACH LOT WHEN THE LOT IS DEVELOPED OR WHEN SO ORDERED BY THE CITY OF DAVENPORT.
3. ALL LOTS WILL BE CONNECTED TO THE SANITARY SEWER SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA, AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR SUCH UTILITIES SHALL BE GRANTED WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS AND AS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
8. OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION. SAID OUTLOT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION OF SUBDIVISION.
9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND WEED SUPPRESSING GROUND COVER. TREES, BUSHES, FREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER SHALL NOT BE PLANTED IN THE EASEMENT.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION CITY OF DAVENPORT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT- ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORDINANCE 2017-320)
13. STORMWATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED WITH THIS SUBDIVISION AND WILL BE SUBJECT TO THE APPLICABLE ORDINANCES IN PLACE AT THE TIME OF DEVELOPMENT.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-320.
Section 17.17.010J.

(Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-193 § 10)
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Reuses use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA
BY: [signature] ATTEST: [signature]
DATE: 1-20-23

CITY PLAN & ZONING COMMISSION
BY: [signature] DATE: 1-20-23
CHAIRMAN

[signature] DATE: 1-16-2023
SECRETARY

IOWA AMERICAN WATER COMPANY
[signature] DATE: 1-11-2023

CENTURY LINK
[signature] DATE: 1-10-2023

MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN
[signature] DATE: 1-10-2023
METRONET

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. Pages or sheets covered by this seal: 1
[signature] 12/5/2022
GERALD D. RICHMOND
My License Number is 12365
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1

Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Bearing
C1	75.49'	45.00'	096°06'07"	67.08'	N42°11'54"E
C2	39.27'	25.00'	090°00'00"	35.36'	S42°38'07"E
C3	253.21'	240.00'	060°26'54"	241.71'	S29°38'07"E
C4	344.79'	240.00'	082°18'06"	315.72'	S42°47'40"E
C5	91.52'	240.00'	021°50'48"	91.00'	S11°52'37"E
C6	74.42'	240.00'	017°45'53"	74.12'	S29°47'33"E

Line #	Direction	Length (ft)
L1	S 63°37'07" E	33.00'
L2	S 63°37'07" E	17.00'

1. Area of Subdivision-
Total: 14.999 Acres +/-
Lot 1: 12.303 Acres +/-
Outlot A: 2.696 Acres +/-

2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

3. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236

4. Attorney:
R. Doug Wells
Gomez May, LLP
Davenport, Iowa 52807
Ph: (563) 359-3591

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/YELLOW CAP #22503 =
UNLESS OTHERWISE NOTED =
MONUMENTS SET:
#5 REBAR W/YELLOW CAP #22503 = O
BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
WETLAND LINE =
SECTION LINE =

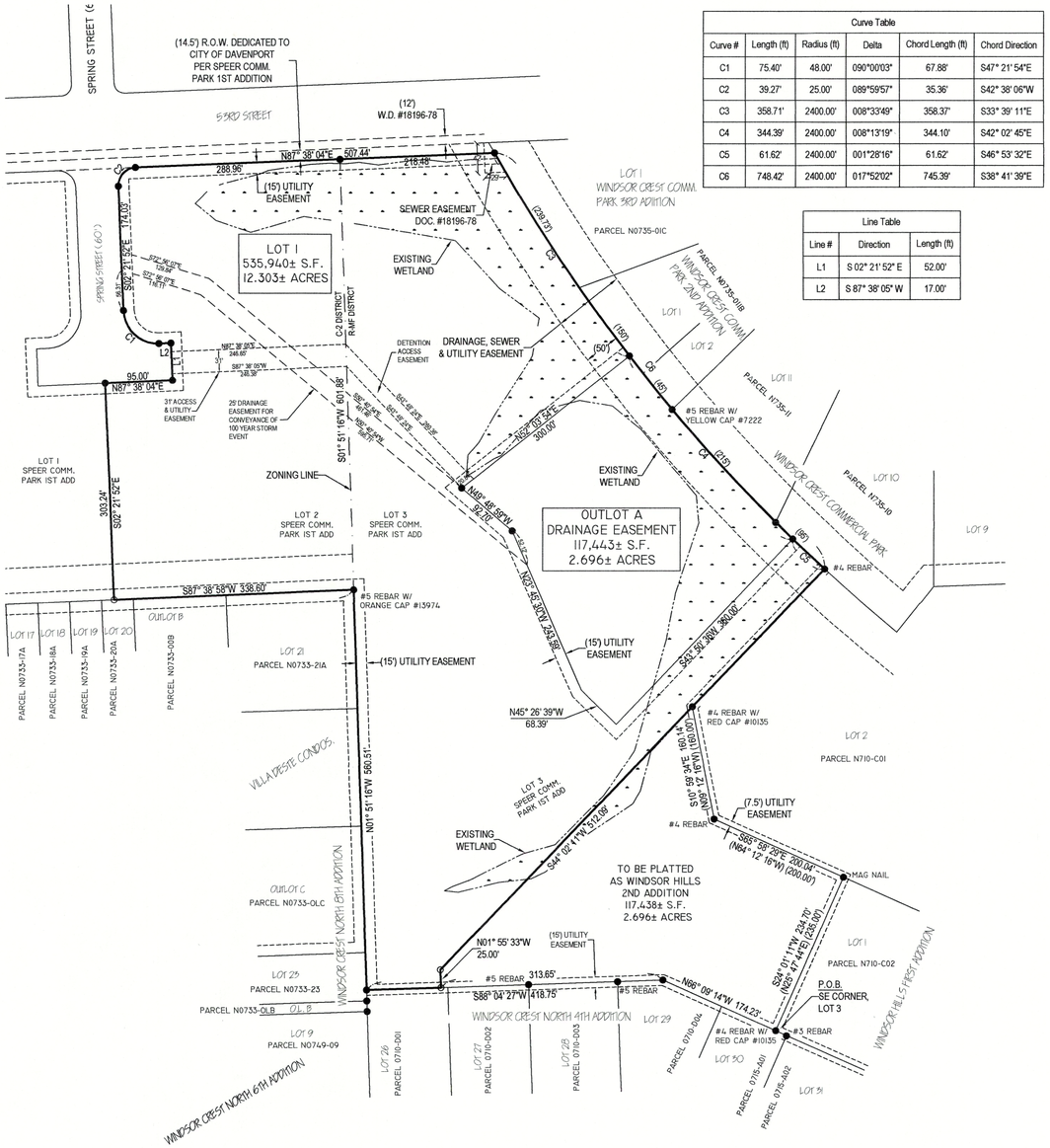
REVISIONS:	
NO.	DESCRIPTION

DATE

PROJECT
FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

DRAWN BY: KLC
CHECKED BY: MDR
DRAWING LOCATION
S:\SPEER\EASTERN 53RD\SUBDIVISION

TOWNSEND ENGINEERING
DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD
(563) 386-4236 FAX 386-4237
2224 East 12th Street, Davenport, IA 52803



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	75.40'	48.00'	090°00'03"	67.88'	S47° 21' 54"E
C2	39.27'	25.00'	089°59'57"	35.36'	S42° 38' 06"W
C3	358.71'	2400.00'	008°33'49"	358.37'	S33° 39' 11"E
C4	344.39'	2400.00'	008°13'19"	344.10'	S42° 02' 45"E
C5	61.62'	2400.00'	001°28'16"	61.62'	S46° 53' 32"E
C6	748.42'	2400.00'	017°52'02"	745.39'	S38° 41' 39"E

Line Table		
Line #	Direction	Length (ft)
L1	S 02° 21' 52" E	52.00'
L2	S 87° 38' 05" W	17.00'

FINAL PLAT OF:

SPEER COMMERCIAL PARK 2nd ADDITION

Being a Replat of Lots 2 and 3 and Outlot 1 of Speer Commercial Park 1st Addition to the City of Davenport.

Part of the North Half of the Southwest Quarter of Section 7, Township 78 North, Range 4 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa.

NOTES

1. ALL STREET RIGHTS OF WAY TO BE DEDICATED WITH THIS PLAT TO THE CITY OF DAVENPORT.
2. SIDEWALKS SHALL BE CONSTRUCTED ALONG THE FRONTAGE OF EACH LOT WHEN THE LOT IS DEVELOPED OR WHEN SO ORDERED BY THE CITY OF DAVENPORT.
3. ALL LOTS WILL BE CONNECTED TO THE PRIVATE WATER SUPPLY SYSTEM OF IOWA AMERICAN WATER COMPANY, AND TO THE PUBLIC SANITARY SEWER SYSTEM OF DAVENPORT.
4. AN UNDERGROUND UTILITY EASEMENT ACROSS THE FRONT OF ALL LOTS TO BE GRANTED TO THE CITY OF DAVENPORT, IOWA AND TO OTHER PUBLIC UTILITY COMPANIES
5. BLANKET UNDERGROUND EASEMENTS GRANTED TO RESPECTIVE UTILITY COMPANY FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED. BLANKET EASEMENTS FOR STREET LIGHTING WITHIN THE SUBDIVISION.
6. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST CITY OF DAVENPORT STANDARD SPECIFICATIONS (SUDAS WITH CITY SUPPLEMENTAL).
7. ALL DISTANCES SHOWN ARE IN FEET AND DECIMAL PARTS THEROF.
8. OUTLOT A SHALL BE DESIGNATED FOR STORM WATER DETENTION. SAID OUTLOT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION OF SUBDIVISION.
9. OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.
10. OWNERS OF LOTS ON WHICH A WETLAND HAS BEEN ESTABLISHED SHALL NOT DISTURB FLORA, FAUNA AND/OR SOIL WITHIN DESIGNATED BOUNDARIES.
11. OWNERS OF LOTS ON WHICH A STREAM OR WATER COURSE IS LOCATED SHALL PRESERVE A DEDICATED FIFTY (50) FOOT MINIMUM VEGETATED BUFFER ON BOTH SIDES OF THE STREAM AS MEASURED LANDWARD HORIZONTALLY ON A LINE PERPENDICULAR TO A VERTICAL LINE MARKING THE TOP OF THE EXISTING BANKS OF THE STREAM OR DRAINAGE WAY. VEGETATION SHALL NOT BE CUT TO A HEIGHT OF LESS THAN NINE INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION. IN THE EVENT THAT THE AREA DELINEATED AS A DRAINAGE EASEMENT IS RESHAPED OR OTHERWISE RESTRICTED FOR USE AS A DRAINAGE EASEMENT, THE CITY WILL CAUSE THE RESTRICTIONS TO BE REMOVED AT THE EXPENSE OF THE PARTIES CAUSING THE RESTRICTION.
12. LOT 1 PLATTED HEREON HAS SPLIT-ZONING DISTRICTS AND WILL BE SUBJECT TO USE RESTRICTIONS WITHIN THOSE RESPECTIVE DISTRICTS UNTIL REZONED. (SEE CONDITIONS AS OUTLINED IN ORD. 2017-520)
13. STORMWATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED WITH THIS SUBDIVISION AND WILL BE SUBJECT TO THE APPLICABLE ORDINANCES IN PLACE AT THE TIME OF DEVELOPMENT.

CONDITIONS AS OUTLINED IN ORDINANCE 2017-520.
Section 17.17.010J.

[Amended 6-10-2020 by Ord. No. 2020-233; Ord. No. 2019-195 § 10]
Condition 6. Lighting shall consist of LED dark-sky fixtures not higher than 25 feet. Fixtures shall be shielded from view from properties to the south and shall be powered down within 1/2 hour of closing to a level necessary to provide security lighting only.

Condition 7. Routine use of PA systems outside of buildings on the property shall not be permitted.

Condition 8. Car washes on the property shall not be located closer than 125 feet from the south property line, oriented so entrances and exits be oriented in an east-west direction and operate only when the dealership is open for business.

Condition 9. The following uses shall not be closer than 300 feet from the south property line:
a. Automobile and service and oil change facilities not part of an automobile dealership.
b. Any use utilizing drive-through window(s).

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____

DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

MEDIACOM — DATE: 1-10-2023

IOWA - AMERICAN WATER COMPANY — DATE: 1-11-2023

CENTURY LINK — DATE: 1 10 2023

MIDAMERICAN ENERGY — DATE: 1-10-2023
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

METRONET — DATE 1 10 2023

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR W/ YELLOW CAP #23503
UNLESS OTHERWISE NOTED = ●
MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
WETLAND LINE=
SECTION LINE=

1. Area of Subdivision-
   Total: 14.999 Acres +/-
   Lot 1: 12.303 Acres +/-
   Outlot A: 2.696 Acres +/-

2. Engineer:
   Townsend Engineering
   2224 East 12th Street
   Davenport, Iowa 52803
   Ph: (563) 386-4236

3. Surveyor:
   Michael D. Richmond
   2224 East 12th Street
   Davenport, Iowa 5280
   Ph: (563) 386-4236

4. Attorney:
   R. Doug Wells
   Gomez May, LLP
   Davenport, Iowa 52807
   Ph: (563) 359-3591

N W E S

GRAPHIC SCALE
100 0 50 100
(IN FEET)
1" = 100' (24x36)

LICENSED LAND SURVEYOR
MICHAEL D. RICHMOND
23503
IOWA

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.
Michael Richmond 12/29/2023
MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

TOWNSEND ENGINEERING
CIVIL ○ STRUCTURAL ○ LAND DEVELOPMENT

DATE: 9-22-21 TE PROJECT NO: EASTERN & 53RD

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KLC
CHECKED BY: MDR

DRAWING LOCATION
S: \SPEER\EASTERN 53RD\SUBDIVISION

NO.	REVISIONS: DESCRIPTION	DATE

PROJECT
FINAL PLAT
SPEER COMMERCIAL PARK 2nd ADDITION
DAVENPORT, IOWA

PREPARED FOR:
SPEER DEVELOPMENT
2231 EAST 45th STREET
DAVENPORT, IA 52807

SHEET NO.
1 OF 1

RETURN TO: Townsend Engineering, 2224 E. 12th Street, Davenport, Iowa 52803 (563) 386-4236

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 8/15/2023
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation

To: All property owners within 200 feet of the Spring Street right-of-way located south of 53rd Street.

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate alley right-of-way. The purpose of the vacation request is to facilitate development.

Request/Case Description
Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on August 15, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on September 5, 2023. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

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

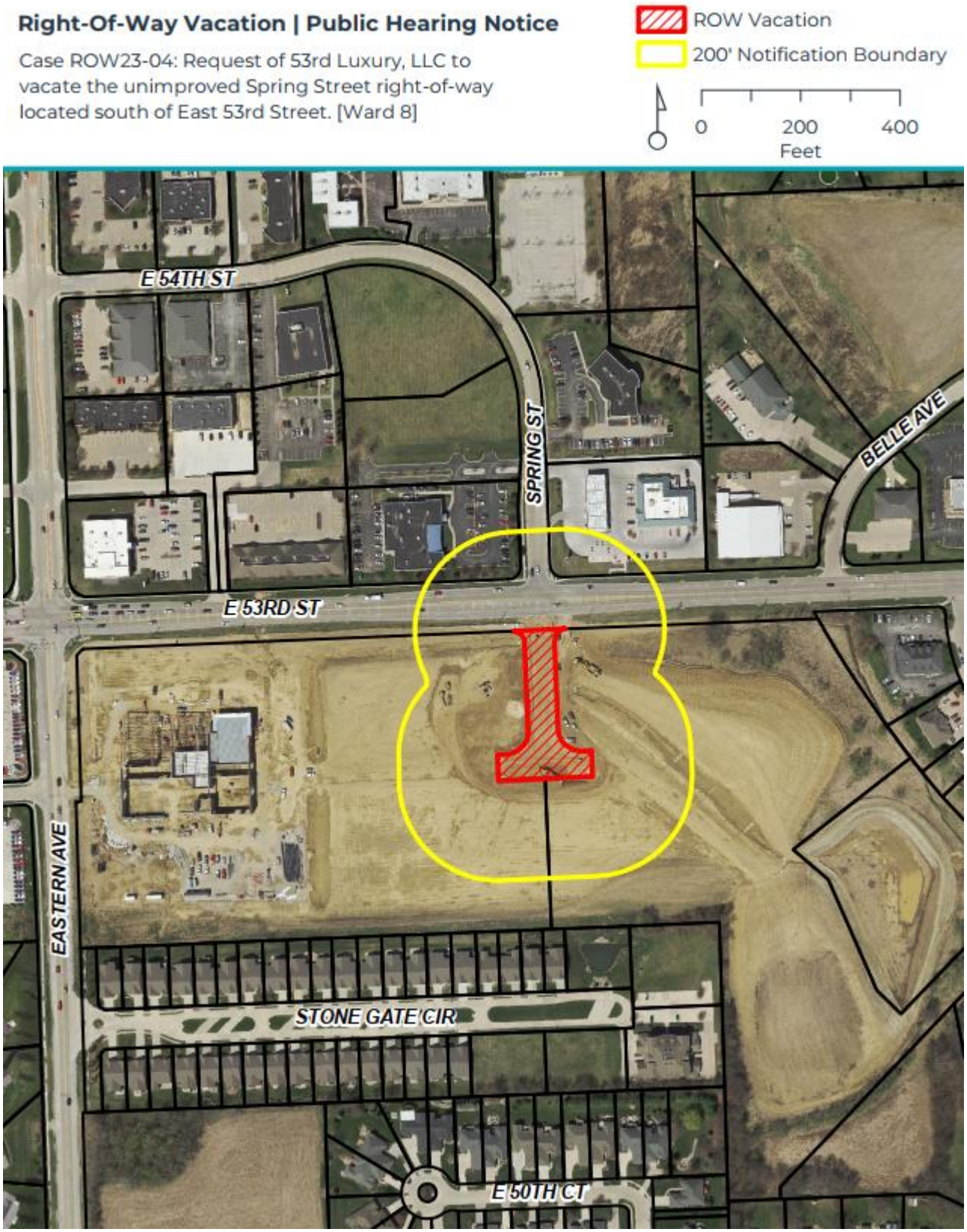
All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": http://www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

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

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

Right-Of-Way Vacation | Public Hearing Notice

Case ROW23-04: Request of 53rd Luxury, LLC to vacate the unimproved Spring Street right-of-way located south of East 53rd Street. [Ward 8]



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/11/2023**

Subject:
Second Consideration: Ordinance for Case REZ23-04 being the request of Jason Cousineau to rezone approximately 1.19 acres of land generally located southeast of the Grand Avenue and East 46th Street intersection at 801 East 46th Street from R-MF Multi-Family Residential District to I-1 Light Industrial Zoning District. [Ward 7]

Recommendation:
Adopt the Ordinance.

