

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, September 25, 2019; 5:30 PM

City Hall, 226 W 4th Street, Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting Minutes for September 11, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on the Committee of the Whole for September 18, 2019

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Hispanic Heritage Month, September 15 - October 15
2. Fire Prevention Week, October 6 - October 12
3. Be A Good Neighbor Day - September 28, 2019

IX. Presentations

A. Summer Reading Program Trophy Presentation

X. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

XI. Individual Approval of Items on the Discussion Agenda

1. Second Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE ON SECOND CONSIDERATION

i. Motion for suspension of the rules

ii. Passage on second consideration

2. Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Hickory Grove Rd at the northernmost Cobham driveway. [Ward 2]

**COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF
THE RULES AND PASSAGE ON SECOND CONSIDERATION**

- i. Motion for suspension of the rules
- ii. Passage on second consideration
3. Resolution on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

XII. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Third Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]
2. Second Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]
3. Second Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]
4. First Consideration: Ordinance amending Chapter 5.24 of the Davenport Municipal Code entitled "Massage Business Information Requirement." [All Wards]
5. First Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible, including verbiage for a flat rate stormwater fee for the CD and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates. [All Wards]
6. Resolution closing various streets, lanes, or public grounds on the listed dates to hold outdoor events.

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 5:30 p.m. - 6:30 p.m.; **Parade Route** (police controlled intersections): west on W 17th St from N Clark to N Elsie; north on N Elsie to W Lombard; west on W Lombard to N Nevada; south on N Nevada to finish in the West High School parking lot. [Ward 1]

Scott Tunnickliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019; **Closures:** 8:00 a.m. - 12:00 p.m. Main St between Locust St and 5th St; 8:00 a.m. - 10:00 p.m. 15th St between Harrison St and Main St. [Ward 3 & 5]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 11:00 a.m. - 4:00 p.m.; **Closure:** E 12th St between College Ave and Esplanade Ave. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 8:30 p.m.; **Closure:** Staging: 5:00 p.m. – 6:00 p.m. Woodland Ave and 18th St in front of McKinley Elementary; **Parade Route** (police controlled intersections): 6:00 p.m. – 7:00 p.m. east on 18th St to Fernwood Ave; south on Fernwood Ave to Forest Rd; north on Forest Rd to Middle Rd; west on Middle Rd to Woodland Ave; north on Woodland Ave to 18th St; east on 18th St to finish at McKinley Elementary. [Ward 6]

Amy Kay; Neighborhood Block Party; 2322 Harrison St; Saturday, October 5, 2019 3:00 p.m. - 7:00 p.m.; **Closure:** Ripley St between W Dover Ct and W Rusholme St. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from E 11th St to E 12th St. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 5:00 p.m. - 10:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from 11th St north to alley. [Wards 5 & 6]

7. Resolution authorizing the submission of an Iowa Clean Air Attainment Program application for grant assistance to replace the Elm Street Bridge over the Canadian Pacific Railway. [Ward 5]
8. Preliminary Resolution for the FY20 Alley Resurfacing Program. [Ward 4]
9. Resolution awarding the 1930's Interceptor Flow Diversion Project to Langman Construction, Inc of Rock Island, IL in the amount of \$9,479,387.51, CIP #30038. [Wards 3, 5, & 6]
10. Resolution approving the Inspection and Construction Engineering contract for the 1930's Interceptor Flow Diversion Project to Veenstra & Kimm in the amount not-to-exceed \$268,546, CIP #30038. [Wards 3, 5, & 6]
11. Resolution accepting the Miracle Field of the Quad Cities Phase II project completed by Precision Builders, Inc of Bettendorf, IA. This project was completed with a final contract amount of \$113,642.95, CIP #64030. [Ward 8]
12. Resolution of acceptance for the Elmore Avenue Patching Project, completed by CDMI Concrete Contractors Inc of Port Byron, IL with a final cost of

- \$243,276.44 budgeted in CIP #35035. [Ward 6]
13. Resolution of acceptance for the 4th and LeClaire Street Sewer Separation Project, completed by Langman Construction Inc of Rock Island, IL with a final cost of \$513,998.64 budgeted in CIP #30016. [Ward 3]
 14. Resolution to purchase ten (10) Chevy Tahoe Police SUVs from Karl Chevrolet Inc of Ankeny, IA in the amount of \$356,413.40, CIP #24011 and #24013. [All Wards]
 15. Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing Phase III Electrical Construction Project, CIP #68004. [Ward 3]
 16. Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3]
 17. Resolution approving a Memorandum of Understanding between the City of Davenport and the Davenport Community School District. [All Wards]
 18. Resolution to set the date for a Public Hearing on a proposal to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not-to-exceed \$10,500,000. [All Wards]
 19. Motion approving noise variance request(s) for various events on the listed dates and times.

Scott Tunnicliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019 8:00 a.m. - 10:00 p.m.; Outdoor music/performances, over 50 dBa. [Wards 3 & 5]

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 4:00 p.m. - 6:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 1]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 12:00 p.m. - 3:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 7:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 6]

Matt Madril; Fall Crawl; 2224 Harrison St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Clare Nicholas; Fall Crawl; 2208 N Ripley St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Delbert Todd; Fall Crawl; 1920 N Main St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Amy Kay; Neighborhood Block Party; Ripley St between W Dover Ct and W Rusholme St; Saturday, October 5, 2019 4:30 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; Sirens/Outdoor music, over 50 dBa. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 6:00 p.m. - 10:00 p.m.; Outdoor music/fireworks, over 50 dBa. [Wards 5 & 6]

20. Motion approving beer and liquor license applications.

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

Ward 3

Lumpy's Inc. (Zeke's Island Café) – 1509 N Harrison St. – Outdoor area September 28th, 2019 “Retrofest” – License Type: B Beer

Cathedral Ale (Sacred Heart Cathedral) - 422 E 10th St - Outdoor Area - License Type: B Beer

Ward 4

Wise Guys Pizza/Next Door Pub (PB&B, LLC) - 2720 W Locust St, Unit B-15 - Outdoor Area - License Type: C Liquor

Ward 6

Cabos Cantina and Grill 2 (Cabos Cantina and Grill, LLC) - 5717 Elmore Ave, Suite E - License Type: C Liquor

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

Ward 1

Davenport Elks Lodge #298 (Benevolent And Protective Order Of Elks #298) - 4400 W Central Park Ave - License Type: Class C Liquor

Kwik Shop #583 (Kwik Shop, Inc) - 3129 Rockingham Rd - License Type: Class C Beer

Ward 2

Dhakals LLC (Dhakals LLC) - 3108 W Central Park Ave - License Type: Class E Liquor - C Beer/B Wine

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St - License Type: Class C Liquor

Armored Gardens (Armored Gardens LLC) - 315 Pershing Ave - Outdoor Area License Type: Class C Liquor

German American Heritage Center (German American Heritage Center) - 712 W 2nd St (Fourth Floor Only)- License Type: Special Class C - Beer/ Wine

Radisson (Bucktown Lodging Llc) - 111 E 2nd St - License Type: Class B Liquor

The Diner (The Diner LLC) - 421 West River Drive Suite 6 - Outdoor Area License Type: Class C Liquor

The Renwick Mansion, LLC (The Renwick Mansion, LLC) - 901 Tremont Ave - Outdoor Area License Type: Class C Liquor

Ward 4

Kwik Shop # 593 (Kwik Shop, Inc) - 303 W Locust St - License Type: Class C Beer - B Wine

Kwik Shop #577 (Kwik Shop, Inc) - 1732 Marquette St - License Type: Class C Beer

Ward 5

Locust Street Tavern (Locust Street Tavern, Inc) - 331 East Locust St - License Type: Class C Liquor

Ward 6

Cactus LLC (Cactus LLC) - 2843 East 53rd St - License Type: Class C Liquor

Hy-Vee Fast And Fresh (Hy-Vee, Inc) - 3200 East Kimberly Rd Parking Lot Gas Station - License Type: Class E Liquor - B Wine/C Beer

The Clubhouse (Clubhouse Beverage LLC) - 4800 Elmore Ave Ste 100- Outdoor Area - License Type: Class C Liquor

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Ave - License Type: Class C Liquor

Ward 7

CASI (Center For Active Seniors, Inc) - 1035 W Kimberly Rd - Outdoor Area

License Type: Beer/Wine

Kwik Shop #586 (Kwik Shop, Inc) - 201 W 53rd St - License Type: Class C Beer

Kwik Shop #587 (Kwik Shop, Inc) - 1670 W Kimberly Rd - License Type: Class C Beer

Tantra Asian Bistro (Zhangs Trading Inc) - 589 E 53rd St - Outdoor Area License Type: Class C Liquor

21. Motion awarding a blanket contract for the purchase of calcium chloride to Sicalco, Ltd of Hinsdale, IL. [All Wards]
22. Motion awarding a blanket contract for the purchase of anti-icing chemicals from Ossian, Inc of Davenport, IA. [All Wards]
23. Motion awarding the contract for the FY20 Root Control Program to Duke's Root Control of Syracuse, NY for an amount not-to-exceed \$50,000. [All Wards]
24. Motion awarding a contract for the Housing Needs Assessment to Western Economic Services LLC of Portland, OR in an amount not-to-exceed \$60,000. [All Wards]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
9/25/2019

Subject:
Approval of the City Council Meeting Minutes for September 11, 2019

ATTACHMENTS:

Type	Description
▣ Backup Material	CC Min 091119

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/18/2019 - 1:46 PM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, September 11, 2019

The City Council of Davenport, Iowa met in regular session on Wednesday, September 11, 2019 at 5:32 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Frank Klipsch presiding and all aldermen present.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for August 28, 2019

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on the Committee of the Whole for September 4, 2019

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, September 4, 2019--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Klipsch presiding and all aldermen present except Ald. Clewell. The following Public Hearings were held: Community Development: for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Avenue. Public Works: on the plans, specifications, forms of contract, and estimate of cost for the River Dr Median Removal Project, CIP #35044; on the plans, specifications, forms of contract, and estimate of cost for Phase II of the Downtown Decorative Streetlight LED Retrofit Project, CIP #60020.

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. On motion by Ald. Rawson, second by Ald. Ambrose, the following three amendments were made to item #1, third consideration for Case ORD19-02: amend section 13 by adding billboards as a permitted use in the C-2 District; amend Section 23 to increase the notification time from four to seven days for mailed notice and posted notice; and add a Council notice policy as described previously by staff. On motion by Ald. Ambrose, second by Ald. Tompkins all items moved to the Consent Agenda. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Ambrose the annual liquor license renewal for Shenanigan's moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Condon, second by Ald. Rawson all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Dunn, second by Ald. Dickmann all items moved to the Consent Agenda. Other Ordinances, Resolutions, and Motions: On motion by Ald. Rawson, second by Ald. Ambrose the rules were suspended to vote on the following item: Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events (all aldermen present voting aye for both): 1. Beaux Arts Fund Committee; Beaux Arts Fall Fair; Friday, September 6, 2019 12:00 p.m. - 9:00 p.m.; Saturday, September 7, 2019 10:00 a.m. - 5:00 p.m.; Sunday, September 8, 2019 10:00 a.m. - 4:00 p.m.; **Closure**: W 2nd St from Harrison to Main with access to US Bank and 2. Ralph Kelly; Hilltop Urban Garden Taste; Saturday, September 7, 2019 6:00 a.m. - 5:00 p.m.; **Closure**: Scott St between W 14th St and W 15th St, **2019-361**.*

Council adjourned at 6:19 p.m.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2019-362

1. Handicapped Development Center Week - September 16-22, 2019

IX. Presentations

HELD

- A. Local Business "The Foundation of Our Community:" Tappa's Steak House

X. Petitions and Communications from Council Members and the Mayor

- A. Community Engagement Update - Alderwoman Meginnis

XI. Individual Approval of Items on the Discussion Agenda

On motion by Ald. Ambrose, second by Ald. Rawson (all aldermen present voting aye), this item was deleted from the agenda due to a miscommunication between the City and the Iowa Alcoholic Beverages Division.

1. Motion approving the following beer and liquor license application.

DELETED

- B. Annual license renewal:

Ward 3

Shenanigans (Here We Go Again, Inc) - 303 W 3rd St - License Type: Class C
Liquor - On Premise

XII. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Third Consideration: Ordinance for Case ORD19-02 being the request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled Zoning. [All Wards]

ADOPTED 2019-363

ORDINANCE NO. 2019 - 363

Case ORD19-02: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code (hereto referred to as DMC), entitled "Zoning", by amending Section 17.02.010 of the DMC, entitled "Rules of Interpretation" by adding and defining the term "should" and by reordering the subsequent rules, by amending Section 17.02.030 of the DMC, entitled "Definition of General Terms" by adding and defining the terms "Adjacent" and "Façade" to the existing list of Definition and General Terms and by revising the definitions of the terms "Sign, Freestanding" by correcting a term inconsistency, "Stoop" by adding a maximum dimension and "Substantial Repair/Rehabilitation" by revising unclear language, by amending Section 17.04.010 of the DMC, entitled "Purpose Statements" by modifying Section 17.04.010.G by replacing single-family dwellings with semi-detached dwellings in the purpose statement, by amending Section 17.04.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.04-1 by deleting "SF" and related standards and adding a five foot interior side setback for "2F" and "SF-SD" within the "R-MF" District, by amending Section 17.04.050 of the DMC, entitled "R-3C and R-4C District Design Standards" by deleting language and a diagram related to garages, carports and alley access, by

amending Section 17.05.010 of the DMC, entitled "Purpose Statement" by revising the locational intent, by amending Section 17.05.040 of the DMC entitled "Design Standards" by modifying Table 17.05-2 by replacing the term "abut" with "face" and the term "abutting" with "facing", by clarifying unclear language, by deleting overly restrictive transparency requirements for outlot buildings and by revising reduced setback language for commercial centers so that it is permissive and not mandatory (the diagram for Multi-Tenant Commercial Center Site Design Standards is also modified), by amending Section 17.05.050 of the DMC, entitled "C-D District Standards" by modifying Section 17.05.050.C by correcting a scrivener's error, by amending Section 17.05.060 of the DMC, entitled "C-V District Standards" by modifying Section 17.05.060.C by correcting a scrivener's error, by amending Section 17.05.070 of the DMC, entitled "C-E District Standards" by modifying Section 17.05.070.C by correcting a scrivener's error, by amending Section 17.06.030 of the DMC, entitled "Dimensional Standards" by modifying Table 17.06-1 by reducing the minimum interior side setback from five feet to none in certain circumstances, by amending Section 17.07.020 of the DMC, entitled "S-OS Open Space District" by modifying Section 17.07.020.A by adding additional uses to the purpose statement, by amending Section 17.08.020 of the DMC, entitled "Use Matrix" by modifying Table 17.08.020 by adding "Amusement Facility – Indoor", "Animal Care Facility – Small Animal" and "Parking Lot (Principal Use)" to the list of permitted uses in the I-1 District, by adding "Dwelling – Multi-Family" and "Dwelling – Townhouse" to the list of permitted uses in the I-MU District, by adding "Government Office/Facility", "Public Safety Facility" and "Restaurant" to the list of permitted uses in the S-OS District, by adding the use "Equine, Keeping of/Equestrian Facility" to the list of permitted uses in the R-1 and S-AG Districts, by revising the "Use Standard" section for "Dwelling – Townhouse" and by reordering the "Use Standard" subsections subsequent to Section 17.08.030.P, by amending Section 17.08.030 of the DMC, entitled "Principal Use Standards" by modifying Section 17.08.030.D, entitled "Billboard" by deleting reference to the same side of the street, by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family or Townhouse" by deleting reference and standards related to a townhouse and by deleting "Aluminum, steel or other metal siding" and "Vinyl" from the listed of prohibited building materials, by modifying Section 17.08.030.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family" by adding reference to and standards related to a townhouse, by creating a point system for front façade design, by revising certain language and a diagram to support this point system, by deleting the "Transition Rule for Section 17.08.030.O.3" provision, by adding Section 17.08.030.P, entitled "Equine, Keeping of/Equestrian Facility" and related principal use standards, by reordering subsections subsequent to Section 17.08.030.P and by deleting language in Section 17.08.030.DD (being revised to Section 17.08.030.EE) regarding distributed antenna systems in the right-of-way, by amending Section 17.08.050 of the DMC, entitled "Use Definitions" by revising the definition of the uses "Lodge/Meeting Hall" and "Place of Worship" by including language regarding the service and/or sale of food and drinks as an ancillary use, by revising the definition of the use "Public Safety Facility" by deleting reference to canine and equine units and by revising the definition of the use "Restaurant" to include language regarding alcoholic beverages, by amending Section 17.09.030 of the DMC, entitled "Accessory Structures and Uses" by modifying Section 17.09.030.A, entitled "General Regulations for Accessory Structures" by adding a material standard and a prohibition on the use of shipping containers, by modifying Section 17.09.030.H.1, entitled "General Requirements for All Fences" by deleting reference to walls and by revising and deleting certain language regarding the finished side of all fences, by modifying Section 17.09.030.K, entitled "Garage, Detached and Carports", by adding language and a diagram requiring access from the alley or rear service drive, by creating design standards for detached garages, by deleting the "Sunset for Section 17.09.030.K.4.d" provision, by deleting language regarding temporary tent structures, by modifying Section 17.09.030.L, entitled "Home Occupation" by adding language to prohibit any business that provides physical good, products, or merchandise directly to the consumer, by deleting Section 17.09.030.M, entitled "Keeping of Equines", by reordering subsections subsequent to Section 17.09.030.M and by modifying Table 17.09-1 by deleting the phrase "Prohibited in the front yard" from the encroachment term "Deck", by amending Section 17.10.030 of the DMC, entitled "Off-Street Parking Design Standards" by revising certain off-street parking space minimum dimensions and aisle width in Figure 17.10-1, by amending Section 17.10.040 of the DMC, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" by modifying Section 17.10.040.C by correcting a term inconsistency and Section 17.10.040.E by deleting a definition contained elsewhere in Title 17, by amending Section 17.10.070 of the DMC, entitled "Required Off-Street Loading Spaces" by modifying Section 17.10.070.B by correcting a term inconsistency, by amending Section 17.11.050 of the DMC, entitled "Parking Lot

Perimeter Landscape Yard” by requiring a perimeter landscape yard when a parking lot is adjacent to streets, alleys and public spaces and by revising the width of the perimeter parking lot landscape area in certain circumstances, by amending Section 17.11.070 of the DMC, entitled “Site Landscape” by replacing the term “abuts” with the phrase “is adjacent to”, by amending Section 17.11.080 of the DMC, entitled “Buffer Yards” by modifying Section 17.11.080.C.6 by including vinyl as a permitted fence material, by amending Section 17.14.020 of the DMC, entitled “Notice” by deleting “required” in certain subsections, by revising certain mandatory language to permissive language in certain subsections, by increasing the notice time from four days to seven days in certain circumstances and by adding a reference to notice policy for zoning applications, by amending Section 17.14.040 of the DMC, entitled “Zoning Text and Map Amendment” by modifying Section 17.14.040.D by revising mandatory language to permissive language, by amending Section 17.14.090 of the DMC, entitled “Site Plan Review” by adding Section 17.14.090.F, entitled “Minor Adjustments to Certain Design Standards” and subsection standards, by reordering subsections subsequent to Section 17.14.090.F and by correcting a scrivener’s error in Section 17.14.090.G (revised to Section 17.14.090.H) and by amending Section 17.14.100, entitled “Design Review” by modifying Section 17.14.100.D.2 by adding “and/or National Register of Historic Places”.
[Ward All]

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

Section 1. Section 17.02.010 of the Davenport Municipal Code, entitled “Rules of Interpretation” is hereby amended to read as follows:

Section 17.02.010 Rules of Interpretation

The terms in the text of this Ordinance are interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural, and the plural the singular.
- B. The present tense includes the past and future tenses, and the future tense includes the present.
- C. The terms “must,” “shall,” and “will” are mandatory.
- D. The term “should” is mandatory unless extenuating circumstances warrant administrative flexibility.
- E. The term “may” is permissive.
- F. The terms “must not,” “will not,” and “shall not” are prohibiting.
- G. Any gender includes all genders.
- H. Whenever a defined word or term appears in the text of this Ordinance, its meaning must be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage.

Section 2. Section 17.02.030 of the Davenport Municipal Code, entitled “Definition of General Terms” is hereby amended by adding and defining the terms “Adjacent” and “Façade” to the existing list of Definition and General Terms and by revising the definitions of the terms “Sign, Freestanding”, “Stoop” and “Substantial Repair/Rehabilitation” to read as follows:

Section 17.02.030 Definition of General Terms

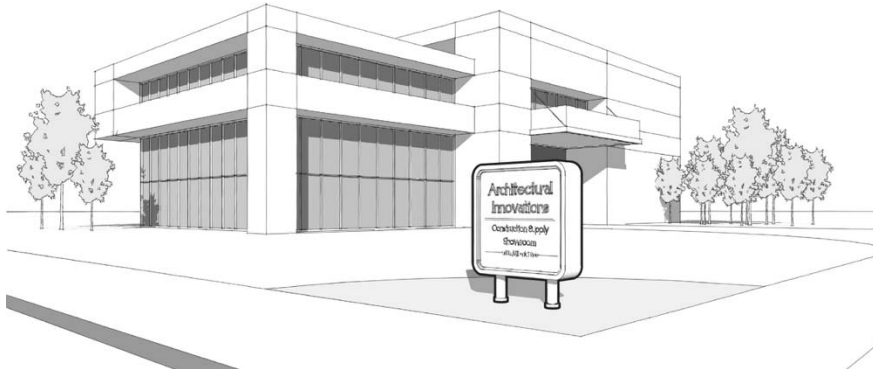
Adjacent. Close to or near something.

Façade. The vertical face of a building, including any insets and protrusions, which contribute the aesthetic and/or structure design of the building.

Sign, Freestanding. A sign that is placed on or supported by the ground, independent of the principal structure on the lot, designed with a monument base that is an integral part of the sign structure. There are three types of freestanding signs regulated by this Ordinance:

1. **Freestanding Sign – Standard.** A freestanding sign that identifies an establishment that is not specifically categorized as a residential subdivision freestanding sign or a multi-tenant commercial center freestanding sign.
2. **Freestanding Sign – Residential Subdivision.** A freestanding sign used to identify a residential subdivision.
3. **Freestanding Sign – Multi-Tenant Commercial Center.** A freestanding sign used to identify a commercial development with two or more tenants.

FREESTANDING SIGN



FREESTANDING SIGN



Stoop. An exterior floor having a maximum dimension of five feet wide by five feet long, typically constructed of wood, stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings, but cannot be enclosed.

Substantial Repair/Rehabilitation. Substantial repair/rehabilitation occurs with any exterior change, the cost of which exceeds 50% of the assessed or appraised building value. Routine exterior maintenance activities such as painting, tuckpointing, replacing trim in kind, railings in kind, or replacing other nonstructural architectural details in kind are not considered to constitute a substantial repair/rehabilitation unless the cost of exceeds 50% of the assessed or appraised building value.

Section 3. Section 17.04.010 of the Davenport Municipal Code, entitled "Purpose Statements (Section 17.04.010.G only)" is hereby amended to read as follows:

G. R-MF Multi-Family Residential Zoning District

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 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.

Section 4. Section 17.04.030 of the Davenport Municipal Code, entitled "Dimensional Standards (Table 17.04-1 only)" is hereby amended to read as follows:

Table 17.04-1: Residential Districts Dimensional Standards <i>SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family</i>			
	R-4	R-4C	R-MF
Bulk			
Minimum Lot Area	SF: 6,000sf SF-SD: 3,500sf/du 2F: 7,000sf Non-Residential: 10,000sf	SF: 4,000sf SF-SD: 2,500/du 2F: 5,500sf Non-Residential: 10,000sf	2F: 6,000sf SF-SD: 2,500/du TH, MF: 1,500sf/du Non-Residential: 10,000sf
Minimum Lot Width	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'	SF & 2F: 40' SF-SD: 25'/du Non-Residential: 75'	2F: 50' SF-SD: 25'/du TH: 20'/du MF: 80' Non-Residential: 75'
Maximum Building Height	35'	35'	2F, TH: 35' MF: 70'
Maximum Building Coverage	35%	40% Non-Residential: 35%	SF-SD & 2F: 50% TH, MF: 65%
Maximum Impervious Surface	60% Non-Residential: 70%	60% Non-Residential: 70%	SF-SD & 2F: 70% TH, MF: 75% Non-Residential: 75%
Setbacks			
Minimum Front Setback	20' or average of front setbacks, whichever is less	15' or average of front setbacks, whichever is less	25'
Minimum Interior Side Setback	5'	10% of lot width, or 5', whichever is less In no case shall an interior side setback be less than 4'	2F, SF-SD: 5' TH, MF: 10' - When abutting a residential district, structures over 45' in height require 1' additional setback for each 3' in height over 45'
Minimum Corner Side Setback	15'	10'	20'
Minimum Reverse Corner Side Setback	20'	15'	25'
Minimum Rear Setback	20' or 20% of lot depth, whichever is less	15' or 20% of lot depth, whichever is less	25' or 20% of site depth, whichever is less

Section 5. Section 17.04.050 of the Davenport Municipal Code, entitled "R-3C and R-4C District Design Standards" is hereby amended to read as follows:

In addition to the use standards for dwelling types located in Chapter 17.08, the following design standards apply to the R-3C and R-4C Districts. The standards below are applicable to construction of a new dwelling, and/or an addition to an existing dwelling that exceeds 25% of the building footprint of the structure as it was on the effective date of this Ordinance.

A. Building Massing and Orientation

1. The scale of new construction must maintain compatibility with adjacent homes and the overall character of the surrounding area.
2. Architectural elements within the design must be in proportion to the overall structure.
3. The scale of additions to existing homes must maintain compatibility with the size of the existing structure and its architectural elements, as well as with the size of adjacent homes and the overall character of the surrounding area.
4. Foundation height must maintain compatibility with adjacent homes, provided adequate drainage can be achieved.
5. Dwellings must be oriented toward the residential street, and must connect to the sidewalk via walkways perpendicular to the street.

B. Façade Design

1. All façades that face a street must have articulation in the form of windows, doors, or other significant architectural features that are projected or recessed to create shadow and visual interest.
2. The number and size of façade articulations must be scaled to the size of the façade to balance a home's compatibility within the neighborhood with its own unique character.

3. Additions to existing homes must continue the architectural vocabulary established by the original home, and must be informed by the overall character of the surrounding area.
4. Front porches are encouraged, to add interest and scale to the front of a home. Where provided, porches must maintain compatibility with adjacent homes.
5. The front entry to a home must be a prominent feature, and must be located on the front façade.

C. Fenestration

1. The design of a home's fenestration must reflect a consistent rhythm, repeating elements or groups of elements in a consistent manner across a home's story and between stories. Individual elements may vary in size, but must relate to each other proportionally.
2. Elements of fenestration must relate to each other visually by sharing design features such as vertical or horizontal alignment, depth, or ornamentation such as muntins, mullions, sills, trim, lintels, etc.
3. Façades facing onto immediately adjacent properties must design their fenestration to respect the privacy of neighbors. This may be addressed through the height, size, or proportion of windows, the exclusion of balconies, and the use of opaque or translucent materials.

D. Roof Form

1. Roof forms must be varied through a combination of structural articulations such as gables, hips, valleys, ridges, and saddles that complement the roof form of adjacent homes.
2. Roof pitch should be consistent for all sloped roof faces, and should maintain compatibility with adjacent homes and the overall character of the surrounding area.
3. Definition is encouraged, through integration of architectural features such as dormers, eyebrows, chimneys, and deep eaves, which create shadows across the façade of a structure and create visual interest.

E. Building Materials

Building materials for new homes, or additions to existing homes must maintain compatibility with adjacent homes and the overall character of the surrounding area.

1. Primary Building Materials

Primary building materials are the dominant component of a home's exterior walls, composing 75 to 90 percent of each building face.

- a. No more than two primary building materials are permitted for new homes, not including foundation.
- b. For additions to existing homes, no more than two primary building materials are permitted, provided that the total number of primary building materials for the overall structure, including addition, is not more than two.
- c. Color, texture, or finish changes within any category of materials count as separate primary building materials.
- d. Permitted primary building materials include:
 - i. Brick and stone
 - ii. Wood or simulated wood
 - iii. Vinyl siding
 - iv. Aluminum Siding
 - v. Stucco
- e. Building materials not listed above may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

2. Accent Materials

Accent materials are secondary components of a home's exterior walls, typically used to provide architectural detail or visual interest to a façade. Accent materials may not compose more than 25% of each building face.

- a.** For new construction and additions to existing homes, if one primary building material is used (not including a foundation), a minimum of two but no more than three accent materials are permitted for the overall structure, including any addition.
- b.** For new construction and additions to existing homes, if two primary building materials are used (not including a foundation), a minimum of one but no more than two accent materials are permitted for the overall structure, including any addition.
- c.** Color, texture, or finish changes within any category of materials count as separate accent materials.
- d.** Permitted accent materials include:
 - i.** Brick and stone
 - ii.** Wood or simulated wood
 - iii.** Architectural metal cladding
 - iv.** Concrete masonry units
 - v.** Stucco
- e.** Accent materials not listed above may be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

3. Roofing Materials

- a.** Roofing materials should complement the architectural style of a home.
- b.** A consistent application of one roofing material is required for all roof areas visible from the right of way or any neighboring property.
- c.** Color, texture, or finish changes within any category of materials listed below count as separate roofing materials.
- d.** Permitted roofing materials include the following:
 - i.** Dimensional asphalt shingles
 - ii.** Wood shingles and shakes
 - iii.** Slate
 - iv.** Terra Cotta
 - v.** Ceramic tile
 - vi.** Metal tiles or standing seam
- e.** Roofing materials not listed above will be considered on a case-by-case basis, and will be evaluated based upon such factors as durability, maintenance, architectural or design intent, and neighborhood context.

4. Application of Building Materials

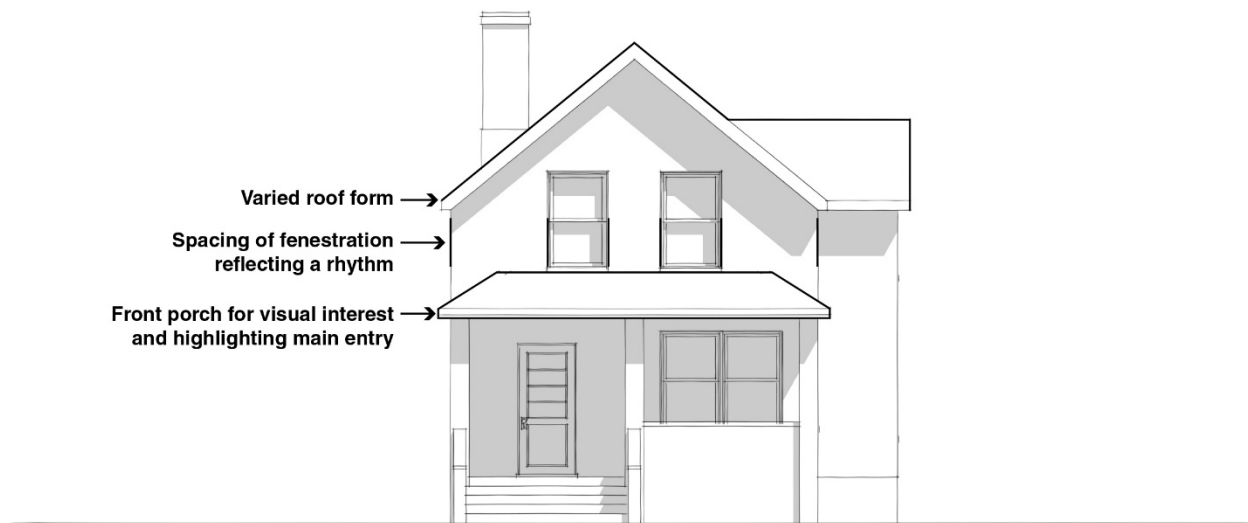
- a.** Building materials should be consistently applied on all exterior faces of new homes. Elevations of different materials or colors are not permitted, such as brick or stone front facades, with vinyl siding on side and rear elevations.
- b.** Visual balance should be maintained on each face of a structure. For both new construction and additions to existing homes, if multiple primary building materials are used on the overall structure, those

that appear heavier, or that carry more visual weight should be placed toward the bottom of a structure, with materials that appear lighter placed above.

c. Frequent or irrational changes in building materials should be avoided. Change of materials should occur with prominent architectural features or changes in wall plane.

d. Where materials change with a change in wall plane, the material change should occur on the inside corner, not the outside edge.