Background:
Jason Cousineau, petitioner for REZ23-04, has proposed upscale flex storage units/garage units for the subject property. This storage use requires, at a minimum, I-1 Light Industrial zoning. The Plan and Zoning Commission reviewed Case REZ23-04 at its September 19, 2023 meeting and has recommended approval subject to the listed findings.

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 I-1 Light Industrial District is compatible with the zoning and uses of nearby developed property.
3. The zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment does not hinder the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities with future development.

Discussion:

Re-zonings are intended to determine if the district itself is appropriate and compatible with surrounding districts and development. Any submitted concept plans or proposed designs are for reference only, but can be useful in visualizing potential development.

In 2018, City Council approved a previous request to rezone this property, being Case REZ18-01 (Tom Swanwick, Petitioner) which rezoned the property from C-2 General Commercial to R-6M High Density Residential District (under the “1983” Zoning Code) for a proposed 10-unit townhouse development with ‘fee simple title’. The project never came to fruition and the property has remained vacant to present day.

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes
Future Land Use Category: Residential General (RG)

Zoning:

Existing: R-MF Multiple-Family Dwelling District
Proposed: I-1 Light Industrial District

Technical Review:

Technical review comments have been received and no concerns have been identified; Site Plan review shall require compliance with all development codes.

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. Staff's review of the approval standards is attached.

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

Staff response: The property is designated Residential General (RG) which provides for neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible services. 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.

It is staff's opinion that the proposed rezoning can be considered compatible to the adjacent area with regards to the Comprehensive Plan and adopted land use policies even if the specific property is, at a cursory level, different from the specific nature of the Residential General designation. Staff would prefer to maintain the existing RG classification to direct future uses, even though this rezoning would allow for industrial uses.

b. The compatibility with the zoning of nearby property.

Staff response: The surrounding zoning is I-1 Light Industrial to the north and low intensity commercial to the west and southwest, with open space to the south.

It is staff’s opinion that the proposed rezoning is compatible with the zoning of nearby property due to the large industrial area to the north.

c. The compatibility with established neighborhood character.

Staff response: The area is characterized predominately with industrial uses and some apartment uses. These existing uses have been situated as such for nearly 20 years without incident or recorded complaints. There should be little or no conflicts between the low intensity cemeteries to the south and the industrial use which would be permitted in the I-1 Light Industrial District.

It is staff's opinion that the proposed amendment is compatible with the established neighborhood character.

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

Staff response: It is staff's opinion that the proposed zoning map amendment will not hinder the public health, safety, and welfare of the City.

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

Staff response: The property is presently zoned R-MF Multiple-Family Residential District. Developments of these types have been found to be compatible with the adjacent industrial and commercial uses. Development opportunities would exist for uses under the current zoning district, similar to those that would existing under the proposed district.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with the surrounding neighborhood.

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

Staff response: It is staff's opinion that the proposed zoning map amendment will not create any nonconformities.

Public Input:

Property owners within 200 feet of the property have been notified and a sign has been placed on the property. A Public Hearing notice was published in the *Quad City Times* per State of Iowa rezoning requirements. The Public Hearing before the Plan and Zoning Commission was held on September 5, details of which are in the attached minutes for that meeting.

No official comments have been received regarding this request.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Review of Approval Standards
🗋	Exhibit	Background Maps
🗋	Exhibit	Application & Concept Plans
🗋	Exhibit	Public Hearing Notice & Affidavit of Publication
🗋	Exhibit	Notice List

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	9/27/2023 - 8:49 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ23-04 BEING THE REQUEST OF JASON COUSINEAU TO REZONE APPROXIMATELY 1.19 ACRES OF LAND GENERALLY LOCATED SOUTHEAST OF THE GRAND AVENUE AND EAST 46TH STREET INTERSECTION AT 801 EAST 46TH STREET FROM R-MF MULTI-FAMILY RESIDENTIAL DISTRICT TO I-1 LIGHT INDUSTRIAL ZONING DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "I-1 Light Industrial Zoning" District.

LOTS 1-7 AND OUTLOT A OF PADDINGTON SQUARE, BEING PART OF THE SOUTH HALF OF SECTION 12 TOWNSHIP 73 NORTH, RANGE 3 EAST OF THE 5TH P.M. AND ALSO BEING A REPLAT OF PART OF LOT 3 RYDE HIGH SECOND ADDITION.

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.

2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning and uses of nearby developed property.

3. The zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.

4. The proposed zoning map amendment does not hinder the public health, safety, and welfare of the City.

5. The proposed amendment will not create any nonconformities with future development.

Section 3. At its September 20, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-04 to the City Council with a recommendation for approval subject to the listed findings and conditions.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Staff Review of Rezoning Approval Standards
September 20, 2023

Case REZ23-04: Request of Jason Cousineau to rezone approximately 1.19 acres of land generally located southeast of the Grand Avenue and E. 46th Street intersection at 801 E. 46th Street from R-MF Multi-Family Residential District to I-1 Light Industrial Zoning District. [Ward 7]

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. Staff's Review of the Approval Standards is attached in the background materials.

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

Staff Response: The property is designated Residential General (RG) which provides for neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible services. 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.

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It is staff’s opinion that the proposed amendment is compatible with the established neighborhood character.

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

Staff Response: It is staff's opinion that the proposed zoning map amendment will not hinder the public health, safety, and welfare of the City.

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It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with the surrounding neighborhood.

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

Staff Response: It is staff's opinion that the proposed zoning map amendment will not create any nonconformities.

THE CITY OF DAVENPORT
IOWA | USA

VICINITY MAP



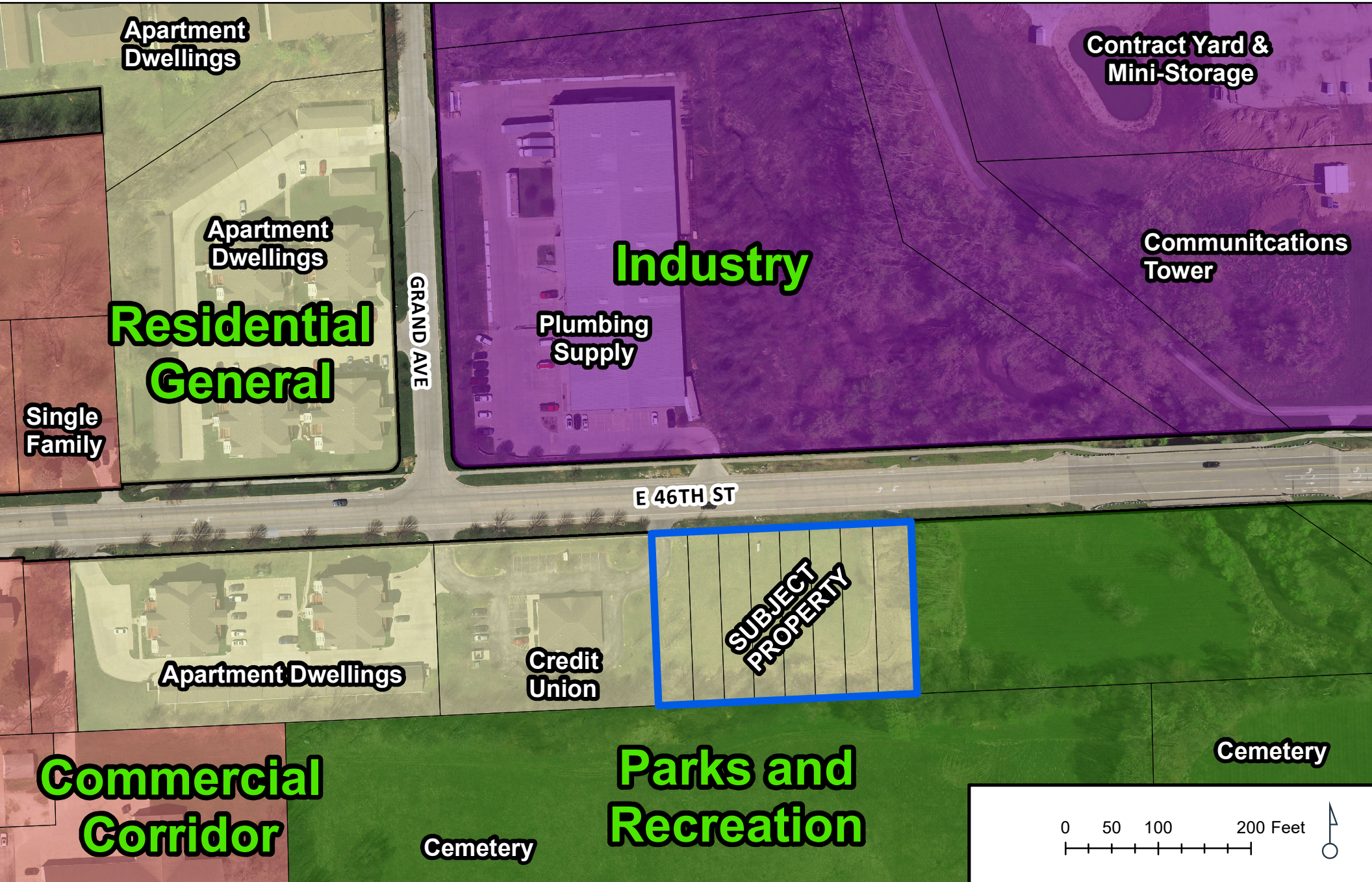
THE CITY OF DAVENPORT
IOWA | USA

ZONING MAP



THE CITY OF DAVENPORT
IOWA | USA

DAVENPORT +2035
FUTURE LAND USE MAP



CITY OF DAVENPORT
Development & Neighborhood Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

REZONING

(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING

PROJECT TITLE

APPLICANT INFORMATION

Applicant Name

Address

City | State | Zip

Phone

Secondary Phone

E-Mail Address

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Type Applicant's Name

Applicant's Signature

Date

DEVELOPMENT TEAM

Property Owner

Address

Phone | Secondary Phone

E-Mail Address

Project Manager/Other

Address

Phone | Secondary Phone

E-Mail Address

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA

COMPLETE SUBMITTALS SHALL INCLUDE: ***SUBMITTED***

Concept/Development Plan

Authorization to Act as Applicant*
*only needed if the Applicant is different than the owner

Legal Description* (bearing & distance)
* shall include a MS Word or Text file

Legal Description Dimensioned Sketch

Application Fee* (REQUIRED)
* (check payable to 'City of Davenport')

Rezoning Fee Schedule	
Land Area	**Fee**
Less than 1 acre	$400
1 to less than 10 acres	$750 plus $25/acre
10 acres or more	$1,000 plus $25/acre

***PROJECT NARRATIVE*:** (submit separate sheet if needed)

Submit the first two pages of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.

Authorization to Act as Applicant

I/We, FOREST VIEW LLC BY TOM SWARWICK
[as property owner(s)]

authorize Jason Cousineau
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at Lot 3 Ryde Hgts 2ND Addn (Exc E 28') P1215-03D

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

8/9/23
Date

Notarization:

State of Iowa,

County of Scott,

Sworn and subscribed before me

this 9 day of August, 2023

Drivers License
[identification type]

Notary Public

My Commission Expires:

NOTARIAL SEAL IOWA
MONICA LINEBURG
COMMISSION NUMBER 746353
MY COMMISSION EXPIRES
April 10th 2025

---

* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

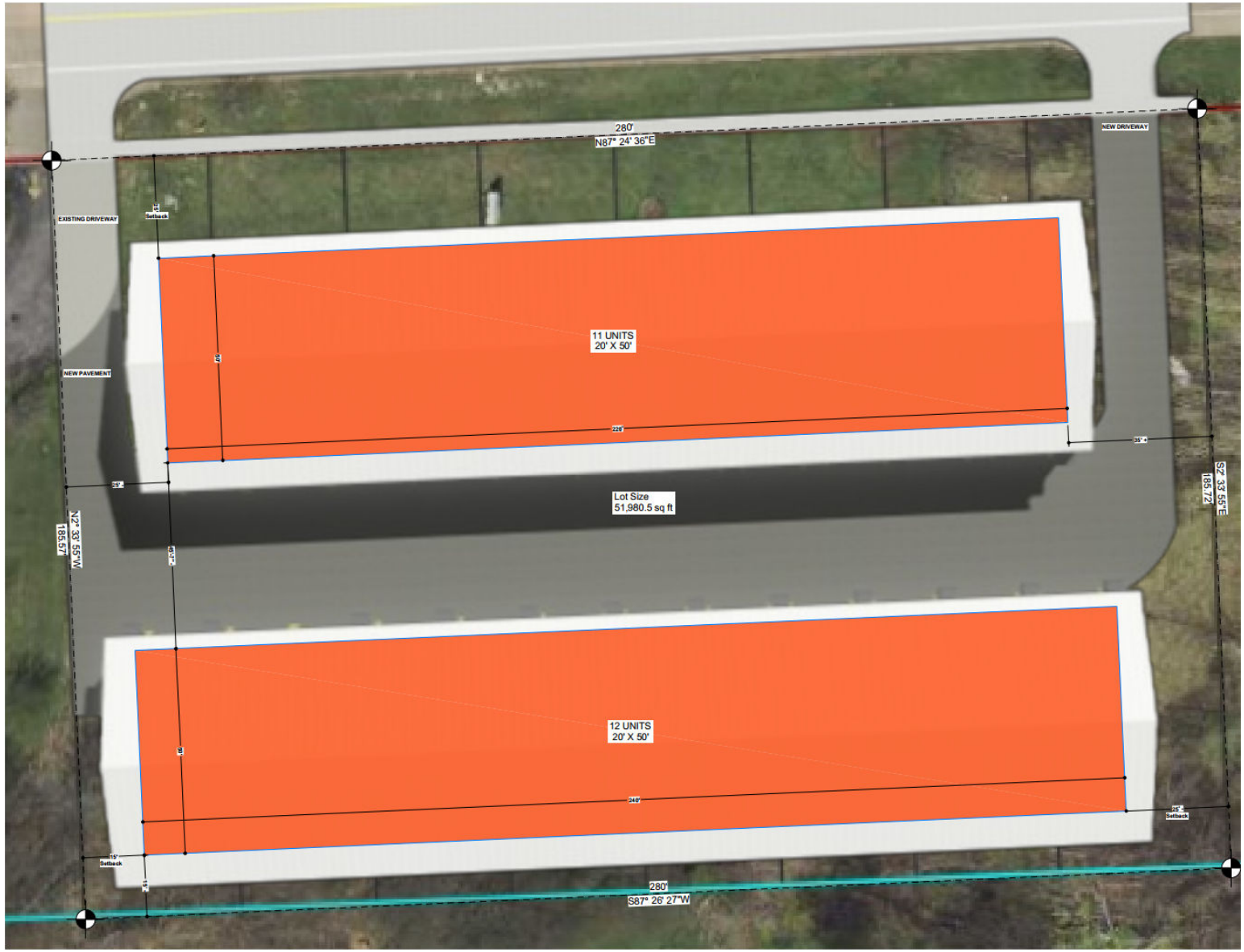
LEGAL DESCRIPTION

Beginning at a point, said point bearing the POINT OF BEGINNING; thence N02°33’55”W., a distance of 185.57 feet; thence N87°24’35”E., a distance of 280 feet; thence S02°33’55”E., a distance of 185.72 feet; thence S87°26’25”W., a distance of 280’ to the POINT OF BEGINNING.

Containing 51,980.50 square feet or 1.1933 acres, more or less.

END OF DESCRIPTION

Site Plan (E. 46th St is at the top of the page and is north of the site)



Overhead View (view facing southeast; E. 46th St is on the left)



Overhead View (view facing northeast; E. 46th St is on the left)



Drive Aisle (view facing west)



East Drive (view facing west; E. 46th St is on the right)



DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan & Zoning Commission

Date: 9/5/2023 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 5:00:00 PM **Subject:** Hearing for rezoning request | Plan & Zoning Commission

EXAMPLE NOTICE
LETTER
4 NOTICES SENT

To: All property owners within 200' of the subject property **801 E. 46th ST:**

What is this About?

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

Request/Case Description

Case REZ23-04: Request of Jason Cousineau to rezone approximately 1.19 acres of land generally located southeast of the Grand Avenue and E. 46th Street intersection at 801 E. 46th Street from R-MF Multi-Family Residential District to I-1 Light Industrial Zoning District. [Ward 7]

What are the Next Steps after the Public Hearing?

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

Would You Like to Submit an Official Comment?

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

Do You Have Any Questions?

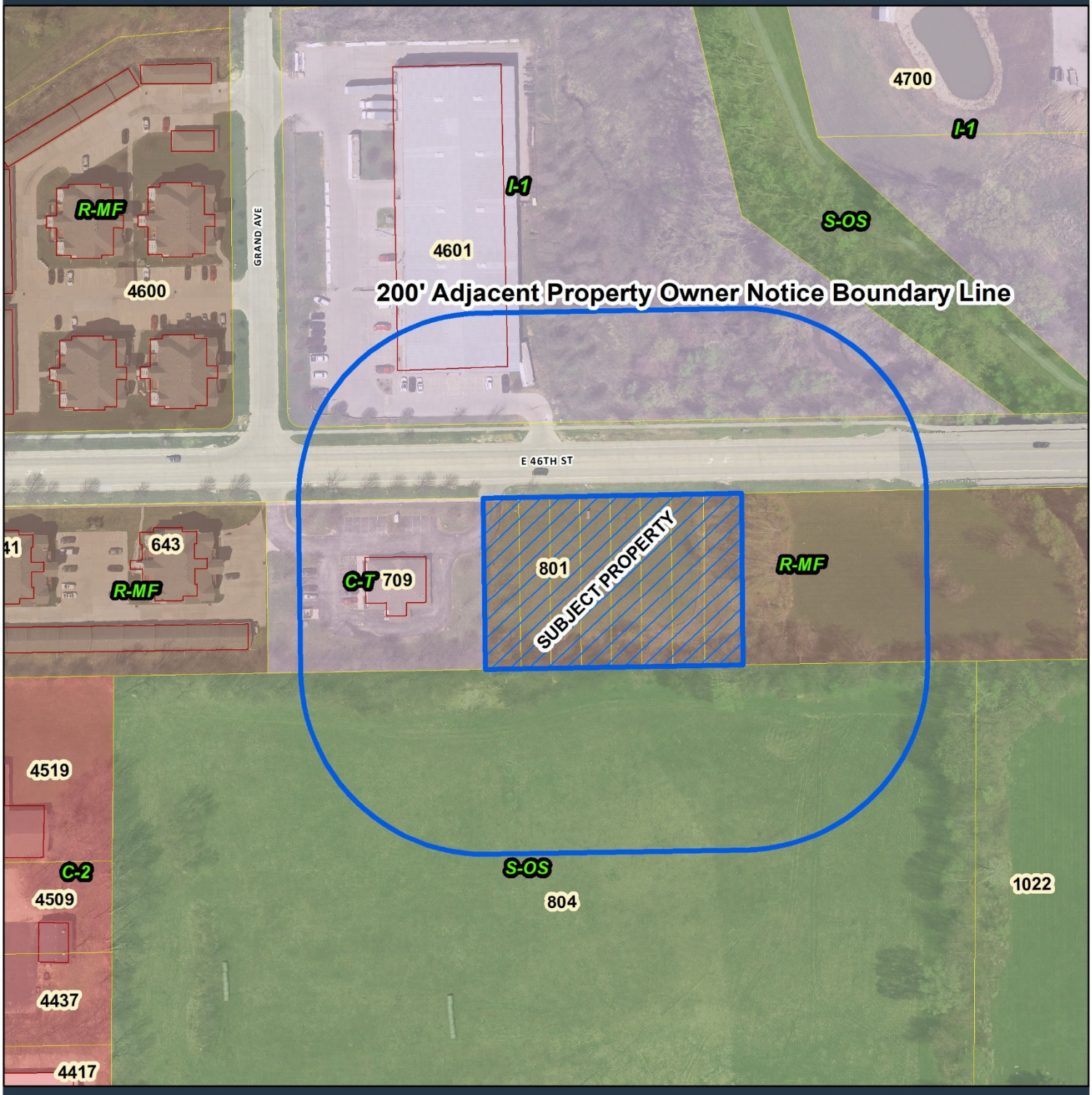
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701 . Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

THE CITY OF DAVENPORT
IOWA | USA

Rezoning Notice Map
REZ23-04

Adjacent Property Owner Notice Area



Rezone R-MF to I-1

0 50 100 200 Feet

*** Proof of Publication ***

STATE OF IOWA
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the dates listed below.

CITY OF DAVENPORT

226 W 4TH ST
DAVENPORT, IA 52801

ORDER NUMBER 162732

NOTICE OF PUBLIC HEARING
Tuesday, September 5, 2023 – 5:00 P.M.
City of Davenport Plan and Zoning Commission
Council Chambers – Davenport City Hall
226 W. 4th Street – Davenport, Iowa

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

Case REZ23-04: Request of Jason Cousineau to rezone approximately 1.19 acres of land generally located southeast of the Grand Avenue and E. 46th Street intersection at 801 E. 46th Street from R-MF Multi-Family Residential District to I-1 Light Industrial Zoning District for storage unit use. [Ward 7]

The public hearing on the above matter is scheduled for 5:00 p.m. on September 5, 2023 in the Council Chambers of Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit comments with written signatures regarding the above item and/or attend the public hearing to express your views; only signed written comments from property-owners within the notice area will be used for official protest determination. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145. Any written comments to be reported at the public hearing should be received in the Development & Neighborhood Services Department at the Public Works Building, 1200 E. 46th Street, Davenport, Iowa 52807, no later than 12:00 noon on the day of the public hearing. PO# 2401784
Phone: 563-326-6198

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Section: Notices & Legals
Category: 2627 Miscellaneous Notices
PUBLISHED ON: 08/26/2023

TOTAL AD COST:	47.14
FILED ON:	8/28/2023

Subscribed and sworn to before me by said affiant this 28 day of August 2023

Notary Public in and for Scott County, Iowa

NOTARIAL SEAL IOWA
CHERYL LOU SCHEMMEL
Commission Number 815098
My Commission Expires
February 4, 2025

REZ23-04 - Jason Cousineau 801 E 46TH ST - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property:	801 E 46th ST	JASON COUSINEAU OBO FOREST VIEW LLC		
Ward/Aldreman:	7TH WARD	CORNETTE		NOTICES SENT: 4
P1215-04	4601 GRAND AVE	PLUMB SUPPLY CO LLC	PO BOX 4558	DES MOINES IA 50305
P1215AOLA	-	MT CALVERY HOLY FAMILY	614 MAIN ST	DAVENPORT IA 52803
P1306-01C	1022 E 39TH ST	DAVENPORT MEMORIAL PARK	1022 E 39TH ST	DAVENPORT IA 52807
P1307-01	804 E 39TH ST	ST MARGUERITE'S CEMETERY ASS'N	614 MAIN ST	DAVENPORT IA 52803

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **10/25/2023**

Subject:
First Consideration: Ordinance for Case REZ23-05 being the request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES REQUIRED FOR PASSAGE.

Recommendation:
Consider the Ordinance.

Background:
Case REZ23-05 is being forwarded to the City Council with a recommendation for denial (6-3).

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.
2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.
3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.
4. Rezoning the property to R-MF does create nonconformities.

The petitioner is requesting to rezone the subject property from I-1 Light Industrial District to R-MF Multi-Family Residential District. Anthony Properties, petitioner for REZ23-05, has proposed approximately 112 to 132 units in 4 apartment buildings for the subject property. For comparison, the existing Reserve development on Brady Street has 196 units in seven (7) apartment buildings. Conceptual plans have been submitted by the applicant and are attached.

A note regarding concept plans: Re-zonings are intended to determine if the district itself is appropriate and compatible with surrounding districts and development. Any submitted concept plans or proposed designs are for reference only, but can be useful in visualizing potential development.

The vacant site is a greenfield site and has never been developed. The most intensive use of the property has been row-cropping/ag use. See the attached Vicinity Map, Zoning Map, and Davenport 2035+ Land Use Map.

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation:

Industry (I) - Designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Zoning:

Existing: I-1 Light Industrial District.
The I-1 Light Industrial Zoning District is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts

Proposed: R-MF Multi-Family Residential

The R-MF Multi-Family Residential Zoning District is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:

Fire
Due to the number of units and inability to provide full access around the buildings, the Fire Marshal would require a full NFPA 13 system and drive aisles that are a minimum of 26 feet wide in order to accommodate the fire apparatus necessary to serve the buildings. Based on the submitted concept plans, there are concerns regarding the turning radius for fire apparatus. The development would require clear way finding and signage at the street in order to ensure emergency services know how to enter the property.

Engineering
The IA DOT classifies this roadway as a local road. There are no recent traffic count numbers on this section of Tremont Street; however engineering estimates the average annual traffic count to be approximately 2,500 AADT. It is likely there is a larger proportion of truck traffic in this general area due to the current uses and industrial zoning from 46th Street to Veterans Memorial Parkway. The additional traffic generated by this development may result in traffic signal warrants at Tremont Street and Veterans Memorial Parkway.

Zoning:
Access to the property is through a 40-foot strip of land between two lots containing storage units. Due to the inability to construct a public street meeting the width requirements in the City of Davenport subdivision code, further subdivision of the subject property to facilitate development of single-family, single-family semi-detached, two-family, or townhouse, would not be feasible.

Public Input:

Property owners within 200 feet of the property have been notified and a sign has been placed on the property as of September 7. A Public Hearing Notice was published in the September 9

Quad-City Times per State of Iowa rezoning requirements. No one spoke in favor or against the petition at the Public Hearing.

To date, staff has received two letters of opposition from surroundings. The letters have been included in the background information. The main concerns leading to opposition is traffic on Tremont, increased crime that is affecting their businesses, and erosion.

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 Industry (I) in the Davenport +2035 Land Use Plan. This land use category is intended to provide separation and buffering from residential uses. The proposed rezoning would introduce residential uses into an industrial corridor.

It is staff's opinion that the proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Industrial.

b. The compatibility with the zoning of nearby property.

Staff Response:

The following zoning districts abut the subject property:

- North: I-1 Light Industrial
- South: I-1 Light Industrial
- East: I-1 Light Industrial
- West: R-MF Multi-Family Residential District

While the property to the west is zoned R-MF, the subject property primarily interacts with the surrounding industrial land, where access will be taken from Tremont Avenue.

It is staff's opinion that the proposed amendment is not compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The industrial building design standards are intentionally relaxed to promote large scale manufacturing and warehouse users. Industrial districts are allowed to incorporate lower quality building materials, such as metal panels or corrugated siding. Architectural elements and design features are not regulated, enabling construction of substantial structures on large lots. In addition, there are also no transparency or articulation requirements. While there are instances of residential development adjacent to industrial districts, they are typically designed to reduce interaction with industrial uses. Introducing residential uses in the middle of industrial corridor is not compatible.

It is staff's opinion that the proposed amendment is not 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: An additional burden is placed on developed industrial properties with respect to noise standards. The noise ordinance allows a greater level of noise when the receiving property is also industrial. Introducing residential zoning will lower the decibel levels allowed. There is also a possibility that first responders may have difficulty locating this development due to its location behind developed industrial property. Over time, the properties adjacent to Tremont may choose to redevelop with different uses that could result in taller buildings. This would further obscure a residential development from view at the street.

It is staff's opinion that the proposed zoning map amendment may have factors that could impact public health, safety, and welfare of the City.

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

Staff Response: The property is presently zoned I-1 Light Industrial District. This district allows for a variety of industrial and commercial uses including manufacturing, fabrication, and distribution and warehousing. The I-1 district enables a wide range of development opportunities that will ensure consistency with the surrounding developments.

The I-1 Light Industrial District is in high demand, and the city is running out of available sites for additional development. There has been interest in the development of this property in the past. The proposed use of multi-family is allowed in many zoning districts within the City; however many of the uses in I-1 prohibited in other districts.

It is staff's opinion that the property is suitably zoned for one or more of the uses permitted under the existing zoning classification.

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

Staff Response: If rezoned to R-MF Multi-Family Residential District, the vacant 10.17 acre property would be able to conform to the district dimensional standards. The adjacent developed industrial properties would become nonconforming with respect to buffer yard requirements.

It is staff's opinion that the proposed zoning map amendment will create nonconformities on adjacent properties.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Exhibit	Application & Concept Plans
Exhibit	Apartment Complex Exterior Photos

Exhibit	Vicinity Map
Exhibit	Topographic Contour Lines
Exhibit	Davenport 2035+ Land Use
Exhibit	Zoning Map
Backup Material	Protest Letter - Siether & Cherry
Backup Material	Protest Letter - JERICO Tool Company
Backup Material	Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2023 - 9:44 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ23-05 BEING THE REQUEST OF ANTHONY PROPERTIES TO REZONE THE 10.17 ACRES OF LOT 1 OF PHOENIX CENTRE 6TH ADDITION IN THE 5600 BLOCK OF TREMONT AVENUE (PARCEL X1203-01) FROM I-1 LIGHT INDUSTRIAL ZONING DISTRICT TO 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 "RMF Multi-Family Residential" District:

LOT 1 OF PHOENIX CENTRE 6TH ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

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

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.

2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.

3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.

4. Rezoning the property to R-MF does create nonconformities.

Section 3. At its October 3, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-05 to the City Council with a recommendation for denial subject to the listed findings.

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
Development & Neighborhood Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

REZONING

(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
	8/22/23	9/19/23

PROJECT TITLE
Expansion of the Reserve @ City's Edge

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION
Lot 1 Phoenix Centre 6th Addn

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	I1	R-MF	10.17 acres

APPLICANT INFORMATION

Applicant Name
ANTHONY PROPERTIES

Address
12770 COIT RD, STE 970

City | State | Zip
DALLAS, TX 75251

Phone
(214) 432-9514

Secondary Phone

E-Mail Address
BRIAN@ANTHONYPROPERTIES.COM

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

BRIAN SHIU
Type Applicant's Name

Applicant's Signature

08/22/2023
Date

DEVELOPMENT TEAM

Property Owner
HUMANE SOCIETY OF SCOTT COUNTY

Address
2802 W CENTRAL PARK AVE DAVENPORT IA

Phone
(563) 388-6655

Secondary Phone

E-Mail Address

Project Manager/Other
THOMAS J. PASTRNAK (ATTORNEY)

Address
313 W 3RD ST DAVENPORT, IA 52801

Phone
(563) 323-7737

Secondary Phone

E-Mail Address
TPASTRNAK@PASTRNAK.COM

COMPLETE SUBMITTALS SHALL INCLUDE:

	SUBMITTED
Concept/Development Plan	☐
Authorization to Act as Applicant* *only needed if the Applicant is different than the owner	☑
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☑
Legal Description Dimensioned Sketch	☑
Application Fee* (REQUIRED) * (check payable to 'City of Davenport')	☐

Rezoning Fee Schedule

Land Area	Fee
Less than 1 acre	$400
1 to less than 10 acres	$750 plus $25/acre
10 acres or more	$1,000 plus $25/acre

1 to 3 site notice signs are required based on lot size; $10 each

PROJECT NARRATIVE: (submit separate sheet if needed)

The purpose for the rezoning would be to develop a second phase of The Reserve at City's Edge, which is on the property immediately west of the subject property. The Reserve is a highly successful multi-family community and building a second phase would allow us to accommodate the significant demand for additional units. The second phase would be very similar in nature to the first phase and would consist of approximately 4 buildings and a clubhouse.

Submit the first two pages of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.

Authorization to Act as Applicant

I/We, Humane Society of Scott County
[as property owner(s)]

authorize Brian Shiu of Anthony Properties
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at Parcel X1203-01.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization: 8.22.23
Date

State of Iowa,

County of Scott,

Sworn and subscribed before me known personally
[Identification type]

this 22 day of August, 2023

DAVI BELL
Commission Number 839302
Notary Public
My Commission Expires
MAY 10, 2025

---

* *Application Form by Board Type*

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

Zoning Board of Adjustment
Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

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

LEGAL DESCRIPTION

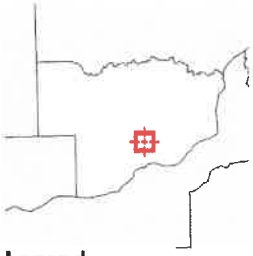
PARCEL X1203-01

Lot 1 in Phoenix Centre Sixth Addition to the City of Davenport, Scott County, Iowa

Scott County / City of Davenport, Iowa



Overview



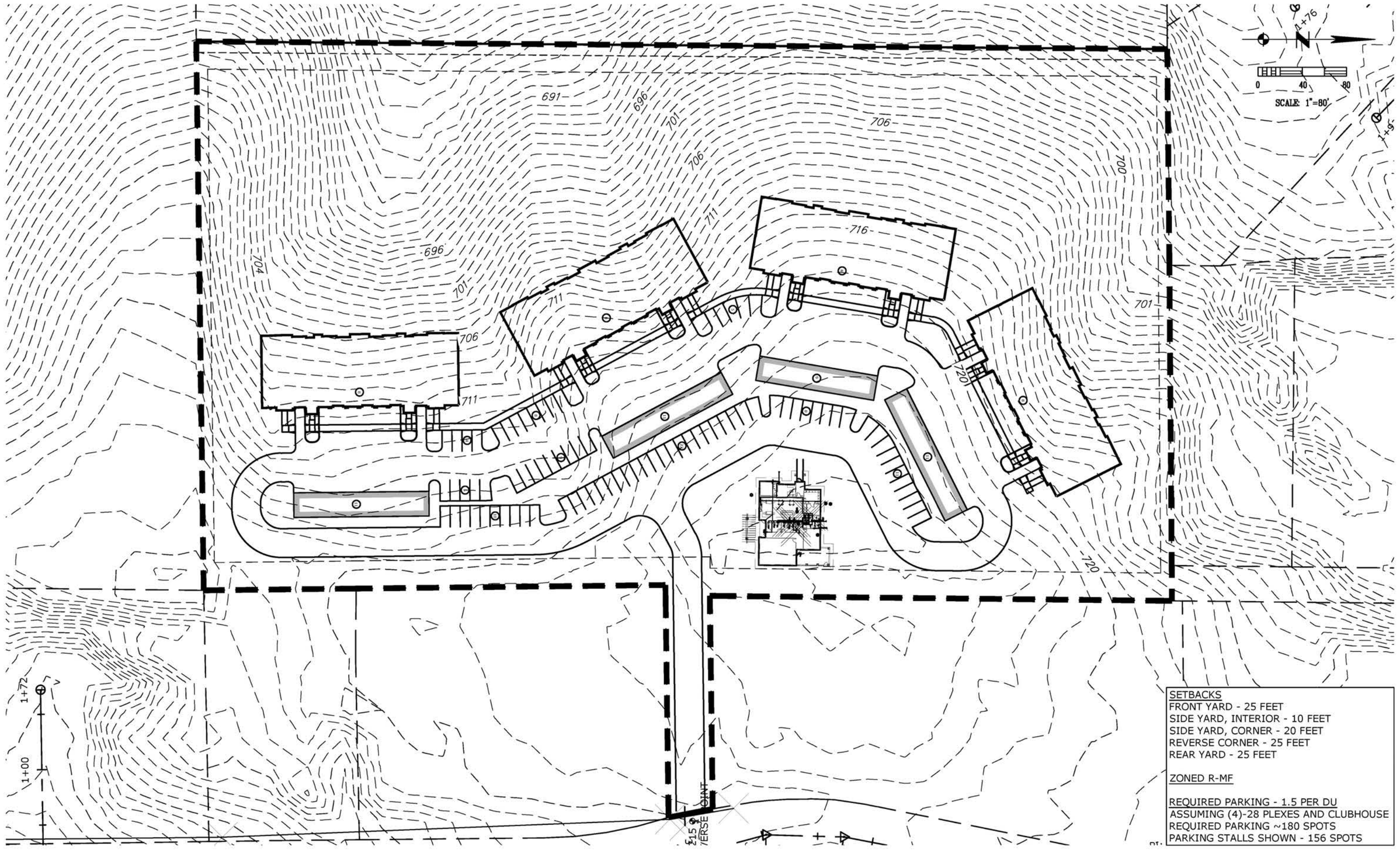
Legend

- **Political Township**
- **County Boundary**
- **Railroad**
- **All Roads**
  - Interstate
  - US Highway
  - State Highway
  - County Route
  - Major road
  - Local roads
  - Ramp
  - Alleyway/Access Road
  - Bike/Pedestrian Trail
  - Driveway
- **Rights of Way**
- **Major Rivers and Streams**
  - River Centerline
  - River Boundary
  - Major Stream
- **Minor Streams, Other**
  - Minor Stream
  - Small Lake/Pond
  - Drainageways, etc
  - Island
- **Major Rivers and Lakes**
  - Lake
  - Major Stream
  - River
- **Minor Lakes and Ponds**
- **Parcels**
- **Parcel Point**

Parcel ID	X1203-01	**Alternate ID**	X23017A	**Owner Address**	HUMANE SOCIETY OF SCOTT COUNTY
Sec/Twp/Rng	n/a	**Class**	A		2802 W CENTRAL PARK AV
Property Address		**Acreage**	10.17		DAVENPORT IA 52804
		Graphic Acres	10.161		

District	DADA
Brief Tax Description	PHOENIX CENTRE 6TH ADD Lot: 001 PHOENIX CENTRE 6THADD (Note: Not to be used on legal documents)