R-3C AND R-4C DISTRICT DESIGN STANDARDS



Section 6. Section 17.05.010 of the Davenport Municipal Code, entitled "Purpose Statement" is hereby amended to read as follows:

C. C-2 Corridor Commercial Zoning District

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

Section 7. Section 17.05.040 of the Davenport Municipal Code, entitled "Design Standards" is hereby amended to read as follows:

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

A. Commercial Districts Design Standards

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

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
Façade Design					
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	

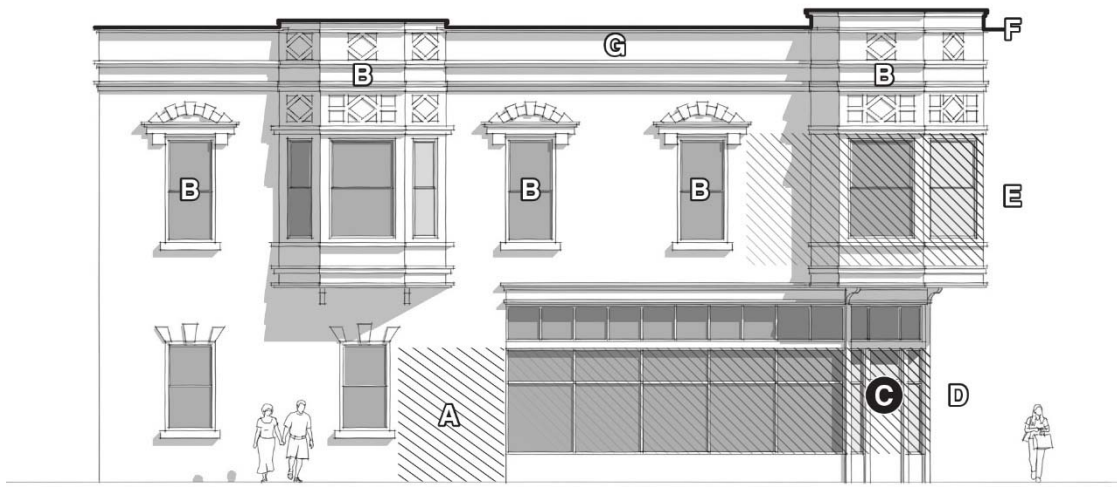
Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.					•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•
Fenestration Design					
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•		
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•		
Roof Design					
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•
Entrance Design					
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.					•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.					•
Multi-Tenant Commercial Center and Office Park Site Design					
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.					•

B. Building Material Restrictions

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

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

C-1 DISTRICT DESIGN STANDARDS



- | | |
|--|--|
| <p>A. Blank wall area 40 linear feet or less, measured parallel to the street</p> <p>B. Repeating pattern of two elements at an interval of no more than 40 linear feet</p> <p>C. A visually distinct public entrance from the sidewalk along the primary building frontage</p> <p>D. First floor transparency of 50% measured between two and ten feet in height from grade</p> | <p>E. Upper floor transparency of 15% of the wall area of the story</p> <p>F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet</p> <p>G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details</p> |
|--|--|

C-2 DISTRICT DESIGN STANDARDS



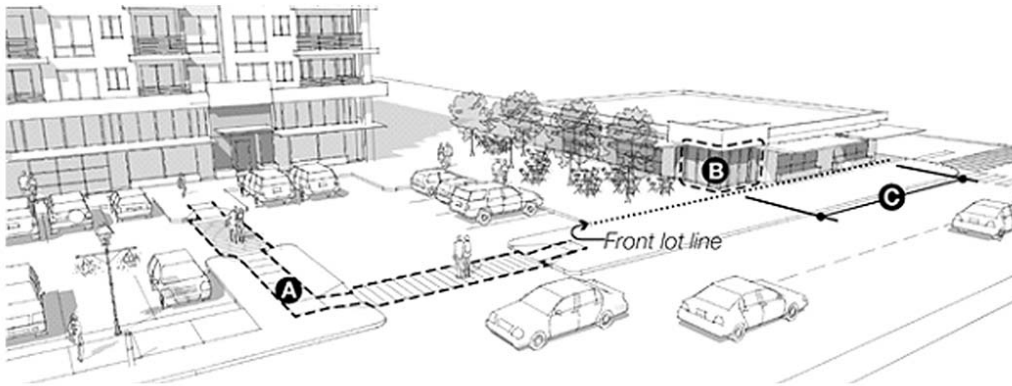
- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 50% measured between two and ten feet in height from grade
- E. Upper floor transparency of 15% of the wall area of the story
- F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

C-3 DISTRICT DESIGN STANDARDS

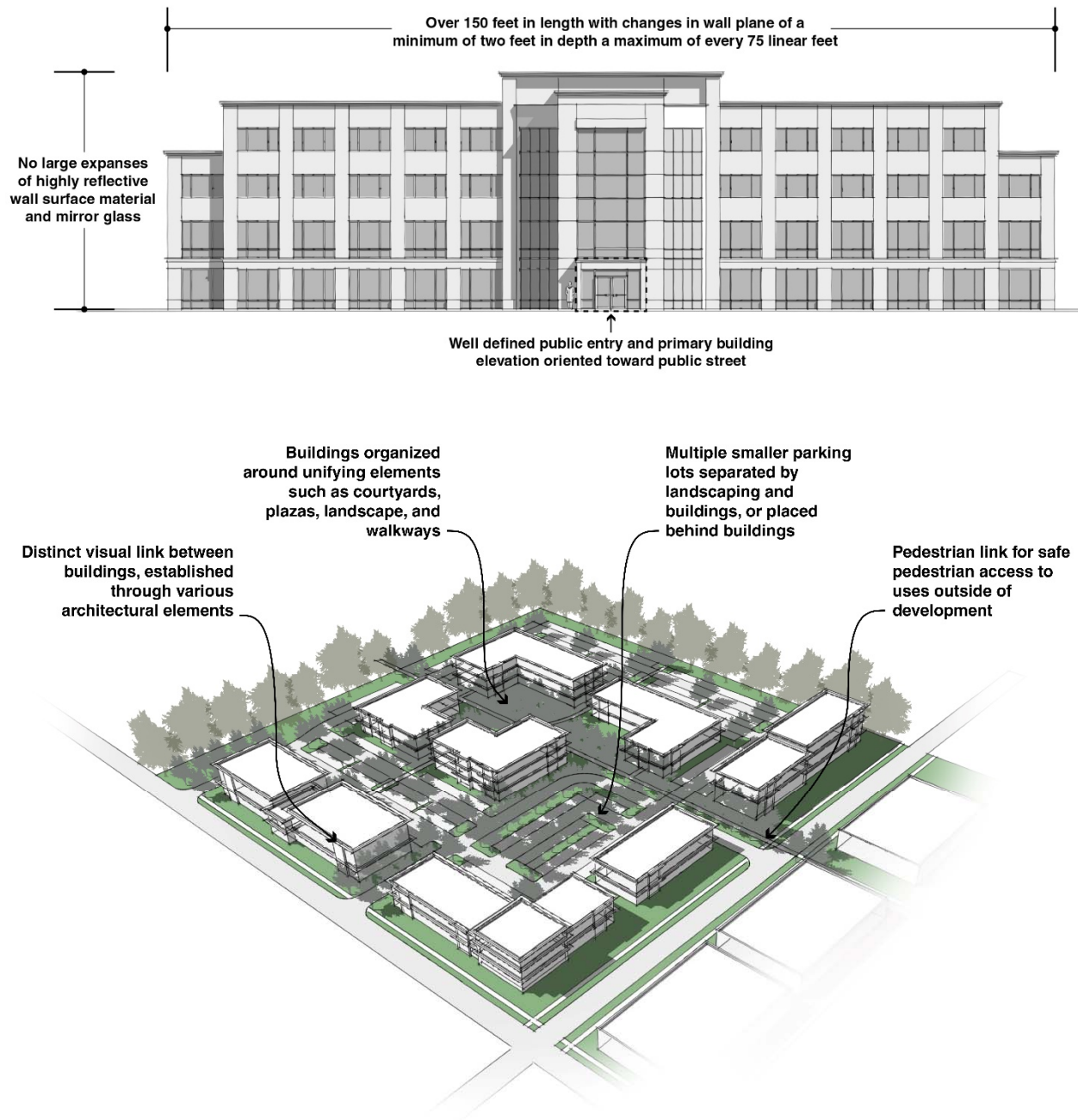


- A. Blank wall area 40 linear feet or less, measured parallel to the street
- B. Repeating pattern of two elements at an interval of no more than 40 linear feet
- C. A visually distinct public entrance from the sidewalk along the primary building frontage
- D. First floor transparency of 35% measured between two and ten feet in height from grade
- E. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet
- F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

MULTI-TENANT COMMERCIAL CENTER SITE DESIGN STANDARDS



- A. Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.
- B. Any outlot buildings must meet the minimum transparency requirements of the district, and must include prominent entrances oriented toward both the street and the interior lot.
- C. Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.



Section 8. Section 17.05.050 of the Davenport Municipal Code, entitled "C-D District Standards (Section 17.05.050.C only)" is hereby amended to read as follows:

C. C-D District Design Standards

Development in the C-D District is subject to design review per Section 17.14.100, and must be designed in accordance with the City of Davenport's adopted Downtown Design Guidelines and Downtown Davenport Streetscape Improvement Plan.

Section 9. Section 17.05.060 of the Davenport Municipal Code, entitled "C-V District Standards (Section 17.05.060.C only)" is hereby amended to read as follows:

C. C-V District Design Standards

Development in the C-V District is subject to design review per Section 17.14.100. Design requirements for the C-V District are described in the adopted Village of East Davenport Performance Standards.

Section 10. Section 17.05.070 of the Davenport Municipal Code, entitled "C-E District Standards (Section 17.05.070.C only)" is hereby amended to read as follows:

C. C-E District Design Standards

Development in the C-E District is subject to design review per Section 17.14.100. Design requirements for the C-E District are described in the adopted Elmore Corners Plan.

Section 11. Section 17.06.030 of the Davenport Municipal Code, entitled "Dimensional Standards (Table 17.06-1 only)" is hereby amended to read as follows:

Table 17.06-1: Industrial Districts Dimensional Standards			
	I-1	I-2	I-MU
Bulk			
Minimum Lot Area	None	10,000sf	None
Minimum Lot Width	None	70'	None
Maximum Building Height	90'	90'	90'
Setbacks			
Minimum Front Setback	25'	25'	0'-10' build-to zone
Front Setback Build-to Percentage	None	None	80%
Minimum Interior Side Setback	None, unless abutting a residential district then 25'	15', unless abutting a residential district then 25'	None
Minimum Corner Side Setback	20'	20'	0'-10' build-to zone
Corner Side Setback Build-to Percentage			60%
Minimum Rear Setback	15'	25'	None, unless abutting a residential district then 20'

Section 12. Section 17.07.020 of the Davenport Municipal Code, entitled "S-OS Open Space District (Section 17.07.020.A only)" is hereby amended to read as follows:

A. Purpose

The S-OS Open Space District is intended to provide and protect larger open space and public recreational facilities, both outdoor and indoor, and cemeteries. Larger regional open spaces/parks may include both active and passive recreation areas and certain ancillary uses, such as cultural facilities, performance venues, and eating establishments. This district is also intended for governmental agency offices/facilities providing a governmental service to the public.

Section 13. Section 17.080.020 of the Davenport Municipal Code, entitled "Use Matrix (Table 17.08.020 only)" is hereby amended to read as follows

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

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

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

[illegible]

Section 14. Section 17.08.030 of the Davenport Municipal Code, entitled "Principal Use Standards is hereby amended by modifying Section 17.08.030.D, entitled "Billboard", by modifying Section 17.08.030.N, entitled "Dwelling – Multi-Family, by modifying Section 17.08.030.O, entitled "Dwelling - Single-Family, Single-Family Semi-Detached, and Two-Family, by adding Section 17.008.030.P, entitled "Equine, Keeping of/Equestrian Facility", by reordering subsections subsequent to Section 17.08.030.P and by modifying Section 17.08.030.DD (revised to Section 17.08.030.EE) to read as follows:

D. Billboard

1. Billboard locational restrictions are as follows:
 - a. Billboard structures are prohibited if visible from an interstate highway.
 - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
 - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
2. The maximum sign area of a billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
3. The maximum height of a billboard is 45 feet.
4. Billboards must meet principal building setbacks.
5. All billboards must be separated by a minimum distance of 1,500 feet.
6. Up to four billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two billboard sign faces can be visible from any one street direction.
7. Billboards are permitted to be electronic billboards but must comply with the following:
 - a. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.
 - b. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.

N. Dwelling - Multi-Family

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

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

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

O. Dwelling - Single-Family, Single-Family Semi-Detached, Two-Family, and Townhouse

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

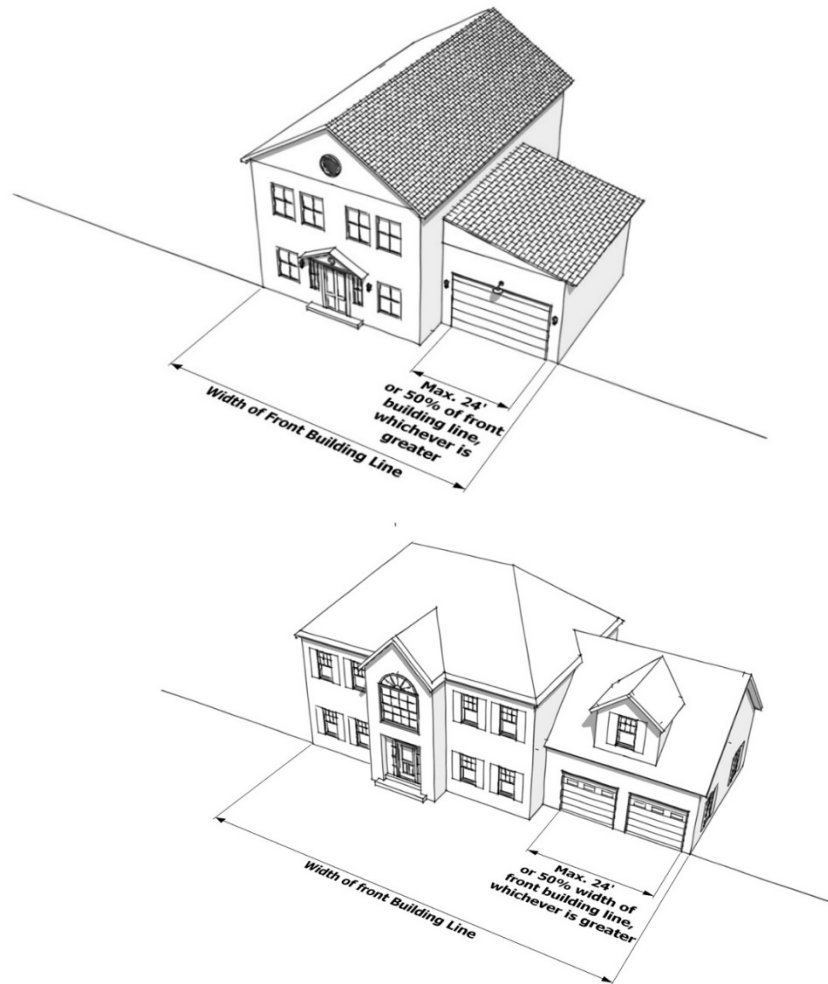
1. front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front façade.
2. A 5% minimum transparency requirement applies to the front façade and is calculated on the basis of the area of the façade below the roofline.
3. A dwelling with a front facing attached three-car garage shall have one of the garages offset one foot from the other garages.
4. In order to encourage architectural detail and visual interest a point system shall be utilized for the front façade in which the front façade must score 20 points from the categories below. Primary building materials are the dominant component of the façade. Accent materials are secondary components of the façade, typically used to provide architectural detail or visual interest.
 - i. 8 points – covered porch with columns.
 - ii. 6 points – masonry, brick, or stone veneer as a primary building material or accent material. If accent material it must extend from the foundation or grade to the window sill as a minimum and maintain that elevation along the entire façade exclusive of doors, windows and small areas that make the use of the material impractical.
 - iii. 6 points – front facing roof dormer.
 - iv. 4 points for each front facing roof gable with 8/12 pitch or higher.
 - v. 4 points – decorative roof brackets or gable trusses as an accent material.
 - vi. 4 points – decorative siding including but not limited to patterned shingles, shake, and board and batten as a primary building material or accent material.
 - vii. 3 points – bay/box window(s).
 - viii. 3 points – all front facing carriage style garage door(s). Carriage style garage doors may include decorative, simulated woodwork, decorative handles and brackets and window inserts.
 - ix. 3 points – door or window surrounds as an accent material.
 - x. 3 points – freeze boards and/or horizontal bands as an accent material.
 - xi. 2 points – decorative roof at the base of a gable.
 - xii. 1.5 points – for each percentage of transparency below the roofline over 5%.

xiii. 1 point – decorative gable vent(s).

xiv. 1 point – window shutters.

xv. negative 5 points – front facing attached garage that exceeds 24 feet or 50% the width of the front building line, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edges of the outermost doors.

ATTACHED GARAGE WIDTH



5. When a single-family and/or two-family development is designed as a house court, the following standards apply. A house court is a group of single-family and/or two-family dwellings arranged around a common courtyard or open space. Front facades of dwellings and primary pedestrian entrances are oriented to and accessed from the common area.

a. The minimum total site area required for a house court is 15,000 square feet or the cumulative area required for each dwelling type in the house court, whichever is greater.

b. The zoning district standards apply to each individual site within the house court.

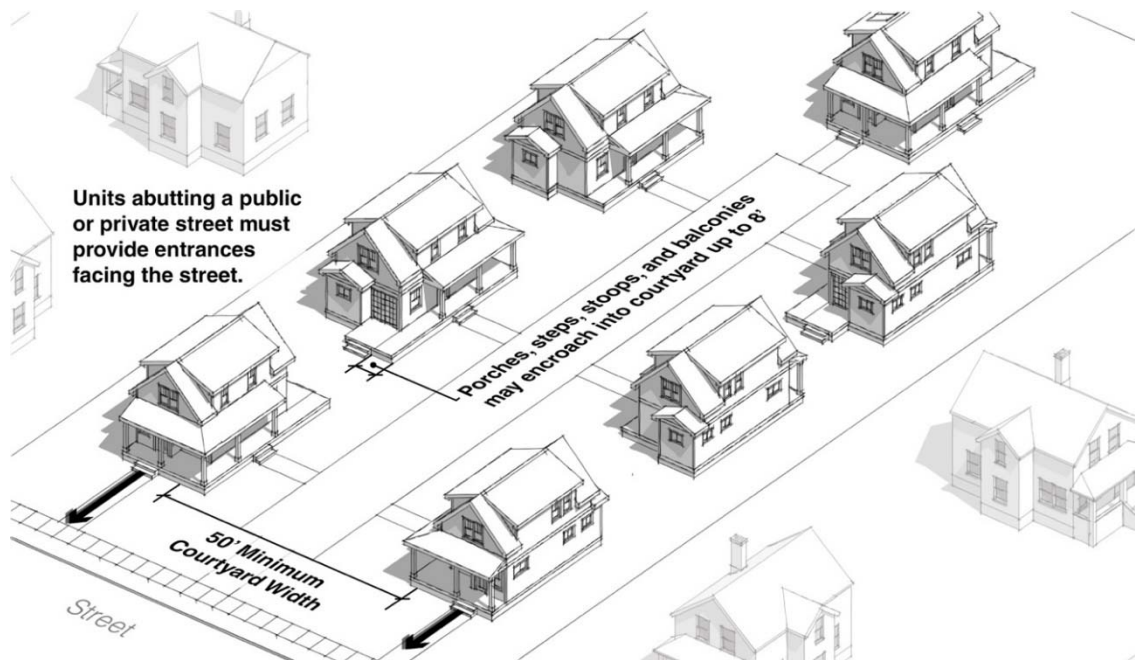
c. For any unit of a house court abutting a public or private street, the entrance of the units must face the street.

d. Courtyards must meet the following standards:

1. The minimum courtyard area is 3,000 square feet or 500 square feet per dwelling unit, whichever is greater.
2. A courtyard must have a minimum width of 50 feet.
3. All courtyard space must be contiguous and centrally located.
4. Porches, steps and stoops, and balconies may encroach up to eight feet into a courtyard.

e. Where a dwelling fronts on the courtyard, it is considered to meet the requirement for frontage on a public or private street.

SINGLE-FAMILY DWELLING: HOUSE COURT



6. There must be a minimum separation of 15 feet between sidewalls of townhouse buildings. Where the front or rear wall of a townhouse faces the front or rear wall of another townhouse, the minimum required separation between such buildings must be 30 feet. Driveways and parking areas may be located within this minimum separation area.

P. Equine, Keeping of/Equestrian Facility

1. A minimum of two acres is required to keep one equine. For each additional acre in excess of two acres, one additional equine may be housed and maintained.
2. A fence must be installed around the entire grazing area. The fence must be a minimum of 150 feet from the front lot line. The fence must be a minimum of 150 feet from an existing dwelling located on an adjacent lot.
3. A stable or shelter must be provided for the stabling of each equine. The stable or shelter must be a minimum of 100 feet from any side or rear lot line, and a minimum of 150 feet from any front lot line.
4. The keeping of equines for personal use is only permitted in the R-1 and S-AG Districts. No retail or wholesale use of these animals in the R-1 District. An equestrian facilities, which are defined as any place where equine are kept, housed, boarded, lodged, fed, hired, trained, sold, rented, or bred for monetary compensation, is only permitted in the S-AG District.

Q. Financial Services, Alternative (AFS)

1. Alternative financial services (AFS) must be located no closer than 1,000 feet from any other AFS.
2. Any existing alternative financial service establishment as of the effective date of this Code that do not meet the spacing requirement is deemed conforming; this applies only to AFS that are allowed as a permitted or special use within the district. If an alternative financial service is no longer allowed within a district as of the effective date of this Code, it is nonconforming use.

R. Gas Station

1. All structures and all pump islands, compressed air connections, and similar equipment must be set back a minimum of 15 feet from interior side and rear lot lines. Structures are exempt from any build-to lines required by the district.
2. The minimum distance a freestanding canopy for gas pumps must be from any street lot line is ten feet and 15 feet from any interior lot line.
3. The ancillary uses of a retail goods establishment and two car wash bays are permitted in connection with the principal gas station use.
4. When a gas station abuts the lot line of a residential district, it must be screened along the interior side and/or rear lot lines that abut the residential lot as follows:
 - a. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the rear lot line.
 - b. With a solid fence or wall, a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the residential lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.

S. Group Home

1. Group homes must be licensed by the state.
2. When a group home is located within an existing residential structure, the location, design, and operation of such facility must not alter the residential character of the structure.

T. Lodge/Meeting Hall

1. No more than 30% of the gross floor area may be used as office space for the lodge/meeting hall.
2. Lodges/meeting halls are permitted to serve meals and alcohol on the premises for members and their guests only.
3. Sleeping facilities are prohibited.
4. Lodges/meeting halls leased or used as reception facilities must comply with the requirements for reception facilities.

U. Neighborhood Commercial Establishment

1. Neighborhood commercial establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Ordinance.
2. The following non-residential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery
 - b. Arts studio
 - c. Office

- d. Personal service establishment
- e. Restaurant
- f. Retail goods establishment:
 - i. Retail sales of alcohol is prohibited.
 - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is prohibited.
- 3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
- 4. Drive-through facilities are prohibited.
- 5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
- 6. Signs are limited to those allowed in the C-T District.

V. Outdoor Dining

- 1. Outdoor dining is considered a separate principal use. Outdoor dining may only be established when allowed as a use within a zoning district and in conjunction with another principal use such as a bar or restaurant.
- 2. Outdoor dining must not interfere with any pedestrian access or parking spaces and aisles.
- 3. Outdoor dining areas must be located on private property. Outdoor dining on public property is not controlled by this Ordinance.
- 4. When a structure is required to be constructed at a build-to line, the structure may have up to 50% or 60 linear feet of the applicable façade, whichever is less, designated as outdoor dining may be setback up to 30 feet from the required build-to line.

W. Reception Facility

- 1. A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, or educational facilities.
- 2. When allowed in the residential districts and S-AG District, a minimum lot size of two acres is required. Fifty foot minimum setbacks are required along all lot lines.

X. Residential Care Facility

- 1. Residential care facilities must be licensed by the state.
- 2. When located in a nonresidential district, the structure must be designed with a lobby entrance along the primary frontage.

Y. Retail Sales of Fireworks

- 1. All fireworks sales are subject to the regulations on sale and storage by the Iowa Department of Transportation Hazard Classes 1.3g and 1.4g fireworks, excluding any novelty or sparklers as defined by the American Pyrotechnics Association.
- 2. All retail sales of fireworks establishments must be a minimum of 500 feet from any residential district.

Z. Self-Storage Facility: Indoor and Outdoor

- 1. Storage units cannot be used for residential occupancy or business.

2. No plumbing connections are permitted in self-storage units.
3. Storing hazardous or toxic materials is prohibited.
4. For self-storage facilities that include both indoor and outdoor facilities, both types of uses must be allowed in the district.
5. In the C-3 District, self-storage facilities are only subject to the district design standards when located within 100 feet of a public right-of-way, excluding alleys.
6. The following additional standards apply to indoor self-storage facilities:
 - a. All self-storage activities must be contained within a single building and conducted exclusively indoors. Individual storage units may be accessed from inside the building only.
 - b. All facilities must meet the design standards of the district.
 - c. No storage units located on the first floor may be located within the first 25 feet of the front facade. No storage units located on the first floor may be visible from any public right-of-way.
 - d. Access to loading areas must be located to the interior or rear of the building.
7. The following additional permissions apply to outdoor self-storage facilities:
 - a. Outdoor self-storage facilities should be oriented so that storage unit access doors do not face the public right-of-way.
 - b. Outdoor self-storage facilities are allowed to include an area for storage of recreational vehicles. Storage areas for recreational vehicles must be located in the rear yard.
 - c. No storage of recreational vehicles is allowed within 25 feet of any rear lot line. No storage of recreational vehicles is allowed within 30 feet of any interior side lot line. No storage of recreational vehicles is allowed within 50 feet of any front or corner side lot line.
 - d. If storage areas for recreational vehicles are provided, they must be screened along interior side and rear lot lines with a solid fence or wall, a minimum of six feet and a maximum of seven feet in height. Shrubs must be planted and space sufficiently to form a continuous linear hedgerow at plant maturity; plantings must be placed inside the face of the fence toward the interior of the lot.

AA. Solar Farm

1. Systems, equipment, and structures are limited to the maximum height of the district.
2. All solar farm structures must meet the district setbacks.
3. No grid tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system.
4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.

BB. Storage Yard – Outdoor

1. The storage area must be completely enclosed along all lot lines by a solid fence or wall a minimum of six feet and a maximum of eight feet in height, including ingress and egress.
 - a. Fences or walls along the front or corner side lot line must be set back a minimum of ten feet from the lot

line. Within that setback, shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity, and one evergreen tree every 50 feet planted linearly. Plantings must be placed outside the face of the fence facing the right-of-way.

b. Fences or walls along the rear or interior side lot line require the planting of shrubs spaced sufficiently to form a continuous linear hedgerow at plant maturity; plantings must be placed inside the face of the fence toward the interior of the lot.

2. Storage of any kind is prohibited outside the fence or wall.
3. No items stored within 25 feet of the fence may exceed the height of the fence or wall for an outdoor storage yard.

CC. Vehicle Repair/Service – Major or Minor

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. Repair of vehicles is prohibited in the front or side yards. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
3. Vehicle repair/service establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.
4. Outdoor repairs are only allowed in the rear yard and must be screened by a solid fence or masonry wall no less than six feet and no more than eight feet in height.
5. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair.
6. The sale of new or used vehicles is prohibited.
7. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

DD. Wind Energy System

1. The design of the wind energy system must conform to applicable industry standards as such standards exist as of the date construction is commenced. The facility owner or operator must submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or similar certifying organizations.
2. All wind turbines must be newly manufactured as of the date of installation. Experimental/prototype wind turbines may be approved as a special use.
3. All wind energy system must be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes must be operated in a fail-safe mode. Stall regulation is not considered a sufficient braking system for over speed protection.
4. All electrical components of the wind energy system must conform to applicable local, state, and national codes, and applicable international standards.
5. An engineer's certificate must be completed by a structural engineer, licensed in the State of Iowa, certifying that the tower and foundation of the wind turbines are compatible with, and are appropriate for, the particular model of wind turbine used, and that the specific soils at the site can support the wind turbine.
6. Wind turbines must comply with the following design standards:
 - a. Wind turbines must be a non-obtrusive and non-reflective color. The facility owner or operator must maintain the paint on wind turbines at all times in good repair.
 - b. Wind turbines must not display advertising, except for reasonable identification of the turbine

manufacturer, or the facility owner and operator.

c. Within the wind energy system, wind turbines must be of a generally consistent size, design, and color, of similar height and rotor diameter, and rotate in the same direction.

d. Wind turbines must not be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable regulatory authorities.

e. On-site transmission and power lines between wind turbines must, to the maximum extent practicable, be placed underground, reach the property line, and be located and constructed in such a way as to minimize disruption to the property's primary purpose as well as to facilitate the interconnection of other commercial wind power generating facilities.

f. Non-essential appurtenances are prohibited to be affixed to any wind turbine, including, but not limited to, cellular or radio antennae.

g. A clearly visible warning sign advising persons of the presence of high voltage levels must be placed at the base of all pad-mounted transformers and substations.

7. The applicant must commission and submit at the time of permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert, indicating possible risks to local wildlife, habitat, and migratory birds. Additionally, the applicant's wildlife expert must also develop a mitigation plan, if applicable, that addresses/mitigates any risk to wildlife, migratory birds, and affiliated habitat. All wind turbines at time of application must be located out of bird and bat migration pathways/corridors where wind turbine construction would pose a substantial risk.

8. Wind turbines must not be climbable up to a height of at least 15 feet above ground surface. All access doors to wind turbines and electrical equipment must be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

9. Wind turbines must be set back from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, no less than the turbine height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.

10. All wind turbines must be set back from the nearest property line a distance of not less than the normal setback requirements for that zoning district or 110% of the turbine height, whichever is greater. The setback distance is measured from the property line to the nearest point on the outside edge of a tower. Operation and maintenance building(s) and substations must be located in accordance with zoning district yard requirements. All wind farm structures, except for wind turbines, must comply with the regulations of the zoning district.

11. All wind turbines must be set back from the nearest public right-of-way a distance of 110% of the turbine height, as measured from the right-of-way line to the nearest point on the outside edge of a tower.