Date created: 8/22/2023
Last Data Uploaded: 8/22/2023 7:08:07 AM



DRAWN BY: JCF				
CHECKED BY: BWJ				
APPROVED BY: BWJ				
DATE: 07-18-2023				
FIELD BOOK: ---	NO.	REVISION DESCRIPTION	APPROVED	DATE

HALL & HALL ENGINEERS, INC.
Leaders in Land Development Since 1953
1860 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 362-9548 FAX: (319) 362-7595
CIVIL ENGINEERING ● LANDSCAPE ARCHITECTURE
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www.halleng.com

DAVENPORT
PHASE 2

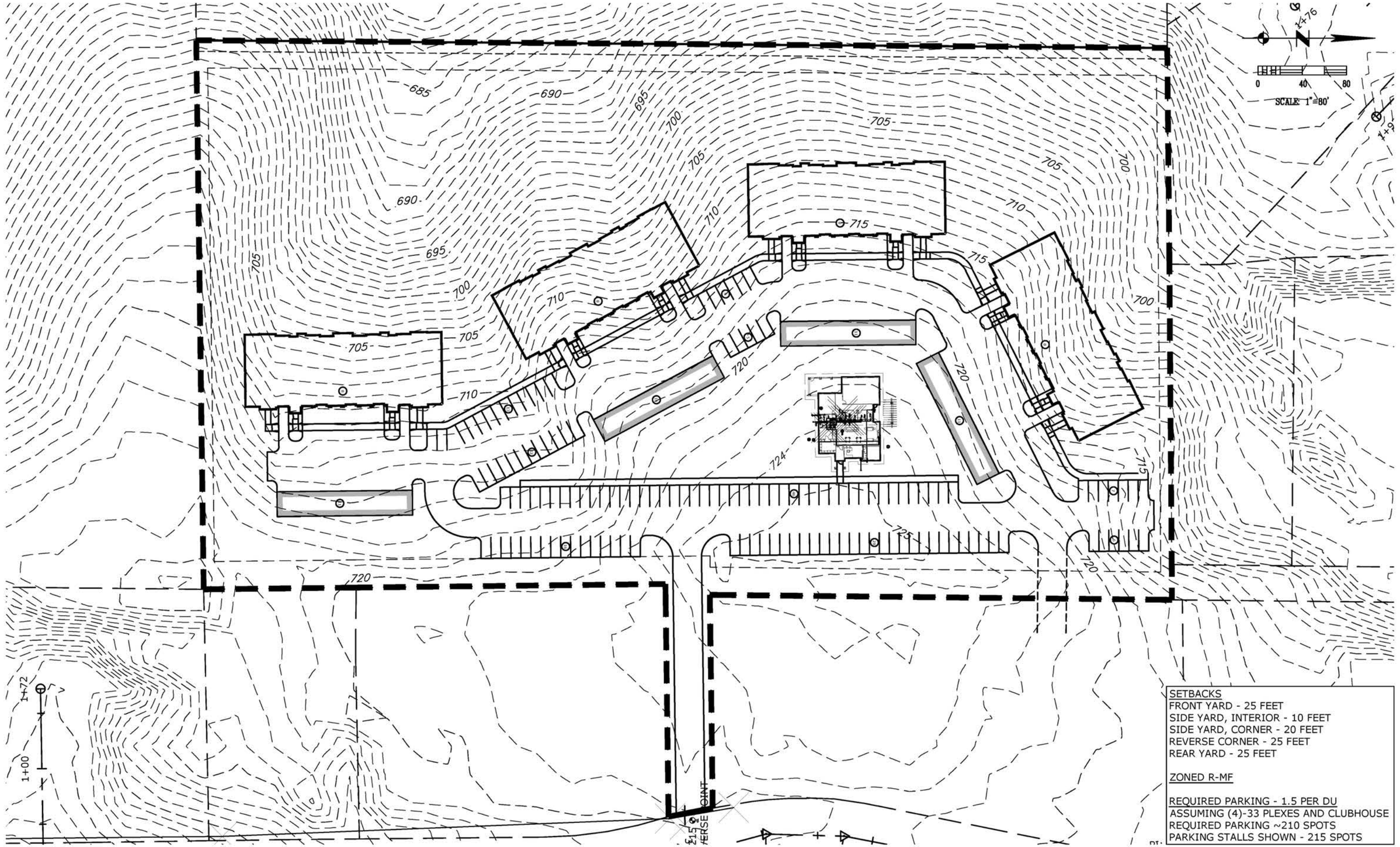
CONCEPT PLAN #1

SCALE: 1" = 80'

PROJECT NO: 10563-6

SHEET
1/2

CAD File: I:\projects\Jackman\Anthony Prop\BaseInfo\DAV PH 2 CONCEPT2.dwg Date Plotted: Tuesday, July 18, 2023 3:19:28 PM Plotted By: Josh Feldmann



DRAWN BY: JCF				
CHECKED BY: BWJ				
APPROVED BY: BWJ				
DATE: 07-18-2023				
FIELD BOOK: ---	NO.	REVISION DESCRIPTION	APPROVED	DATE

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DAVENPORT
PHASE 2

CONCEPT PLAN #2

SCALE: 1" = 80'

PROJECT NO: 10563-6

SHEET
2/2

CAD File: I:\projects\Jackman\Anthony Prop\BaseInfo\DAV PH 2 CONCEPT.dwg Date Plotted: Tuesday, July 18, 2023 3:19:04 PM Plotted By: Josh Feldmann

THE RESERVE AT CITY'S EDGE

5705 Brady Street

Davenport, IA 52806





THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE



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THE RESERVE AT CITY'S EDGE



THE RESERVE AT CITY'S EDGE

THE CITY OF DAVENPORT
IOWA | USA

Vicinity Map
REZ23-05

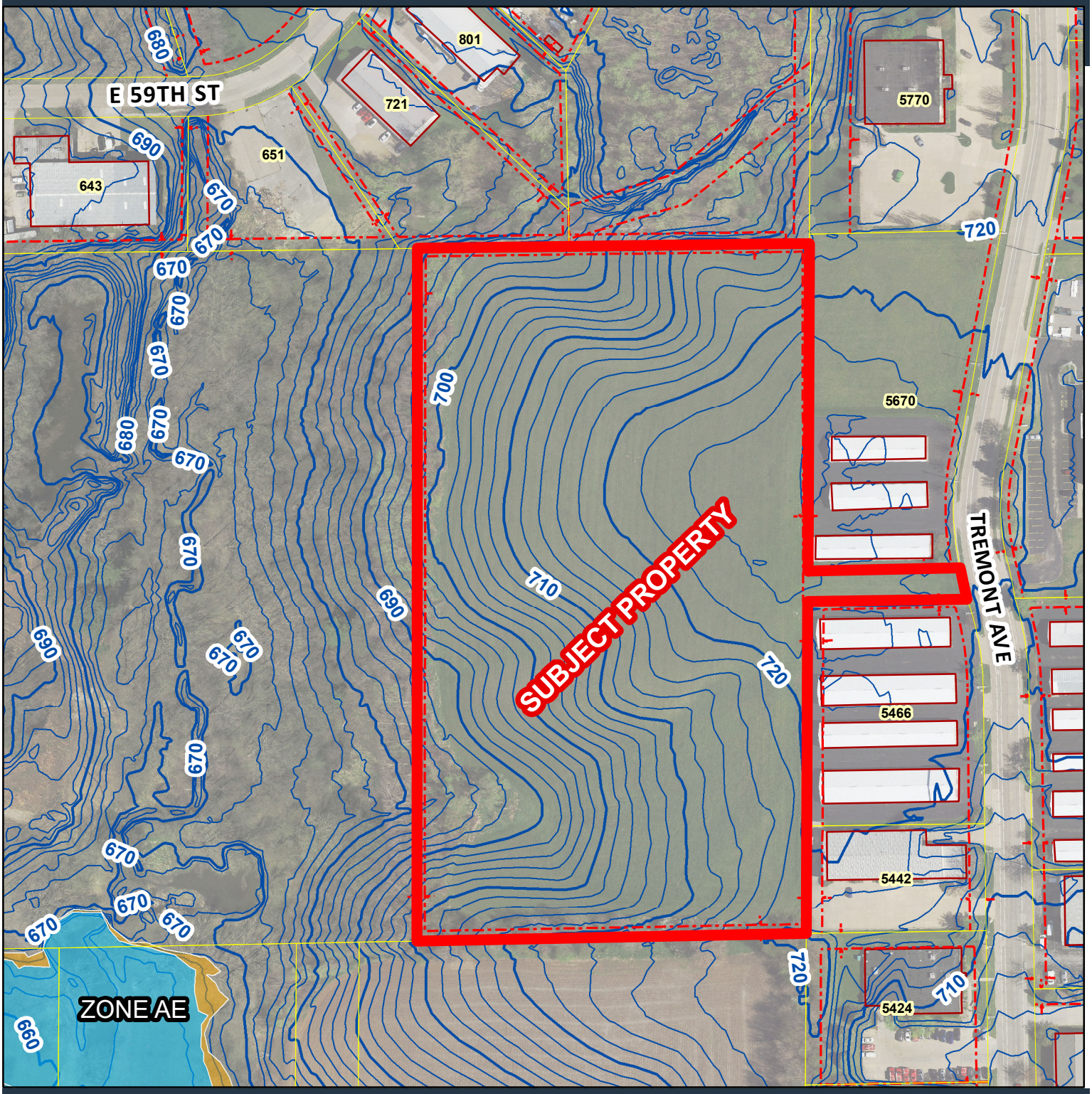


Rezone I-1 to R-MF

0 100 200 400 Feet

THE CITY OF DAVENPORT
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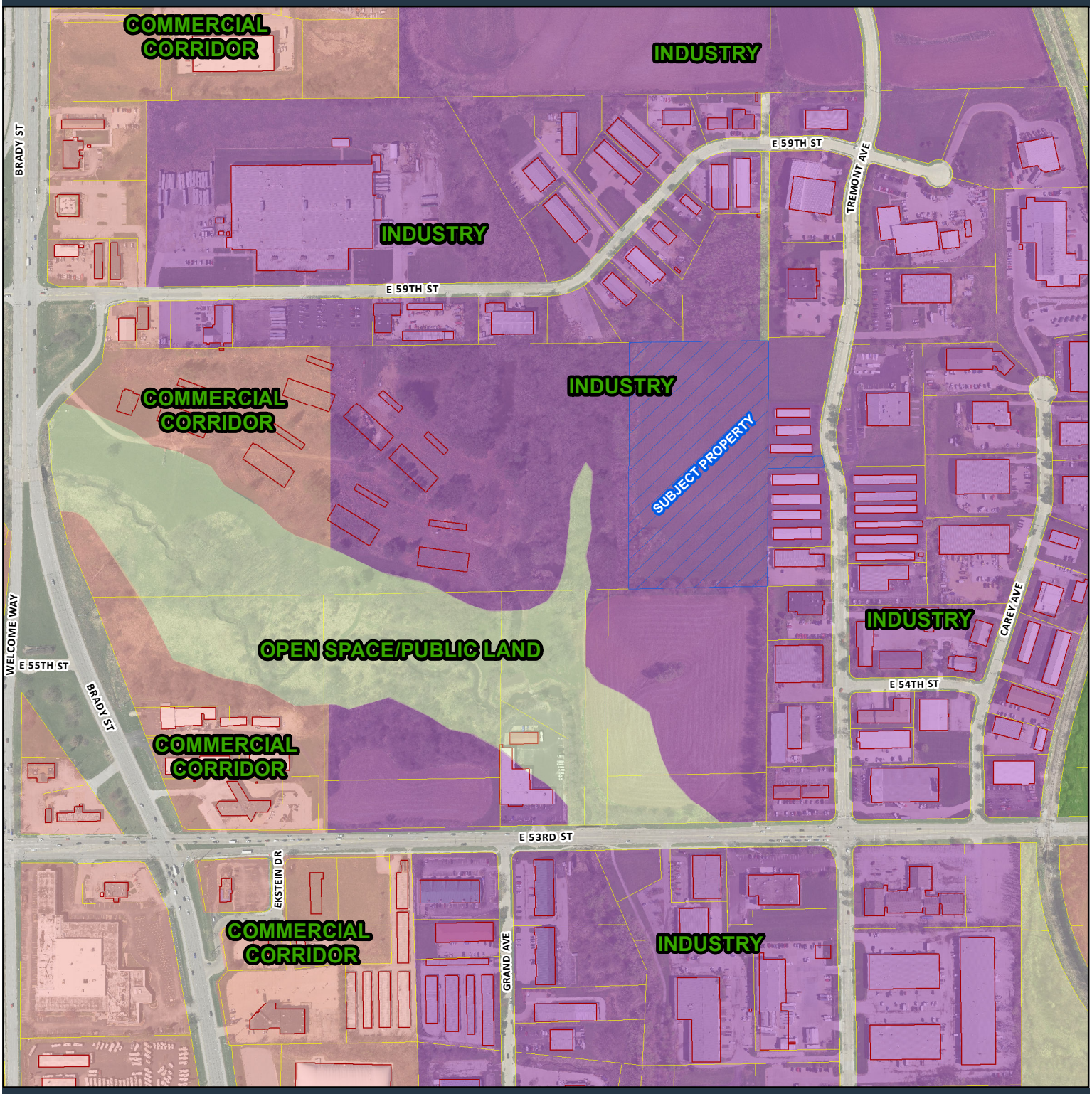
Topographic Contour Lines (2019)



0 25 50 100 150 200 Feet

THE CITY OF DAVENPORT
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Davenport 2035+
REZ23-05

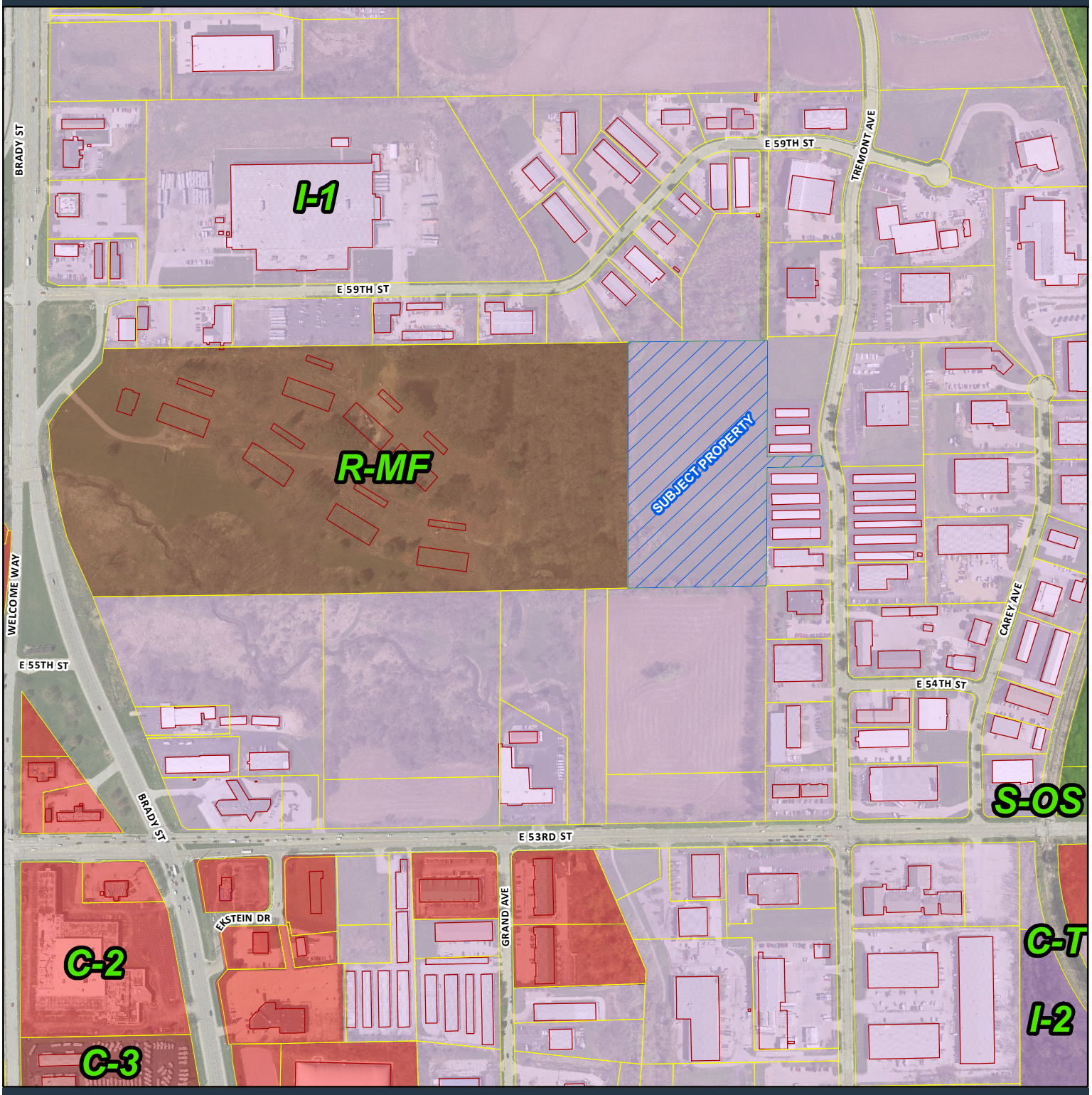


Rezone I-1 to R-MF

0 100 200 400 Feet

THE CITY OF DAVENPORT
IOWA | USA

Zoning Map
REZ23-05



Rezone I-1 to R-MF

0 100 200 400 Feet

Seither & Cherry • Quad Cities, Inc.

Telephone 563/388-9508 • FAX 563/388-9622

9/12/2023

To: Planning and Zoning Commission

Related Property: Owned by SCQC Building Company

Legal Description of related property: Brady 80 IND Park 6th Addition Davenport City Lot: 1

Parcel ID of related property: X1203-26

Objection to:

> Case REZ23-05: Request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

We object to this rezoning as the area is all Light Industrial. We do not want to have residents in the middle of any industrial park. Furthermore, it would not be wise or prudent to have housing and/or children in the middle of an industrial area, where semis and heavy equipment are constantly moving on the roads.

Sincerely,

Keith Hoste

Vice President and

Director for SCQC Building Company

(319) 388-9193
FAX (319) 388-9209

JERICO Tool Company

SPECIAL FORM TOOLS - CARBIDE & HIGH SPEED

721 E. 59TH STREET
DAVENPORT, IOWA 52807

09/15/2023

RE: Case REZ23-05

Our Location: Brady 80 IND Park 6th Addition Lot 2
Jerome Sheridan Trust - AKA: Jerico Tool Company

We strongly object to this rezoning. Labeled Light Industrial for a reason. Tremont is a dangerous Road to travel since it was connected to Veterans Memorial Park. You have to be careful coming off of 59th with cross traffic going at high rate of speed.
Semis have a hard time navigating the curves since the bike lanes were added. It's a tight squeeze.
There are semis blocking the road backing up to businesses.
Another concern is the erosion that will occur. There is quite a difference in elevation from Tremont to 59th St. We are now experiencing this from the Seven Hill construction done earlier this year.
That we of course were not notified about, and no survey was done ahead of time to address this.

We were told that when The Reserve was built they were to be sold to higher income families, which As far as I know that has happened.
But, crime has increased, since that complex was built. It's like dangling a carrot in front of criminals.
Bringing them to the area and the businesses behind are the residual.
I'm expecting it to be two fold if another residence is stuck in the middle of commercial industries.

It's an industrial park we have very few of them left in Davenport. Which Davenport should be behind and help out. They are what built this city.
Leave us be.

Cordially,

Cynthia Sheridan

Cynthia Sheridan
President

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan & Zoning Commission

Date: 9/19/2023 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 5:00:00 PM **Subject:** Hearing for rezoning request | Plan & Zoning Commission

THE RESERVE DAVENPORT LLC
9200 ANDERMATT DR
LINCOLN NE 68526

To: All property owners within 200' of the subject property: **5600 Block Tremont AVE:**

What is this About?

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

Request/Case Description

Case REZ23-05: Request of Anthony Properties to rezone the 10.17 acres of Lot 1 of Phoenix Centre 6th Addition in the 5600 Block of Tremont Avenue (Parcel X1203-01) from I-1 Light Industrial to R-MF Multi-Family Residential District. [Ward 8]

What are the Next Steps after the Public Hearing?

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

Would You Like to Submit an Official Comment?

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

Do You Have Any Questions?

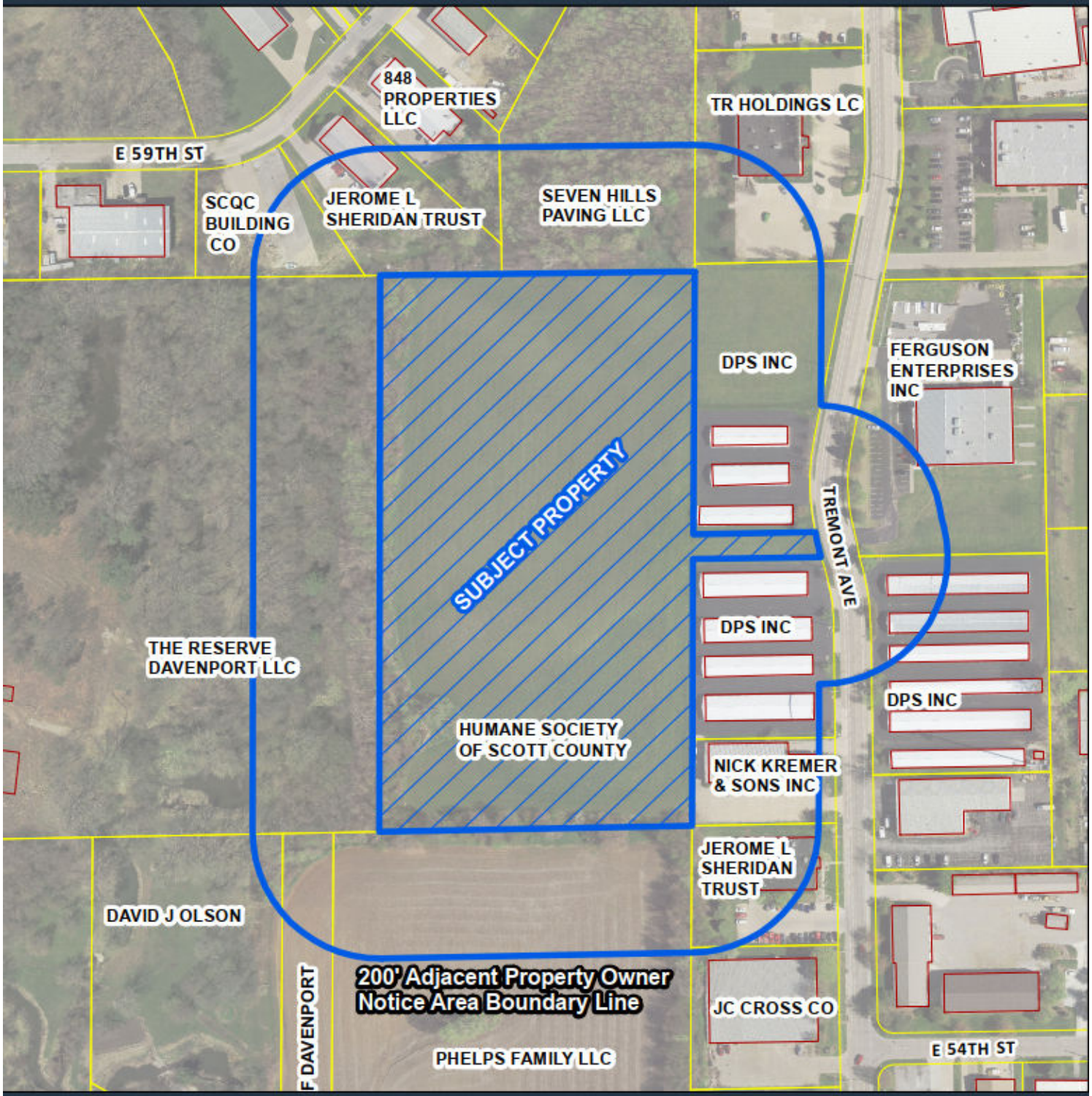
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701 . Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

THE CITY OF DAVENPORT
IOWA | USA

Rezoning Notice Map
REZ23-05

Adjacent Property Owner Notice Area



Rezone I-1 to R-MF

0 100 200 400 Feet

City of Davenport

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

Action / Date
10/25/2023

Subject:
Third Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Jefferson Avenue along the west side from East 38th Street north to the dead end thereto. [Ward 7]

Recommendation:
Adopt the Ordinance.

Background:
This section of Jefferson Avenue is between 20 feet to 24 feet wide. Travel is difficult when vehicles are parked on both sides of the street. When there are events at the Davenport Community School District property south of Jefferson Avenue, vehicles are often parked on both sides. The No Parking zone will be 340 feet long.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	9/15/2023 - 10:49 AM

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE VII NO PARKING OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING JEFFERSON AVENUE ALONG THE WEST SIDE FROM EAST 38TH STREET NORTH TO THE DEAD END THERETO.

Section 1. That Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding:

Jefferson Avenue along the west side from East 38th Street north 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 _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/25/2023

Subject:
Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled “Schedules” of the Municipal Code of Davenport, Iowa by adding Scott Street along the west side from Rusholme Street to Lombard Street and along the east side from Rusholme Street south 355 feet thereto. [Ward 4]

Recommendation:
Adopt the Ordinance.

Background:
Due to the proximity to St. Ambrose University, the west side of the 2200 block of Scott Street and 2231 and 2227 on the east side of Scott Street already have resident parking only. This Ordinance will add the rest of the residences on the east side of the street, except for 2203 Scott Street on the end. All the residents that currently do not have resident parking only were contacted and asked if they were in favor of, or opposed to, resident parking only. There was no response from residents at 2211 and 2203 Scott Street. The rest of the residents were in favor of resident parking only. The zone will be increased by 240 feet and this new Ordinance will replace the existing one.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	9/15/2023 - 10:49 AM

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE XI RESIDENT PARKING ONLY OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY ADDING SCOTT STREET ALONG THE WEST SIDE FROM RUSHOLME STREET TO LOMBARD STREET AND ALONG THE EAST SIDE FROM RUSHOLME STREET SOUTH 355 FEET THERETO.

Section 1. That Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding:

Scott Street along the west side from Rusholme Street to Lombard Street and along the east side from Rusholme Street south 355 feet.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/25/2023

Subject:
Second Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by removing Perry Street along the east side from 12th Street to Kirkwood Boulevard between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, except holidays, therefrom. [Wards 3 & 5]

Recommendation:
Adopt the Ordinance.

Background:
This parking restriction on the east side of Perry Street was enacted in the 1970's to prohibit Palmer students from parking in this area. Due to many changes at Palmer College since then, the restriction is no longer needed and no safety impacts are expected by removing the current parking restrictions. Letters were sent to the residents and we received no objections to this change.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	9/28/2023 - 4:46 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE VII NO PARKING OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY REMOVING PERRY STREET ALONG THE EAST SIDE FROM 12TH STREET TO KIRKWOOD BOULEVARD BETWEEN THE HOURS OF 8:00 A.M. TO 6:00 P.M. MONDAY THROUGH FRIDAY EXCEPT HOLIDAYS.

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

Perry Street along the east side from 12th Street to Kirkwood Boulevard between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday except holidays.

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 SCHEDULE VII NO PARKING OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY REMOVING PERRY STREET ALONG THE EAST SIDE FROM 12TH STREET TO KIRKWOOD BOULEVARD BETWEEN THE HOURS OF 8:00 A.M. TO 6:00 P.M. MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS, THEREFROM.

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

Perry Street along the east side from 12th Street to Kirkwood Boulevard between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday except holidays.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
10/25/2023

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

Elaine Folker; Norwood Park Fall Festival; 2200 block of Ripley Street; 12:00 p.m. - 6:30 p.m. Saturday, October 28, 2023; **Closures:** Ripley Street from West Dover Court to Lombard Street; West Rusholme Street from Ripley Street east and west to the alley. [Ward 4]

Ballet Quad Cities; Nutcracker School Program 2023; RiverCenter/Adler Theatre | 136 East 3rd Street; 8:00 a.m. – 1:00 p.m. Friday, December 8, 2023; **Closure:** northernmost parking lane and two travel lanes on East 3rd Street from Brady Street to 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 closure requests based on the recommendation of the Special Events Committee.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Norwood Park Fall Festival Closure Map
🗋	Backup Material	Norwood Park Fall Festival Flyer to Neighbors
🗋	Backup Material	Ballet Quad Cities Closure Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2023 - 9:50 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.

Elaine Folker; Norwood Park Fall Festival; 2200 block of Ripley Street; 12:00 p.m. - 6:30 p.m. Saturday, October 28, 2023; ***Closures:*** *Ripley Street from West Dover Court to Lombard Street; West Rusholme Street from Ripley Street east and west to the alley. [Ward 4]*

Ballet Quad Cities; Nutcracker School Program 2023; RiverCenter/Adler Theatre | 136 East 3rd Street; 8:00 a.m. – 1:00 p.m. Friday, December 8, 2023; ***Closure:*** *northernmost parking lane and two travel lanes on East 3rd Street from Brady Street to 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.

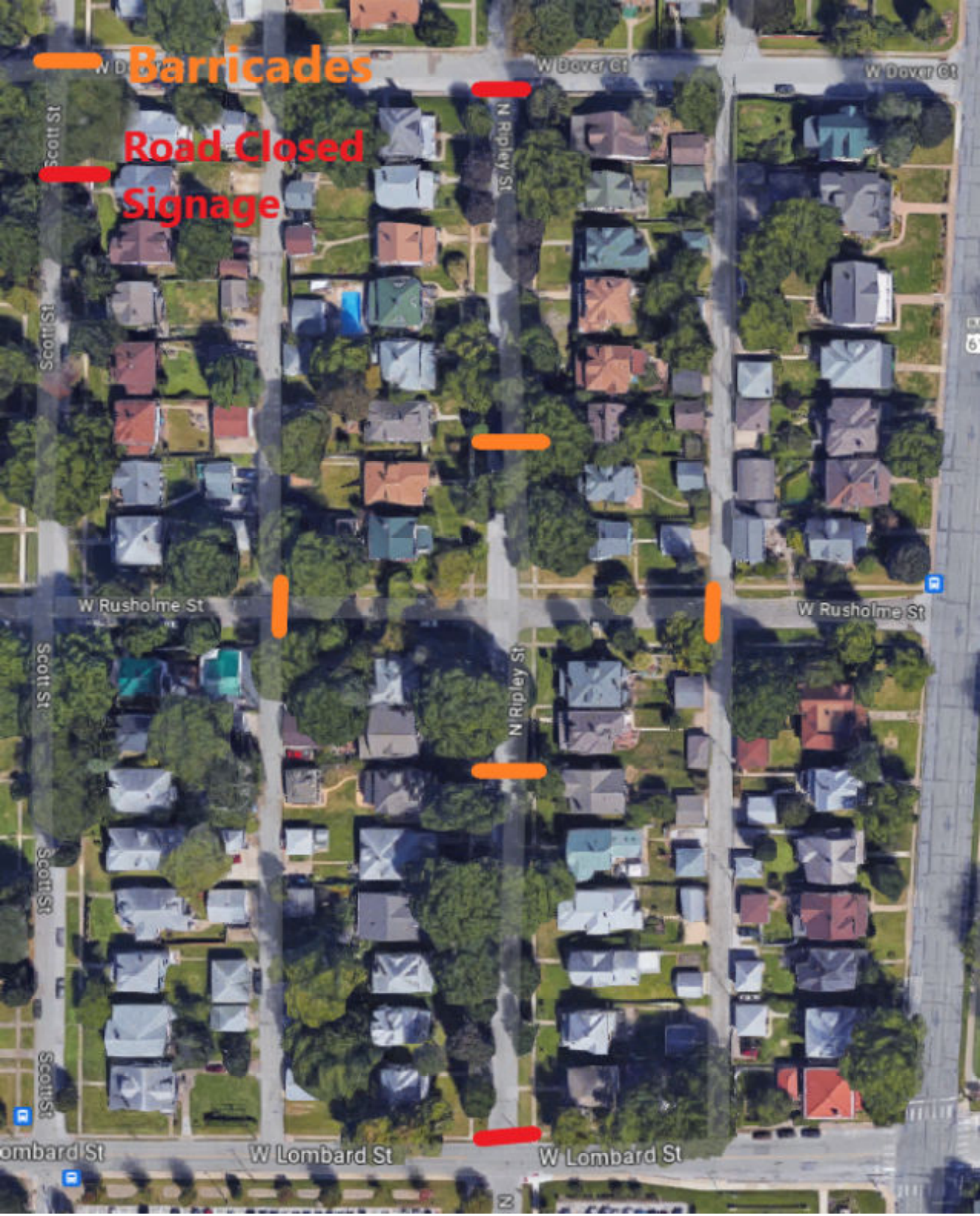
Passed and approved this 25th day of October, 2022.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk


Barricades
Road Closed
Signage
W Dover Ct
W Dover Ct
N Ripley St
Scott St
W Rusholme St
W Rusholme St
N Ripley St
Scott St
W Lombard St
W Lombard St

FALL Festival



SATURDAY
OCTOBER
28TH
2:00 - 6:00
Rain or Shine!







RSVP TO AMY (319)404-5425

INTERSECTION OF
RIPLEY & RUSHOLME

DON'T FORGET YOUR LAWN CHAIR!

Music

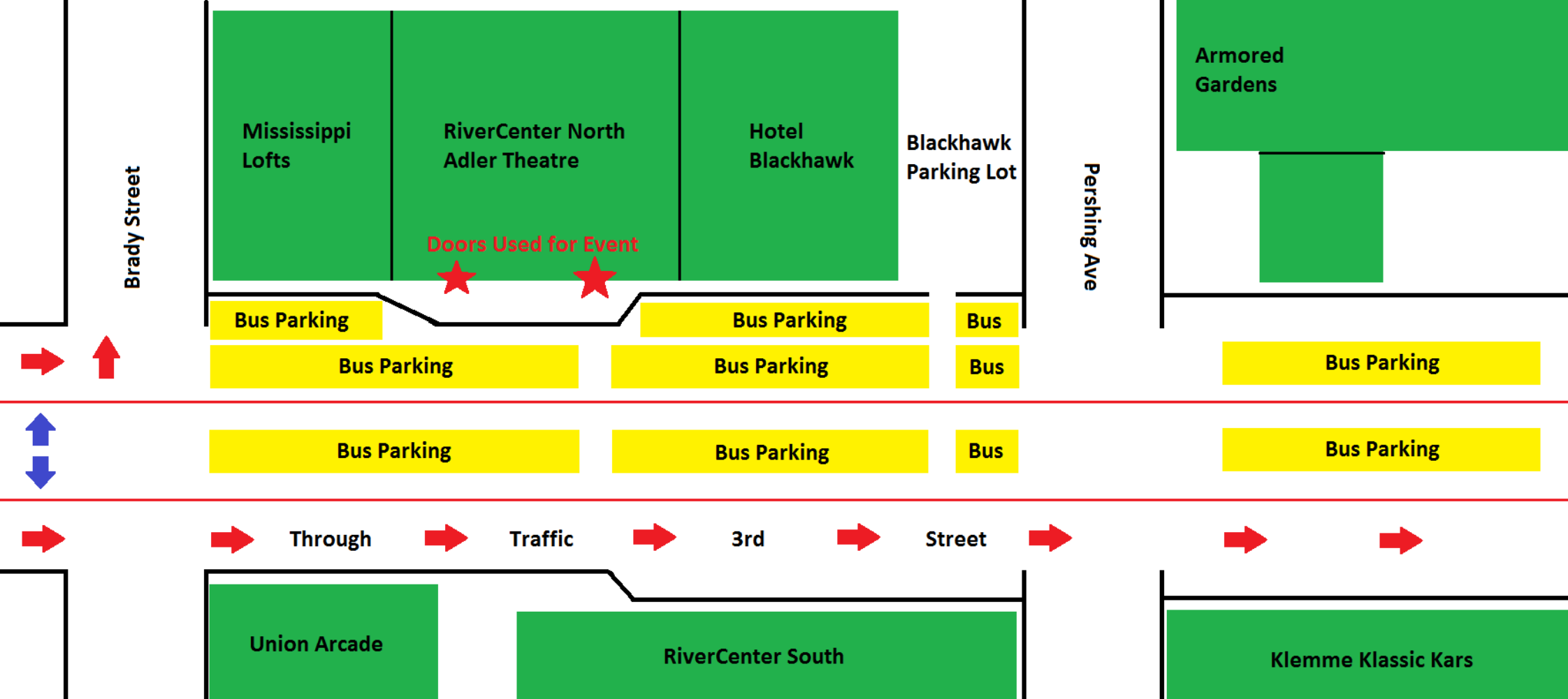
Bounce House

Kid Crafts

Costume Contest

FOOD
&
FUN!

BRING A DISH TO SHARE!