12. The facility owner or operator must comply with all applicable codes regulating sound generation. A predictive sound study of turbine noise must accompany the application to verify that all code requirements can be met for dBA sound levels. In the event that any sound levels from a wind turbine are found to be in excess of permissible levels per the Municipal Code, the facility owner or operator must take necessary measures to bring sound levels down to a level acceptable.

13. A shadow flicker study is required, and must be submitted with the application. A wind turbine's shadow flicker must not fall on any existing structure, measured at the nearest external wall or walls, or within the buildable area of an adjacent vacant lot, as defined by current setback requirements.

14. The facility owner and operator must, at their sole expense, complete decommissioning of the wind energy system, or individual wind turbines, within one year after the end of the useful life of the wind energy system or individual wind turbines. The wind energy system or turbine must be deemed to be at the end of its useful life if it is abandoned for a period of time in excess of 180 days. Decommissioning includes removal of wind turbines, structures, roads and foundations to a depth of 48 inches, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the wind energy system.

EE. Wireless Telecommunications

1. Application Requirements

All applications to erect, construct, or modify any part of a wireless telecommunications system require site plan review must include the following items:

- a.** A site plan showing:
 - i.** The location, size, screening, and design of all structures, including fences.
 - ii.** The location and size of all outdoor equipment.
 - iii.** Elevations showing antenna height.
 - iv.** If the site plan is for a new wireless telecommunications facility, a landscape plan showing all screening.
 - v.** If the site plan is for a new wireless telecommunications tower, indication of the fall zone as a shaded circle.
- b.** A maintenance plan and any applicable maintenance agreement designed to ensure long-term, continuous maintenance, such as maintenance of landscape, keeping the area free from debris and litter, and immediate removal of any graffiti.
- c.** A disclosure of what is proposed, demonstrating the need for the wireless telecommunications system in the proposed location. This is not required for co-location or stealth design antennas.
- d.** The reason or purpose for the placement, construction, or modification in the proposed location with specific reference to the provider's coverage, capacity, and/or quality needs, goals, and objectives. This is not required if the proposal is does not involve the erection of a new tower.
- e.** The service area of the proposed wireless telecommunications system.
- f.** If the proposal is for a new telecommunications tower, then a map showing collocation opportunities within the City and within areas surrounding the borders of the City must be provided and justification for why co-location is not feasible in order to demonstrate the need for a new tower.
- g.** If the proposal is for a new telecommunications tower, certification by a licensed and registered professional engineer regarding the manner in which the proposed structure will fail. The certification may be utilized, along with other criteria such as applicable regulations for the district in question, in determining if additional setback should be required for the structure and other facilities.

2. Setbacks

- a.** All wireless telecommunications towers must be set back from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, as defined by current setback requirements no less than the tower height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.
- b.** All wireless telecommunications facilities must be set back from all property lines in accordance with the minimum setback requirements in the zoning district.

3. Height

The maximum height of a wireless telecommunications tower is the minimum needed to function satisfactorily. The application for approval of a wireless telecommunications tower must demonstrate the minimum height needed for the tower to function, which will be reviewed and approved as part of site plan review. The City has the ability to hire an independent consultant to assist in review of the proposed height, whose fee will be charged to the applicant. Where a wireless telecommunications tower exceeds the maximum height permitted in the district, the City may require additional setbacks from all lot lines.

4. Lighting and Marking

Wireless telecommunications systems must not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

5. Specific Standards for Wireless Telecommunications Antennas

Wireless telecommunications antennas are a special use in all districts, unless they are stealth design in which case they are a permitted use. Stealth design for wireless antennas is encouraged and is considered a permitted use in all districts, subject to site plan review and approval. All applications for wireless telecommunications antennas must include all information required by this section. In addition to the standards of this section for wireless telecommunications antennas, stealth design must comply with the following regulations:

- a.** To qualify as a stealth design, wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.
- b.** Wireless telecommunication antennas must be mounted at least 30 feet above grade, as measured from grade to the base of the antenna, to qualify as stealth design, in addition to meeting the other requirements of this section. Wireless telecommunication antennas mounted lower than 30 feet are considered a special use.
- c.** Antennas must be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls (must be behind the parapet wall), and steeples, and must be designed to blend in with the structure.
- d.** Antennas that co-locate on existing wireless telecommunications towers are also considered stealth design. However, such antennas cannot increase the overall height of the existing wireless telecommunications tower.
- e.** No antenna may increase the overall height of any structure on which it is mounted by more than 12 feet.

6. Specific Standards for Wireless Telecommunications Facilities

- a.** Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunication tower. Any equipment not used in direct support of such operation must not be stored on the site.
- b.** Commercial advertising is prohibited. Only signage that is part of the equipment as manufactured or warning signage is permitted.

7. Specific Standards for Wireless Telecommunications Towers

- a.** The use of guyed towers is prohibited. Towers must be monopoles, meaning self-supporting with no wires, cables, or beams.
- b.** Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate accompanying wireless telecommunications facilities for other telecommunications providers.
- c.** Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a galvanized silver or gray finish.

8. Specific Standards for Distributed Antenna Systems (DAS)

If a distributed antenna systems (DAS) is installed and entirely enclosed within a principal building, the requirements of this Ordinance do not apply. These standards only apply to distributed antenna systems (DAS) installed on private property.

- a.** All equipment related to a distributed antenna system must be mounted/co-located on existing poles or other existing structures unless it can be shown that an alternate location will be less obtrusive and/or more beneficial to the public. The design of any new pole requested requires special use approval.
- b.** An applicant seeking installation of a distributed antenna system must demonstrate that it has made efforts to blend or camouflage the system with existing facilities and surroundings or has otherwise screened or concealed the system from view. Approved blending methods include, but are not limited to, location of equipment other than antennas within a tree canopy or other inconspicuous location, use of green, brown or

other colored equipment (if commercially available to the applicant) designed to mimic the colors and/or materials of the tree canopy, co-location structure or other nearby structures, as well as use of textures and shapes as appropriate, all with the intent of minimizing the visual impact of the system. Unnatural colors and exposed cables are prohibited.

c. All pole-mounted distributed antenna systems must be installed at a minimum height of nine feet above the ground. Equipment may be housed in a cabinet at ground level only with the approval of the City as to location and with appropriate screening.

d. Distributed antenna systems may not extend more than seven feet above the height of the existing pole or other structure on which it is installed.

e. Where distributed antenna systems are placed in residential districts, every effort must be made to avoid placement at right of way locations directly in front of a residence. If placement directly in front of a residence is absolutely necessary for technological reasons, the City has the right to require screening or impose other design mitigation requirements.

f. The City may request that a particular node or nodes be placed in an alternative location to that proposed by the applicant. Where a request for an alternative location is unable to be accommodated by an applicant, the applicant must supply an explanation in writing as to why the suggested alternative location will materially compromise the functioning of the system or is otherwise impractical.

9. Abandonment

Any wireless telecommunications system that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the tower or facility, and all aboveground equipment and related debris. The City may ensure and enforce removal by means of its existing regulatory authority.

10. Nonconformities

a. Ordinary maintenance, including replacement/upgrading, of antenna equipment may be performed on nonconforming antennas or towers. However, if the proposed alteration intensifies a nonconforming characteristic of the antenna or tower, a variance is required.

b. Co-location of an antenna on an existing nonconforming tower is a permitted use, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.

Section 15. Section 17.08.050 of the Davenport Municipal Code, entitled "Use Definitions" is hereby amended by modifying the definition of the uses "Lodge/Meeting Hall", "Place of Worship", "Public Safety Facility" and "Restaurant" to read as follows:

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business. The service and/or sale of food and drinks, including alcoholic beverages, is permitted as an ancillary use to activities sponsored by the organization.

Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary uses such as day care facilities, meeting rooms, auditoriums, and/or classrooms for weekly religious instruction. The service and/or sale of food and drinks, including alcoholic beverages, is permitted as an ancillary use to activities sponsored by the organization.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles. Public safety facilities include shelter and training facilities.

Restaurant. An establishment where food and drinks, including alcoholic beverages, are provided to the public for on-premises consumption by seated patrons and/or for carry-out service.

Section 16. Section 17.090.030 of the Davenport Municipal Code, entitled "Accessory Structures and Uses" is hereby amended by modifying Section 17.090.030.A, entitled "General Regulations for Accessory Structures", by modifying Section 17.090.030.H.1, entitled "General Requirements for All Fences", by modifying Section 17.090.030.K, entitled "Garage, Detached and Carports", by modifying Section 17.090.030.L, entitled "Home Occupation", by deleting Section 17.090.030.M, entitled "Keeping of Equines", by reordering subsections subsequent to Section 17.090.030.M and by modifying Section 17.090.040, entitled "Permitted Encroachments (Table 17.09-1 only)" to read as follows:

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by specific regulations of this section and Ordinance.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory.
2. Accessory structures shall be constructed out of material intended for long-term exposure to the elements. Prohibited materials include but are not limited to cloth, fabric, canvas, plastic sheets and tarps. Greenhouses are not subject to this prohibition, Shipping containers are prohibited as an accessory structure.
2. Only those accessory structures permitted by this section and Section 17.090.040 are permitted in required setbacks. Certain accessory structures may also be prohibited in certain yards. The use of the term "yard" refers to the area between the principal building and lot line. The distinction is made because certain principal buildings may not be built at required district setback lines, thereby creating a yard larger than the minimum setback dimension.
3. The maximum height of any detached accessory structure is 20 feet, unless otherwise permitted or restricted by this Ordinance. This does not apply to any structure accessory to an active agricultural use, which are not limited in height.
4. Detached accessory structures, including those listed in this section and Section 17.090.040, must be setback as follows, unless otherwise permitted or restricted by this Ordinance:
 - a. Four feet from any interior side lot line. This interior side setback may be reduced to two feet if the adjacent walls, or parts of walls, of the accessory building have no openings and are protected on the inside with fire-proofing materials or are constructed of fire-proof materials, as verified by the Zoning Administrator.
 - b. No closer than four feet from any rear lot line.
 - c. No structure may be located in a front or corner side yard unless specifically allowed by this Ordinance.
5. Accessory structures are included in the calculation of all maximum impervious surface and building coverage requirements of the district.
6. The footprint of any single detached accessory structure cannot exceed the footprint of the principal building. This does not apply to any structure accessory to an active agricultural use, which are not limited in area.

H. Fences

1. General Requirements for All Fences

- a. Every fence must be maintained in a good repair and safe condition at all times. Every damaged or missing element must be repaired, removed, or replaced.
- b. When only one side of a fence is finished, the finished side of all fences must face away from the lot on which it is located.
- c. Fence height is measured from the adjacent ground to the highest point, except that decorative posts/pillars of a fence may exceed the maximum height by nine inches.

- d. If a fence of a greater height is required and/or a fence is required to be a solid fence by any other section of this Ordinance or other City ordinance, then such fence is required.
- e. Fences are prohibited within any right-of-way, drainage easement, or any designated floodway.
- f. No barbed wire, spikes, nails, or any kind of pointed instrument may be installed on any railing, fence, guard, or other barrier or protection unless specifically allowed by the City Code.
- g. The following materials are prohibited in the construction of fences:
 - i. Scrap metal
 - ii. Corrugated metal
 - iii. Sheet metal
 - iv. Electrical fences or any kind of electrically charged fences, unless used as part of livestock enclosures
 - v. Razor wire
 - vi. Pallets
 - vii. Oriented strand board (OSB)
 - viii. Plywood
 - ix. Used or repurposed material

K. Garages, Detached and Carports

1. Only one detached garage and one carport is permitted per lot for a single-family or two-family dwelling. Where a lot contains a detached garage and a carport, such carport must be attached to and constructed as an extension of the detached garage.
2. Detached garages and carports are permitted in the rear and interior side yards.
3. Detached garages and carports are permitted in the corner side yard, subject to the following:
 - a. Where there is no alley access, and the garage or carport is located in the corner side yard and takes access from the abutting street, the garage or carport must be set back 20 feet from the corner side lot line.
 - b. Where there is no alley access, and the garage or carport is located in the corner side yard but does not take access from the abutting street, the garage or carport must be set back four feet from the corner side lot line.
 - c. Any detached garage located in a corner side yard must be set back a minimum of five feet from the front building facade line.
4. Where served by an alley or rear service drive, garages, parking pads for access and carports must take access from the alley or rear service drive. If a lot abuts an improved public alley that provides adequate access to a street, the garage or carport is not permitted within the required corner side yard setback.
5. Detached garages are subject to the following:
 - a. Detached garages shall have the eaves of roof extend a minimum of one foot past the outside walls.
 - b. Detached garages shall have a minimum 4/12 roof pitch.
 - c. Detached garages are encouraged to match the pitch of the roof of the principal dwelling.
 - d. Detached garages utilizing metal siding and/or roofing shall not have highly reflective surfaces.

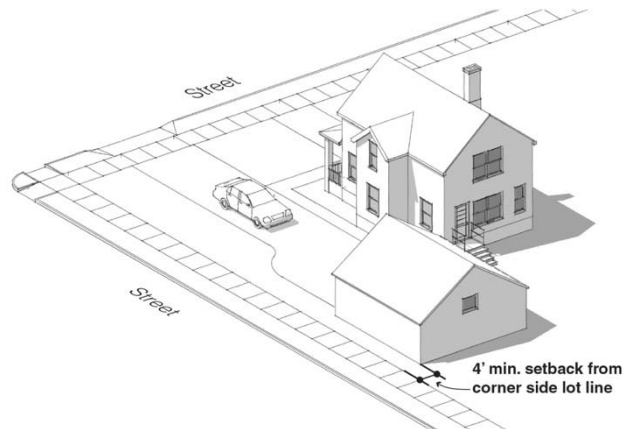
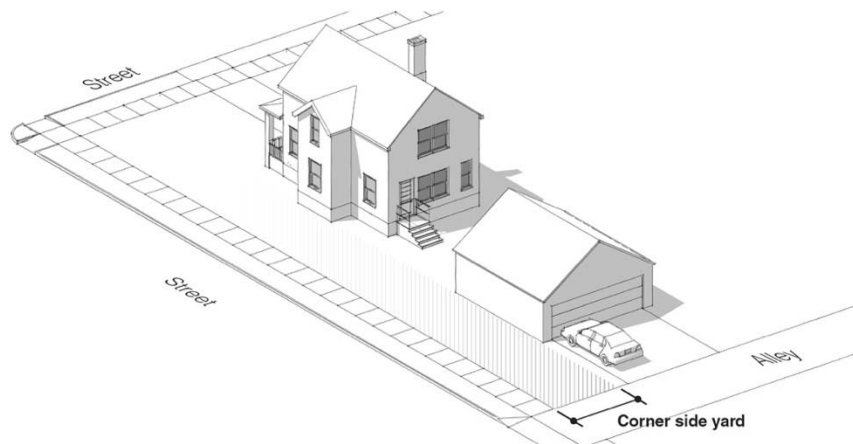
e. Detached garages shall not contain cooking facilities or plumbing. This does not apply if an accessory dwelling unit use has been approved, in which case those standards control.

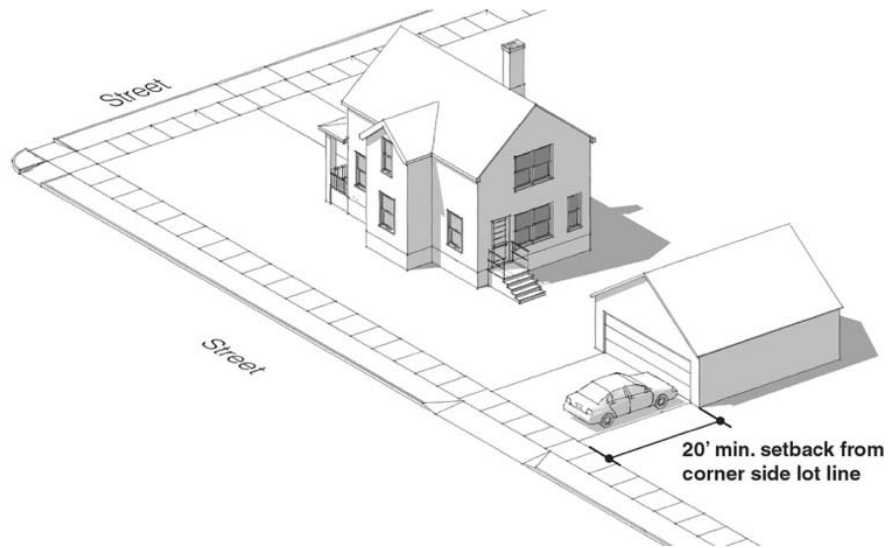
f. The design standards related to eaves, roof pitch and highly reflective surfaces do not apply to detached garages in the S-AG and R-1 Districts when properties are two acres in area or greater and the detached garage is located in the rear yard.

6. Carports are subject to the following:

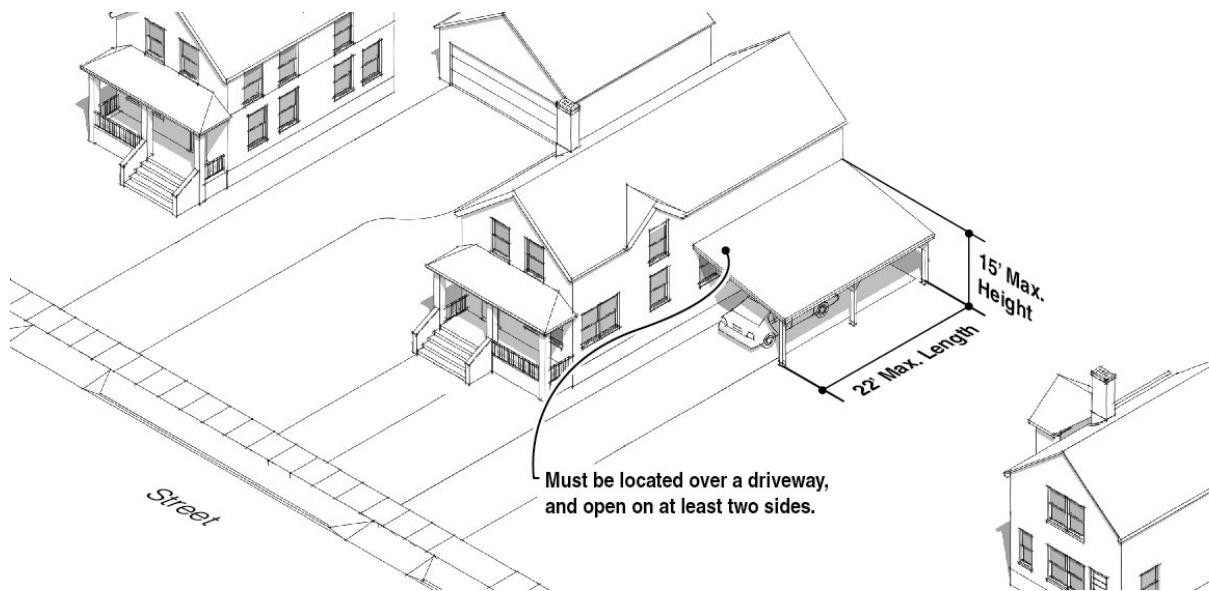
- a. Carports must be located over a driveway.
- b. The total length of a carport is limited to 22 feet. The height of a carport is limited to 15 feet.
- c. A carport must be entirely open on at least two sides, with the exception of necessary support structures.
- d. Only carports located in the rear yard may be used as recreational vehicles storage.

DETACHED GARAGE ACCESS





CARPORT



GARAGES AND CARPORTS

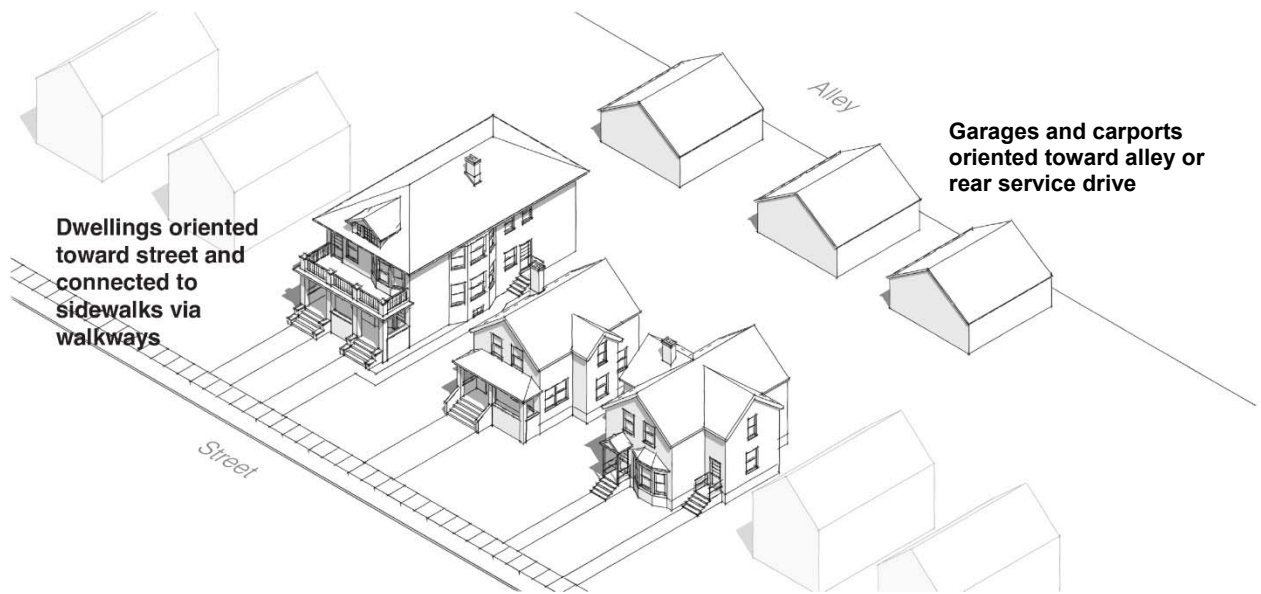


Table 17.09-1: Permitted Encroachments Into Required Setbacks

Y= Permitted // N= Prohibited

Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp	Y	Y	Y	Y
Air Conditioner Window Unit Max. projection of 18" from building wall No building permit required	Y	Y	Y	Y
Arbor No building permit required	Y	Y	Y	Y
Awning or Sunshade Max. of 2' from building wall Does not include awnings used as a sign (See Chapter 17.12)	Y	Y	Y	Y
Balcony Max. of 6' into front, interior side, or corner side setback Max. of 8' into rear setback Min. of 4' from any lot line Min. vertical clearance of 8'	Y	Y	Y	Y
Bay Window Max. of 5' into any setback Min. of 24" above ground	Y	Y	Y	Y
Canopy (Residential Uses) Max. of 5' into any setback Min. of 4' from any lot line Max. 15' width or no more than 3' extension on either doorway side, whichever is less Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	Y
Canopy (Non-Residential Uses) Max. of 18" from the curb line Max. 15' width or no more than 3' extension on either doorway side, whichever is less Does not include canopies used as a sign	Y	Y	Y	Y

Table 17.09-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
<i>(See Chapter 17.12)</i>				
Chimney Max. of 18" into setback	Y	Y	Y	Y
Deck Max. of 5' into corner side, or interior side setback Max. of 10' into rear setback Max. height of 5' above grade	N	Y	Y	Y
Dog House Prohibited in front or corner side yard No building permit required	N	N	N	Y
Eaves Max. of 4' into setback	Y	Y	Y	Y
Exterior Stairwell Max. of 6' into setback Prohibited in front yard	N	Y	Y	Y
Fire Escape Max. of 3' into setback Prohibited in front yard	N	Y	Y	Y
Fire Escape Max. of 3' into setback Prohibited in front yard	N	Y	Y	Y
Gazebo or Pergola Prohibited in front yard	N	N	Y	Y
Greenhouse Min. of 5' from any lot line Prohibited in front and corner side yard	N	N	Y	Y
Personal Recreation Game Court Prohibited in front and corner side yard Min. of 4' from any lot line	N	N	N	Y
Playground Equipment Prohibited in front and corner side yard Min. of 4' from any lot line (This does not apply to backstops & portable basketball nets, which are allowed in any yard)	N	N	N	Y
Porch - Unenclosed Max. of 5' into front, interior side, or corner side setback Max. of 10' into rear setback Enclosed porches are considered part of the principal structure	Y	Y	Y	Y
Shed Prohibited in front yard Min. of 4' from any lot line	N	N	Y	Y
Sidewalk No min. setback from lot lines	Y	Y	Y	Y
Sills, belt course, cornices, and ornamental features Max. of 3' into setback	Y	Y	Y	Y
Stoop Max. of 4' into setback	Y	Y	Y	Y

Section 17. Section 17.10.030 of the Davenport Municipal Code, entitled "Off-Street Parking Design Standards (Figure 17.10-1 only)" is hereby amended to read as follows:

Figure 17.10-1: Off-Street Parking Space Minimum Dimensions					
Parking Angle	Stall Width (A)	Stall Depth (B)	Aisle Width Two-Way (C)	Aisle Width One-Way (D)	Vertical Clearance
0° (Parallel)	8.5*	20'	24'	12'	7' 6"
90° (Head-In)	8.5*	18**	24'	24'	7' 6"
60°	8.5*	15' 7"	25' 10"	20' 4"	7' 6"
45°	8.5*	12' 9"	29' 8"	12' 9"	7' 6"

* Stall width may be reduced to 8' for accessible spaces designed in accordance with Iowa Statewide Urban Design and Specifications.

** Stall depth may be reduced to 16.5' if a 2' overhang area is provided in an abutting parking lot island or landscape area or pedestrian walkway.

Section 18. Section 17.10.040 of the Davenport Municipal Code, entitled "Required Off-Street Vehicle and Bicycle Parking Spaces" is hereby amended by modifying Section 17.10.040.C and Section 17.10.040.E to read as follows:

C. The total number of required parking spaces is calculated by the principal use of the lot. When more than one use occupies the same lot, the number of required spaces is the sum of the separate requirements for each use, unless a shared parking arrangement is approved or such use is a multi-tenant commercial center, which has a separate requirement per item E below. The following standards for computation apply:

1. When calculating the number of required off-street spaces results in a requirement of a fractional space, said fraction is rounded up.
2. In places of assembly in which patrons or spectators occupy benches, pews, or similar seating facilities, each 24 inches of such seating facility is counted as one seat for the purpose of determining the requirement for off-street parking facilities. Floor area of a prayer hall is counted as one seat per marked prayer mat space or one seat for every five square feet in the prayer hall if prayer mat spaces are not marked.

E. Parking for multi-tenant commercial centers is calculated as one space required per 500 square feet of gross floor area, rather than by the individual uses.

Section 19. Section 17.10.070 of the Davenport Municipal Code, entitled "Required Off-Street Loading Spaces" is hereby amended by modifying Section 17.10.070.B to read as follows:

B. Required Number of Off-Street Loading Spaces

Off-street loading spaces must be provided in accordance with Table 17.10-4: Off-Street Loading Requirements. In the case of multi-tenant commercial centers or mixed-use developments, required loading spaces are calculated on the basis of each individual tenant (for example, if only one non-residential use tenant of a multi-tenant commercial center is over 10,000 square feet, only one loading space is required; if all tenants are under 10,000 square feet, no loading is required).

TABLE 17.10-4: OFF-STREET LOADING REQUIREMENTS	
Use Type	Number of Spaces Required
Multi-Family Dwelling	
Total of 50 dwelling units or more	1 loading space
Commercial & Institutional Use	
10,000 - 100,000sf GFA	1 loading space
100,001 - 200,000sf GFA	2 loading spaces
200,001sf and above GFA	3 loading spaces
Industrial Use	
10,000 - 40,000sf GFA	1 loading spaces

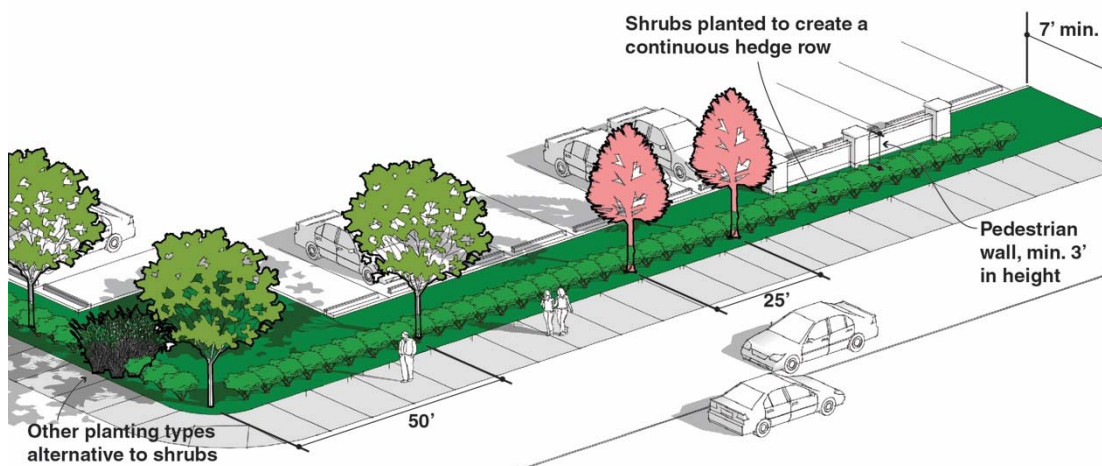
TABLE 17.10-4: OFF-STREET LOADING REQUIREMENTS	
Use Type	Number of Spaces Required
40,001 - 100,000sf GFA	2 loading spaces
100,001 and above GFA	3 loading spaces

Section 20. Section 17.11.050 of the Davenport Municipal Code, entitled "Parking Lot Perimeter Landscape Yard" is hereby amended to read as follows:

A perimeter landscape yard is required for all parking lots that are adjacent to streets and alleys, and must be established along the edge of the parking lot to create a visually attractive environment. A perimeter landscape yard is also required where a parking lot is adjacent to a public space such as a plaza, public seating area, or park. The landscape treatment must run the full length of the parking lot perimeter and must be located between the lot line and the edge of the parking lot, with the exception of pedestrian accessways. The landscaped area must be improved as follows:

- A.** The perimeter parking lot landscape area must be at least five feet in width along a street or public space. This area shall be increased to seven feet in width if it is utilized as an off-street parking space stall overhang. The perimeter parking lot landscape area must be at least five feet in width along an alley. The C-D and C-V Districts are exempt from perimeter parking lot landscape along an alley; vehicle parking must not overhang into an alley right-of-way.
- B.** Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height may be used.
- C.** A minimum of one shade tree must be provided for every 50 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for one shade tree and must be spaced one ornamental tree every 25 feet. Trees may be spaced linearly on-center, or grouped to complement an overall design concept.
- D.** Alternatively, a low pedestrian wall a minimum of three feet to a maximum of four feet in height may be used. The pedestrian wall must be masonry, brick, or stone; unfinished CMU is prohibited. No shade trees are required. Required shrubs must be installed between the sidewalk and the wall to provide a softening effect.
- E.** 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Mulch or other permeable landscape materials are required for any remaining area.