Mississippi Lofts
RiverCenter North Adler Theatre
Hotel Blackhawk
Blackhawk Parking Lot
Armored Gardens
Brady Street
Pershing Ave
Doors Used for Event
Bus Parking
Bus Parking
Bus Parking
Bus
Bus Parking
Bus Parking
Bus Parking
Bus
Bus Parking
Through
Traffic
3rd
Street
Union Arcade
RiverCenter South
Klemme Klassic Kars

City of Davenport

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

Action / Date
10/25/2023

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

Elaine Folker; Norwood Park Fall Festival; 2300 block of Ripley Street; 2:00 p.m. - 6:00 p.m. Saturday, October 28, 2023; Outdoor music, over 50 dBA. [Ward 4]

Neko Beserra; Birthday Party; 1807 Pineacre Avenue; 7:00 p.m. - 11:00 p.m. Saturday, November 4, 2023; Outdoor music, over 50 dBA. [Ward 6]

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.

Bessera Birthday Party | The music will be a saxophone player for a small gathering at their residence.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Norwood Park Fall Festival Flyer to Resients
🗋	Backup Material	Bessera Birthday Party Noise Variance Petition

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/13/2023 - 9:51 AM

FALL Festival



SATURDAY
OCTOBER
28TH
2:00 - 6:00
Rain or Shine!







RSVP TO AMY (319)404-5425

INTERSECTION OF
RIPLEY & RUSHOLME

DON'T FORGET YOUR LAWN CHAIR!

Music

Bounce House

Kid Crafts

Costume Contest

FOOD
&
FUN!

BRING A DISH TO SHARE!

CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 4th day of November, 20 23, there is proposed an event at 1807 Pineacre Ave which will include outdoor music or a band, requested by Neko & Luz Besery during the hours of 7:00 - 11:00 pm

Please note: *dates and times on this form must match those entered on the special events application.*

***Please sign your name and print address below and indicate whether you are in favor of the noise variance, opposed to the noise variance, or are not concerned (mark one).**

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
Mike Skalrood 3038 E. 18th St.	X		
Sylvi + Shelley Klaas 3032 E 18th St	X		
[illegible] 3106 N. Dodge	X		
[illegible] 1811 Pineacre Ave	X		
[illegible] 1816 Pineacre Ave	X		
[illegible] 1817 Pineacre	X		
[illegible] 3039 E Locust			X
[illegible] 3037 E 18th St	X		

*If you are unable to make contact with a resident/business, please indicate the date(s) and time(s) you attempted.

*If more space is needed, please use additional sheets.

Signature of ~~Applicant~~ 20 Sept 2023 Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

City of Davenport

Department: Finance **Action / Date**
Contact Info: Jamie Swanson | 563-326-7795 **10/25/2023**

Subject:
Motion approving beer and liquor license applications.

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

Ward 2

Aldi, Inc #81 (Aldi, Inc) - 3643 West Kimberly Road - New License - License Type: Class B Beer/Wine (Carry-Out)

Ward 3

German American Heritage Center and Museum (German American Heritage Center) - 119 East 3rd Street - Temporary Outdoor Event October 21 - License Type: Special Class C Beer/Wine (On-Premises)

TO BE VOTED ON LATER ON THE AGENDA

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

Ward 1

Lulac Club (Lulac Council #10, Inc) - 4224 Ricker Hill Road - License Type: Class C Liquor (On-Premises)

Ward 3

Analog Arcade Bar (Analog, LLC) - 302 Brady Street - License Type: Class C Liquor (On-Premises)

Armored Gardens (Armored Gardens, LLC) - 315 Pershing Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Danceland (Danceland Ltd) - 501 1/2 West 4th Street - License Type: Class C Liquor - (On-Premises)

Raw Bar (Rawbar) - 136 East 3rd Street Unit A - Outdoor Area - License Type: Class C Liquor (On-Premises)

Scott's Shovelhead Shed (SSS, Inc) - 220 North Pine Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corp) - 2606 West Locust Street -

Outdoor Area - License Type: Class C Liquor (On-Premises)

Hy-Vee #5 (Hy-Vee, Inc) - 2351 West Locust Street - License Type: Class E Liquor (Carry-Out)

QC Mart (Bethany Enterprises, Inc) - 1556 West Locust Street - License Type: Class B Beer (Carry-Out)

Riverside Liquor 2 (Two Brothers Locust, LLC) - 1528 West Locust Street - License Type: Class E Liquor (Carry-Out)

Ward 5

Los Primos Mexican Grill (Los Primos Mexican Grill, LLC) - 1143 East Locust Street - License Type: Class C Liquor - (On-Premises)

Ward 6

Hy-Vee Fast and Fresh (Hy-Vee, Inc) - 3200 East Kimberly Road - License Type: Class E Liquor (Carry-Out)

Monarch Kitchen & Bar (LCMR, Inc) - 4750 East 53rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Texas Roadhouse (Texas Roadhouse Holdings, LLC) - 4005 East 53rd Street - License Type: Class C Liquor (On-Premises)

Ward 7

Azteca 4 (Azteca 4, Inc) - 3566 Brady Street - License Type: Class C Liquor (On-Premises)

CASI (Center for Active Seniors, Inc) - 1035 West Kimberly Road - Outdoor Area - License Type: Class C Liquor - (On-Premises)

Chuck E Cheese's #957 (CEC Entertainment, LLC) - 903 East Kimberly Road - License Type: Special Class C Beer/Wine (On-Premises)

Hooters Of Davenport (HOA Restaurant Holder, LLC) - 110 East Kimberly Road - License Type: Class C Liquor (On-Premises)

Ward 8

Leisure Lanes (Four Bros, LLC) - 2802 West 73rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Recommendation:
Pass the Motion.

Background:
These applications have been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	10/13/2023 - 9:51 AM

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project, CIP #35062. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
The stretch of West 46th Street from North Lincoln Avenue to North Pine Street has been selected for reconstruction due to the condition index, traffic volume, and estimated cost. This project will remove the existing pavement and replace with proposed full depth hot mix asphalt.

The project is scheduled to be bid this fall with construction to begin at the start of the 2024 construction season. Funding for the West 46th Street Reconstruction project is established within CIP #35062.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 4:01 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 4:01 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:02 PM

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 West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project, CIP #35062

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction 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 West 46th Street (North Lincoln Avenue to North Pine Street) Reconstruction project.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 46th Street Bridge Over Cardinal Creek Replacement project, CIP #21010. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
The purpose of this project is to remove the existing West 46th Street Bridge over Cardinal Creek and replace with a new twin box culvert meeting modern design requirements. State-aid will reimburse the City 100% of the eligible construction costs up to $500,000 in total reimbursement.

The project is scheduled to be bid this fall with construction to begin at the start of the 2024 construction season. Funding for the West 46th Street Bridge Over Cardinal Creek Replacement project is established within CIP #21010.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 4:02 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 4:02 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:04 PM

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 West 46th Street Bridge Over Cardinal Creek Replacement project, CIP #21010.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West 46th Street Bridge over Cardinal Creek Replacement 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 West 46th Street Bridge Over Cardinal Creek Replacement project.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Goose Creek Trail Connection project, CIP #28028. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
This project will connect a gap between the Goose Creek Trail (phase 2) and Veteran's Memorial Parkway Trail Connection projects near Brady Street and East 59th Street.

The project is scheduled to be bid this fall with construction to begin at the start of the 2024 construction season. Funding for the Goose Creek Trail Connection project is established within CIP #28028.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:59 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:59 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:10 PM

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 Goose Creek Trail Connection project, CIP #28028.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Goose Creek Trail Connection 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 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 Goose Creek Trail Connection project.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Duck Creek Sewer Interceptor Extension project, CIP #ARP18. [Wards 1 & 2]

Recommendation:
Adopt the Resolution.

Background:
Construction of this sanitary sewer extension will allow the City to abandon an existing wastewater treatment lagoon located within the West Lake Business Park. The removal of this lagoon system is required under the City's latest NPDES permit and the proposed sewer adheres to the City's previous comprehensive drainage district forecast.

This project was part of the City Administrator's recommended American Rescue Plan Act budget which was approved by City Council on July 27, 2021.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:57 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:57 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:10 PM

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 Duck Creek Sewer Interceptor Extension project, CIP #ARP18.

WHEREAS, plans, specifications, form of contract, and estimate of cost have been filed with the City Clerk of Davenport, Iowa for the Duck Creek Sewer Interceptor Extension 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 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 Duck Creek Sewer Interceptor Extension project.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Modern Woodmen Park Fire Suppression System Replacement project, CIP #23049 [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The fire suppression system at Modern Woodmen Park is past its useful life and needs to be replaced. The project will remove and replace the existing sprinkler piping throughout the facility, along with the existing fire pump and wet hose valve system.

The design and specifications for this new system was completed by IMEG Corp of Rock Island, Illinois. Funding for the project is from the annual capital program Modern Woodmen Park Capital Improvements, CIP #23049.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/11/2023 - 3:59 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:59 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 2:17 PM

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 Modern Woodmen Park Fire Suppression System Replacement project, CIP #23049.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Modern Woodmen Park Fire Suppression System Replacement 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 Modern Woodmen Park Fire Suppression System Replacement project.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Clay Merritt | 563-326-7734 **10/25/2023**

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Traffic Signalization | 3rd & 4th Street Two-Way Conversion project, CIP #38017. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This project is for the modifications to the traffic signalization on 3rd Street and 4th Street from Marquette Street to River Drive as needed to convert the roadways from one-way traffic to two-way traffic. Work includes additions, removals, and upgrades to the traffic signals.

The following intersection modifications are included:

Signals removed
- Iowa Street and 3rd/4th Streets - 4-way stop added
- Pershing Avenue and 3rd/4th Streets - 4-way stop added
- Ripley Street and 3rd Street - northbound and southbound 2-way stop
- Scott Street and 3rd Street - northbound and southbound 2-way stop
- Warren Street and 3rd/4th Streets - northbound and southbound 2-way stop

Signals added (not currently existing)
- River Drive and 4th Street
- Scott Street and 4th Street - activated by Central Fire Station

Signals modified for two-way traffic
- Marquette Street and 3rd/4th Streets
- Gaines Street and 3rd/4th Streets
- Harrison Street and 3rd/4th Streets
- Main Street and 3rd/4th Streets
- Brady Street and 3rd/4th Streets

The required mast arms, signal heads, controllers, and other equipment will be ordered after the contract has been awarded. Due to extended lead times, it is expected installation work will not commence until Summer of 2024. If awarded, the contractor will begin underground work as required when weather allows.

The resurfacing of 3rd and 4th Streets from Harrison to Telegraph Road, which is funded partially by Iowa DOT STBG funds, is under design and being bid as a separate project. The first phase of this work is anticipated to be bid in Spring of 2024 with work commencing in Summer of 2024.

Work will be coordinated between the two contracts. It is anticipated that the completion of 3rd Street resurfacing, 3rd Street will be converted to two-way traffic. This is anticipated to occur in 2025. At the completion of 4th Street resurfacing, 4th Street will be converted to two-way traffic. Traffic lane markings are included in the resurfacing project.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:02 PM

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 Traffic Signalization | 3rd & 4th Street Two-Way Conversion project.

WHEREAS, plans, specifications, form of contract, and estimate of cost have been filed with the City Clerk of Davenport, Iowa for the Traffic Signalization | 3rd & 4th Street Two-Way Conversion project; and

WHEREAS, notice of Hearing on plan, 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 Traffic Signalization | 3rd & 4th Street Two-Way Conversion project.

Passed and approved this 25th day of October, 2023.

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
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project, CIP #ARP14. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This is a flood mitigation project to include the installation of gatewell structures and additional necessary storm sewer rehabilitation and construction. Work will also include HMA and PCC pavement and trail restoration, retaining wall, landscaping, seeding and other necessary work to facilitate construction.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:57 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:58 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 5:24 PM

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 Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project, CIP #ARP14.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project; and

WHEREAS, notice of Hearing on the 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, forms of contract, and estimate of cost are hereby approved as the plans, specifications, forms of contract, and estimate of cost for the Flood Mitigation | River Drive from Carey Avenue to East 3rd Street project.

Passed and approved this 25th day of October, 2023.

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
10/25/2023

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Flood Mitigation | West River Drive and Marquette Street project, CIP #68015. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
This is a flood mitigation project including necessary work for the installation of a gatewell structure and additional necessary storm sewer work. Work will also include HMA and PCC pavement and driveway restoration, seeding, and other necessary work to facilitate the installation.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:58 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:58 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 5:31 PM

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 Flood Mitigation | West River Drive and Marquette Street project, CIP #68015.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Flood Mitigation | West River Drive and Marquette Street project; and

WHEREAS, notice of Hearing on the 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 Flood Mitigation | West River Drive and Marquette Street project.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution approving the Subaward Agreement between the Iowa Department of Homeland Security and Emergency Management and the City of Davenport for the West River Drive and Marquette Street Flood Mitigation project, CIP #68015. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport was awarded federal assistance from the 2023 Congressionally Directed Funding (LPDM) for the West River Drive and Marquette Street Flood Mitigation project. Total project cost is estimated at $1,687,500; the federal share shall not exceed $1,265,625 or 75% of actual allowable subaward cost, whichever is less. The state of Iowa shall not exceed $168,750, or 10%, of the actual allowable subaward cost, whichever is less. The City of Davenport shall provide at least $253,125, or 15%, of the actual allowable subaward cost through a local non-federal source for actual allowable subaward cost.

Financial oversight and management of this grant is being provided by the Iowa Department of Homeland Security and Emergency Management. This resolution approves the Subaward Agreement for the project, and allows the Mayor to sign said document on behalf of the City.

Subaward Agreement No | LPDM-PJ-07-IA-2023-002

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/11/2023 - 4:00 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 4:00 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 5:06 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the Subaward Agreement between the Iowa Department of Homeland Security and Emergency Management and the City of Davenport for the West River Drive and Marquette Street Flood Mitigation project, CIP #68015.

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

WHEREAS, the City is receiving financial assistance from the 2023 Congressionally Directed Funding (LPDM) program; and

WHEREAS, the City of Davenport will follow and adhere to the standards and requirements set forth in the Subaward Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that the Subaward Agreement between the Iowa Department of Homeland Security and Emergency Management and the City of Davenport for the West River Drive and Marquette Street Flood Mitigation project is hereby approved.

Passed and approved this 25th day of October, 2023.

Approved:

Mike Matson
Mayor

Attest:

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Kevan Oliver | 563-327-5199

Action / Date
10/25/2023

Subject:
Resolution accepting work completed under the CY 2023 Pedestrian Curb Ramp Retrofit Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $274,071.38, CIP #35060. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Sidewalks at intersections altered by the City's in-house asphalt resurfacing crew must be retrofitted to bring them into compliance with the Americans with Disabilities Act and Public Right-of-Way Accessibility Guidelines codes. The Pedestrian Curb Ramp Retrofit Program retrofits those pedestrian curb ramps by contract. All retrofit work performed under this contract has been satisfactorily completed by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois with a final cost of $274,071.38 budgeted in CIP #35060.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	10/11/2023 - 3:57 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:57 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 1:04 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the CY 2023 Pedestrian Curb Ramp Retrofit Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $274,071.38, CIP #35060.

WHEREAS, the City of Davenport entered into a contract with Centennial Contractors of the Quad Cities, Inc of Moline, Illinois for pedestrian curb ramp retrofit work; and

WHEREAS, the work performed under the above-named program has been duly and fully completed by the contractor in accordance with the terms of the contract; and

WHEREAS, the final cost of the retrofit work performed under this contract was $274,071.38.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that work completed under the CY 2023 Pedestrian Curb Ramp Retrofit Program by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of $274,071.38 is hereby accepted.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution accepting work completed under the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction and Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of $355,545.10, CIP #35061. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
This pavement reconstruction and resurfacing project included new curbs and gutters and asphalt mill and overlay as well as new asphalt pavement. The total project cost was $355,545.10, which was funded by Capital Improvements Program funds for local roads (CIP# 35061) using a combination of Local Option Sales Tax, 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	10/11/2023 - 4:01 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 4:01 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 1:09 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 Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction and Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of $355,545.10, CIP #35061.

WHEREAS, the City entered into contract with Langman Construction, Inc of Rock Island, Illinois for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction and Overlay project; and

WHEREAS, work performed under the above-named program has been duly and fully completed by the contractor in accordance with the terms of the contract; and

WHEREAS, the final cost of the contract was $274,071.38.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction and Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of $355,545.10 is hereby accepted.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution accepting work completed under the CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project by Emery Construction Group, Inc of Moline, Illinois in the amount of $141,821.63, #BG250. [Ward 5]

Recommendation:
Adopt the Resolution.

Background:
This project included full reconstruction of one alley located between Pershing and Iowa Streets, and between East 15th Street and Kirkwood Boulevard. Construction costs were paid from the City's Community Development Block Grant (CDBG) funds.

Work has been satisfactorily completed by Emery Construction Group, Inc of Moline, Illinois. The total project cost was $141,821.63.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:56 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:56 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 2:06 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 CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project by Emery Construction Group, Inc of Moline, Illinois in the amount of $141,821.63, #BG250.

WHEREAS, the City of Davenport entered into contract with Emery Construction Group, Inc of Moline, Illinois for the CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project; and

WHEREAS, work performed under the above-named program has been duly and fully completed by the contractor in accordance with the terms of the contract; and

WHEREAS, the final cost of the contract was $141,821.63.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the CDBG Alley Program: 301 Kirkwood Boulevard to 330 East 15th Street Alley Reconstruction project by Emery Construction Group, Inc of Moline, Illinois in the amount of $141,821.63 is hereby accepted.

Passed and approved this 25th day of October, 2023.

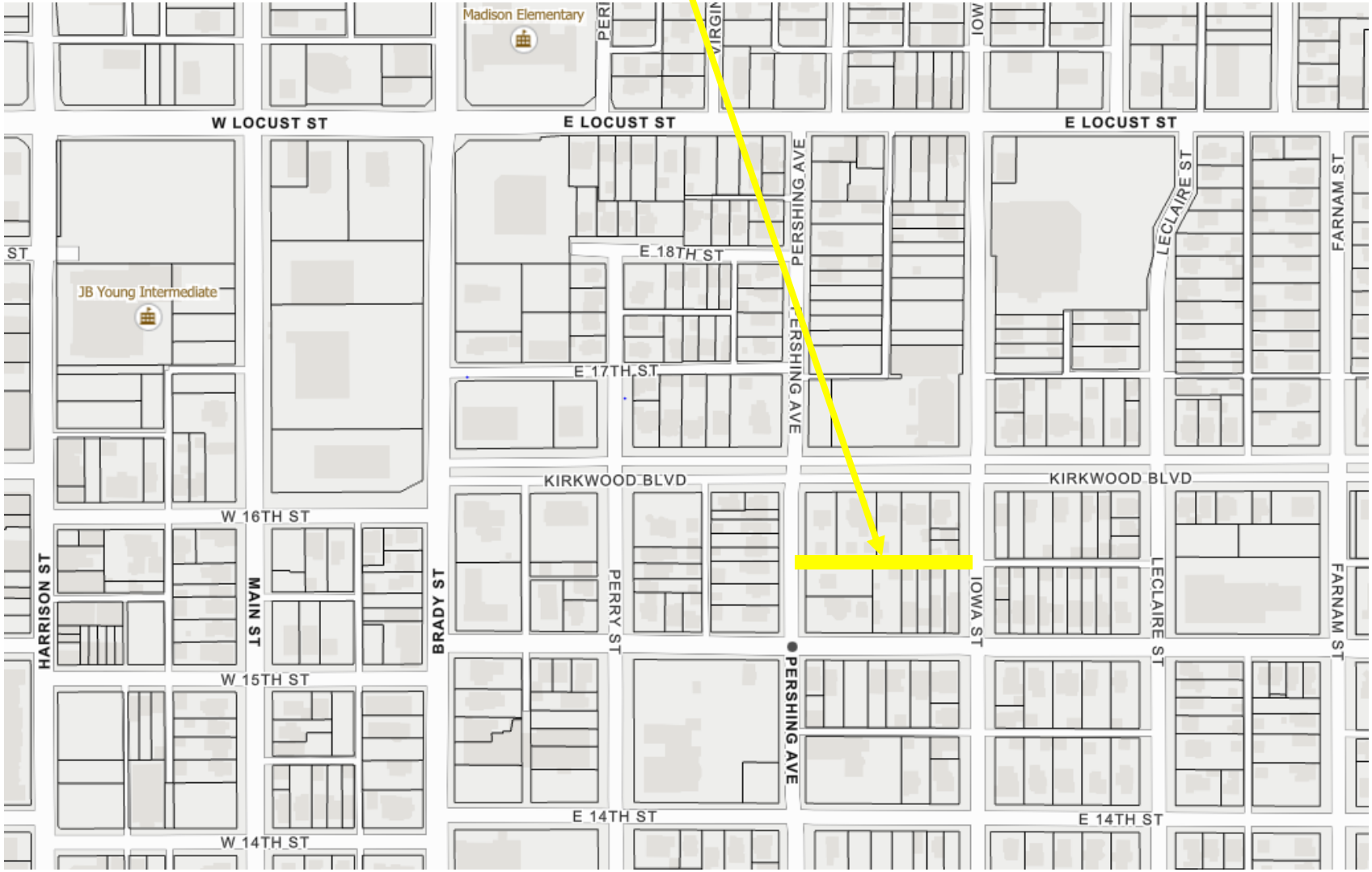
Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

Proposed CDBG-Funded Alley Reconstruction
301 Kirkwood Blvd to 330 E. 15th St



City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution awarding a contract for the 2023-2024 Sewer and Manhole Rehabilitation Program to Langman Construction, Inc of Rock Island, Illinois in the amount of $3,172,529.50, CIP #30057. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Invitation to Bid number 23-120 was issued on June 26th, 2023. The bid was opened on August 1st, 2023 and Langman Construction, Inc of Rock Island, Illinois was the lowest responsive and responsible bidder.

This project will include the repair and rehabilitation of identified manholes and sanitary sewer main sections through various approved methods. Many of these locations are located within CPKC Railroad right-of-way.

The continued rehabilitation of sanitary sewer pipe and manholes is necessary to comply with Davenport's Iowa Department of Natural Resources (IDNR) Administrative Consent Order.

Funding for this project has been budgeted and is available in CIP #30057.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:55 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:55 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 3:20 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 2023-2024 Sewer and Manhole Rehabilitation Program to Langman Construction, Inc of Rock Island, Illinois in the amount of $3,172,529.50, CIP #30057.

WHEREAS, construction services are required for the repair and rehabilitation of identified manholes and segments of sanitary sewer main; and

WHEREAS, the proposed work was bid per the City of Davenport's Purchasing Policy; and

WHEREAS, Langman Construction, Inc of Rock Island, 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 2023-2024 Sewer and Manhole Rehabilitation Program is hereby awarded to Langman Construction, Inc of Rock Island, Illinois in the amount of $3,172,529.50.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution awarding a contract for construction-related services for the 2023-2024 Sewer and Manhole Rehabilitation Program to Strand Associates, Inc of Madison, Wisconsin in an amount not to exceed $463,500, CIP #30057. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Under this contract Strand Associates, Inc of Madison, Wisconsin will provide field inspections and administrative services for the specialized construction methods used during the 2023-2024 Sewer and Manhole Rehabilitation Program.

This contract aligns with the continued rehabilitation and inspection of Davenport's sanitary sewer collection system which is necessary to comply with the City's Administrative Order with the Iowa Department of Natural Resources.

Funds for this contract are budgeted and available in CIP #30057.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:55 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:56 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 3:49 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for construction-related services for the 2023-2024 Sewer and Manhole Rehabilitation Program to Strand Associates, Inc of Madison, Wisconsin in an amount not to exceed $463,500, CIP #30057.

WHEREAS, Strand Associates, Inc of Madison, Wisconsin was selected to provide construction-related services as a result of their experience in the field of sewer system rehabilitation; and

WHEREAS, the work is to be performed at agreed upon prices.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for construction-related services for the 2023-2024 Sewer and Manhole Rehabilitation Program is hereby awarded to Strand Associates of Madison, Wisconsin in an amount not to exceed $463,500.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Preliminary Resolution for the 2024 Alley Resurfacing Program. [Wards 3 & 5]

Recommendation:
Adopt the Resolution.

Background:
As a part of the Alley Cost Share Program, the process of reconstructing or resurfacing an alley begins with submitting a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Residential | 25% property owner/75% City
Commercial | 50% property owner/50% City

If more than 50% of the property owners wish to "opt out" of the program, then the alley does not move forward in the assessment process. This "opt out" period has occurred and the following alleys have been identified to participate in the program:

1. The east-west alley from Farnam Street to Grand Avenue between Kirkwood Boulevard and East 15th Street.
2. The north-south alley from East 29th Street to East 30th Street between Grand Avenue and Davenport Avenue.
3. The east-west alley from Forest Road to its terminus between East River Drive and Wood Lane.
4. The east-west alley from Gaines Street to Western Avenue between West 5th Street and West 6th Street.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:59 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 4:00 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 3:49 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

PRELIMINARY RESOLUTION for the 2024 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 RESOLVED that hereafter this improvement will be referred to as the 2024 Alley Resurfacing Program.

Passed and approved this 25th day of October, 2023.

Approved:

Attest:

_____

Mike Matson
Mayor

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Motion approving Change Order #1 to Langman Construction, Inc of Rock Island, Illinois in the amount of $49,782.59 for the West 7th Street (Gaines Street to Ripley Street) Resurfacing project, CIP# 35062. [Ward 3]

Recommendation:
Pass the Motion.

Background:
Neighborhood street funds are being used to resurface West 7th Street between Gaines Street and Ripley Street, including ADA-accessible curb ramps and restoration of adjoining historic brick streets. Contract overruns have been realized to properly construct this project. The net difference is an increase contract amount of $49,782.59, which is to be paid from available program funds (CIP #35062).

ATTACHMENTS:

	Type	Description
🗋	Exhibit	location map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:49 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:49 PM
City Clerk	Admin, Default	Approved	10/13/2023 - 4:12 PM

Project Location Map

W. 7th Resurfacing (Gaines St – Ripley St)



City of Davenport

Department: Finance
Contact Info: Bruce Berger | 563-326-7769

Action / Date
10/25/2023

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

Recommendation:
Adopt the Resolution.

Background:
By law, the City of Davenport can certify with Scott County an internal monetary advance to the Tax Increment Fund. On the advice of the City's bond counsel Dorsey & Whitney, the City Council initiated the program to fund staff working with economic development activities and administrative activities through TIF proceeds. This process works like a typical tax increment financing (TIF) project, with the internal advance based upon an increase in the base assessed valuation in urban renewal areas. This request must be approved by the City Council annually.

In order to offset economic development-related personnel costs currently paid from the City's general fund, staff is recommending an internal advance of TIF funding of $275,000. This money will then be utilized to reimburse the general fund for staff and other economic development-related activities. Staff costs spent administratively each year include TIF monitoring, debt certification, and working with new projects.

As required by State Code, notice of the Public Hearing was published in the *Quad-City Times* on October 12, 2023.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Public Hearing Notice
🗋	Backup Material	North Urban Renewal Plan Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/11/2023 - 5:43 PM
Finance Committee	Merritt, Mallory	Approved	10/11/2023 - 5:43 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 12:05 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION amending the North Urban Renewal Plan to include the Internal TIF.

WHEREAS, the City of Davenport, Iowa (the "City"), has established the North Davenport Urban Renewal Area (the "Urban Renewal Area") and has established the Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the City has undertaken various urban renewal projects (the "Projects") within the Urban Renewal Areas for the promotion of economic development and has incurred in FY 2023, and will incur in FY 2024, substantial administrative costs (the "Administrative Costs") in connection with carrying out these projects; and

WHEREAS, in order to make the Administrative Costs (including staff salaries and associated economic development-related activities such as special studies, consultants, marketing and technical assistance) eligible to be reimbursed from future incremental property tax revenues, it is necessary to make an internal advance to the Tax Increment Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that it is hereby directed that an amount not to exceed Two Hundred and Seventy-Five Thousand Dollars ($275,000) be advanced to the Tax Increment Fund (TIF) from the General Fund (the "Advance") for the payment of the Administrative Costs. The Advance shall be repaid to the General Fund without interest out of future incremental property tax revenues received into the Tax Increment Fund. This amount authorized to ensure continuity of programming in the event of a future reduction of federal funding and to cover additional marketing efforts; and

BE IT FURTHER RESOLVED that, to the extent that there are funds available for this purpose in the Tax Increment Fund, payments on the Advance may be made on June 1 of each year. Repayment of the Advance is subject to the determination of the City Council each year, that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Advance, and the City Council reserves the right to appropriate funds, or to withhold such appropriation, at its discretion; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed in the office of the County Auditor of Scott County, Iowa to evidence the Advance, and pursuant to Section 403.19 of the Code of Iowa, the City Clerk is hereby directed to certify, no later than December 1, 2023, the full original amount of the Advance as provided for herein; and

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 25th day of October, 2023.

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 18th day of October, 2023, 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: North Urban Renewal Area: $275,000

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 2023

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.

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: $208,670,000
    Remaining Constitutional Debt Capacity of the City: $196,872,672
    Proposed Debt to be incurred in the Urban Renewal Area: $275,000

City of Davenport

Department: Public Works - Engineering
Contact Info: Clay Merritt | 563-326-7734

Action / Date
10/25/2023

Subject:
Resolution setting a Public Hearing on granting a gas easement on City-owned property located at the southwest corner of West River Drive and Marquette Street (Parcel L0017-01) to MidAmerican Energy. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The purpose of the easement is to allow MidAmerican Energy to reconstruct, attach, replace, or remove line(s) and facilities for the transportation of natural gas prior to the City of Davenport Flood Mitigation project at the intersection of West River Drive and Marquette Street.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution
Exhibit	Easement Plat
Exhibit	Easement Agreement
Exhibit	Aerial
Backup Material	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Rejected	10/10/2023 - 10:13 AM
Public Works - Engineering	Robnett, Jonathan	Approved	10/10/2023 - 9:23 AM
Public Works - Engineering	Moses, Trish	Approved	10/11/2023 - 3:48 PM
Public Works Committee	Moses, Trish	Approved	10/11/2023 - 3:49 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 12:05 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 gas easement on City-owned property located at the southwest corner of West River Drive and Marquette Street (Parcel L0017-01) to MidAmerican Energy.

WHEREAS, this easement is necessary for MidAmerican Energy to reconstruct, attach, replace, or remove line(s) and facilities to transport natural gas to the surrounding area and City prior to the Flood Mitigation project at the intersection of West River Drive and Marquette Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing shall be held on the November 1, 2023 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers of Davenport City Hall, 226 West 4th Street, to allow public to object or comment on the granting of a gas easement to MidAmerican Energy on City-owned property located at the southwest corner of West River Drive and Marquette Street (Parcel L0017-01).

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

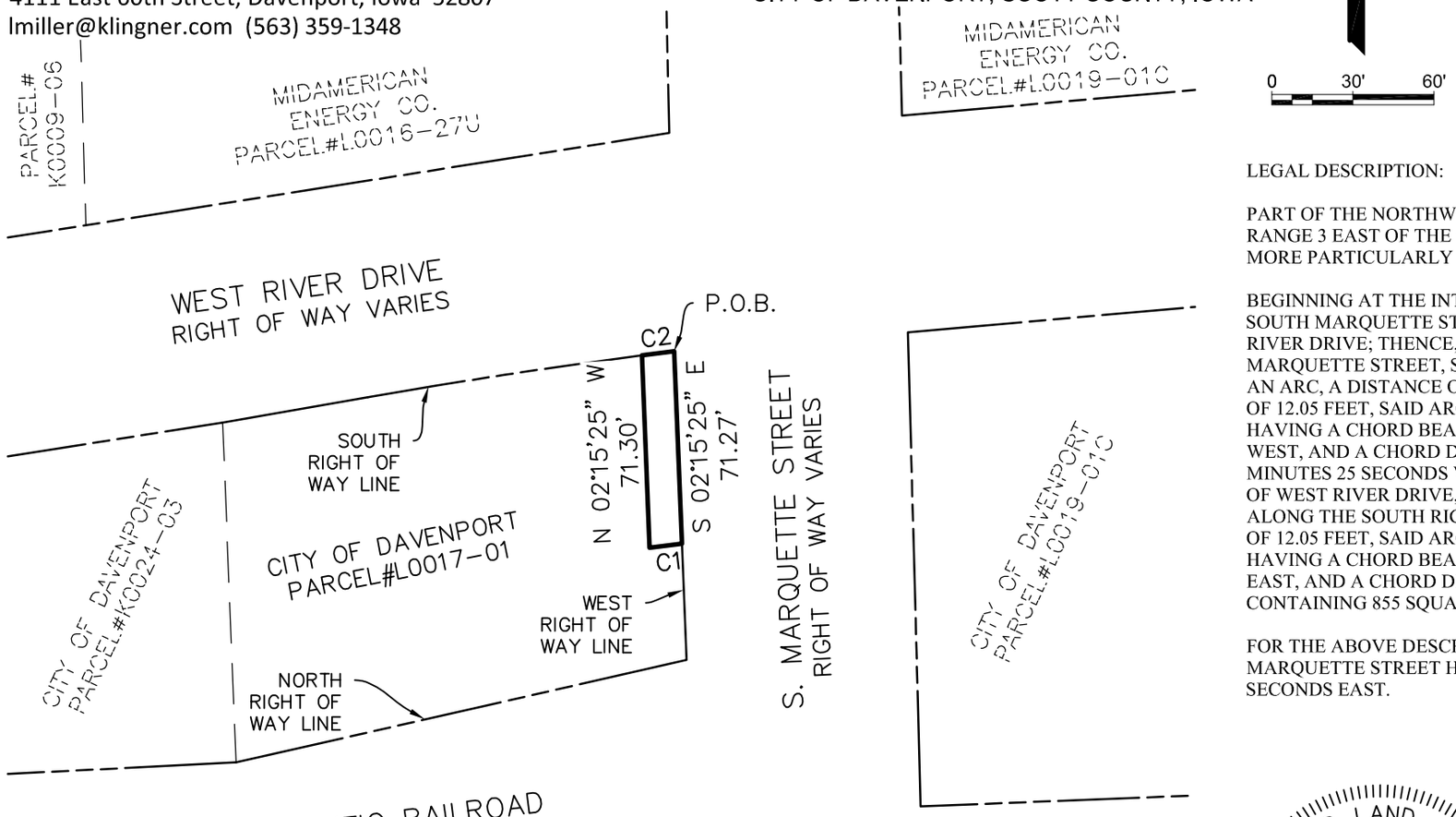
Attest:

_____
Brian Krup
Deputy City Clerk

Description: Part N.W. 1/4 Section 35,
Township 78 North, Range 3 East of 5th P.M.
Requestor: Mid-American Energy
Proprietor: City of Davenport
Surveyor: Luke D. Miller
Survey Company: Klingner & Associates, P.C.
Return To: Klingner & Associates, P.C.
4111 East 60th Street, Davenport, Iowa 52807
lmiller@klingner.com (563) 359-1348

UNDERGROUND GAS EASEMENT PLAT

PART OF NORTHWEST 1/4 SECTION 35,
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M.,
CITY OF DAVENPORT, SCOTT COUNTY, IOWA





PRELIMINARY DO NOT RECORD

LEGAL DESCRIPTION:

PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SOUTH MARQUETTE STREET AND THE SOUTH RIGHT OF WAY LINE OF WEST RIVER DRIVE; THENCE, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH MARQUETTE STREET, SOUTH 02 DEGREES 15 MINUTES 25 SECONDS EAST, TO AN ARC, A DISTANCE OF 71.27 FEET; THENCE, ALONG SAID ARC A DISTANCE OF 12.05 FEET, SAID ARC HAVING A RADIUS OF 2,356.43 FEET, SAID ARC HAVING A CHORD BEARING OF SOUTH 82 DEGREES 31 MINUTES 01 SECONDS WEST, AND A CHORD DISTANCE OF 12.05 FEET; THENCE, NORTH 02 DEGREES 15 MINUTES 25 SECONDS WEST, TO AN ARC ON THE SOUTH RIGHT OF WAY LINE OF WEST RIVER DRIVE, A DISTANCE OF 71.30 FEET; THENCE, ALONG SAID ARC ALONG THE SOUTH RIGHT OF WAY LINE OF WEST RIVER DRIVE, A DISTANCE OF 12.05 FEET, SAID ARC HAVING A RADIUS OF 2,427.43 FEET, SAID ARC HAVING A CHORD BEARING OF NORTH 82 DEGREES 40 MINUTES 13 SECONDS EAST, AND A CHORD DISTANCE OF 12.05 FEET, TO THE POINT OF BEGINNING, CONTAINING 855 SQUARE FEET, MORE OR LESS.

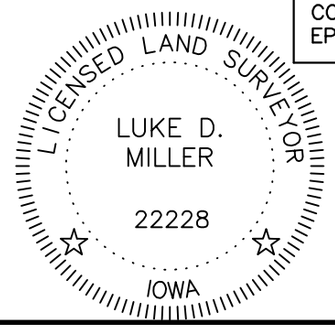
FOR THE ABOVE DESCRIPTION THE WEST RIGHT OF WAY LINE OF SOUTH MARQUETTE STREET HAS A BEARING OF SOUTH 02 DEGREES 15 MINUTES 25 SECONDS EAST.