PARKING LOT PERIMETER LANDSCAPE YARD



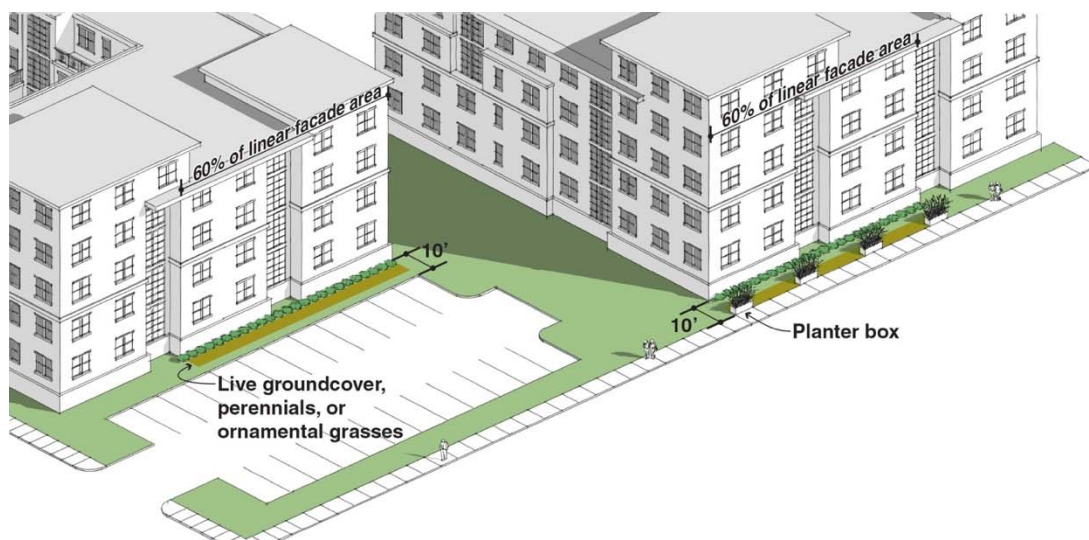
Section 21. Section 17.11.070 of the Davenport Municipal Code, entitled "Site Landscape" is hereby amended to read as follows:

A. Areas of any lot that are not covered by structures or pavement must be planted with live landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement, but must not cover more than 40% of such area and must be designed so such materials are placed so that they are no higher than the height of the curb to prevent spill. Section 17.11.090 contains additional requirements for on-site tree plantings for certain districts.

B. Where multi-family and nonresidential (including mixed-use) developments are located ten feet or more from a street lot line and where the front, corner side, or interior side façade is adjacent to a parking area, foundation landscape must be planted as described below. This planting area is required along 60% of the linear façade area. This percentage may be reduced to accommodate building functional operations during landscape plan review.

1. Shrubs must be planted and spaced sufficiently to form a continuous linear hedgerow at plant maturity.
2. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Mulch or other permeable landscape materials are required for any remaining area.
3. As an alternative, planted pots and/or planter boxes may be used to satisfy up to 30% of the total landscape area requirement if approved as part of the landscape plan. The landscape plan must show the materials and/or models of pots and planter boxes.

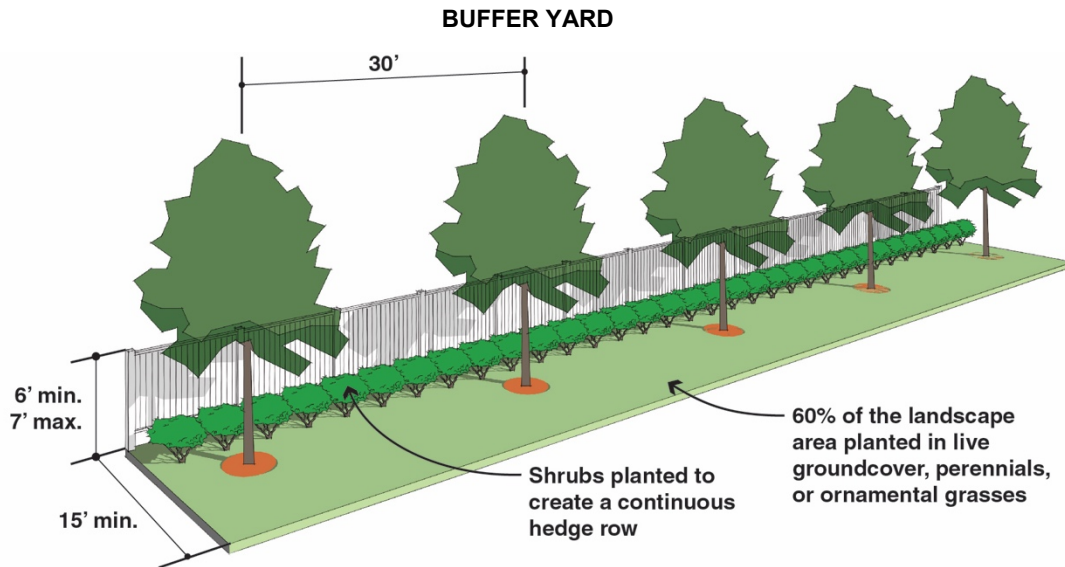
SITE LANDSCAPE



Section 22. Section 17.11.080 of the Davenport Municipal Code, entitled "Buffer Yards (Section 17.11.080.C.6 only" is hereby amended to read as follows:

6. Unless otherwise specifically required by the use standards of this Ordinance, such as required by the use standards of Chapter 17.08, a solid fence or wall, constructed of wood, vinyl, brick, masonry, or stone must be erected along 100% of the buffer yard length, with the exception of ingress/egress points. If constructed on a berm, the height of the berm is included and the maximum height of fence and berm is seven feet.

- a.** The solid fence or wall must be a minimum of six feet and a maximum of seven feet in height along the rear lot line.
- b.** The solid fence or wall must a minimum of six feet and a maximum of seven feet in height along the interior side lot line up to the abutting lot's front yard line. At the front yard line the fence must be four feet if a solid fence and six feet if an open fence.



Section 23. Section 17.14.020 of the Davenport Municipal Code, entitled "Notice" is hereby amended to read as follows:

A. Notice

Table 17.14-1: Notice indicates the types of notice for public hearings on the zoning applications. Certain applications may contain additional notice requirements within their specific provisions.

Table 17.14-1: Notice				
Zoning Application	Type			
	Published Notice	Mailed Courtesy Notice	Mailed Required Notice	Posted Notice
Zoning Text Amendment	•			
Zoning Map Amendment	•	•	•	•
Special Use	•	•		•
Hardship Variance	•	•		•
Design Review				
Planned Unit Development	•	•		•
Administrative Exception			•	
Zoning Appeals	•			

B. Published Notice

When published notice is required, the Zoning Administrator will publish notice in a newspaper of general circulation within the City. The notice must include the date, time, and location of the hearing/decision, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property. Notice must be published as follows:

1. Hearing before the Plan and Zoning Commission or Zoning Board of Adjustment: No less than four days and no more than 20 days in advance of the scheduled hearing date.
2. Hearing before the City Council: No less than seven days and no more than 20 days in advance of the scheduled hearing date.

C. Mailed Courtesy Notice

1. General Notice Requirements

- a. The city may mail notice.
- b. The notice should include the date, time, and location of the hearing/decision, description of the application, the name of the applicant, and the address or locational description if address is not available of the subject property.
- c. Nothing in this section prevents the applicant from giving additional notice as he/she may deem appropriate.

2. Mailed Notice

The City may follow the following standards when mailing courtesy notices per Table 17.14-1. Courtesy notice is not required. If notice does not meet these standards or is not mailed, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing.

- a. Courtesy notice may be mailed to all property owners within 200 feet of the lot line of the subject property.
- b. Courtesy notice may be mailed as follows:
 - i. Hearing before the Plan and Zoning Commission or Zoning Board of Adjustment: No less than seven days and no more than 20 days in advance of the scheduled hearing date.
 - ii. Hearing before the City Council: No less than seven days and no more than 20 days in advance of the scheduled hearing date.
- c. When a zoning map amendment is proposed by the City, notification will also be mailed to the owner of the subject property.

3. Mailed Required Notice

Per Table 17.14-1, administrative exceptions require mailed notice.

- a. Notice will be mailed to property owners abutting the subject property as well as the property owner(s) located directly across the street.
- b. Notice will be mailed no less than seven days and no more than 20 days in advance of the date the Zoning Administrator may render a decision.

D. Posted Notice

The City may follow the following standards when posting notices per Table 17.14-1. Posted notice is not required. If notice does not meet these standards or is not posted, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing.

1. The City may post notice on the subject property.
2. The sign may be posted at a prominent location on the property, near the sidewalk or public right-of-way so that it is visible to pedestrians and motorists. Properties with more than one street frontage may be required to post one sign visible on each street frontage.
3. The posting period may be no less than seven days and no more than 20 days in advance of the scheduled hearing date.
4. The applicant is responsible for removal of a sign within ten days of the issuance of a decision.

E. Council Notice Policy

The city council, by resolution, has adopted a public notice policy for zoning applications in order to increase transparency beyond what is legally required and to foster public participation and input. It may be amended from time to time as modes of communication evolve and knowledge of the effectiveness of our communications grows. Future amendments of this policy resolution that add modes of communication, add to types of information contained in the notice, increase the geographic scope of the notice, or increase the lead time of the notice may be passed by a simple

majority vote; but future amendments that remove, lessen or otherwise diminish these attributes require eight affirmative votes of the city council membership to pass.

Section 24. Section 17.14.040 of the Davenport Municipal Code, entitled "Zoning Text and Map Amendment (Section 17.14.040.D only)" is hereby amended to read as follows:

D. Procedure

All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Plan and Zoning Commission. Amendments initiated by a City Council, commission, or official also require an application, but are exempt from fees.

1. Neighborhood Meeting

The City may require the applicant to conduct a neighborhood meeting prior to the Plan and Zoning Commission public hearing. A neighborhood meeting is not required. If the neighborhood meeting does not meet these standards or does not occur, it does not invalidate, impair, or otherwise affect the public hearing or any subsequent approval following the public hearing

- a. The purpose of the neighborhood meeting is to share the details of the application, answer questions, and receive feedback.
- b. The City may mail notification of the meeting to all property owners within the 200 feet of the subject property. The City may expand the notification of the neighborhood meeting if deemed warranted.
- c. The applicant must provide the City with a list of attendees following the neighborhood meeting.

Section 25. Section 17.14.090 of the Davenport Municipal Code, entitled "Site Plan Review" is hereby amended by adding Section 17.14.090.F, entitled "Minor Adjustments to Certain Design Standards" and by modifying the Sections subsequent to Section 17.14.090.F to read as follows:

F. Minor Adjustments to Certain Design Standards

The Zoning Administrator is authorized to grant minor adjustments to off-street parking and loading and landscape design standards when carrying out the requirement may cause a minor practical difficulty. Such adjustment may be granted when it will not adversely affect the purposes and intent of this chapter or simply grant a convenience to the applicant.

G. Modifications to Approved Site Plans

1. An application for a modification to an approved site plan must be submitted to the Zoning Administrator. Modification applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.
2. The Zoning Administrator may approve the following minor modifications to approved site plans. Only those elements of the site plan being modified need to be submitted for review.
 - a. Minor changes required during construction, as related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation.
 - b. Exterior renovations to a building facade when in conformance with the requirements of this Ordinance.
 - c. The modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Ordinance.
 - d. The construction of additional bicycle or parking spaces.
 - e. The addition of any open space.
 - f. A reduction in the amount of bicycle or parking spaces so long as the remaining number of spaces is in conformance with the requirements of this Ordinance.
 - g. Modifications to the approved landscape plan that does not result in a reduction of the total amount of plant material required and remains in conformance with all landscape requirements.

h. The modification of existing signs or the addition of new signs when in conformance with the requirements of the Ordinance.

3. Any modification not considered a minor modification requires resubmittal of a full site plan.

H. Expiration

The site plan approval expires if a building permit has not been issued or construction has not begun within one year after the date of site plan approval. An extension of this one year validity period may be granted by the Zoning Administrator prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.

Section 26. Section 17.14.100 of the Davenport Municipal Code, entitled "Design Review (Section 17.14.100.D.2 only)" is hereby amended to read as follows:

2. The following are exempt from Design Review Board approval:
 - a. Properties listed on the Davenport Register of Historic Places and/or demolition of a building listed on the National Register of Historic Places, which are subject to the review authority of the Historic Preservation Commission.
 - b. The Zoning Administrator is authorized to approve design proposals as determined by the Design Review Board.

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.

Approved: 9/11/19, Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Third Consideration: Ordinance for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Dr and Telegraph Rd, bounded roughly by Wisconsin Ave and S Vermont Ave to the east and west respectively, from R-1 and R-2 Single-Family Residential to S-AG Agricultural District.
[Ward 1]

ADOPTED 2019-364

ORDINANCE NO. 2019-364

ORDINANCE for Case REZ19-09 being the request of Mark Cross to rezone 146.98 acres, more or less, of property located between River Drive and Telegraph Road bounded roughly by Wisconsin Avenue and South Vermont Avenue to the east and west respectively from R-1 and R-2 Single-Family Residential to S-AG Agricultural District. [Ward 1].

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 "S-AG - Agricultural District."

PART OF THE S.W. ¼ OF SECTION 32, IN TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF SAID S.W. ¼; THENCE EAST ON QUARTER SECTION LINE 20 CHAINS TO THE N.E. CORNER OF

THE N.W. ¼ OF THE S.W. ¼ OF SAID SECTION 32; THENCE SOUTH 15 CHAINS; THENCE W. 20 CHAINS TO THE SECTION LINE BETWEEN SECTIONS 31 AND 32 IN SAID TOWNSHIP AND RANGE; AND THENCE NORTH ON THE SECTION LINE 15 CHAINS TO THE PLACE OF BEGINNING; CONTAINING 30 ACRES.

AND

PART OF THE NORTHWEST QUARTER OF SEC. 32 IN TOWNSHIP 78 N., RANGE 3 EAST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE S.W. CORNER OF THE N.W. ¼ OF SAID SECTION 32; THENCE RUNNING E. ALONG THE QUARTER SECTION LINE 1320 FEET; THENCE NORTH 2217 FEET TO THE TELEGRAPH ROAD; THENCE IN A WESTERLY DIRECTION AND IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTH SIDE OF SAID ROAD TO THE DIVISION LINE BETWEEN SECTIONS 32 AND 31 IN SAID TOWNSHIP AND RANGE; AND THENCE SOUTH 1860 FEET ALONG SAID DIVISION LINE TO THE PLACE OF BEGINNING.

EXCEPTING A TRACT OF LAND IN THE N.W. CORNER OF SAID LAST DESCRIBED TRACT OF LAND DESCRIBED AS COMMENCING AT THE AFORESAID NORTHWEST CORNER OF SAID TRACT LAST ABOVE DESCRIBED; RUNNING THENCE SOUTH 34 FEET; THENCE EAST 99 FEET; THENCE NORTH 53 FEET TO SAID TELEGRAPH ROAD; AND THENCE WESTERLY ALONG THE SOUTH SIDE OF SAID TELEGRAPH ROAD TO THE PLACE OF BEGINNING; SAID TRACT BEING GRANTED TO SCHOOL DISTRICT NO. 12 IN DAVENPORT TOWNSHIP IN SCOTT COUNTY, IOWA.

AND

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., EXCEPT THAT PART PLATTED AS DEER WOODS SECOND ADDITION TO THE CITY OF DAVENPORT, IOWA.
EXCEPT:

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST, IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 01°38'08" EAST 1231.89 FEET ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 88°34'11" WEST 85.11 FEET; THENCE NORTH 74°38'27" WEST 114.56 FEET; THENCE NORTH 73°54'14" WEST 85.06 FEET; THENCE NORTH 53°35'06" WEST 42.40 FEET TO THE NORTHWEST CORNER OF LOT 9 OF DEER WOODS SECOND ADDITION AND THE POINT OF BEGINNING; THENCE SOUTH 57°38'29" WEST 35.17 FEET; THENCE SOUTH 03°48'27" WEST 92.40 FEET; THENCE SOUTH 88°29'14" WEST 143.32 FEET; THENCE SOUTH 06°27'25" EAST 171.96 FEET; THENCE SOUTH 83°32'29" WEST 70.00 FEET; THENCE NORTH 06°27'25" WEST 282.28 FEET TO THE BEGINNING OF A 315.00 FOOT RADIUS TANGENT CURVE CONCAVE WESTERLY WHOSE 49.42 FOOT CHORD BEARS NORTH 10°57'22" WEST; THENCE NORTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 49.47 FEET; THENCE NORTH 15°27'18" WEST 91.15 FEET; THENCE NORTH 66°34'18" EAST 70.68 FEET; THENCE SOUTH 15°27'18" EAST 47.45 FEET; THENCE NORTH 74°32'42" EAST 63.67 FEET; THENCE SOUTH 66°07'23" EAST 118.81 FEET; THENCE SOUTH 32°21'31" EAST 88.27 FEET TO THE POINT OF BEGINNING. CONTAINING 1.51 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD.

AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., EXCEPT THOSE PARTS PLATTED AS DEER WOODS FIRST AND SECOND ADDITIONS TO THE CITY OF DAVENPORT, IOWA. ALSO, EXCEPTING THOSE PARTS

DESIGNATED AS THE RIGHT OF WAY FOR RICKER HILL ROAD AND THE RIGHT OF WAY FOR THE STATE HIGHWAY.

Section 2. That the following findings are hereby associated with said rezoning:

Findings:

1. The subject property is primarily designated as Agricultural Reserve, but also has portions designated Open Space and Residential General.
2. The proposed S-AG zoning adequately protects the adjoining residential property from adverse impacts.
3. The proposed S-AG zoning would maintain the existing rural character of the land.

Section 3. At its July 16, 2019 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation to approve.

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.

Approved 9/11/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

3. Third Consideration: Ordinance vacating the excess right-of-way formerly part of Forest Grove Ct. [Ward 6] **ADOPTED 2019-365**

ORDINANCE NO. 2019-365

AN ORDINANCE VACATING EXCESS RIGHT OF WAY FORMERLY PART OF FOREST GROVE CT

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

Section 1. The following legally described real property, formerly part of Forest Grove Court Public Right of Way, is hereby vacated as public right of way.

Part of the Northwest Quarter and the Southwest Quarter of Section 4, Township 78 North, Range 4 East of the 5th Principal Meridian, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Commencing at the southeast corner of the Northwest Quarter of said Section 4;

Thence North 01 degrees 51 minutes 20 seconds West along the east line of the northwest quarter of said Section 4, a distance of 0.08 feet to the centerline of Forest Grove Drive;

Thence South 87 degrees 03 minutes 46 seconds West along said centerline, a distance of 622.25 feet;

Thence westerly 203.72 feet continuing along said centerline and the arc of a curve to the right, having a radius of 5,730.00 feet, a chord bearing of South 87 degrees 54 minutes 09 seconds West, and a chord distance of 203.71 feet;

Thence South 88 degrees 54 minutes 02 seconds West along said centerline, a distance of 0.28 feet to the east line of a parcel conveyed to Virginia L. McCall Trust by Warranty Deed recorded as Document No. 2002-14560 in the Scott County Recorder's Office;

Thence continuing South 88 degrees 54 minutes 02 seconds West along said centerline, a distance of 88.89 feet to the Point of Beginning;

Thence northerly 5.01 feet along the arc of a curve to the left having a radius of 50.00 feet, a chord bearing of North 03 degrees 58 minutes 22 seconds West, and a chord distance of 5.01 feet to the north right of way line of Forest Grove Drive;

Thence North 88 degrees 54 minutes 00 seconds East along said north right of way line, a distance of 87.58 feet to the east line of said property so conveyed;

Thence easterly 202.61 feet along the north right of way line of Forest Grove Drive and the arc of a curve to the left having a radius of 5,817.00 feet, a chord bearing of North 87 degrees 54 minutes 08 seconds East and a chord distance of 202.60 feet;

Thence North 87 degrees 03 minutes 46 seconds East along said right of way line a distance of 417.59 feet to the northerly projection of the west right of way line of Somerset Road;

Thence South 01 degrees 44 minutes 07 seconds East along the west right of way line of Somerset Road a distance of 88.34 feet to the northeasterly line of Lot 1 in Crow Valley View 8th Addition;

Thence northwesterly 23.88 feet along said northeasterly line and the arc of a curve to the left, not tangent to the last described course, having a radius of 15.00 feet, a chord bearing of North 47 degrees 20 minutes 10 seconds West, and a chord distance of 21.43 feet to the north line of said Lot 1;

Thence South 87 degrees 03 minutes 46 seconds West along said north line, a distance of 134.22 feet to the northwest corner of said Lot 1 and the northeast corner of Lot 4 in Crow Valley View 7th Addition;

Thence South 87 degrees 03 minutes 46 seconds West along the north line of said Lot 4, a distance of 70.56 feet to the northwest corner of Lot 4 in Crow Valley View 7th Addition which is also the northeast corner of Lot 3 in Crow Valley 7th Addition;

Thence South 87 degrees 03 minutes 46 seconds West along the north line of Lot 3 in Crow Valley 7th Addition, a distance of 195.86 feet;

Thence westerly 34.09 feet along said north line and the arc of a curve to the right, having a radius of 5,770.00 feet, a chord bearing of South 87 degrees 03 minutes 14 seconds West, and a chord distance of 34.09 feet to the northwest corner of Lot 3 in Crow Valley 7th Addition which is also the northeast corner of Lot 2 in Crow Valley 7th Addition;

Thence westerly 50.35 feet along the north line of Lot 2 in Crow Valley 7th Addition and the arc of a curve to the right, not tangent to the last described course, having a radius of 5,770.00 feet, a chord bearing of South 87 degrees 28 minutes 23 seconds West, and a chord distance of 50.35 feet to the northwest corner of Lot 2 in Crow Valley 7th Addition and the northeast corner of Lot 12 in Fry's 1st Addition;

Thence westerly 120.63 feet along the north line of Lot 12 in Fry's 1st Addition and the arc of a curve to the right having a radius of 5,770.00 feet, a chord bearing of South 88 degrees 19 minutes 19 seconds West, and a chord distance of 120.62 feet;

Thence South 88 degrees 54 minutes 00 seconds West along said north line, a distance of 34.53 feet to the northwest corner of said Lot 12 and the northeast corner of Lot 13 in Fry's 1st Addition;

Thence South 88 degrees 54 minutes 00 seconds West along the north line of Lot 13 in Fry's 1st Addition, a distance of 54.63 feet;

Thence North 01 degrees 06 minutes 00 seconds West, a distance of 40.00 feet to the centerline of Forrest Grove Drive and the Point of Beginning.

The above described parcel contains 51,866 square feet or 1.19 acres, more or less.

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

And,

Part of the Northwest Quarter and the Southwest Quarter of Section 4, Township 78 North, Range 4 East of the 5th Principal Meridian, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the at the northeast corner of Outlot A in Crow Valley View 9th Addition;

Thence South 87 degrees 03 minutes 46 seconds West along the north line of said Outlot A, a distance of 140.66 feet to the northwesterly line of said Outlot A;

Thence southwesterly 23.25 feet along said northwesterly line and the arc of a curve to the left having a radius of 15.00 feet, a chord bearing of South 42 degrees 39 minutes 50 seconds West, and a chord distance of 20.99 feet to the east right of way line of Somerset Road;

Thence North 01 degrees 44 minutes 07 seconds West along the east right of way line of Somerset Road a distance of 33.36 feet to the north right of way line of Forest Grove Drive;

Thence North 87 degrees 03 minutes 46 seconds East along said north right of way line, a distance of 155.31 feet to the east line of the northwest quarter of said Section 4;

Thence South 01 degrees 51 minutes 20 seconds East along said east line, a distance of 0.08 feet to the north right of way line of Forest Grove Drive;

Thence North 87 degrees 01 minutes 37 seconds East along said north right of way line, a distance of 12.52 feet;

Thence South 18 degrees 46 minutes 37 seconds West, a distance of 35.53 feet to the east line of the northwest quarter of said Section 4;

Thence South 01 degrees 41 minutes 00 seconds East along the east line of the southwest quarter of said Section 4, a distance of 39.93 feet to the Point of Beginning.

The above described parcel contains 11,594 square feet or 0.266 acres, more or less.

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

Section 2. That the following findings and conditions are hereby imposed upon said right of way vacation:

1. That a utility easement be provided in the vacated area for all existing utilities.

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.

Approved: 9/11/19 Frank Klipsch, Mayor; Attest: Brian Krup, Deputy City Clerk

4. Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]

MOVED TO THIRD CONSIDERATION

5. First Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]

MOVED TO SECOND CONSIDERATION

6. First Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]

MOVED TO SECOND CONSIDERATION

7. First Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled "Intersection Traffic Signals" by adding Hickory Grove Rd at the northernmost Cobham driveway. [Ward 2]

MOVED TO SECOND CONSIDERATION

8. First Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]

MOVED TO SECOND CONSIDERATION

9. Resolution for Case P19-02 being the request of Riverside Real Estate Holding LLC for a preliminary plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7]

ADOPTED 2019-366

10. Resolution for Case F19-11 being the request of Riverside Real Estate Holding LLC for a final plat for a 4-lot subdivision on .75 acres more or less of property located at the southeast corner of W 53rd St and Marquette St. [Ward 7]

ADOPTED 2019-367

11. Resolution for Case F19-14 being the request of Montgomery LC for a final plat for a 2-lot subdivision on 3.4 acres, more or less, of property located on the north side of E 53rd Street approximately 155 feet east of Belle Ave. [Ward 8]

ADOPTED 2019-368

12. Resolution setting a Public Hearing on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

ADOPTED 2019-369

13. Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor events.

ADOPTED 2019-370

Davenport Schools; North High School Homecoming Parade; Thursday, September 19, 2019 6:00 p.m. - 7:30 p.m.; Closures: (Police controlled intersections) Starting at Wood Intermediate, easternmost northbound lane on Division St to Northwest Blvd, Northwest Blvd south to W 56th St, W 56th St to Oakbrook Rd, Oakbrook Rd to W 57th St, W 57th St to Marquette St, Marquette St to W 60th St, W 60th St to Myrtle St, Myrtle St to W 59th St, W 59th St to Vine St, Vine St to W 58th St, W 58th St to Gaines St, Gaines St to finish at North High School. [Wards 7 & 8]

Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 7:00 a.m. - Sunday, September 22, 2019 3:00 p.m.; Closure: W 2nd St east of the Post Office lot to west of 802 W 2nd St, Warren St from the alley south of 3rd St to the alley north of River Dr. [Ward 3]

City of Davenport; Halloween Parade; Saturday, October 26, 2019 10:00 a.m. - conclusion of parade; Closures: Staging: 10:00 a.m. - conclusion of parade, 3rd St from Brady to LeClaire, Pershing from 2nd to 4th, and Iowa from 2nd to 4th; Parade Route: 12:00 p.m. - conclusion of parade, 3rd St from Western to Brady, Western from 2nd to 5th, Scott & Ripley from 2nd to 4th, Main St from alley north of The Current to 4th St; 2:00 p.m. - conclusion of parade, Harrison from 2nd to 6th, Brady from 2nd to 4th. [Ward 3]

14. Resolution approving the plans, specifications, forms of contract, and estimate of cost for the River Dr Median Removal Project, CIP #35044. [Ward 3]

ADOPTED 2019-371

15. Resolution approving the replacement of the tank membrane within Digester #3 at the Water Pollution Control Plant (WPCP). The work is to be performed by General Constructors, Inc of Bettendorf, IA in the amount of \$320,000, CIP #39008. [Ward 1]

ADOPTED 2019-372

16. Resolution approving the contract for the Kimberly Road Patching Project to Langman Construction, Inc of Rock Island, IL in the amount of \$794,295.50, CIP #35042. [Ward 6]

ADOPTED 2019-373

17. Resolution approving the FY19 Street Finance Report from July 1, 2018 to June 30, 2019 to be submitted to the Iowa Department of Transportation. [All Wards]

ADOPTED 2019-374

18. Resolution of acceptance for the construction of E Locust St Pavement Improvements (Kenwood Ave to Broadlawn Ave), CIP #35032, completed by Langman Construction, Inc of Rock Island, IL. [Ward 6]

ADOPTED 2019-375

19. Resolution approving change order #1 to the N Lincoln Ave Reconstruction Project (W Locust St to Central Park Ave) with McCarthy Improvement Company in the amount of \$114,670, CIP #35035. [Ward 4] **ADOPTED 2019-376**

20. Resolution approving the plans, specifications, forms of contract, and estimate of cost for Phase II of the Downtown Decorative Streetlight LED Retrofit Project, CIP #60020. [Ward 3] **ADOPTED 2019-377**

21. Resolution approving the contract for West 28 1/2 St and Gaines St Resurfacing project to McCarthy Improvement Company of Davenport, IA in the amount of \$148,702.50, CIP #35036. [Ward 7] **ADOPTED 2019-378**

22. Resolution approving the contract for the Police Department parking garage deck/joint repairs to Western Specialty Contractors of West Des Moines, IA in the amount of \$249,709, CIP #23027. [Ward 3] **ADOPTED 2019-379**

23. Resolution approving the contract for the 2300 block of N Fairmount St Reconstruction project to Langman Construction Inc of Rock Island, IL in the amount of \$344,960.46. CIP #35035. [Ward 2] **ADOPTED 2019-380**

24. Resolution approving the contract for the Jersey Ridge Road Patching project to Hawkeye Paving Corporation in the amount of \$509,055, CIP #35035. [Ward 6] **ADOPTED 2019-381**

25. Resolution approving the purchase of a battery-electric ice resurfacer for The River's Edge from CTM Services, Inc of Lonsdale, MN in the amount of \$167,650, CIP #24016. [Ward 3] **ADOPTED 2019-382**

26. Motion approving a special occurrence permit for River Music Experience, 129 N Main St, to allow food trucks to operate outside the business along Main St during the Experience Deaf QC event from 9:00 a.m. - 10:00 p.m. on Saturday, November 2, 2019. [Ward 3] **PASSED 2019-383**

27. Motion approving noise variance request(s) for various events on the listed dates and times. **PASSED 2019-384**

Dwayne Hodges; Westend Park Party; Herington Park 935 Brown St; Saturday, September 14, 2019 1:00 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Mary's on 2nd; Quad Cities Fall Pride; 832 W 2nd St; Friday, September 20, 2019 4:00 p.m. - 12:00 a.m. and Saturday, September 21, 2019 12:00 p.m. - 12:00 a.m.; Outdoor music/performances, over 50 dBa. [Ward 3]

City of Davenport; Halloween Parade; Downtown; Saturday, October 26, 2019
12:00 p.m. - conclusion of parade; Outdoor music/performances, over 50 dBa.
[Ward 3]

28. Motion approving beer and liquor license applications.

PASSED 2019-385

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

Ward 3

Jaycees of the Quad Cities Brew Ha Ha (Davenport Jaycees) - 400 W
Beiderbecke Dr - Outdoor Area September 20 - 21, 2019 - License Type: B Beer

Mary's on 2nd (Birdland, Inc) - 832 W 2nd St - Outdoor Area September 20 - 21,
2019 "Fall Pride Fest" - License Type: C Liquor

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

Ward 2

Probstei Inn Bar & Grill (Mayberry Homestead Inc) - 6315 W Kimberly Rd -
License Type: Class C Liquor - On Premise

Ward 3

Fresh Deli By Nostalgia Farms (Nostalgia Farms Market Inc) - 421 W River Dr
Suite 2- Outdoor Area License Type: Class C Liquor- On Premise/T

Van's Pizza Pub And Grill (TJM QC LLC) - 217 Brady Street - License Type: Class
C Liquor - On Premise

Ward 4

QC Mart (Bethany Enterprises, Inc) - 1556 W Locust St - License Type: Class C
Beer - Carry Out

The Putnam (Putnam Museum And Science Center) - 1717 West 12th St -
Outdoor Area License Type: Class C Liquor - On Premise

Ward 5

QC Marts (Bethany Enterprises, Inc.) - 1313 E River Dr - License Type: Class C
Beer - Carry Out

Ward 6

The Mound (Mound QC, LLC) - 1029 Mound St - License Type: Class C Liquor - On Premise

Ward 7

Theisen's Of Davenport (Theisen's Inc) - 3808 Brady St - License Type: Class C Beer - Carry Out/WB

Ward 8

Harold's Jack & Jill (Slagle Foods, Inc) - 6723 NW Blvd Unit 1 – License Type: Class C Beer - Carry Out/WB

Harold's Jack N Jill (Slagle Foods, Inc) - 6723 NW Blvd Unit 2 - License Type: Class E Liquor - Carry Out

Leisure Lanes (Four Bros, LLC) - 2802 W 73rd St - Outdoor Area License Type: Class C Liquor - On Premise

29. Motion awarding the Underground Storage Tank Removal project at the Davenport Municipal Airport to Impact7G, Inc of Clive, IA in the amount of \$67,194.12, CIP #20011. [Ward 8]

PASSED 2019-386

30. Motion waiving the remaining annual lease payment of \$53,245.24 by Main Street Iowa, LLC for the use of Modern Woodmen Park due to 2019 Mississippi River flooding and restricted access caused by Canadian Pacific's rail raising project. [Ward 3]

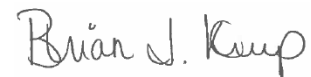
PASSED 2019-387

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

XVI. Adjourn **6:03 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
9/25/2019

Subject:
Approval of the Report on the Committee of the Whole for September 18, 2019

ATTACHMENTS:

Type	Description
▣ Backup Material	091819 COW Report

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/19/2019 - 10:48 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, September 18, 2019--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Pro Tem Tompkins presiding and all aldermen present. The following Public Hearings were held: Community Development: Public Hearing on the Consolidated Plan Annual Performance Evaluation Report for the fiscal year ending June 30, 2019; Public Hearing on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). Public Works: Public Hearing on amending Ordinance Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible and for the Commercial Downtown and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention, and clarification on the Unified Sizing Criteria staged release rates; Public Hearing on the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing, Phase III Electrical Construction Project, CIP #68004; Public Hearing on the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Rawson reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Dickmann all items moved to the Discussion Agenda with Committee of the Whole recommending suspension of the rules and passage on second consideration for item #1. Public Safety: Ald. Gripp reviewed all items listed. On motion by Ald. Dickmann, second by Ald. Ambrose item #3 moved to the Discussion Agenda with Committee of the Whole recommending suspension of the rules and passage on second consideration; all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Condon, second by Ald. Ambrose all items moved to the Consent Agenda. Finance: Ald. Matson reviewed all items listed. On motion by Ald. Clewell, second by Ald. Rawson all items moved to the Consent Agenda. Other Ordinances, Resolutions, and Motions: On motion by Ald. Rawson, second by Ald. Dickmann the rules were suspended, with all aldermen present voting aye, and the following Motion passed: extended outdoor area liquor license for Rookie's Sports Bar (Rookies, Inc.) – 2818 Brady St. – extended outdoor area September 21 "Customer Appreciation Event" – License Type: C Liquor, **2019-388**.

Council adjourned at 6:33 p.m.

City of Davenport

Agenda Group:

Department: City Clerk

Contact Info: Samantha Torres 563-326-7701

Wards:

Action / Date

9/25/2019

Subject:

Hispanic Heritage Month, September 15 - October 15

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Admin, Default

Approved

9/17/2019 - 8:02 AM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 888-2066

Wards:

Action / Date

9/25/2019

Subject:

Fire Prevention Week, October 6 - October 12

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Thorndike, Tiffany

Approved

9/17/2019 - 1:56 PM

City of Davenport

Agenda Group:

Department: Office of the Mayor

Contact Info: Tiffany Thorndike 563-888-2066

Wards:

Action / Date

9/25/2019

Subject:

Be A Good Neighbor Day - September 28, 2019

REVIEWERS:

Department

Reviewer

Action

Date

Office of the Mayor

Thorndike, Tiffany

Approved

9/20/2019 - 8:47 AM

City of Davenport

Agenda Group:

Department: City Clerk

Contact Info: Amy Groskopf 563-328-6850

Wards:

Action / Date

9/25/2019

Subject:

Summer Reading Program Trophy Presentation

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Admin, Default

Approved

8/8/2019 - 10:31 AM

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-888-2286
Wards:

Action / Date
9/4/2019

Subject:
Second Consideration: Ordinance for Case PUD19-01: Request by Juan Goitia for a Major Modification to an existing Planned Unit Development (PUD) for the property located at 1002 Bridge Ave. [Ward 5]

**COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND
PASSAGE ON SECOND CONSIDERATION**

- i. Motion for suspension of the rules
- ii. Passage on second consideration

Recommendation:
Adopt the Ordinance.

Background:
Staff recommends approval of the Major Modification to allow a building height of approximately 27 feet in accordance with the attached plans.

In 2017, under the old zoning Ordinance, the petitioner received approval of a PUD to allow for construction of a two story carriage house consisting of a three car garage on the first level and an office on the second. The structure was proposed to be 23 feet tall. The petitioner now proposes a structure approximately 27 feet tall.

Staff has determined that the existing PUD is still in effect, however, any modifications must adhere to the rules under the new code.

Alterations in building height can be achieved through approval of either:

- 1) a minor modification, less than 10% increase, which is handled by the Plan and Zoning Commission, or
- 2) a major modification, more than 10% increase, handled by the City Council.

In this case the petitioner seeks an increase in height of 17%.

According to the petitioner, below are the reasons for major modification.

(We own a) SUV Yukon we camp a lot and kayak, along with biking trails so we have racks that we intend to have on SUV permanently.

Racks will not fit. SUV will be our family's main vehicle, back when it was approved we had

one child on the way, now we have to and plan on another.

If placement of carriage is viewed in person you will see that it doesn't obstruct anyone's view. The house to the North is my rental and the house to the west and northwest are downhill. The street view is blocked by huge oak trees and my current home.

Not asking for anything special I own 43 rents units, I am in the business of bettering the neighborhood not destroying it.

No comments were received when the original PUD was approved. Staff sent notices to property owners within 200 feet informing them of the proposed major modification. Again, no comments have been received.

The proposed structure will still be 8 feet shorter than the maximum allowed in the District (35 feet). Staff supports approval of the major modification.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Exhibit A - Plans
▣ Backup Material	Neighbor Letter and Map
▣ Backup Material	Application
▣ Backup Material	Owner List

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	8/29/2019 - 9:29 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 12:50 PM

ORDINANCE NO. _____

ORDINANCE AMENDMENT FOR CASE PUD19-01 ALLOWING FOR A MAJOR MODIFICAITON OF AN EXISTING PLANNED UNIT DEVELOPMENT LOCATED AT 1002 BRIDGE AVENUE THAT WAS PREVIOUSLY APPROVED IN ORDINANCE NO. 2016-483.

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

Section 1. The previously approved planned unit development (Ord. No. 2016-483) for the following described real estate, to-wit: Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 78 North, Range 3 East of the 5th P.M., more particularly described as Lot 1 of Block 7 of Part of G. C. Churchill's Resurvey of Churchill's Addition to the City of Davenport is hereby amended by increasing the maximum height of the previously approved building structure to a height of twenty-seven (27) feet. All other conditions in Ordinance No. 2016-483 remain in effect.

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 _____

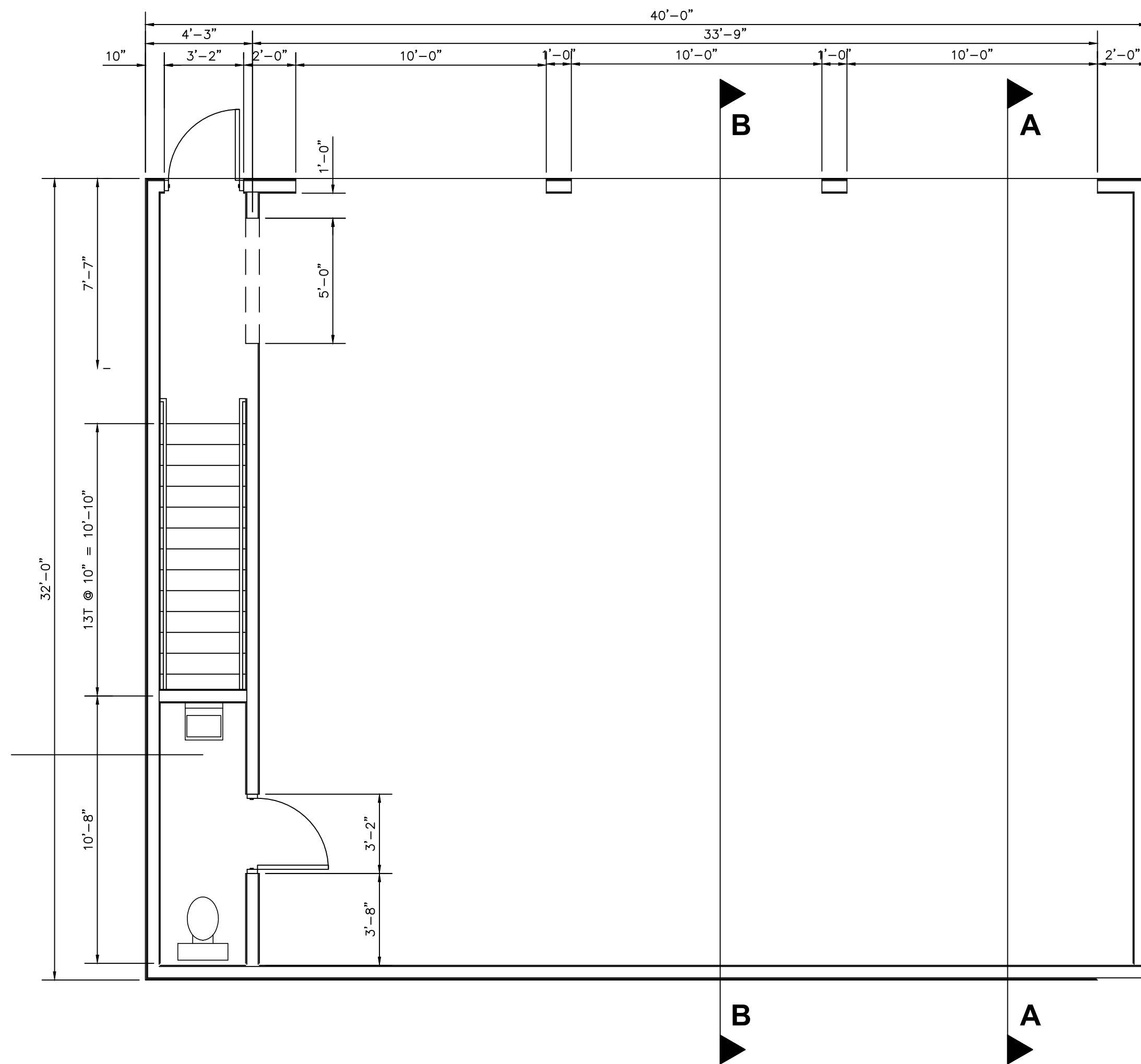
Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

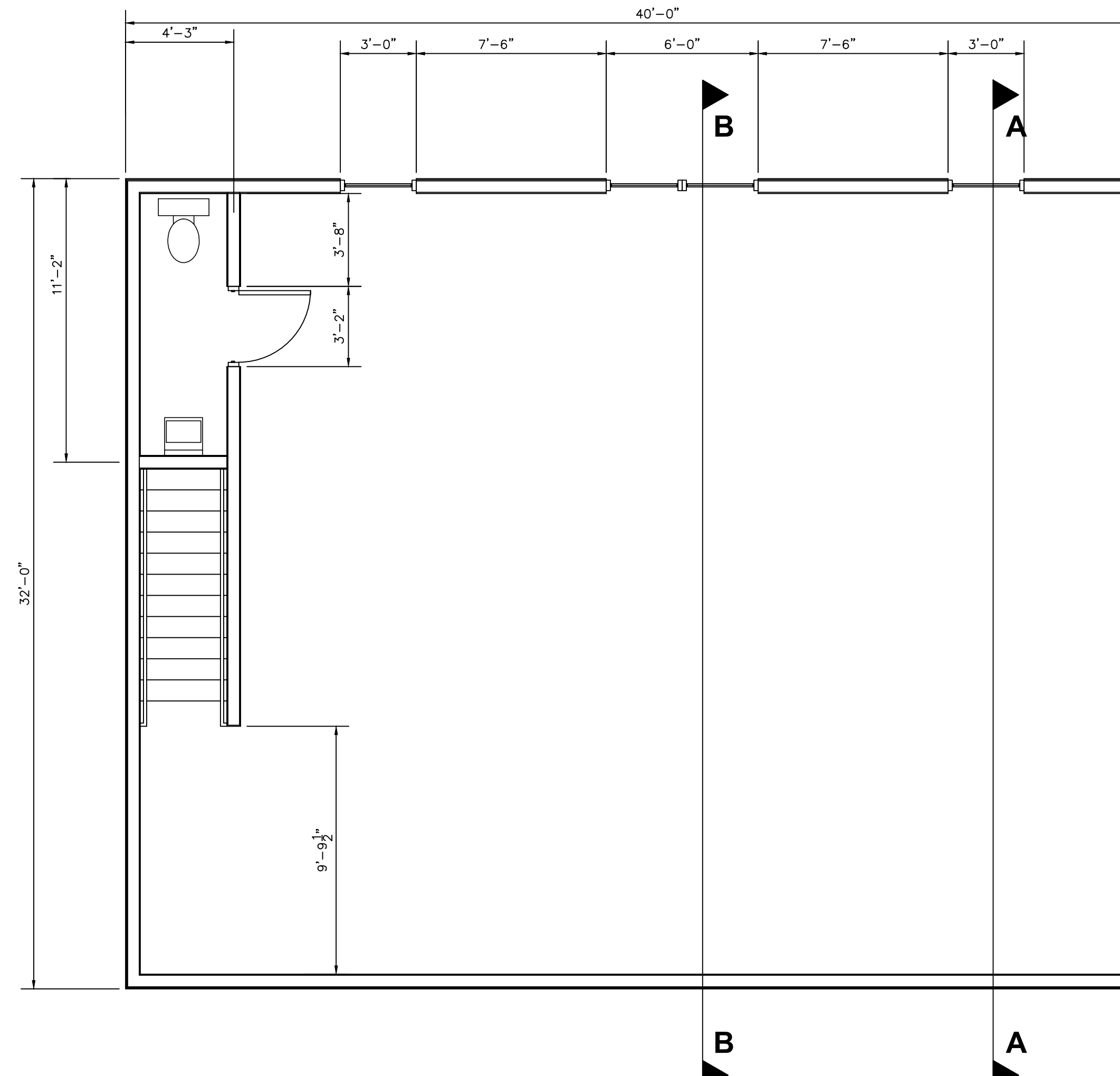


[Handwritten signature]



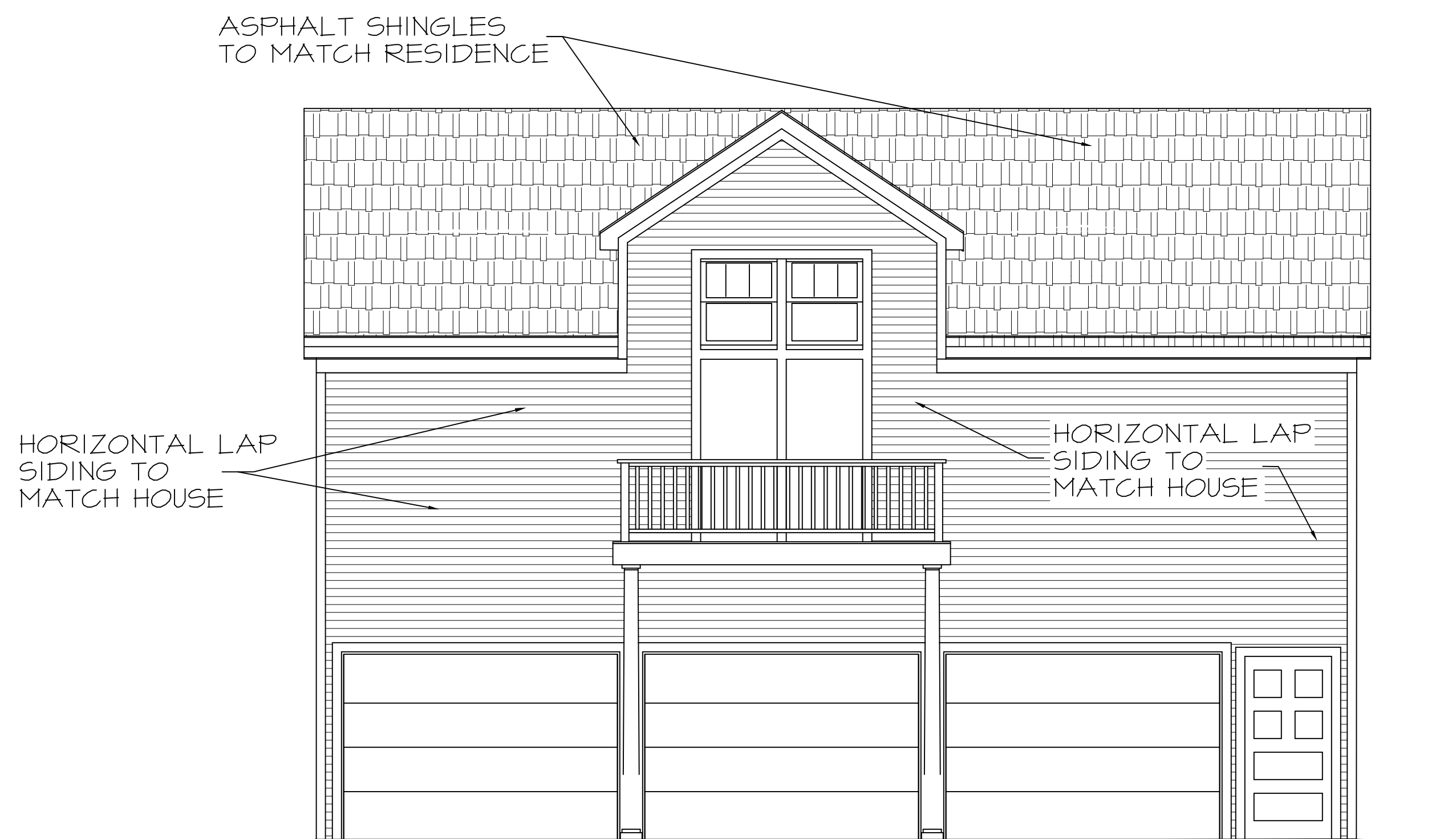
FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"



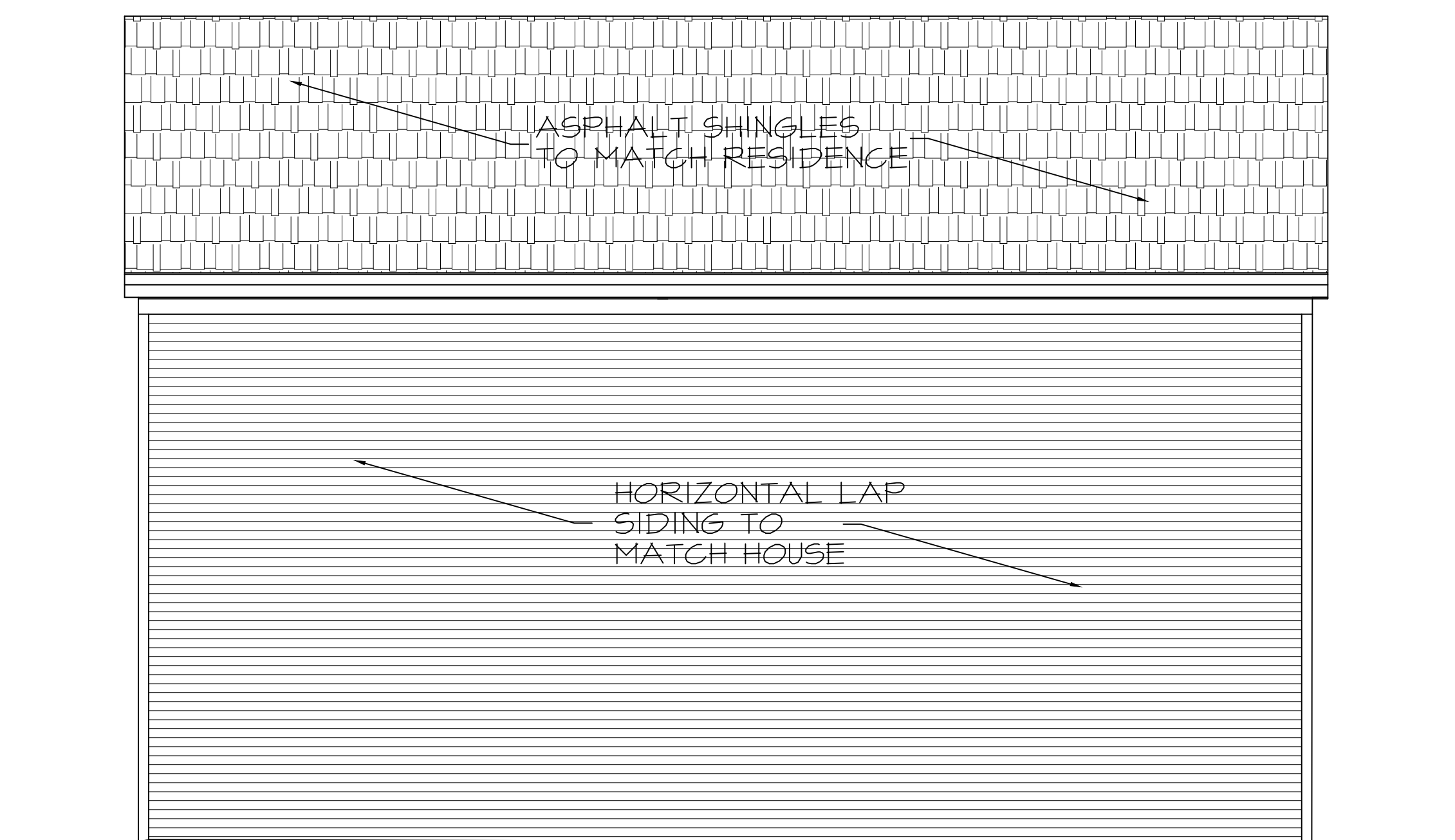
SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"



GARAGE FRONT ELEVATION

SCALE: 1/4"=1'-0"



GARAGE BACK ELEVATION

SCALE: 1/4"=1'-0"



Community Planning Division, CPED
City Hall, 226 West 4th Street
Davenport, IA 52801
planning@ci.davenport.ia.us | 563-326-7765

August 20, 2019

Subject: Public Hearing
Major Modification of a Planned Unit Development
1002 Bridge Avenue

Dear Property Owner:

You may recall in 2016, Juan Goitia at 1002 Bridge Avenue sought and received a rezoning in order to allow the construction of a two story carriage house for a home office. The proposed structure was to be approximately 23 feet in height.

Mr. Goitia is now ready to proceed with his project, but now proposes a building 27 feet in height.

Since his proposal is more than 10% taller than originally permitted, it must be approved by the City Council, following a public hearing. You are being notified as an owner within 200 feet of the subject property.

The public hearing will be held on Wednesday, September 4, 2019, at 5:30 pm in the Council Chambers of City Hall, 226 West 4th Street. At the public hearing, you are welcome to speak in favor, opposition or to ask questions.

If you have any questions in the meantime, or would like to submit comments beforehand, feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew G. Flynn', enclosed in a rectangular box.

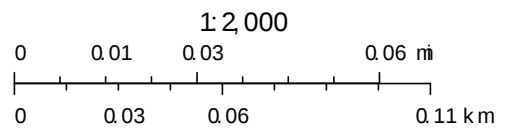
Matthew G. Flynn, AICP
Senior Planning Manager
Matt.flynn@ci.davenport.ia.us | 563-888-2286

1002 Bridge Avenue



8/20/2019, 2:11:01 PM

- Parks
- Parcels
- Street Centerline (Labels only)
- Creeks
 - Named Creeks
 - Unnamed Tributaries
- Rippled Creeks
- City Limit
- Address Points
- Zoning Districts
 - R-1 Single-Family Residential District
 - R-2 Single-Family Residential District



Scott County Iowa, B-State Regional Commission



Complete application can be emailed to planning@ci.davenport.ia.us

Property Address*

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact) **

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal
Special Use
Hardship Variance

Engineer (if applicable)

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

Design Review Board

Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of
East Davenport

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

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

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

Request:

Existing Zoning:

Proposed Zoning Map Amendment:

Purpose of the Request:

Total Land Area:

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

Submittal Requirements:

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

Formal Procedure:

(1) Application:

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

(2) Plan and Zoning Commission public hearing:

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

(3) Plan and Zoning Commission's consideration of the request:

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

Formal Procedure (continued):

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

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

Applicant:

Date:

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

Received by:

Date:

Planning staff

Date of the Public Hearing:

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

Authorization to Act as Applicant

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

Signature(s)

State of _____ ,
County of _____ .
Sworn and subscribed to before me

This day of 20

Form of Identification

Notary Public

My Commission Expires:

2019 PLAN & ZONING COMMISSION CALENDAR

PLAN & ZONING COMMISSION SCHEDULE				CITY COUNCIL SCHEDULE		
<u>REZONING & ROW VACATION</u> SUBMITTAL DEADLINE	<u>SUBDIVISION PLAT & DEV. PLAN</u> SUBMITTAL DEADLINE	PLAN & ZONING COMMISSION PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISSION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE PUBLIC HEARING	CITY COUNCIL MEETING
(12:00 PM - Monday)	(12:00 PM - Monday)	(5:00 PM - Tuesday)	(5:00 PM - Tuesday)	(12:00PM - Friday)	(5:30 PM - Wednesday)	(5:30 PM - Wednesday)
11/13/18	11/26/18	12/04/18	12/18/18	12/21/18	01/02/19	01/09/19
11/26/18	12/10/18	12/18/18	12/31/18	01/04/19	01/16/19	01/23/19
12/10/18	12/21/18	12/31/18	01/15/19	01/25/19	02/06/19	02/13/19
12/21/18	01/07/19	01/15/19	02/05/19	02/08/19	02/20/19	02/27/19
01/14/19	01/28/19	02/05/19	02/19/19	02/22/19	03/06/19	03/13/19
01/28/19	02/11/19	02/19/19	03/05/19	03/08/19	03/20/19	03/27/19
02/11/19	02/25/19	03/05/19	03/19/19	03/22/19	04/03/19	04/10/19
02/25/19	03/11/19	03/19/19	04/02/19	04/05/19	04/17/19	04/24/19
03/11/19	03/25/19	04/02/19	04/16/19	04/19/19	05/01/19	05/08/19
03/25/19	04/08/19	04/16/19	04/30/19	05/03/19	05/15/19	05/22/19
04/08/19	04/22/19	04/30/19	05/14/19	05/24/19	06/05/19	06/12/19
04/22/19	05/06/19	05/14/19	06/04/19	06/07/19	06/19/19	06/26/19
05/13/19	05/24/19	06/04/19	06/18/19	06/21/19	07/03/19	07/10/19
05/24/19	06/10/19	06/18/19	07/02/19	07/05/19	07/17/19	07/24/19
06/10/19	06/24/19	07/02/19	07/16/19	07/26/19	08/07/19	08/14/19
06/24/19	07/08/19	07/16/19	08/06/19	08/09/19	08/21/19	08/28/19
07/15/19	07/29/19	08/06/19	08/20/19	08/23/19	09/04/19	09/11/19
07/29/19	08/12/19	08/20/19	09/03/19	09/06/19	09/18/19	09/25/19
08/12/19	08/26/19	09/03/19	09/17/19	09/20/19	10/02/19	10/09/19
08/26/19	09/09/19	09/17/19	10/01/19	10/04/19	10/16/19	10/23/19
09/09/19	09/23/19	10/01/19	10/15/19	10/25/19	11/06/19	11/13/19
09/23/19	10/07/19	10/15/19	11/05/19	11/08/19	11/20/19	11/27/19
10/14/19	10/28/19	11/05/19	11/19/19	11/22/19	12/04/19	12/11/19
10/28/19	11/08/19	11/19/19	12/03/19	cancelled due to holiday		
11/11/19	11/25/19	12/03/19	12/17/19	12/13/19	01/02/20	01/08/20
11/25/19	12/09/19	12/17/19	12/31/19	12/27/19	01/15/20	01/22/20
12/09/19	12/23/19	12/31/19	01/14/20	01/17/20	02/05/20	02/12/20
12/23/19	01/06/20	01/14/20	02/04/20	01/31/20	02/19/20	02/26/20

- SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY - **MARKED IN RED**
- ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL
- DATES SUBJECT TO CGHHANE DUE TO HOLIDAYS - **MARKED IN RED**
- DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA

ParcelId	OwnerName	OwnerAddress1
F0038-22	GRAVES MYRTLE L (Deed)	1111 E 10TH ST
F0038-23	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-02	MINITER JOHN P (Deed)	1104 E 10TH ST
F0038-03	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-04	REWERTS CARRI (Deed)	1116 E 10TH ST
F0038-05	GOITIA JUAN F (Deed)	1002 BRIDGE AVE
F0038-06	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-01	HARVEY TY (Deed)	1021 ONEIDA AV
F0038-01	HARVEY SEAN (Deed)	1021 ONEIDA AV
F0038-08	908 BRIDGE COOPERATIVE (Deed)	1002 BRIDGE AVE
F0038-24	WIATT TIPSWORD MICHELLE (Deed)	919 ONEIDA AV
F0038-24	WIATT JEFFREY LEE (Deed)	919 ONEIDA AV
F0038-07	WAHLMANN HOLDINGS LLC (Deed)	10531 4S COMMONS DR - STE 166-589
F0038-11	RICHARD JEREMY J (Deed)	919 BRIDGE AVE
F0039-09	EL GATO LLC (Deed)	9711 N VALLEY HILL DR
F0039-09	SUPIRA LLC (Deed)	9711 N VALLEY HILL DR
F0038-19A	MIRANDA KAREN L (Deed)	920 BRIDGE AV
F0038-20A	ROBISON CHARLES E IV (Deed)	930 BRIDGE AV
F0027-18	ANTON MARY F (Deed)	1601 CANAL SHORE DR
F0027-19	SPINNER DAVID R (Deed)	1033 ONEIDA AV
F0027-20A	FUTURE CAPITAL LLC (Deed)	5001 TREMONT AV
F0027-20B	MARTIN WILLIAM J (Deed)	3041 WILLOW CREEK ESTATES
F0027-20B	MARTIN ELIZABETH E (Deed)	
F0038-21	H & N SERIES LLC SERIES D (Deed)	1223 E 10TH ST

OwnerCityStZip

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

DAVENPORT IA 52803

SAN DIEGO CA 92127

DAVENPORT IA 52803

MEQUON WI 53092

MEQUON WI 53092

DAVENPORT IA 52803

DAVENPORT IA 52803

LECLAIRE IA 52753

DAVENPORT IA 52803

DAVENPORT IA 52807

FLORISSANT MO 63031

DAVENPORT IA 52803-5642

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
9/4/2019

Subject:

Second Consideration: Ordinance amending Schedule XIV of Chapter 10.96 entitled
“Intersection Traffic Signals” by adding Hickory Grove Rd at the northernmost Cobham driveway.
[Ward 2]

**COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND
PASSAGE ON SECOND CONSIDERATION**

i. Motion for suspension of the rules

ii. Passage on second consideration

Recommendation:
Adopt the Ordinance.