BEARINGS BASED ON THE IOWA STATE PLANE COORDINATE SOUTH ZONE, NAD 83 (2011) EPOCH 2010.00

LEGEND

- PROPOSED EASEMENT
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINES
- 12.34' MEASURED DISTANCE

Curve Table					
Curve #	Length	Radius	Delta	CH. BRNG.	CH. LEN.
C1	12.05'	2356.43'	0°17'35"	S82°31'01"W	12.05'
C2	12.05'	2427.43'	0°17'04"	N82°40'13"E	12.05'



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.

Signature: PRELIMINARY DO NOT RECORD
Luke D. Miller P.L.S., License Number 22228

Date: 9-28-2023
My license renewal date is December 31, 2023

THIS SHEET ONLY
Pages or sheets covered by this seal:

KLINGNER & ASSOCIATES, P.C.
Engineers • Architects • Surveyors
www.klingner.com
Davenport, Iowa
4111 East 60th Street
563.359.1348
Quincy, IL Hannibal, MO
Burlington, IA Galesburg, IL Pella, IA
Columbia, MO Carbondale, IL

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REVISION HISTORY

MARK	DESCRIPTION	DATE	APPR

PRELIMINARY DO NOT RECORD

UNDERGROUND GAS EASEMENT PLAT
MID-AMERICAN ENERGY
2811 FIFTH AVENUE
ROCK ISLAND, IL 61201

Non-Reduced Sheet Size: 14" x 8.5"

DESIGNED	DRAWN JLR
FIELD	FIELD BOOK
CHECKED LDM	CHECK DATE

UNDERGROUND GAS EASEMENT PLAT

PROJECT NO. 22-6003.030 EASEMENT
DRAWING ISSUED DATE: 9-28-2023

SHEET 1 OF 1

Prepared by and return to: Joshua T. Morse 563-333-8520
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES PO Box 4350-DV10, Davenport, IA 52808

MIDAMERICAN ENERGY COMPANY
GAS EASEMENT

		State of	Iowa	
Folder No.	122360	County of	Scott	
Work Req. No.	DR3031338	Section	35	
Project No.	A5615	Township	78	North
		Range	3	East of the 5th P.M.

1. For and in consideration of the sum of One and no/100-------Dollar ($1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa corporation, receipt of which is hereby acknowledged, the undersigned owner(s) **The City of Davenport, Iowa, a Municipal Corporation**, its successors and assigns ("Grantor"), does hereby grant to MIDAMERICAN ENERGY COMPANY, its successors and assigns ("Grantee"), a perpetual, non-exclusive easement to construct, attach, reconstruct, operate, maintain, replace or remove line(s) and facilities for the transportation of natural gas, including but not limited to, meters, valves, support brackets, piping, line markers and other reasonably necessary equipment incident thereto (collectively "Facilities") under, upon and on the surface of the ground, through and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement ("Easement Area").

DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

Part of the Northwest Quarter of Section 35, Township 78 North, Range 3 East of the Fifth Principal Meridian in the City of Davenport, County of Scott, State of Iowa, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 35; thence South 00° 04' West 1458.72 feet along the West line of the Northwest Quarter of said Section 35 to its intersection with the present Southerly fight of way line of West River Street (U.S. Route 61) which point is also the place of beginning to the tract of land herein described; thence North 82° 25' 30" East 54.57 feet along said right of way line; thence in a Northeasterly direction along said right of way line on a curve concave to the Southeast and the radius of which is 2427.43 feet for a distance of 114.65 feet to River Street and Marquette Street; thence South 00° 04' West 114.34 feet along the West line of said Marquette Street; thence South 79° 30' West 170.90 feet to the West line of the Northwest Quarter of said Section 35; thence North 00° 4' East 125.88 feet along the West line of the Northwest Quarter of said Section 35 to the place of beginning.

Subject to an easement for the continued maintenance, operation and use of all existing conduits, sewers, water mains, gas lines, electric power lines, wires and other utilities of any kind whatsoever on said premises, whether owned, operated, used or maintained by the Chicago, Rock Island and Pacific Railroad

Company, its licensees or others, and whether or not of record, with reasonable right of entry for the purpose of repairing, reconstructing and replacing same; and Subject to a reservation by the Chicago, Rock Island and Pacific Railroad Company, its successors and assigns, of all coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature underlying the surface of said premises, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of said premises.

EASEMENT AREA:

An underground gas easement described as follows:

Said easement area is generally depicted on Exhibit "A", attached hereto and made a part hereof.

2. Additionally, Grantee shall have the right to remove from the Easement Area described above, any obstructions, including but not limited to, trees, plants, undergrowth, buildings, fences and structures that interfere with the proper operation and maintenance of said Facilities and equipment.

3. Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants, or other objects on the Easement Area described above, or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its Facilities.

4. In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal, of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the Facilities (except for damage to property placed subsequent to the granting of this easement) that Grantee determines interferes with the operation and maintenance of the Facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the Easement Area is expected and not considered damage to the Grantor.

5. Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.

6. Each of the provisions of this easement shall be enforceable independently of any other provision of this easement and independent of any other claim or cause of action. In the event of any matter or dispute arising out of or related to this easement, it is agreed between the parties that the law of the jurisdiction and location where this easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this easement without regard to the place of execution or place of performance thereof, or any conflicts of law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.

7. Grantor hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property. Grantor understands that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this easement, voluntarily gives up any right to this protection for this property with respect to claims based upon this easement.

8. Grantor warrants to Grantee that Grantor holds title to the Easement Area in fee simple and Grantor has good and lawful authority to grant the rights provided in this easement.

Dated this ____ day of _____, 2023

The City of Davenport, Iowa, a Municipal Corporation

By:_____

Name Printed:_____

Title:_____

ACKNOWLEDGMENT

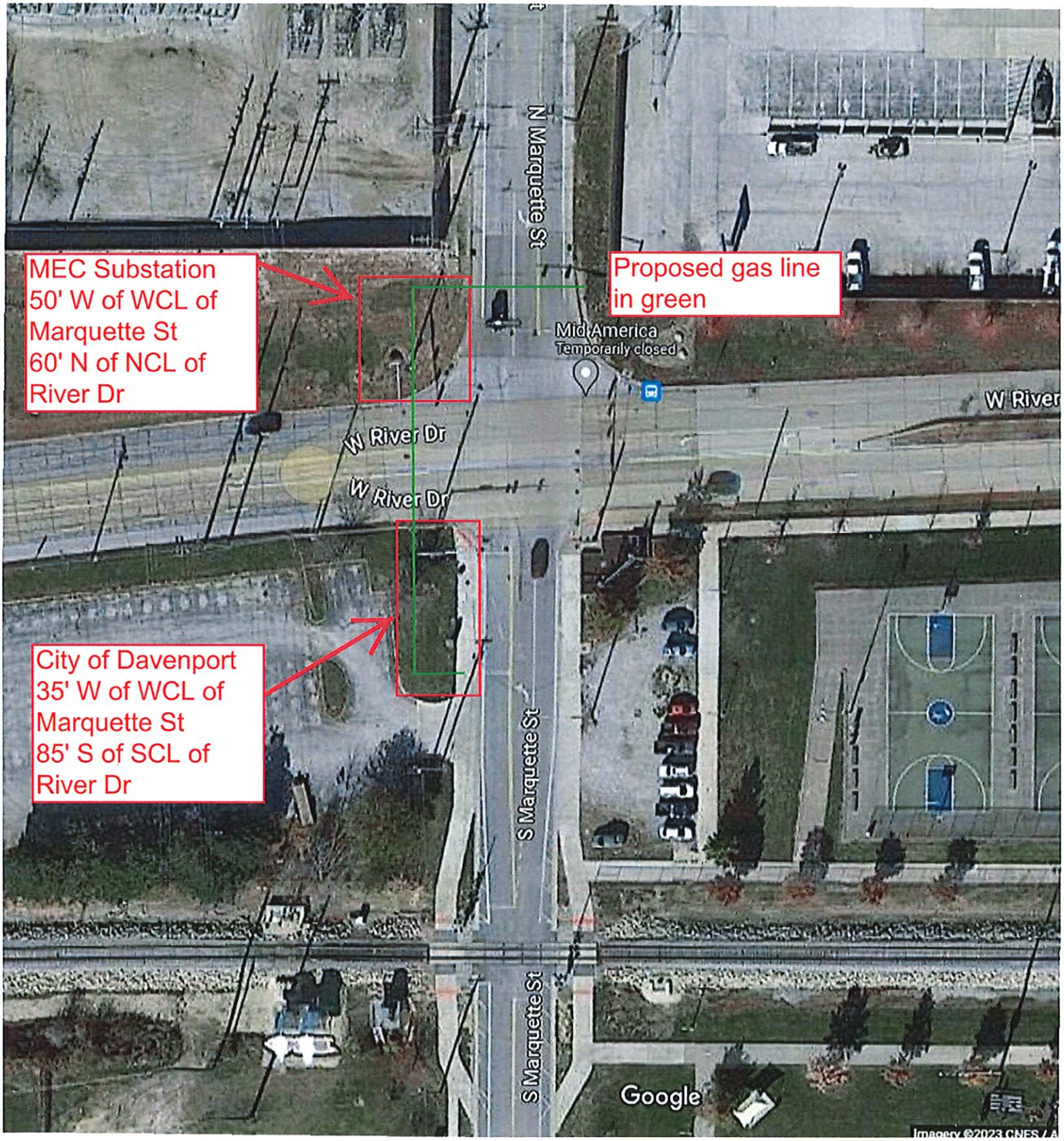
STATE OF _____)
) ss
COUNTY OF _____)

This record was acknowledged before me on _____, 2023,

by_____as_____

of The City of Davenport, Iowa, a Municipal Corporation.

_____
Signature of Notary Public


MEC Substation
50' W of WCL of
Marquette St
60' N of NCL of
River Dr
Proposed gas line
in green
City of Davenport
35' W of WCL of
Marquette St
85' S of SCL of
River Dr
N Marquette St
Mid America
Temporarily closed
W River Dr
W River Dr
W River
S Marquette St
S Marquette St
Google
Imagery ©2023 CNES / A

Notice of Hearing

On a Resolution to Grant MidAmerican Energy Company an Easement on City Property, Parcel N2009-01

Notice is hereby given that at 5:30 P.M., on Wednesday, November 1, 2023, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on a RESOLUTION granting MidAmerican Energy Company an Easement across city property located at the following described location:

PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SOUTH MARQUETTE STREET AND THE SOUTH RIGHT OF WAY LINE OF WEST RIVER DRIVE; THENCE, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH MARQUETTE STREET, SOUTH 02 DEGREES 15 MINUTES 25 SECONDS EAST, TO AN ARC, A DISTANCE OF 71.27 FEET; THENCE, ALONG SAID ARC A DISTANCE OF 12.05 FEET, SAID ARC HAVING A RADIUS OF 2,356.43 FEET, SAID ARC HAVING A CHORD BEARING OF SOUTH 82 DEGREES 31 MINUTES 01 SECONDS WEST, AND A CHORD DISTANCE OF 12.05 FEET; THENCE, NORTH 02 DEGREES 15 MINUTES 25 SECONDS WEST, TO AN ARC ON THE SOUTH RIGHT OF WAY LINE OF WEST RIVER DRIVE, A DISTANCE OF 71.30 FEET; THENCE, ALONG SAID ARC ALONG THE SOUTH RIGHT OF WAY LINE OF WEST RIVER DRIVE, A DISTANCE OF 12.05 FEET, SAID ARC HAVING A RADIUS OF 2,427.43 FEET, SAID ARC HAVING A CHORD BEARING OF NORTH 82 DEGREES 40 MINUTES 13 SECONDS EAST, AND A CHORD DISTANCE OF 12.05 FEET, TO THE POINT OF BEGINNING, CONTAINING 855 SQUARE FEET, MORE OR LESS.

FOR THE ABOVE DESCRIPTION THE WEST RIGHT OF WAY LINE OF SOUTH MARQUETTE STREET HAS A BEARING OF SOUTH 02 DEGREES 15 MINUTES 25 SECONDS EAST.

At said hearing any interested person may file written objection or comments with respect to the proposed granting MidAmerican Energy Company an Easement on City Property, Parcel L0017-01.

Brian J. Krup
Deputy City Clerk

Davenport, Iowa
October 27, 2023

Publish once October 27, 2023
QUAD-CITY TIMES

City of Davenport

Department: Finance
Contact Info: Jamie Brown | 563-326-7787

Action / Date
10/25/2023

Subject:
Resolution approving the purchase of a rescue and response vehicle from Lenco Industries, Inc of Pittsfield, Massachusetts in the amount of $283,735 using State of Iowa Department of Administrative Services contract #23202. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This purchase will utilize State of Iowa Department of Administrative Services contract #23202 awarded through competitive solicitation 005-RFB-0437-2023.

This purchase is for a rescue and response vehicle to be utilized by the Davenport Police Department during high-risk, critical incident responses. This vehicle will enhance the safety of officers responding to critical incidents where rescue and/or response is necessary during an active incident for the safety and protection of the public. This vehicle will reduce the risk of injury to both responding officers and the public during critical incident response.

The Davenport Police Department does not currently have a rescue and response vehicle and must borrow this equipment from the Bettendorf Police Department or Rock Island County as needed. In addition to the borrowed equipment the lending agency also must provide a driver to operate their vehicle. Between January 1, 2023 through August 31, 2023, Davenport Police Department has utilized a borrowed rescue vehicle over 50 times.

Funding for this purchase will be from Forfeiture & Seizure | 50102580 520201.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	10/13/2023 - 2:30 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION approving the purchase of a rescue and response vehicle from Lenco Industries, Inc of Pittsfield, Massachusetts in the amount of $283,735 using State of Iowa Department of Administrative Services contract #23202.

WHEREAS, the City of Davenport needs to purchase a rescue and response vehicle; and

WHEREAS, Lenco Industries, Inc of Pittsfield, Massachusetts was awarded the State of Iowa Department of Administrative Services contract #23202 as the lowest responsive and responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of a rescue and response vehicle from Lenco Industries, Inc of Pittsfield, Massachusetts in the amount of $283,735 is hereby approved.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7275

Action / Date
10/25/2023

Subject:
Resolution awarding a contract for the installation of the Credit Island Nature Playground to Hagerty Earthworks LLC of Muscatine, Iowa in the amount of $136,284, CIP #64103. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on September 25, 2023 and sent to contractors. On October 11, 2023 the Purchasing Division opened and read four (4) responsive and responsible bids. Hagerty Earthworks LLC of Muscatine, Iowa was the lowest responsive and responsible bidder and is recommended for award.

The contract includes the furnishing of all labor, materials, equipment, and services necessary to place and compact fill material and install concrete sidewalk, crushed aggregate path and play pieces at Credit Island Park. The Parks and Recreation Department will provide the fill material, mulch, boulders, permanent seeding, and all play equipment.

Funding for this project is from CIP #64103 Playground Replacement Program.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/11/2023 - 5:44 PM
Finance Committee	Merritt, Mallory	Approved	10/11/2023 - 5:44 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 12:17 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 installation of the Credit Island Nature Playground to Hagerty Earthworks LLC of Muscatine, Iowa in the amount of $136,284, CIP #64103.

WHEREAS, the City needs to contract for installation of the Credit Island Nature Playground; and

WHEREAS, Hagerty Earthworks LLC of Muscatine, 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 installation of the Credit Island Nature Playground is hereby awarded to Hagerty Earthworks LLC of Muscatine, Iowa in the amount of $136,284.

Passed and approved this 25th day of October, 2023.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Installation of Credit Island Nature Playground

BID NUMBER: 24-25

OPENING DATE: October 11, 2023

FUNDING: 74128682-530350-64103 | Playground Replacement Program

RECOMMENDATION: Award the contract to Hagerty Earthworks LLC of Muscatine, Iowa, in the amount of $136,284.

VENDOR NAME	PRICE
Hagerty Earthworks LLC of Muscatine, IA	**$136,284**
The Henley Group, LLC of Muscatine, IA	$216,280
Miller Tricking & Excavating of Silvis, IL	$224,305
Hawkeye Paving Corporation of Davenport, IA	$286,250

Approved By [redacted] 10/11/23
Purchasing Date

Approved By [redacted] 10/16/23
Dept. Director Date

Approved By [redacted] 10-11-23
Budget/CIP Date

Approved By [redacted] 10/10/23
Assistant Finance Director Date

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7815

Action / Date
10/25/2023

Subject:
Motion awarding a contract for the purchase and installation of a replacement playground at Cork Hill Park to Fry & Associates, Inc of North Kansas City, Missouri in the amount of $85,000. [Ward 3]

Recommendation:
Pass the Motion.

Background:
A Request for Proposals was issued on August 7, 2023 and sent to vendors. On September 6, 2023, the Purchasing Division opened and read eight (8) proposals. See attached tabulation. Fry & Associates, Inc of North Kansas City, Missouri has the best proposal that meets the City's need and is recommended for the award.

The proposals were evaluated by an selection committee of staff members from the Parks and Recreation Department. The criteria used for the evaluations were: 1) Play opportunities – 50%, 2) Site compatibility – 20%, 3) Accessibility – 15%, and 4) Cost value – 15%.

This project will be funded by CIP #64070.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	10/11/2023 - 5:41 PM
Finance Committee	Merritt, Mallory	Approved	10/11/2023 - 5:42 PM
City Clerk	Admin, Default	Approved	10/12/2023 - 12:34 PM

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: Playground Replacement – Cork Hill & Monroe Park

BID NUMBER: 24-16

OPENING DATE: September 6, 2023

FUNDING: 74087683 530350 64070 | Park Development Program

RECOMMENDATION: Award a contract to Fry & Associates, Inc of North Kansas City, Missouri in the amount of $85,000.

VENDOR NAME	LOCATION
Fry & Associates, Inc	**North Kansas City, MO**
Cunningham Recreation	Ankeny, IA
Play Pro Recreation	Clive, IA
J. Oliver Construction	Kansas City, KS
Outdoor Recreation Products	Gretna, NE
The Henley Group, LLC	Muscatine, IA
The American Playground & Recreation	Sioux Falls, SD
Midwest Playscapes, Inc	Savage, MN

Approved By [redacted] 10/11/23
Purchasing Date

Approved By [redacted] 10/16/23
Dept. Director Date

Approved By [redacted] 10-11-23
Budget/CIP Date

Approved By [redacted] 10/10/23
Assistant Finance Director Date

City of Davenport

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

Action / Date
10/18/2023

Subject:
Motion for suspension of the rules to vote on the item listed below.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/17/2023 - 8:28 AM

City of Davenport

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

Action / Date
10/25/2023

Subject:
Motion approving a beer and liquor license application.

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

Ward 3

German American Heritage Center and Museum (German American Heritage Center) - 119 East 3rd Street - Temporary Outdoor Event October 21 - License Type: Special Class C Beer/Wine (On-Premises)

Recommendation:
Pass the Motion.

Background:
This application has been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	10/13/2023 - 9:51 AM