Background:

With the future addition of a new parking lot at Cobham Mission Systems, traffic engineering recommends installing a traffic signal on Hickory Grove Rd and the northern most driveway of Cobham Mission Systems. Recent traffic counts are at 90% of the volume required to meet the peak hour warrant for signalization in the Manual on Uniform Traffic Control Devices, this new lot will double the parking spaces and will generate additional pedestrian and vehicular traffic .

Cobham will pay the entire cost of signalization. The City of Davenport will design, bid and maintain the signals. The temporary pedestrian signals toward the other end of the Cobham property will be removed next year.

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_Hickory Grove at Cobham signal_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 11:27 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:28 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:54 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XIV INTERSECTION TRAFFIC SIGNALS THERETO BY ADDING HICKORY GROVE ROAD AT THE NORTHERNMOST COBHAM DRIVEWAY.

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

Section 1. That Schedule XIV Intersection Traffic Signals of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

Hickory Grove Road at the northernmost Cobham driveway.

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 _____

Frank Klipsch
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger 563-326-7765
Wards:

Action / Date
9/12/2019

Subject:
Resolution on the proposed conveyance of property located on the north side of E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Merge LLC (also known as Merge Urban Development) has offered to acquire the greenspace on the south side of the RiverCenter and is proposing to build a new, five-story, mixed-use building with space for roughly 6,600 square feet of commercial/retail on the first floor and 60 units of market rate rental housing on the four floors above.

Merge recently formed with a specific focus on using Opportunity Zone funding in Mid-West markets. They have similar sized projects currently under construction in Waterloo and Cedar Falls and three larger projects slated to begin this fall through next summer in Des Moines, Oshkosh, and Stevens Point, WI. The development team in Merge has over 10 years of experience as Echo Development which has completed over 600 apartment units, 100 houses, as well as commercial, retail, industrial, and hotel projects in Iowa.

Attached is a conceptual elevation drawing, a 3D site plan, and a purchase agreement. Similar to a previous development proposal for this site, Merge is offering \$250,000 and would agree to begin construction within 12 months of closing on the property. Approval of this Resolution would direct staff to execute the purchase agreement and convey the property per the terms of the agreement.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution
▢ Cover Memo	Conceptual elevation drawing
▢ Cover Memo	3D Site Plan
▢ Cover Memo	Purchase Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	9/11/2019 - 7:08 PM

Resolution No. _____

Resolution offered by Alderman Rawson.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION on the proposed conveyance of property located on the north side of the E 2nd St in the 200 block, otherwise referenced as the greenspace adjacent to the RiverCenter South (Merge LLC, petitioner). [Ward 3]

WHEREAS, the City of Davenport owns land (described as the South 122' of Lots 1, 2, and 3, Block 60 of LeClaire's 2nd Addition to the City of Davenport, Scott County, Iowa, known as Parcel L0009-28B) adjacent to the RiverCenter and has no plans to use said land; and

WHEREAS, the petitioner has submitted a purchase offer for \$250,000 to acquire the above property to develop 60 units of market rate housing and commercial/retail space; and

WHEREAS, the petitioner has asked the City for Urban Revitalization Tax Exemption (URTE) benefits to assist with the financing of the project; and

WHEREAS, the petitioner has asked the City to support their application for Disaster Workforce Housing Tax Credits from the State; and

WHEREAS, upon closing on the property, the petitioner will have up to 12 months to begin construction of the above-described project; and

WHEREAS, the property will revert to the City if the Petitioner closes on the property but is unable to meet the key requirements that survive the purchase agreement.

NOW, THEREFORE, with the approval of the resolution, the URTE project application is approved, City support for a State Disaster Workforce Housing Tax Credit application is approved, and staff is hereby authorized to execute the purchase offer and close on the property.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

SECOND STREET CORRIDOR

SOUTHWEST VIEW

MIXED-USE MASS

A mixed-use mass, with diverse ground level uses, strengthens the edge of the 2nd Street Corridor and stitches into the vibrant activity of downtown. The dark color massing is in dialogue with the light glass box form of the Figge museum to the west.

MICRO - RETAIL

Micro retail spaces provide frequent points of entry for pedestrian activity with the opportunity for new retail ventures to start up in smaller footprints.

URBAN LIVING

Residential units front urban street space and also quieter urban green space for a variety of living options.

2ND STREET CONCEPT DAVENPORT, IA



SECOND STREET CORRIDOR

DAVENPORT, IA

MIXED-USE MASS

A mixed-use mass, with diverse ground level uses, strengthens the edge of the 2nd Street Corridor and stitches into the vibrant activity of downtown. The dark color massing is in dialogue with the light glass box form of the Figge museum to the west.

MICRO - RETAIL

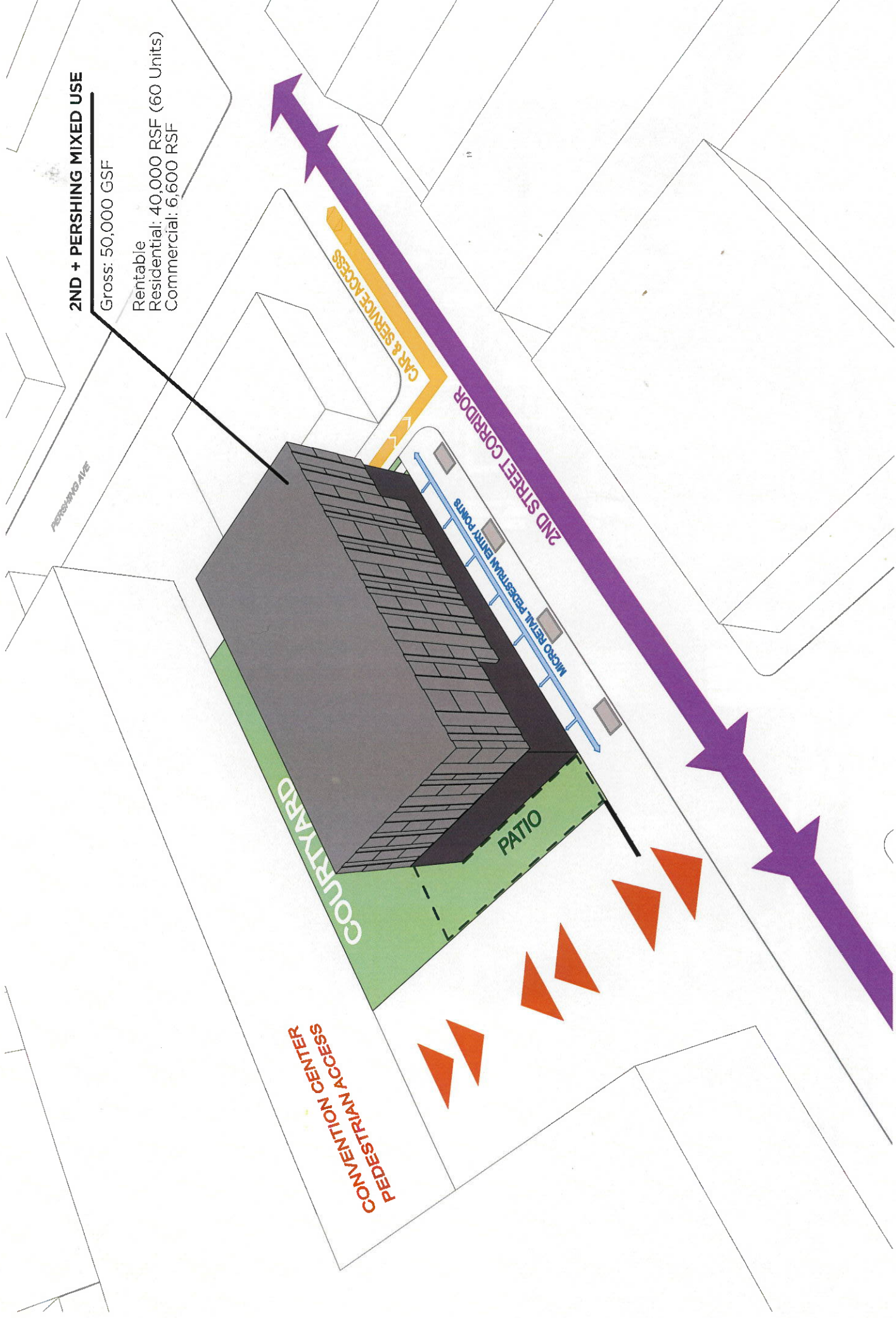
Micro retail spaces provide frequent points of entry for pedestrian activity with the opportunity for new retail ventures to start up in smaller footprints.

URBAN LIVING

Residential units front urban street space and also quieter urban green space for a variety of living options.

TOTAL DEVELOPMENT

Gross: 50,000 SF
Residential: 40,000 RSF (60 Units)
Commercial: 6,600 RSF



OFFER TO PURCHASE REAL ESTATE
THIS IS A LEGALLY BINDING CONTRACT

Date _____

To City of Davenport (Seller):

The undersigned, Merge LLC, an Iowa Limited Liability Company d/b/a Merge Urban Development Group (Purchaser), subject to the terms and conditions included herein hereby offers to purchase for the total sum of \$250,000.00, or other valuable consideration, the real estate located in the 200 block of the north side of East 2nd Street (herein after referred to as the "Property"), more particularly described as:

The South 122' of Lots 1, 2, and 3, Block 60 of LeClaire's 2nd Addition to the City of Davenport, Scott County, Iowa, currently known as Parcel L0009-28B;

The offer and the parties' obligations are outlined per the following terms and conditions:

- a) Within three business days of the execution of this Agreement, the Purchaser shall pay \$10,000 to the Seller as a non-refundable earnest money deposit that will be applicable to the Purchase Price at Closing. If the closing does not occur for any reason other than the Seller's default, the earnest money shall be retained by the Seller and not be refunded to the Purchaser.
- b) The remaining purchase price, as adjusted according to the terms here, will be payable in cash, check or wire transfer at Closing.
- c) The execution of the Agreement between the parties includes the following terms/conditions:
 - 1) The Purchaser agrees to develop a mixed use (residential/commercial) structure on the Property substantially consistent with the concept plans attached hereto as Exhibit A (the "Project");
 - 2) Construction of the Project beginning within 12 (twelve) months of Closing;
 - 3) Completion of the Project (i.e., certificate of occupancy issued by City) within 30 (thirty) months of Closing;
 - 4) If Purchaser fails to begin construction (i.e., excavation/foundation work underway and permits pulled) or complete the project per the timelines above, the Property shall revert to the City for the sale price, minus the non-refundable earnest deposit;
 - 5) Approval of an Urban Revitalization Tax Exemption (URTE) application by the Seller;
 - 6) Approval of a Resolution of Support for an application for Workforce Housing Tax Credits (WHTC) related to Disaster Declaration areas by the Seller
- d) Conditions in Paragraph "c)" above shall survive the Closing.
- e) Purchaser and Seller shall arrange for a mutually acceptable date to close and transfer the Property (the "Closing"), but anticipated to occur within 30 days from Seller approval of the sale.
- f) Purchaser shall have the right to assign this right to purchase to an affiliated entity upon written consent of the Seller, which such consent shall not be unreasonably withheld, conditioned, or delayed.
- g) Property will be conveyed to Purchaser via Quit Claim Deed, free and clear of all liens, encumbrances, and conditions, except for required easements and any other matters of record. Seller shall be allowed to remove signage prior to beginning of construction on the Project.
- h) Seller makes no representation/certification regarding condition or quality of Property.
- i) All real estate taxes shall be paid or prorated between Purchaser and Seller to the date of Closing in accordance with standards adopted by the Scott County Bar Association.
- j) The Purchaser shall be responsible for recording fees for the deed. Each party shall be responsible for its own attorney's fees.

- k) Prior to Closing, Purchaser or its authorized agent(s) shall be permitted to make inspection of the Property and perform necessary analysis as part of its due diligence, provided that written/email notice is provided to Seller's project manager and any damage to the Property shall be at the expense of the Purchaser.
- l) Approval of this Agreement is contingent upon passage by the City Council and compliance with Federal, State, and Local laws and requirements.

Purchaser: Merge LLC Tax ID # 83-3243452

Authorized Representative: _____

Printed name: _____ Brent Dahlstrom _____

Phone number: _____ 319-505-3609 _____

Mailing address: _____ 604 Clay Street _____

_____ Cedar Falls, IA 50613 _____

Email address: _____ brent@mergeurbandevelopment.com _____

Per Council approval, Agreement is accepted on _____, 2019.

Seller: City of Davenport, Iowa

Authorized Representative: _____

Printed name: _____ Corri Spiegel _____

Phone number: _____ 563-888-3384 _____

Mailing address: _____ 226 W. 4th Street _____

_____ Davenport, Iowa 52801 _____

Email address: _____ cspiegel@ci.davenport.ia.us _____

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
8/21/2019

Subject:

Third Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting Eastern Ave at Elm St. [Ward 5]

Recommendation:
Adopt the Ordinance.

Background:

The railroad bridge on Elm St is closed and the result has been much less traffic on Elm St as it approaches Eastern Ave. Manual counts taken during the morning and afternoon peak times showed the Eastern Ave traffic volume to be 50 times more than the volume on Elm St. The traffic counts on Elm are significantly below the minimum volumes required by the Manual on Uniform Traffic Control Devices for an all-way stop. The all-way stop was warranted while the bridge was open, so this removal will only be temporary. The stop signs will be reinstalled just before the opening of the bridge, which isn't expected for at least 1 1/2 years. The City will install extra signage on Elm to make drivers aware of the change while the stop signs on Eastern are gone.

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_Eastern at Elm 4 way stop_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/14/2019 - 11:02 AM
Public Works Committee	Lechvar, Gina	Approved	8/14/2019 - 11:03 AM
City Clerk	Admin, Default	Approved	8/15/2019 - 4:46 PM

ORDINANCE NO.

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

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

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

Eastern Avenue at Elm Street

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
9/4/2019

Subject:

Second Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Rusholme St along the north side from Ripley St west to the alley. [Ward 4]

Recommendation:
Adopt the Ordinance.

Background:

The residents have requested Resident Parking Only on Rusholme Street along the north side from Ripley Street west to the alley to mitigate non-resident owned vehicles from parking on this stretch.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 11:28 AM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 11:29 AM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:50 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XI RESIDENT PARKING ONLY THERETO BY ADDING RUSHOLME STREET ALONG THE NORTH SIDE FROM RIPLEY STREET WEST TO THE ALLEY.

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

Rusholme Street along the north side from Ripley Street west to the alley.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest: _____

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
9/4/2019

Subject:

Second Consideration: Ordinance amending Schedule X of Chapter 10.96 entitled "Two Hour Parking" by deleting Harrison St along the east side from 4th St to 5th St. [Ward 3]

Recommendation:

Adopt the Ordinance.

Background:

To improve visitor parking at City Hall, it is being recommended to remove the two hour parking limit on the east side of Harrison St between 4th and 5th Streets and designate it as "City Hall Business Only."

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_Harrison St 2 hour parking removal_pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	8/29/2019 - 1:10 PM
Public Works Committee	Lechvar, Gina	Approved	8/29/2019 - 1:11 PM
City Clerk	Admin, Default	Approved	8/29/2019 - 1:59 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE X TWO HOUR PARKING THERETO BY DELETING HARRISON STREET ALONG THE EAST SIDE FROM 4TH STREET TO 5TH STREET.

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

Section 1. That Schedule X Two Hour Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

Harrison Street along the east side from 4th Street to 5th Street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Sarah Ott 563-326-6167
Wards:

Action / Date
9/18/2019

Subject:

First Consideration: Ordinance amending Chapter 5.24 of the Davenport Municipal Code entitled "Massage Business Information Requirement." [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

In March 2019, City Council passed an Ordinance requiring certain information from massage therapy business owners and employees, including proof of state licensure and government identification upon request by the City. If an owner and/or employee did not provide the required information, the business would be placarded. This Ordinance was passed in response to the rise of businesses that do not provide legitimate massage therapy services.

Since the Ordinance was adopted, Davenport Police and the Neighborhood Services Division have closed 14 massage businesses that were not licensed, and 3 have since reopened. The Ordinance has largely eradicated the issue of illicit massage businesses within the City of Davenport. The proposed amendment will help close a few loopholes that have been exploited in the current Ordinance.

There are two main objectives with this proposed amendment:

- If a massage business is employing licensed massage therapists, but still providing illicit services, they can be placarded based on the probable cause clause that was added.
- If a business is placarded twice within twelve months, they are not allowed to operate within the City for twelve months after the second placard has been placed. In addition, the building itself may not be occupied by a massage or reflexology business for twelve months. This should alleviate the issues of having illicit businesses reopen only to be placarded again for the same issues.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/12/2019 - 4:30 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 5.24.070 ENTITLED "MESSAGE BUSINESS INFORMATION REQUIREMENT PENALTY."

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

Section 1. That Chapter 5.24.070 entitled Massage Business Information Requirement (Penalty) be amended to read as follows by adding 5.24.070 (B), 5.24.070(D) and 5.24.070 (G):

5.24.070 PENALTY

- A. If the requested business information described in Chapter 5.24.050 is not immediately produced to City staff upon request, the business premises may be placarded. If the business information that is produced is either inaccurate or incomplete, the business may be placarded.
- B. If the City has probable cause that Prostitution, as defined by Chapter 725 of the Iowa Code or Human Trafficking as defined by Chapter 710 of the Iowa Code, has occurred at a property providing Massage Therapy, the business premises may be placarded.
- C. The Chief of Police, Neighborhood Services Director, or designee, shall place in a highly noticeable location a placard stating "Unlicensed Massage Therapy. It is unlawful to provide or receive massage therapy services at this location; and is subject to criminal and/or civil penalty per Davenport Municipal Code Chapter 5.24." This notice shall remain posted until required business information is obtained by the City or other legal use has been established.
- D. The business shall remain placarded for a minimum of two weeks, after such time the business may provide the proper documentation required before the placard may be removed.
- E. No person shall remove the placard posted pursuant to subsection (B) of this section without approval of the Chief of Police, Neighborhood Services Director, or their designees.
- F. No person shall continue to offer or receive "massage therapy" services after a massage therapy business has been placarded unless the Police Chief, Neighborhood Services Director, or their designees has approved the removal of the placard.
- G. If a massage therapy or reflexology business has been placarded twice within a twelve month period, the business shall not be allowed to operate within the City of Davenport for a twelve month period. In addition, the premises on which the business

is located will not be allowed to reopen as any massage therapy or reflexology business for a twelve month period.

- H. Any person or persons in connection with or as principle, agent, or accessory is found continuing to receive or offer "massage therapy" services after that establishment has been placarded may be subject to a simple misdemeanor charge or municipal infraction, punishable as provided in this Chapter or pursuant to state law.

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 _____

Frank Klipsch
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Amy Kay 563-327-5160
Wards:

Action / Date
8/21/2019

Subject:

First Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in redevelopment areas where otherwise infeasible, including verbiage for a flat rate stormwater fee for the CD and congruently adjacent I-1, I-2, and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Stormwater detention may be infeasible in redevelopment areas due to high ground water tables, bedrock, existing infrastructure, brownfields, and topography. A waiver/fee-in-lieu-of process is needed for these circumstances.

Clarification is needed regarding final grading, soil quality restoration, detention basin outlets, and some definitions in order to help facilitate communication and development expectations.

ATTACHMENTS:

Type	Description
▣ Ordinance	Chapter 13..34 Stormwater Management

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/11/2019 - 5:28 PM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 5:28 PM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:25 AM

ORDINANCE NO. _____

Ordinance amending Chapter 13.34 entitled "Stormwater Management" by including a waiver process for detention in *redevelopment* areas where otherwise infeasible and for the Commercial Downtown and congruently adjacent I-1, I-2 and I-MU districts, clarifying grading expectations, inclusion of Chapter 15.44 Flood Damage Prevention and clarification on the Unified Sizing Criteria staged release rates.
BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Chapter 13.34 is hereby modified and reads as follows:

Chapter 13.34 STORMWATER MANAGEMENT

Sections:

I. General

- 13.34.010 Purpose.
- 13.34.015 Scope.
- 13.34.020 Incorporation by ordinance.
- 13.34.030 Definitions.
- 13.34.040 Design criteria.
- 13.34.050 Compatibility with other permit and ordinance requirements.
- 13.34.060 Requirements for stormwater management plans.
- 13.34.065 Maintenance.
- 13.34.070 Easements.
- 13.34.080 Inspections.
- 13.34.090 Enforcement.
- 13.34.100 Waivers.

II. Storm Sewers and Stormwater Routing

- 13.34.110 Applicability.
- 13.34.120 Runoff calculation.
- 13.34.130 Storm sewers.
- 13.34.140 Excess stormwater passage-way.
- 13.34.150 Open channels.

III. Stormwater Detention Facilities

- 13.34.210 Applicability.
- 13.34.220 Release rate.
- 13.34.230 Detention requirements.
- 13.34.240 Construction.
- 13.34.250 Procedure.

IV. Stormwater Quality Management

- 13.34.300 Applicability.**
- 13.34.310 General Performance Criteria for Stormwater Quality Management**
- 13.34.320 Soil Quality Restoration.**
- 13.34.330 Construction.**
- 13.34.340 Procedure.**

V. Reserved

1. GENERAL

13.34.010 Purpose.

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public. This ordinance seeks to meet that purpose through the following objectives:

- A. Minimize increases in stormwater runoff from any development in order to reduce flooding, siltation, and streambank erosion and maintain the integrity of stream channels;
- B. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality;
- C. Minimize the total volume of surface water runoff which flows from any specific site during and following development to not exceed the defined predevelopment site conditions to the maximum extent practicable;
- D. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and facilities and to ensure that these management practices and facilities are properly maintained and pose no threat to public safety.

13.34.015 Scope.

This chapter sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; provides for the approval of plans and inspection of grading construction; and provides for the enforcement of this chapter. (Ord. 2002-63 § 1).

13.34.020 Incorporation by Reference

Except as hereinafter amended, the Davenport Stormwater Manual, including all appendixes thereto, is adopted by reference and made a part of this chapter. Failure to comply with or meet the criteria outlined in the manual may be considered a violation of this ordinance and subject to

enforcement actions as indicated in Section 13.34.370. The Davenport Stormwater Manual may be updated by staff from time to time to reflect the most recent industry standards for water quality requirements. Prior to amending or updating the manual, proposed changes will be generally publicized and made available for review and comment.

13.34.030 Definitions.

When used in this chapter, unless the context clearly indicates otherwise, the following words and phrases shall have the meanings respectively ascribed to them in this section.

- A. "BMP" means best management practice for stormwater infiltration or rate reduction.
- B. "Control structure" means a structure designed to control the flow of stormwater runoff that passes through it during a specific length of time.
- C. "Davenport Stormwater Manual" means the supplemental specifications and checklist documents for detention/retention and stormwater quality practices to be used within City limits.
- D. "Detention facility" means an area designed to store excess stormwater.
- E. "Development" means land disturbing activities; structural development, including construction or installation of a building or structure, the creation of impervious surfaces; and land subdivision.
- F. "Dry bottom stormwater storage area" means a facility designed to be normally dry and contain water only when excess stormwater runoff occurs.
- G. "Erosion" means the loss of natural soils by the action of wind and/or water.
- H. "Excess stormwater" means that portion of stormwater which exceeds the transportation capacity of storm sewers or natural drainage channels serving a specific watershed.
- I. "Excess stormwater passageway" means a channel formed in the topography of the earth's surface to carry stormwater runoff through a specific area.
- J. "Maximum Extent Practicable" means a standard for implementation of stormwater management programs to reduce pollutants in stormwater. It is the maximum extent possible taking into account equitable consideration of competing factors, including, but not limited to the seriousness of the problem, public health risk, environmental benefits, pollutant removal effectiveness, regulatory compliance, ability to implement, cost and technical feasibility.
- K. "Native Vegetation" means plant species that are native to Eastern Iowa and made up the majority of ground cover in this area before settlement. A list of these plants can be found in the Davenport Stormwater Manual.
- L. "Natural drainage" means channels formed by the existing surface topography prior to changes made by unnatural causes.
- M. "Natural Waterway" means any creek, stream, pond, lake, wetland or other watercourse which occurs naturally on the existing landscape and is connected to other similar watercourses and functions as a stream, lake or wetland either partially or fully throughout the year.
- N. "Natural Resources Compliance Officer" means a person employed by the City who is authorized to enforce all the provisions of this chapter and to make reports thereon.
- O. "Natural Resources Manager" means a person employed by the City who is authorized to enforce all the provisions of this chapter and holds a position within the City to manage provisions outlined in the stormwater management ordinance, National Pollutant Discharge and Elimination System (NPDES) and/or the Municipal Separate Storm Sewer System (MS4) permits.
- P. "Redevelopment" means land-disturbing activity which results in the creation, addition or replacement of impervious surface area on an already developed site. Redevelopment includes,

but is not limited to the following activities that meet the minimum standards set forth in this definition:

1. The expansion of a building footprint which creates additional impervious area not accounted for in previously approved stormwater designs;
2. Addition or replacement of a structure;
3. Land disturbing activities related to improvements, modifications, additions or reconstruction of structural or impervious surfaces that redevelops 5,000 SF or more of new impervious area regardless of previous condition.
4. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Parking lot patching, asphalt resurfacing or other repairs where a gravel base is maintained would not be considered redevelopment. Interior remodels are not considered redevelopment in the context of this ordinance.

Q. "Safe storm drainage capacity" means the flow of stormwater runoff that can be transported by a channel or conduit without causing a rise of the water surface over the conduit or

R. "Stormwater runoff" means the flow of water resulting from precipitation which is not absorbed by the soil or plant material.

S. "Stormwater runoff release rate" means the rate at which stormwater runoff is released from dominant to subservient land.

T. "Topsoil" means the fertile, dark colored portion of the A-horizon containing a minimum of 5% organic matter, less than 30% clay content, granular structure, loose, friable texture, pH of 6-8, and devoid of debris and rocks.

U. "Tributary watershed" means all of the area that contributes stormwater runoff to a given point.

V. "Water Quality Volume" (WQv) is the volume needed to capture the runoff from 90% of the average annual rainfall events, which in Davenport is equal to 1.25 inches in twenty four hours.

W. "Wet bottom stormwater storage area" means a facility designed to be maintained as a pond or free water surface, and which has the capacity to contain excess stormwater runoff.

X. "X-year storm" means the average recurrence intervals within which a rainfall of given intensity and duration will be equaled or exceeded only once. A one hundred-year storm would have an intensity of rainfall which would, on the average, be equaled or exceeded only once in one hundred years. This does not imply that it will occur once in one hundred years, or having occurred, will not happen again for one hundred years.

(Ord. 2002-63 § 2: Ord. 92-353 § 1 (part)).

13.34.040 Design criteria.

The design of stormwater runoff systems, structures, and facilities shall be based on the following minimum standards which do not preclude the use of criteria which would result in reduced discharge rates or increased runoff quality.

13.34.050 Compatibility with Other Permit and Ordinance Requirements.

A. It is intended that this ordinance be construed to be consistent with previously adopted City Code CHAPTER 13.38, CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL, and CHAPTER 13.36, ILLICIT DISCHARGE TO STORM SEWER SYSTEM".

B. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall take precedence.

13.34.060 Requirements for Stormwater Management Plans

A. No application for development will be approved unless it includes a stormwater management plan detailing how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by an individual approved by the City of Davenport, typically the applicants engineer, and must indicate whether stormwater will be managed on-site or off-site and the location and type of practices.

B. The stormwater management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed in a final stormwater management plan. This final plan must be signed by a professional engineer licensed in the state of Iowa, who will verify that the design of all stormwater management practices meet the submittal requirements outlined in the Davenport Stormwater Manual. No building, or COSESCO permits shall be issued until a satisfactory final stormwater management plan, or a waiver, shall have undergone a review and been approved by the City Engineer or their designee after determining that the plan or waiver is consistent with the requirements of this ordinance.

C. A stormwater management plan shall be required with all permit applications seeking approval under Chapter 13.34 of the Davenport Municipal Code and will include sufficient information (e.g. maps, hydrologic calculations, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater runoff generated at the project site. The intent of this planning process is to determine the type of stormwater management measures necessary for the proposed project, and ensure adequate planning for management of stormwater runoff from future development. The information required in the plan can be found in the Davenport Stormwater Manual. For development or redevelopment occurring on a previously developed site, an applicant shall include within the stormwater plan measures for controlling existing stormwater runoff discharges from the site in accordance with the standards of this ordinance to the maximum extent practicable.

D. In addition to the requirements above, a landscaping plan must be submitted as part of the stormwater management concept plan to describe the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be approved prior to issuance of a permit for construction of the project

E. After review of and modifications to the stormwater management plan and the Maintenance & Repair Agreement, as deemed necessary by the City of Davenport, the final stormwater management plan must be submitted for approval. The final stormwater management plan shall include all of the information required in the Final Stormwater Management Plan outline found in the Davenport Stormwater Design Manual. Two copies of the approved Maintenance & Repair Agreement shall be signed by the owner and notarized and submitted to the City for signature prior to recording at the Records Office of Scott County. One notarized copy shall be kept by the owner and one shall be returned to the City of Davenport prior to project closure or issuance of any temporary or final occupancy permit.

F. The City of Davenport may, at its discretion, require the submittal of a performance security or bond prior to issuance of a building or COSESCO permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of “as built plans” and written certification by a registered professional engineer licensed in the state of Iowa that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this ordinance. The City of Davenport will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provision of this ordinance.

13.34.065 Maintenance.

A. All plans submitted for stormwater detention or water quality systems shall describe an adequate procedure of normal maintenance for the system in accordance with the requirements of the Davenport Stormwater Manual. Any failure of the stormwater system due to inadequate normal or capital maintenance shall be the responsibility of the owner of the property on which the system is located. It shall also be the property owner's responsibility to remedy any negligence in maintenance that resulted in the failure of the system. The submittal of plans for such a system or the purchase of property on which such system is located shall be deemed as acceptance of responsibility for normal and capital maintenance of the system. As part of the maintenance plan for the facility, at a minimum, BMPs shall be inspected or reviewed after completion certification within sixty (60) days and at least annually thereafter. A written record of inspection results and any maintenance work shall be maintained and available for review by the City. An updated “as-built” survey plan must be submitted to the City every five (5) years to ensure that the facility continues to meet design requirements. A request for a waiver of the five (5) year “as-built” submittal may be granted provided the requirements of the waiver procedure are met per the Davenport Stormwater Manual. In the event that maintenance is not provided, the Public Works Director, or their representative, shall notify the party responsible for maintenance to perform the work and set a reasonable time for its completion. If said party refuses or is unable to comply with said order, said party may be in violation of Section 13.34.090 and subject to penalties including but not limited to the Public Works Director, or their representative, causing the maintenance to be completed at the expense of said party.

B. Owners of all existing detention basins constructed before January 1, 2014 will have until December 31, 2016 to complete any necessary maintenance on such basins and submit the required “as-built” survey. Failure to comply with this section will result in enforcement actions as outlined in Section 13.34.090 (For reference only)

13.34.070 Easements.

A. Drainage easements shall be provided for all areas of the stormwater detention or quality systems including the outlet structures and emergency spillway.

B. Drainage easements shall be platted or otherwise recorded and provided for all conduits, bypass channels where the one hundred-year runoff exceeds one cubic foot per second and all excess storm water passage ways.

C. Whenever any stream or water course is located in an area that is being subdivided or otherwise improved, the owner/developer shall dedicate a public right-of-way or drainage easement conforming substantially with the lines of such stream or water course and shall include such additional area adjoining both edges of such stream or water course that has been affected by damaging flood waters and/or inundated by the one hundred-year flood waters, as determined by the City Engineer. This easement area shall also contain a minimum fifty foot vegetated buffer

area 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 for single family residential areas. For multi-family, Commercial and Industrial areas this easement area shall also contain a minimum fifty foot vegetated buffer area on both sides of the stream as measured per the single family residential buffer. This buffer shall be planted with vegetation native to the midwest region of the United States and maintained as a native grass and forb (flower) no-mow area; kept free of trees and other obstructions. Mowing should occur three to four times per year for the first three years. In subsequent years mowing may occur once per year, in the spring or fall for maintenance and shall comply with 13.34.070.E. Mowing should be done as high as possible with a standard mower; four to six inches in height. The intent of the fifty foot buffer is to comply with 13.34.070.B, allow streams to naturally meander, to maximize plant root depth, and to protect private property by limiting structure installation and uses that will impede its intended use or capacity.

D. Unless deeded to the City of Davenport, maintenance of the stream, streambanks and easement areas described in section 13.34.070 shall be the responsibility of the landowners upon which the stream is located. This maintenance responsibility shall be clearly defined in a recorded document. The owner/developer shall also provide reasonable public easements for access. Drainage easements do not imply that the City is responsible for routine mowing or tree clearing maintenance. Procedures for transfer request of the property described in 13.34.070.C to the City for maintenance or ownership are described in the Davenport Stormwater Manual.

E. It shall be noted on the final plat, "Owners of lots on which a drainage easement has been established as a stormwater passageway shall maintain said easement as a lawn, planted in grass and free of structures, swimming pools, fences, fill, bushes, trees, shrubs, or other landscaping that would impede the flow of water" and "Owners of lots on which a stream buffer is required shall maintain said buffer as a native planting area, not allowing vegetation to be cut to a height of less than six inches without authorization of the City of Davenport Natural Resources Division." In the event that the area established 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. Stream buffer signage is available via the City of Davenport Natural Resource Division upon request.

F. Upon the approval of the director of public works or his designee and directly affected property owners, drainage or stormwater easements on private property may be modified with a City approved design that allows the easement land to be planted with specifically approved native vegetation excluding weeds and invasive species. The planting plan may be enhanced with an infiltration based stormwater management practice and/or other appropriate structure. Maintenance will be in the form of a written agreement between the City and the property owner(s). Upon the approval of the director of public works or his designee, public lands may be planted with native vegetation or maintained in a manner that prohibits or reduces mowing so that the existing or planted vegetation can serve to enhance water quality. (Ord. 2009-446 § 2: Ord. 92-353 § 1 (part)).

G. No structures shall be constructed in the stormwater detention or quality systems easement areas nor any filling, fencing or other obstacles which will impede its intended use or capacity and easements must comply with Section 13.34.140 Excess stormwater passageway.

H. The developer shall provide reasonable public easements reserving the land for use as a stormwater facility providing the City with the right to inspect the facility and for ingress and egress.

13.34.080 Construction Inspections

A. The applicant must notify the City of Davenport Public Works Department twenty-four (24) hours in advance of the commencement of construction of stormwater systems. Regular inspections of the stormwater management system construction shall be conducted by City staff from the Engineering Division of Public Works and the Natural Resources Division of Public Works. If any construction is found to not comply with the plans, the contractor, and/or property owner shall be notified of the nature of the discrepancy and the actions required correcting the construction. No added work shall proceed until any corrective actions are completed and pass re-inspection.

B. All applicants are required to submit “as built” plans for any stormwater management practices constructed prior to a final inspection of the site. The plans must show all final construction and must be certified by a professional engineer licensed in the state of Iowa. A final inspection by the City of Davenport is required before the release of any performance securities or issuance of certificate of occupancy for the building(s) on the property for which the stormwater system was constructed.

13.34.090 Enforcement

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this Section.

A. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys’ fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.

B. Violation of any provision of this chapter may also be enforced as a municipal infraction within Chapter 1.30, pursuant to the City’s municipal infraction ordinance. The schedule of fines shall be as follows:

1. Schedule of violations

	Type I:	First offense	\$100
		Second offense	\$250
		Third offense	\$500
		Fourth and subsequent	\$750

2. Definition of offenses

Type 1

- a. Failure to submit a stormwater management plan.
- b. Failure to install stormwater management practices as required.
- c. Failure to maintain stormwater management practices as described in the approved management plan.
- d. Failure to inspect or provide proof of inspection of stormwater management practices.
- e. Failure to provide as-built data on stormwater management practices as required.
- f. Failure to maintain or submit records on stormwater management practices.
- g. Failure to comply with a written directive issued by the City Engineer, Public Works Director, Natural Resources Manager, or the enforcement officer designated by the City.

C. In addition to the civil and municipal infractions outlined in Section 13.34.090B the City of Davenport may also take any one or more of the following actions:

- a. Stop Work Order: The City of Davenport may issue a stop work order which shall be served on the contractor, owner, or other responsible person. The stop work order shall remain in effect until the contractor, owner or other responsible person has taken the necessary actions to cure the violation or violations described in a written notice of violation. The stop work order

may be withdrawn or modified to enable the contractor, owner or other responsible person to take the necessary remedial measures to cure such violation or violations.

b. **Withhold Certificate of Occupancy:** The City of Davenport may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the contractor, owner or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

13.34.100 Waivers

A. Every development or redevelopment meeting the requirements of Section 13.34.210 and 13.34.300 shall provide for stormwater management as required by this ordinance unless a waiver is granted. Requests to waive implementation of BMPs in whole or in part shall be submitted in writing to the Natural Resources Division of Public Works and include a non-feasibility study or combination of studies or reports presented as supporting documents along with the submitted engineering plans and specifications to be reviewed and approved by the City.

B. Partial Waivers:

1. A partial waiver of BMPs required by this ordinance may be granted provided that at least one of the following conditions is established by the applicant based on authoritative written evidence satisfactory to the City of Davenport Natural Resources Division.

a. Alternative on-site management of stormwater quality or quantity has been established in a stormwater management plan that has been approved by the City and fully implemented.

b. Provisions are made to manage stormwater quality or quantity by an off-site facility. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of stormwater quality control that is equal to or greater than that which would be afforded by on-site practices and there is, in the City's sole judgment, a responsible entity legally obligated to monitor the performance of and maintain the efficiency of stormwater BMPs in accordance with a written and recorded maintenance agreement.

2. In instances where one of the above conditions is established, the applicant must further establish by professional study and reports, written evidence satisfactory to the City that the partial waiver will not result in any of the following impacts to downstream waterways:

- a. Deterioration of existing culverts, bridges, dams, and other structures; or
- b. Degradation of biological functions or habitat; or
- c. Accelerated streambank or streambed erosion or siltation; or
- d. Increased threat of flood damage to public health, life, or property.

C. General Waivers

1. Where compliance with minimum requirements for stormwater quality or quantity management is not practical in the opinion of the Public Works Director or their designee, a general waiver may be granted. The applicant will then satisfy the minimum requirements by meeting one of the mitigation measures selected by the City of Davenport. Mitigation measures may include, but are not limited to, the following:

a. The creation of one or more stormwater BMPs on previously developed properties, public or private, in the same watershed as the proposed project, that currently lack stormwater BMPs, having a capacity to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver.

b. Construction of an off-site stormwater quality management facility sufficient to achieve City stormwater quality requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver. The agreement shall be entered

into by the applicant and the City prior to the recording of plats or, if no record plat is required, prior to approval of a final development plan, or if no plat or final development plan is required, prior to the issuance of any building permit.

c. Monetary contributions (Fee-in-Lieu) for Detention for Redevelopment- to fund stormwater related work on lands strategically located in the watersheds consistent with the purposes of this ordinance. The fee-in-lieu of waiver may only be used for detention as outlined in Section 13.34.220 and 13.34.230 for **redevelopment** sites when detention, in whole or in part, is not practical in the opinion of the Public Works Director or their designee based on the procedure outlined in Section 13.34.100 Waivers.

d. Monetary contributions (Fee-in-Lieu) for Water Quality - to fund stormwater quality management activities on lands strategically located in the watersheds consistent with the purposes of this ordinance. The monetary contributions required shall be in accordance with a fee schedule (unless the developer and the City agree on a greater alternate contribution) established by the City based on the estimated cost savings to the developer resulting from the waiver and the estimated future costs to the City to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater requirements as a consequence of the waiver. All of the monetary contributions shall be credited to an appropriate capital improvements program project or program and shall be made by the developer prior to the issuance of any building permit for the development. The fee-in-lieu procedure has been established and is as follows:

- i. City and the property owner shall agree on the best stormwater management practice available for the proposed project site assuming no limitations to the site layout, soil conditions, topography, or any other conditions which are currently limiting installation of a practice. The City will make the final determination on what constitutes a limitation. Once the management practice has been agreed upon the property owner will provide a cost estimate to construct the practice assuming no limitations. The City shall also create a cost estimate based on past projects and cost estimates. These estimates shall be discussed and averaged based on input from the owner and City representatives. If no agreement can be reached between the City and the Owner the Owner must proceed with meeting the full requirements of Section 13.34.300 unless a partial waiver is granted by the City.
- ii. At such a time as the estimate is agreed upon by both parties the City shall assess an additional twenty percent (20%) administration fee to cover costs associated with actual installation of practices in the watershed at a future time. In addition, three years of maintenance costs for the agreed upon fee-in-lieu practice shall also be included in the final fee amount. The maintenance costs shall be determined by using the current contract prices for maintenance of stormwater practices by the City's hired contractor. In the event that maintenance is done by the City in-house, the current labor and equipment rate to provide said maintenance shall be the cost used.
- iii. These amounts shall be totaled and the final amount shall be considered the fee-in-lieu for the proposed project. All fees shall be paid to the City of Davenport and funds received shall be placed in an account in the City Clean Water Fund for future stormwater projects in the affected watershed as delineated by the Natural Resources Division.

e. Monetary contributions (Fee-in-Lieu) for the Commercial Downtown (CD) Zoning District and congruently adjacent Light Industrial (I-1), Heavy Industrial (I-2) and Industrial Mixed-Use (I-MU) to the CD District shall be made available in lieu of stormwater detention and water quality practice installation. This fee-in-lieu-of dollars will be utilized to fund

stormwater related work on lands strategically located in the watersheds consistent with the purposes of this ordinance. These districts shall be as defined per the Official Zoning Map. This fee-in-lieu of waiver may only be used within the defined zoning districts listed above and shall be assessed as a flat rate fee per square feet of redevelopment within a project area. The fee shall be as defined in the Davenport Stormwater Manual, Site Evaluation section. All fees shall be paid to the City of Davenport and funds received shall be placed in an account in the City Clean Water Fund for future streambank projects as delineated by the Natural Resources Division.

II. STORM SEWERS AND STORMWATER ROUTING

13.34.110 Applicability.

The provisions of Sections 13.34.120 through 13.34.160 shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments in excess of one acre;
- B. Any development where the percentage of the impervious area of the lot is fifty percent or greater;
- C. Any development which, in the opinion of the City Engineer, lacks an adequate internal or external passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.

(Ord. 92-353 § I (part)).

13.34.120 Runoff calculation.

A. Design flows shall normally be calculated using the procedures outlined in the Soil Conservation Services, Technical Release No. 55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said Technical Release No. 55. For drainage basins of twenty acres or less, the Rational Method may be used.

B. In all cases, all areas are to be considered fully developed, in accordance with the City's current sanitary sewer master plan map which is available from the City Engineer.

(Ord. 92-353 § 1 (part)).

13.34.130 Storm sewers.

A. Storm sewers and intakes shall be designed for a ten year frequency storm in such a manner that the flooded street width shall not exceed:

<u>Street Width</u>	<u>Allowable Flooded Width Each Side</u>	<u>Required non Flood Lanes</u>
27 feet	8 feet	1-10' Lane
31 feet	10 feet	1-10' Lane
35 feet	9 feet	2- 8' Lanes
41 feet	10 feet	2-10' Lanes
45 feet	11 feet	2-11' Lanes
49 feet & wider	12 feet	2-12' Lanes

B. An acceptable method of determining the flooded width of the street shall be the use of width-discharge curves provided by the City.

C. An acceptable method of determining catch basin capacity for various conditions shall be the use of capacity charts provided by the City.

(Ord. 92-353 § 1 (part)).

D. Prior to acceptance of storm sewer installed by private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable City standards. Fees for this service shall be set from time to time by City council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

13.34.140 Excess stormwater passageway.

A. An excess stormwater passageway easement shall be provided for all developments. Such passage shall have the capacity to convey through the proposed development the excess stormwater from the tributary watershed. The capacity of such excess stormwater passage shall be constructed in such a manner as to transport the peak rate of runoff from a one hundred-year return frequency storm, assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

B. No buildings or structures shall be constructed within such passage; however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess stormwater otherwise restricted, the City engineer shall notify the agency, party or parties causing said restriction to remove the same and set a reasonable time for its removal. If said persons refuse to or are unable to comply with said order, the City engineer shall cause said restrictions to be removed at the expense of said persons.

C. Where specifically approved by the City Engineer, the excess stormwater passageway may consist of a conduit. In such cases, the inlet capacity shall be twice the capacity necessary to convey the one hundred-year stormwater flow.

D. Where a proposed development contains existing natural drainage, appropriate land planning shall be undertaken to preserve said natural drainage as part of the excess stormwater passage.

E. Individual lot grading in a subdivision or other larger common plan of development must comply with the City approved final grading plan and the lowest entry elevation of the approved plat or construction plans. Final grading shall maintain the original intent and function of final grading plan, drainage areas, stormwater overland flow design and storm sewer system design. Final grading shall also maintain positive drainage away from structures; must not direct water directly toward any down-grade structure foundations; and must comply with Chapter 12.28 Driveway and Approaches, SUDAS Section 7030, International Residential Code (IRC) for frost protection of footing, and the City of Davenport SUDAS Supplemental Specifications;

F. Water entry levels for structures adjacent to the excess stormwater passageway shall be established one foot above the one hundred-year flood elevation. (Ord. 92-353 § 1 (part)).

13.34.150 Open channels.

A. The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions.

Runoff shall be based on one hundred year storm frequency. Manning's Formula as cited in most civil engineering handbooks, shall be used in hydraulic design of open channels. Channel banks shall be protected by use of low vegetation, rip-rap, or paving as design velocity dictates subject to the approval of the City engineer. (Ord. 92-353 § 1 (part)).

III. STORMWATER DETENTION FACILITIES

13.34.210 Applicability.

The provisions of Sections 13.34.220 through 13.34.250 inclusive shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments or redevelopment which cumulatively creates 5,000 square feet or more of impervious area located within the Davenport City limits.
 - 1. There is no statute of limitations that would exempt multiple impervious area additions over 5,000 square feet, unless granted a waiver per Section 13.34.100.
- B. Any development which, in the opinion of the City Engineer, lacks an adequate external or internal system for the passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.
- C. For circumstances where an existing structure is demolished and the area is graded and seeded there shall be a three (3) year timeframe from the demolition date where any new development may be considered as *redevelopment*. Projects within this three (3) year timeframe may follow the release rate as outlined in Section 13.34.220.C.
- D. The following activities are exempt from this ordinance:
 - 1. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300.B.
 - 2. The subdivision of a property with the intent of removing excess land from a homestead.
 - 3. The re-platting of one or more properties with the intent of constructing one single family residence.
- E. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 E or N of this ordinance, appropriate on-site management practices will be required and shall be guided by the latest editions of The Iowa Stormwater Management Manual, The Iowa Rain Garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.
- F. Any development or redevelopment within the floodplain must comply with Chapter 15.44 Flood Damage Prevention. Stormwater detention is not permitted within the floodway or within Special Flood Hazard (100 year flood plain) areas as delineated as areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for Scott County, Iowa No. 19163CV000A DATED February 18, 2011," with accompanying Flood

Insurance Rate Maps and any revision thereto are adopted by reference as part of Chapter 15.44.

(Ord. 92-353 § 1 (part)).

13.34.220 Release rate.

A. The release rate of stormwater from any detention basin required under this chapter for new development shall not exceed the stormwater runoff rate from the drainage area from a pre-developed two-year frequency storm using a runoff coefficient "c" of 0.15, when using the rational method for areas under twenty acres or a curve number of sixty when using the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR_55 for areas over twenty acres.

B. The City may require a lesser release rate when the downstream outlet is insufficient to safely convey the release rate as determined in subsection A above.

C. The release rate of stormwater from any detention basin required under this chapter for redevelopment shall not exceed the stormwater runoff rate from the drainage area from a pre-developed two-year frequency storm using a runoff coefficient "c" of 0.35, when using the rational method for areas under twenty acres or a curve number of sixty when using the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR_55 for areas over twenty acres.

D. Restrictor (orifice) plates to control release rates placed within a pipe section or at the outlet of a pipe will not be accepted. Only orifice plates integrated into a staged release design structure that cannot be removed will be accepted.

E. The single-stage outlet (i.e. one culvert pipe) is not recommended because of its inability to detain post-developed runoff from storms less than the 5-year interval (i.e. channel protection volume storm event). In many cases, runoff from storm events less than the 5-year recurrence interval has created erosion and sedimentation problems downstream of a detention basin.

F. A more desirable outlet has two or more stages. An orifice structure serves to detain runoff for channel protection purposes and release runoff for low-flow events less than the 2-year storm. Greater storm events are usually discharged by a separate series of outlets. The minimum orifice size shall be 4 inches in diameter and possess protections to minimize plugging.

(Ord. 92-353 § 1 (part)).

13.34.230 Detention requirements.

A. Utilize the Unified Sizing Criteria (USC) or the Water Quality Volume (WQv) up to Extreme Flood Protection (Qf) for the required volume of stormwater detention. The WQv shall provide 100% retention, infiltration, or abstraction of the 1.25 inch in 24 hour rainfall event per Section 13.34.310.

B. City standards that are to be used in conjunction with the USC are:

1. Rainfall greater than the WQv up to the Qf, or 100 year event, shall be released at the two-year, undeveloped, state (as opposed to the USC stated five year)

2. The Recharge Volume (Rev) need not be included in detention calculations.
 3. The Modified Rational method may only be used for small catchments < 20 acres
- C. For sites greater than twenty acres, the method of sizing of the detention storage volume must be approved by the City engineer. The TR-55 method is an approved method.
- D. For redevelopment sites utilize the USC detention requirements from the WQ_v up to Q_f unless a partial waiver or general waiver has been granted per Section 13.34.100 Waivers.
- E. Detention storage may be provided as a dry bottom or wet bottom storage area.
1. Dry bottom stormwater storage areas may be designed to serve a secondary purpose for recreation, open space, parking, or other types of uses that will not be adversely affected by intermittent flooding.
 - a. A method of carrying the low flow through these areas shall be provided in addition to a system of drains to prevent soggy areas.
 - b. Outlet control structures shall be designed as simply as possible and shall require little or no attention for proper operation. Utilize the Unified Sizing Criteria for staged outlet design. Each stormwater storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the one hundred-year frequency storm occurs. This emergency overflow facility shall be designed to function without attention and shall become part of the excess stormwater passageway described in Section 13.34.140. Hydraulic calculations shall be submitted to substantiate all design features.
 - c. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare. Stormwater runoff velocities shall be kept at a minimum and turbulent conditions at an outlet control structure will not be permitted without complete protection for the public safety. The use of fences shall be kept to a minimum and used only as a last resort when no other method of protection is feasible.
 - d. Paved surfaces that are to serve as stormwater storage areas and rooftop storage shall be designed with permanent-type control outlets. Emergency overflow areas shall be provided.
 2. Wet bottom stormwater storage areas shall be designed with all of the items required for dry bottom stormwater storage areas, except that the provisions of subsection D,1,a. of this section shall not be required. Utilize the Iowa Storm Water Management Manual and the following additional conditions:
 - a. Water surface areas shall not exceed one-fifteenth of the tributary drainage area.
 - b. a 10:1 sloped safety bench centered on the Normal Water Level shall be constructed
 - c. a skimming device to remove floatable material shall be included within or in series with the outlet structure.
 - d. Facilities shall be provided to lower the pond elevation, when discharging from basins and impoundments, to utilize outlet structures that withdraw water from the surface, unless infeasible, to minimize re-suspension of any sediment materials.
 - e. Minimum normal water depth shall be four feet. If fish are to be maintained, some portion of the pond area should be a minimum of nine feet deep.
 - f. Control structures for stormwater release shall be designed to operate with only a minor increase in the water surface level when the design storage capacity has been exceeded. Hydraulic calculations shall be submitted to substantiate all design features.
 - g. Only that portion of the detention area above the normal water level shall be used in calculating the storage capacity.

h. Restrictor (orifice) plates to control release rates placed within a pipe section or at the outlet of a pipe will not be accepted. Only orifice plates integrated into a staged release design structure that cannot be removed will be accepted.

(Ord. 92-353 § 1 (part)).

13.34.240 Construction.

A. Detention facilities for stormwater runoff control shall be constructed as part of the first phase of construction of a project unless alternate construction phasing is agreed upon in writing by the Natural Resources Manager or City Engineer.

B. The construction of the stormwater management systems shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide benefit to the City, negotiations for public participation in the cost of development shall be initiated.

C. All flood control items such as earthen embankments, conduits, outlet structures, flood control structures, spillways, excess stormwater passageway channels, etc., shall be built as permanent facilities and all materials and their manner of construction shall be assembled to accomplish as much permanency as is possible.

D. Water quality practices may be constructed within detention areas to allow owners to conserve space. However, below grade volume for infiltration in a detention basin shall not be counted as required detention storage area unless detailed plans and calculations are submitted, reviewed and approved in writing by the Natural Resources Manager or City Engineer.

(Ord. 92-353 § 1 (part)).

13.34.250 Procedure.

A. Plans, specifications and all calculations for stormwater runoff control(s) shall be submitted in accordance with the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).

B. Comply with 13.34.080 Construction Inspections

C. No certificate of occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.

(Ord. 92-353 § 1 (part)).

IV. STORMWATER QUALITY MANAGEMENT

13.34.300 Applicability.

The provisions of Sections 13.34.300 through 13.34.320 inclusive shall apply to the following areas under development:

A. Any development or redevelopment which cumulatively creates 5,000 square feet or more of impervious surface area, regardless of previous condition, unless granted a waiver under section 13.34.320 of this ordinance.

B. Development and redevelopment projects located within 50 feet of a natural waterway, modified natural waterway, or constructed channel or which include a new storm drain outfall to

such waterway, regardless of project size or impervious surface. This requirement is intended to protect environmentally sensitive areas.

C. The following activities are exempt from this ordinance:

1. Additions or modifications to existing single family structures that do not meet the requirement of Section 13.34.300.B

2. Interior remodels and routine maintenance or repair, including roof or exterior surface replacement and resurfacing.

3. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300.B

D. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 E or P of this ordinance, appropriate on-site management practices will be required and shall be guided by the latest editions of The Iowa Stormwater Management Manual, The Iowa Rain garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.

E. Any development or redevelopment within the floodplain must comply with Chapter 15.44 Flood Damage Prevention. Stormwater quality treatment is not permitted within the floodway. Stormwater quality treatment may be considered within Special Flood Hazard (100 or 500 year flood plain) areas provided that the treatment practice provides a net ecological benefit and is able to be maintained per 13.34.060 Requirements for Stormwater Management Plans.

13.34.310 General Performance Criteria for Stormwater Quality Management

Unless judged by the City of Davenport to be exempt or granted a waiver, the following performance criteria shall be addressed for stormwater management at all sites:

A. All site designs shall establish stormwater management practices to control the peak flow rates of stormwater discharge associated with specified design storms and reduce the generation of stormwater runoff.

B. The City of Davenport reserves the right to require superseding and additional treatment criteria or objectives for specific pollutant(s) as necessary to meet overall stormwater quality management program objectives or directives under a watershed improvement or Total Maximum Daily Load (TMDL) program, as may be directed by the State of Iowa, or United States Environmental Protection Agency.

C. For new development and redevelopment, structural best management practices shall be designed to provide 80% bacteria reduction, based on current research accepted by the Natural Resources Division of Public Works, and 100% retention, infiltration, or abstraction of the 1.25 inch in 24 hour rainfall event. A best management practice complies with this standard if it is:

1. Sized to capture the prescribed water quality volume (WQv).

2. Designed according to the specific performance criteria outlined in the Iowa Stormwater Management Manual, Iowa Rain Garden Manual, or approved equal,

3. Constructed properly, and

4. Maintained regularly.

D. Stormwater discharges from land uses or activities with higher potential pollutant loadings may require the use of specific structural treatment and pollution prevention practices.

E. Prior to design, applicants are encouraged to consult with the Natural Resources Division of Public Works to determine if they are subject to additional stormwater design requirements.

F. The calculations for determining peak flows as found in the Iowa Stormwater Management Manual shall be used for sizing all stormwater quality management practices.

13.34.320 Soil Quality Restoration

Healthy soil provides important stormwater management functions including efficient water infiltration and storage, adsorption of excess nutrients, filtration of sediments, biological decomposition of pollutants, and moderation of peak stream flows and temperatures. In addition, healthy soils support vigorous plant growth which intercepts rainfall, reducing runoff by increasing evaporation and transpiration. Urbanization and development severely diminish a soil's capacity to absorb, filter and store rainwater. Common development practices including clearing and removal of topsoil during grading, compaction of remaining soil, and planting into unimproved soil or poor quality imported topsoil, produce unhealthy plants and lawns that require excessive fertilizers and pesticides which can lead to polluted stormwater runoff. All areas subject to clearing and grading that have not been covered by impervious surfaces, incorporated into a stormwater management practice, or engineered as structural fill or slopes shall, at project completion, use one or more of the following practices to improve soil structure and water quality.

A. Soil retention. Native topsoil shall be retained in an undisturbed state to the maximum extent practicable. In any areas requiring grading, remove and stockpile the topsoil on-site in a designated controlled area where it will not be compacted, and not adjacent to stormwater management areas. Before stockpiled topsoil can be reapplied to other portions of the site it must be tested, and amended if needed, to meet the organic matter or depth requirements specified in the Davenport Stormwater Manual. When topsoil is replaced it shall be un-compacted to a depth of four inches. Subsoils below the topsoil layer should be scarified with some incorporation of the upper material to avoid stratified layers

B. Soil quality restoration. Amend existing site topsoil or subsoil to a minimum rate of 5% organic matter content and a pH from 6.0 to 8.0 or matching the pH of the original undisturbed soil using methods specified in the Iowa Storm Water Management Manual. Soil that already meets the depth and organic matter quality standards, and is not compacted, does not need to be amended. The waiver for amending soil can be found in the Davenport Stormwater Manual. Upon completion of the project the soil restoration layer shall have a minimum depth of eight inches, per the method utilized in the Iowa Stormwater Management Manual except where tree roots limit the depth of incorporation of amendments needed to meet the criteria. Subsoils below the topsoil layer should be scarified at least four inches with some incorporation of the upper material to avoid stratified layers.

C. Maintenance. Soil quality and depth should be established toward the end of construction, and once established shall be protected from compaction and erosion. The Davenport Stormwater Manual and Iowa Storm Water Management Manual contain additional recommendations for maintenance of soil quality restoration areas.

D. Inspection. Areas where soil retention or soil quality restoration are implemented must meet the inspection requirements of Section 13.34.080 and the Davenport Stormwater Manual and be inspected prior to seeding or turf placement.

E. The City Engineer or their designee will approve the source of off-site topsoil. Surface soils from ditch bottoms, drained ponds, and eroded areas, or soils that are supporting growth of noxious weeds or other undesirable vegetation, will not be accepted. The Engineer will determine if testing is necessary. The Contractor will be responsible for payment of the testing if the off-site topsoil does not meet the above requirements, regardless of testing outcome.

13.34.330 Construction.

A. The construction of water quality BMPs shall not commence until upstream areas which discharge runoff to the proposed system(s) have been stabilized with suitable ground cover or suitable protection has been installed to prevent sediment laden water from entering the system.

C. The construction of the stormwater management systems shall be accomplished as part of the cost of land development. If the amount of treatment capacity can be increased to provide benefit to the City, negotiations for public participation in the cost of development may be initiated.

D. Water quality practices may be constructed within detention areas to allow owners to conserve space. However, below grade volume for infiltration in a detention basin shall not be counted as required detention storage area unless detailed plans and calculations are submitted, reviewed and approved in writing by the Natural Resources Manager or City Engineer.

1. In-basin water quality treatment may require additional maintenance measures, which must be clearly outlined in the Maintenance & Repair Agreement.
(Ord. 92-353 § 1 (part)).

13.34.340 Procedure.

A. Plans, specifications and all calculations for stormwater quality management features shall be submitted in accordance with the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).

B. Comply with 13.34.080 Construction Inspections

C.. No certificate of final occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.
(Ord. 92-353 § 1 (part)).

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. The requirements of this ordinance do not supersede conditions on plats previously approved by council.

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 _____,

Attest:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

Published in the *Quad-City Times* on _____

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
9/18/2019

Subject:
Resolution closing various streets, lanes, or public grounds on the listed dates to hold outdoor events.

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 5:30 p.m. - 6:30 p.m.; **Parade Route** (police controlled intersections): west on W 17th St from N Clark to N Elsie; north on N Elsie to W Lombard; west on W Lombard to N Nevada; south on N Nevada to finish in the West High School parking lot. [Ward 1]

Scott Tunnickliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019; **Closures:** 8:00 a.m. - 12:00 p.m. Main St between Locust St and 5th St; 8:00 a.m. - 10:00 p.m. 15th St between Harrison St and Main St. [Ward 3 & 5]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 11:00 a.m. - 4:00 p.m.; **Closure:** E 12th St between College Ave and Esplanade Ave. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 8:30 p.m.; **Closure:** Staging: 5:00 p.m. – 6:00 p.m. Woodland Ave and 18th St in front of McKinley Elementary; **Parade Route** (police controlled intersections): 6:00 p.m. – 7:00 p.m. east on 18th St to Fernwood Ave; south on Fernwood Ave to Forest Rd; north on Forest Rd to Middle Rd; west on Middle Rd to Woodland Ave; north on Woodland Ave to 18th St; east on 18th St to finish at McKinley Elementary. [Ward 6]

Amy Kay; Neighborhood Block Party; 2322 Harrison St; Saturday, October 5, 2019 3:00 p.m. - 7:00 p.m.; **Closure:** Ripley St between W Dover Ct and W Rusholme St. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from E 11th St to E 12th St. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 5:00 p.m. - 10:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from 11th St north to alley. [Wards 5 & 6]

Recommendation:
Adopt the Resolution.

Background:
Per the City's Special Events Policy, City Council will approve street/lane/public grounds closures based on the recommendation of the Special Events Committee.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	West Homecoming Parade Route & Flyer to Neighbors
▣ Backup Material	Retrofest Map
▣ Backup Material	Retrofest Flyer to Neighbors
▣ Backup Material	Progressive Baptist Church Block Party Map
▣ Backup Material	Progress Baptist Church Closure Petition
▣ Backup Material	Central Homecoming Parade Route Flyer
▣ Backup Material	Kay Block Party Map & Petition
▣ Backup Material	Fire Muster Route
▣ Backup Material	Fire Muster Street Closure Map
▣ Backup Material	Christmas in the Village Map
▣ Backup Material	Christmas in the Village Street Closure Petition

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/7/2019 - 3:59 PM

Resolution No. _____

Resolution offered by Alderman Gripp

Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor event(s).

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City through its Special Events Policy has accepted the following application(s) to hold outdoor event(s) on the following date(s), and

WHEREAS, upon review of the application(s) it has been determined that the street(s), lane(s), or public grounds on the date(s) listed below will need to be closed, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs the staff to proceed with the temporary closure of the following street(s), lane(s), or public grounds on the following date(s) and time(s):

*Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 5:30 p.m. - 6:30 p.m.; **Parade Route** (police controlled intersections): west on W 17th St from N Clark to N Elsie; north on N Elsie to W Lombard; west on W Lombard from N Elsie to N Nevada; south on N Nevada to finish in the West High School parking lot. [Ward 1]*

*Scott Tunnicliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019; **Closures:** 8:00 a.m. - 12:00 p.m. Main St between 5th St and Locust St; 8:00 a.m. - 10:00 p.m. 15th St between Harrison St and Main St. [Ward 3 & 5]*

*Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 11:00 a.m. - 4:00 p.m.; **Closure:** E 12th St between College Ave and Esplanade Ave. [Ward 5]*

*Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 8:30 p.m.; **Closures:** Staging: 5:00 p.m. – 6:00 p.m. Woodland Ave and 18th St in front of McKinley Elementary; **Parade Route:** 6:00 p.m. – 7:00 p.m. East on 18th St to Fernwood Ave; south on Fernwood Ave to Forest Rd; north on Forest Rd to Middle Rd; west on Middle Rd to Woodland Ave; north on Woodland Ave to 18th St; east on 18th St to McKinley Elementary. [Ward 6]*

*Amy Kay; Neighborhood Block Party; 2322 Harrison St; Saturday, October 5, 2019 3:00 p.m. - 7:00 p.m.; **Closure:** Ripley St between W Dover Ct and W Rusholme St. [Ward 4]*

*Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from E 11th St to E 12th St. [Wards 5 & 6]*

*Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 5:00 p.m. - 10:00 p.m.; **Closures:** E 11th St from Mound St to Jersey Ridge Rd, Christie St from 11th St north to alley. [Wards 5 & 6]*

Approved:

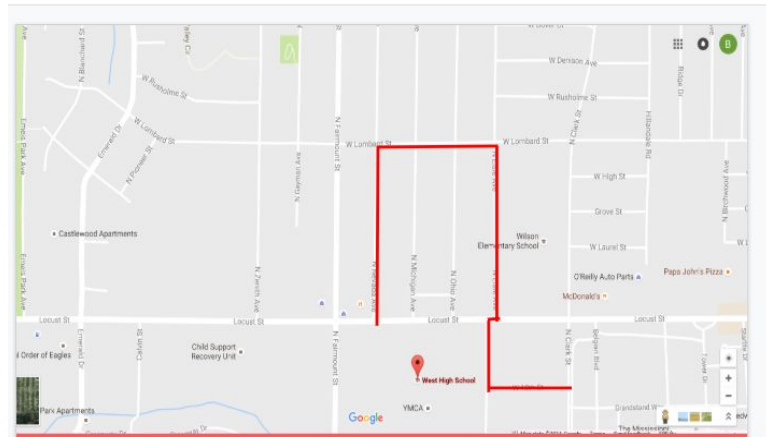
Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

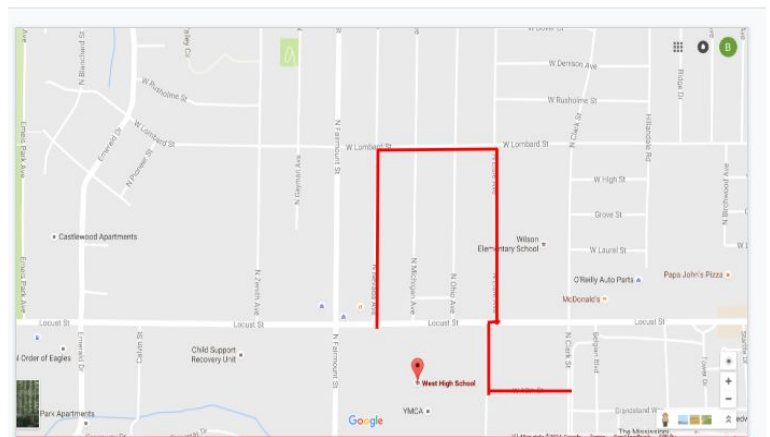
West High School is having our annual Homecoming Parade, and you're Invited!!!!

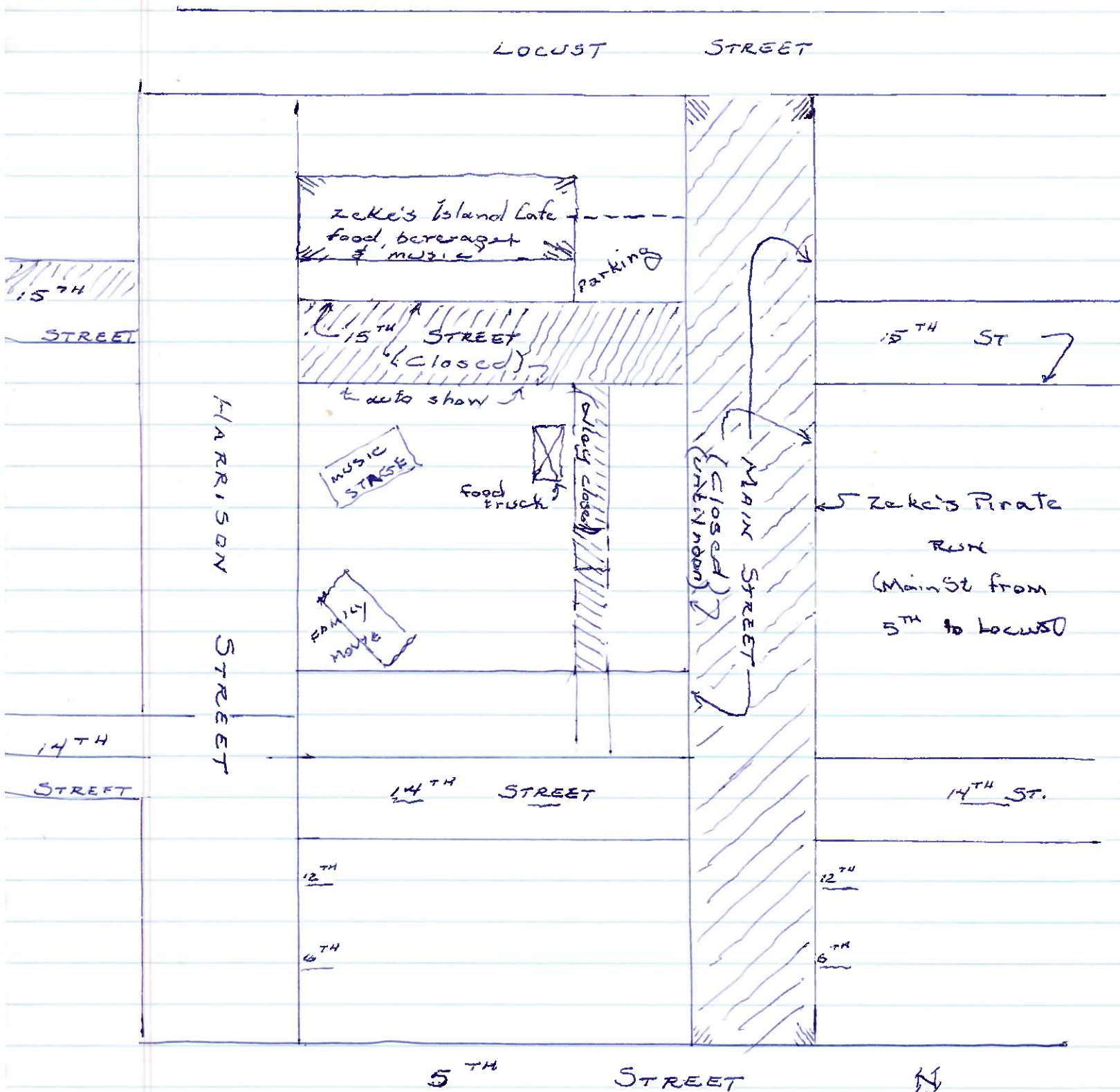
Join us September 26th,
at 5:30pm until approximately 6:30pm.
Check out the parade route and pick out your
spot!



West High School is having our annual Homecoming Parade, and you're Invited!!!!

Join us September 26th,
at 5:30pm until approximately 6:30pm.
Check
out the parade route and pick out your spot!





MAIN ST. CLOSED 8am to NOON
15TH ST. & ALLEY CLOSED 8am to 10pm
BARRICADES NEEDED AT MAIN ST. INTERSECTIONS

NOT TO SCALE

**Notice to residents and visitors using Main Street,
from 5th Street to the intersection of Locust Street**

Main Street will be closed from 8am to noon on September 28 for the Hilltop Campus Village/Zeke's Pirate Run. There will be barricades at intersections.

People are encouraged to either make alternative parking arrangements during this time period or to refrain from using the cars normally parked along this part of Main Street.

15th Street between Main and Harrison Street will also be closed on this day from 8am to 9pm as a part of the Hilltop Campus Village Retrofest/Zeke's Pirate Run, in order to make room for an auto show, food vendors and live music on the "Hilltop Plaza" (1423 Harrison Street).

Again, barricades will also be in place to prevent traffic along this street.

The purpose of the event is to celebrate redevelopment progress in and around the Hilltop Campus Village. There is no admission fee for the event, registration for the run may be made on line and it is open to the public.

All questions may be directed to the Hilltop Campus Village office, 122 East 15th Street, Davenport, IA 52803, hcvscott@gmail.com, 563 370 2098.

#####



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION

FOR SPECIAL EVENTS

On the 28th day of September, 20 19, there is proposed a street closing with outdoor music/band/performance, requested by Progressive Baptist Church, which will require the closing of 12th Street between College Avenue and Esplanade Avenue, during the hours of 12:00 PM + 3:00 PM.

**** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).**

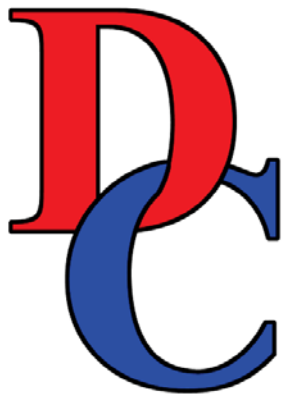
NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
Layna Larson 1319 E 12 th Street	X		
Randy Hancus 1328 E. 12 th St.	X		
UNK- 9/10 4:30 9/11 7:30PM 9/12-10AM/6PM Unmarked + Unknown Business			NO Answer from resident
1329 E. 12 th St UNK- 9/10/19 4:30PM, 9/11- 7:30PM, 9/12 6PM			NO Answer from resident
1326 E. 12 th St. UNK- 9/10/19 4:30PM 9/11- 7:30PM 9/12 6PM	11		11
1305 E 12 th Street UNK- 9/10/19 4:44PM 9/11 7:30PM, 9/12 6PM	11		11
1307 E. 12 th Street UNK- 9/10/19 4:44PM, 9/11-7:30PM, 9/12 6:05PM	11		11
1309 E. 12 th Street UNK- 9/10/19 4:45PM, 9/11 7:32PM, 9/12 6:05PM	11		11
1315 E. 12 th Street UNK- 9/10/19 4:45PM, 9/11 7:32PM, 9/12 6:05PM	11		11
1327 E. 12 th Street UNK- 9/10/19 4:45PM, 9/11 7:32PM, 9/12 6:05PM	11		11

* If additional space is needed, please attach sheets with additional signatures.

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

Minister [Signature] 9/12/19
Signature of Applicant Date

Central Homecoming Parade



The Homecoming Parade and Route are set!
In an effort to make the route as safe as possible for our students, we encourage anyone with a residence on our parade route to move any vehicles off of the street on **Thursday, October 3rd, 2019 between 6 - 7pm.**

The route for the parade will be:

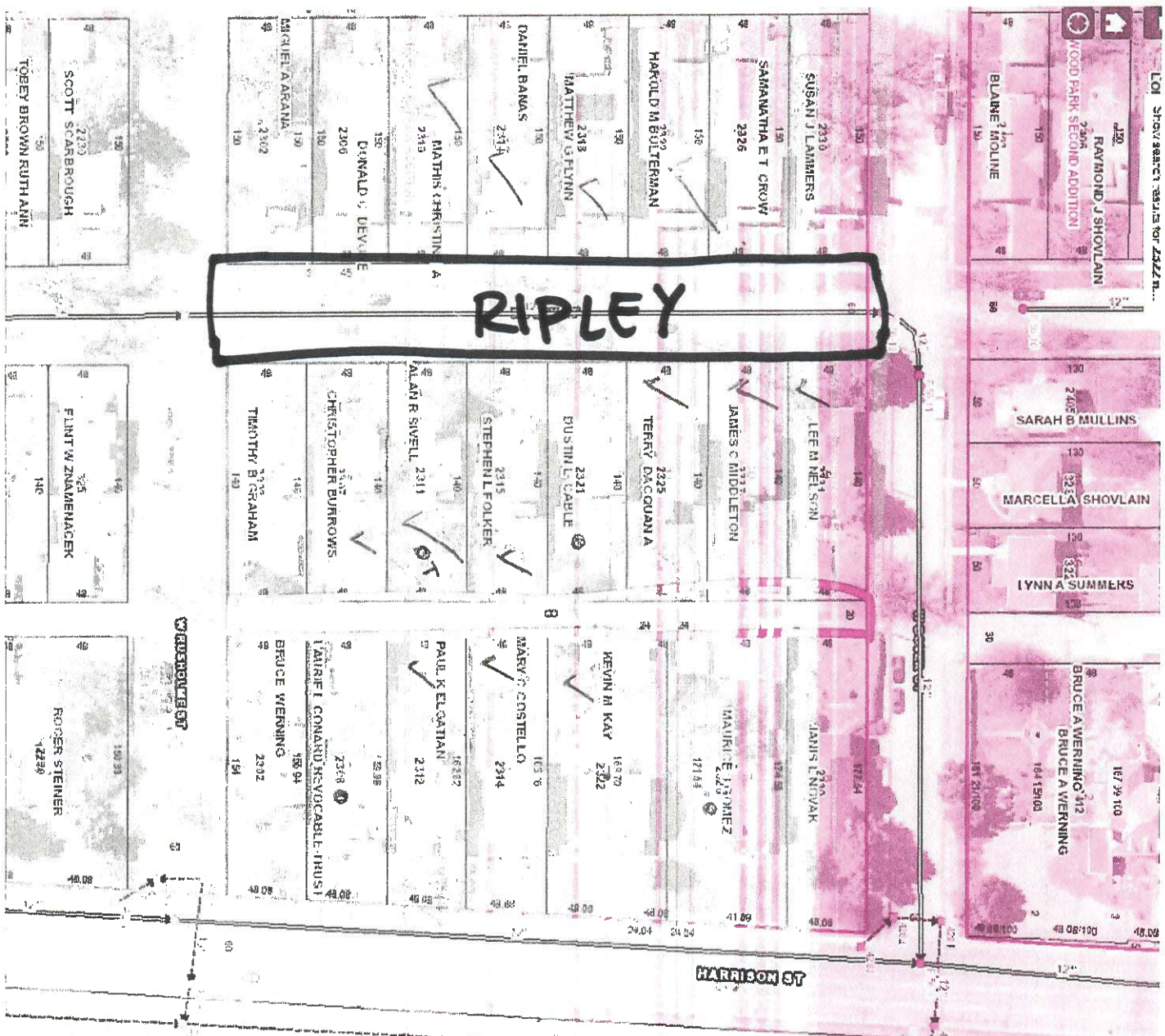
- 18th Street going east from McKinley
 - Fernwood south to Forest Rd
 - Forest Rd North to Middle Rd
 - Middle Rd west to Woodland St

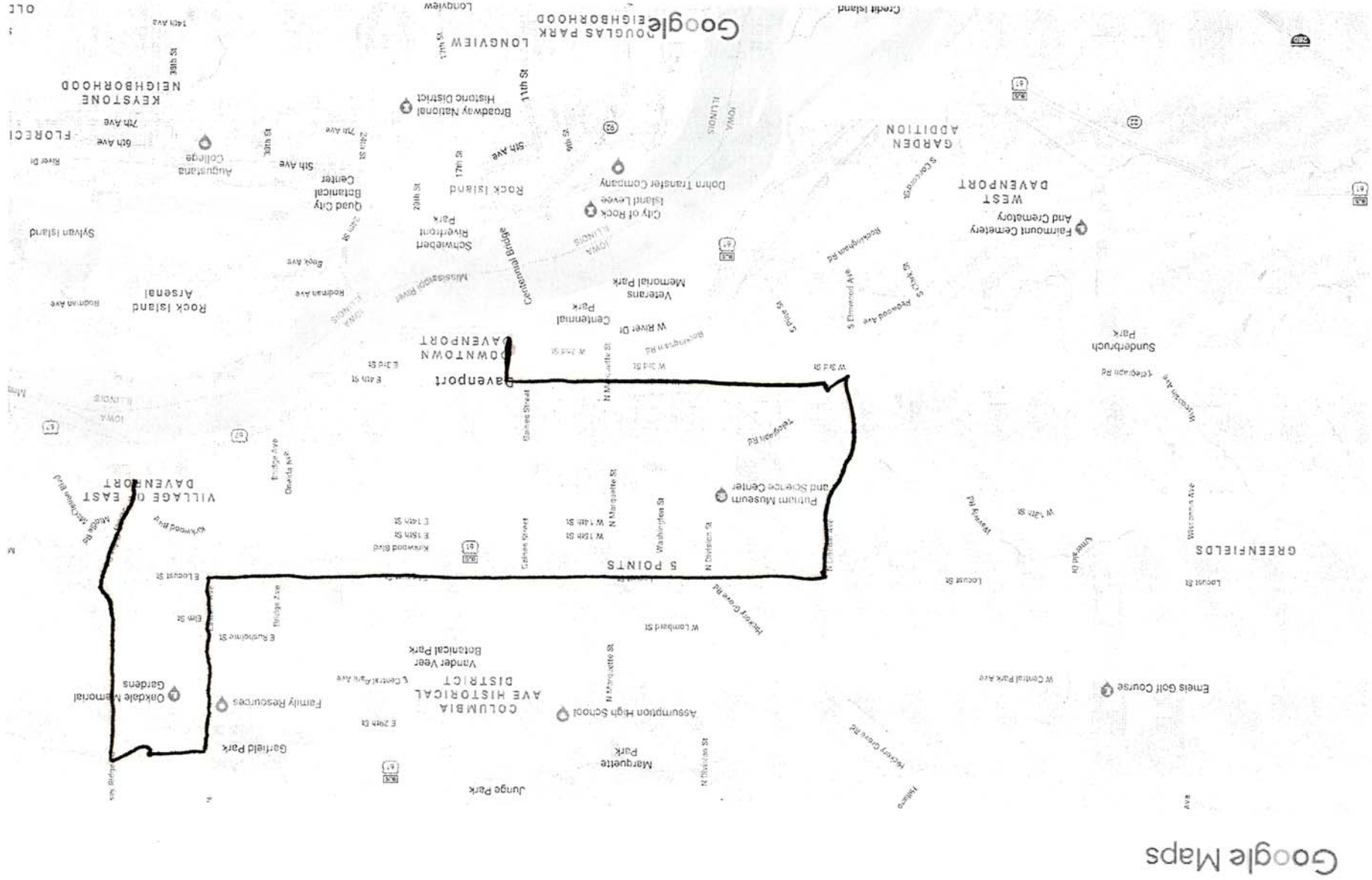
We would also love to have you come out and support the Blue Devils along the route, ending with a Pep Rally at McKinley.

Please come out and Enjoy the Festivities!

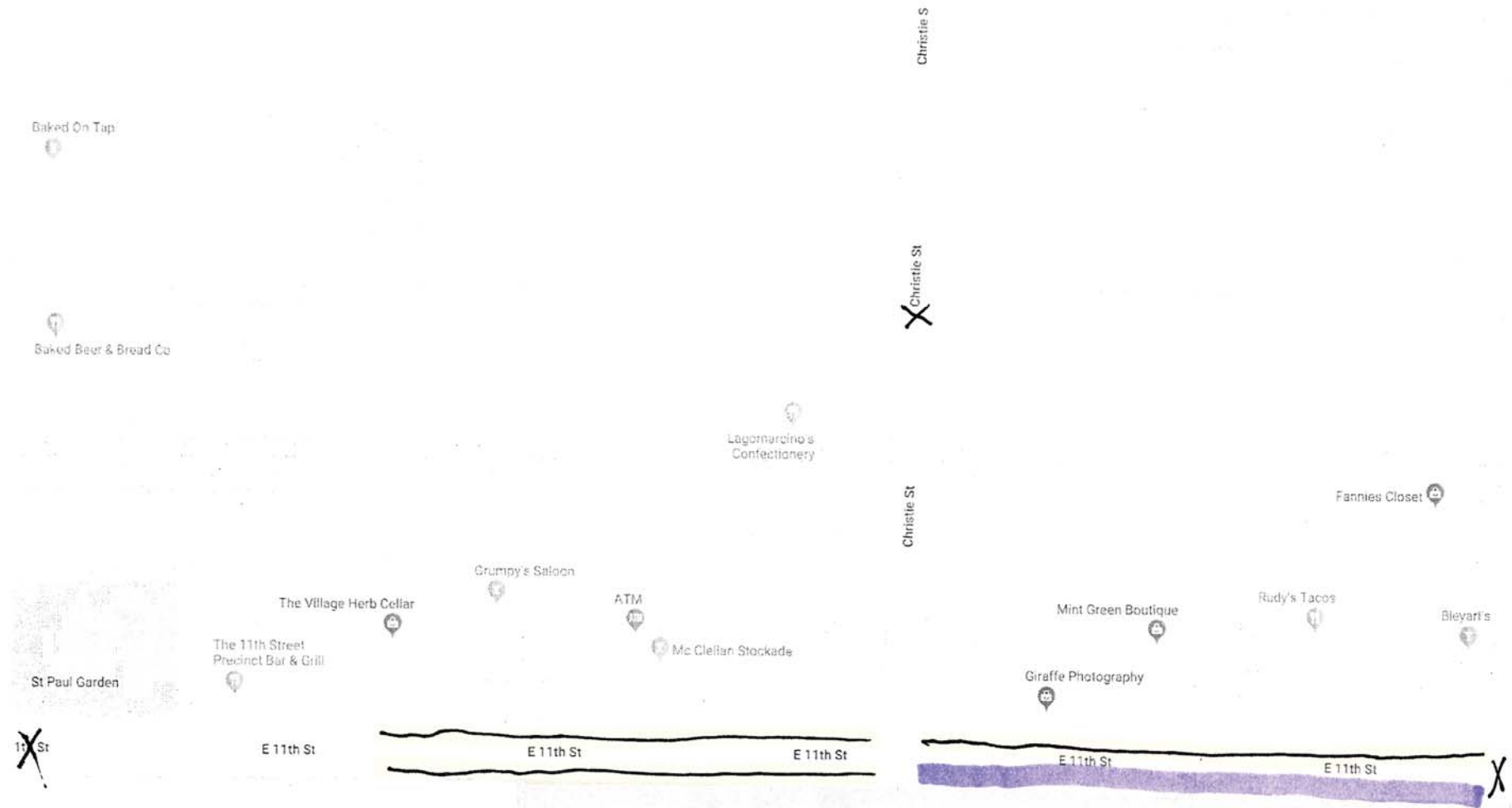
Net 5
4:30-7
Haley
Vander Voe
Fall Fest

~~alley~~ clos





Google Maps



Google

* Key = X = Road Closures, [Purple] = Vendor Location

[Yellow] = Truck Staging

Christmas in the Village!

Celebrate This Village of East Davenport 41 Year Holiday Tradition

FREE ACTIVITIES: Fri., Nov. 30th & Sat., Dec. 1st, 2018

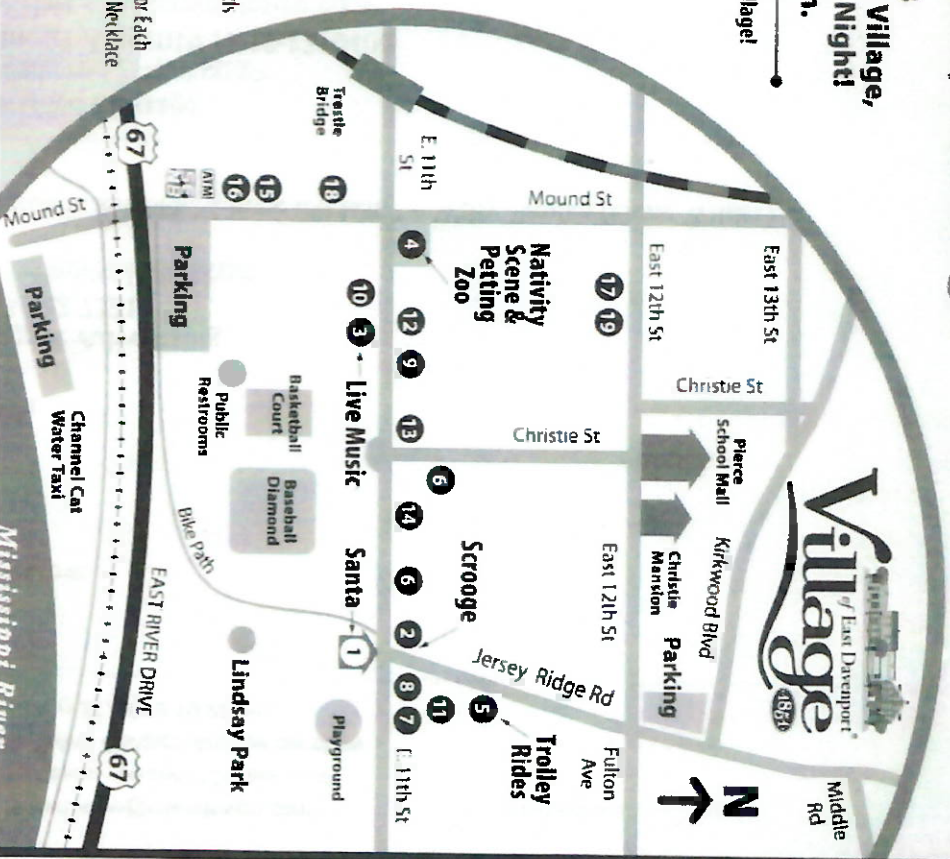
**Santa Claus, Scrooge, Carolers and Musicians throughout the Village,
Trolley Rides and Nativity with Animals - Friday & Saturday Night!
"Winter Sparkle" Fireworks Display! - Saturday at 9 p.m.**

ACTIVITIES & MAP:

The Grinch, Frosty the Snowman, and Rudolph the Red Nosed Reindeer will be in the Village!

1. Santa at the Village Fire House
2. Scrooge at Boyler's Building
3. The Village Theatre Live Music and Face Painting (closes at 7:30 on Saturday)
4. Gildea's Pocket Park Miller's Petting Zoo and Nativity Scene
5. Trolley Rides Roasting Behind Camp McCellan cellars on Jersey Ridge Road
6. Bayside Bistro Kids' Crafting Center
7. Giraffe Photography - Story Reading Friday Night & Miss Iowa Reads on Saturday Night.
Please enter on East 11th Street
8. Camp McCellan Cellars Free Hot Mulled Cranberry Apple Wine & Fine Wine Tasting
9. Grumpy's Kids' Cookie Decorating
10. Edward Jones Investments - Paul Schnell - fourpound Adoption
11. Freddy's Fritters Kids' Cookie Decorating
12. Herb Cellar In Store Carriers, Mulled Spiced Hard Cider
13. Lagomarcino's Confectionery and Cafe Whyville and High School Snow Hours
14. Mint Green Make & Bake Children's Craft
15. The Plaid Rabbit Letters to Santa
16. Escape Goat Soaps Free Cookies, Hot Chocolate, and Disco Music
17. Saints Fashion Kelley's Little Woodline Pizza bar & will be in front of Saints and Mary's Diamonds
18. Calle & Mezzanine Boutique Photo Ops and Instagram Posting Contest, Sweet Treats, Molly Downing, Creator of The Grounding Stone, In-store Demo Saturday, 3PM - 9PM
19. Mary's Diamonds & Jewelry Refreshments, Stoking Stuffer Toy and Sinker Activity Sheet for each Child. Guess the Diamonds Game for a chance to win a 1/4 Carat Diamond 14 Karat White Gold Necklace

TITLE SPONSORS:



WINE WALK
FARM DAYS
COCOA BEANO
CHRISTMAS IN
THE VILLAGE

CITY OF DAVENPORT
STREET CLOSING PETITION FOR SPECIAL EVENTS

On the 6TH & 7TH day(s) of DECEMBER, 20 19, there is proposed a street closing, requested by VILLAGE OF E. DAVENPORT BUSINESS ASSOCIATION, which will require the closing of 11TH STREET between MOUND STREET and JERSEY RIDGE ROAD, during the hours of 11:00 AM - 12:00 PM.

** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
① 11TH STREET PRECINCT 1107 - MOUND STREET	_____	_____	_____
② GRUNDY'S VILLAGE SALOON 2120 E. 11TH ST DAVENPORT, IA	_____	_____	_____
③ MCCLELLAN STOCKADE 2124 E. 11TH ST DAVENPORT, IA	_____	_____	_____
④ LAGO MARCINO 2137 E. 11TH ST. DAVENPORT, IA	_____	_____	_____
⑤ TAP ON IT	_____	_____	_____
⑥ BAYSIDE BIRD 1105 CHARLIE DAVENPORT, IA	_____	_____	_____
⑦ RUDY'S TACOS 2214 - E 11TH ST DAVENPORT, IA	_____	_____	_____
⑧ MINT GREEN 2208 E. 11TH ST DAVENPORT, IA	_____	_____	_____
⑨ CAKES BY KAY 2218 E. 11TH ST DAVENPORT	_____	_____	_____
⑩ BLEYART'S 2218 E. 11TH ST DAVENPORT	_____	_____	_____
⑪ BOUIS 2228 E. 11TH ST DAVENPORT	_____	_____	_____
⑫ BREN 1104 JERSEY RIDGE ROAD DAVENPORT	_____	_____	_____
⑬ EDWARD JONES 2107 E. 11TH ST DAVENPORT	_____	_____	_____

* If additional space is needed, please attach sheets with additional signatures.

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

CHRISTMAS IN
THE VILLAGE

CITY OF DAVENPORT

STREET CLOSING PETITION FOR SPECIAL EVENTS

On the 6TH + 7TH day of DECEMBER, 20 19, there is proposed a street closing, requested by VEDBA, which will require the closing of EAST 11TH STREET between MOUND ST and TERSEY RIDGE ROAD, during the hours of _____.

** Please sign your name and print address below and indicate whether you are in favor of the closing, opposed to the closing, or are not concerned (CHECK ONE, PLEASE).

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
① <u>Tracy Bahr</u> <u>1167 Mound Street - The Secret</u>	☒	☐	☐
② <u>C. Turner</u>	☒	☐	☐
③ <u>Kathleen</u>	☒	☐	☐
④ <u>Tom Taylor</u> <u>2132 E 11TH ST. DAVENPORT</u>	☒	☐	☐
⑤ <u>Kelly Johannes</u>	☒	☐	☐
⑥ <u>Kristen Hewlett</u>	☒	☐	☐
⑦ <u>[Signature]</u>	☒	☐	☐
⑧ <u>White</u>	☒	☐	☐
⑨ <u>Katie Lesby Kay</u>	☒	☐	☐
⑩ <u>[Signature]</u>	☒	☐	☐
⑪ <u>Kelly Smith</u>	☒	☐	☐
⑫ <u>Tracy Cameron</u>	☒	☐	☐
⑬ <u>Kathy Olson</u>	☒	☐	☐

* If additional space is needed, please attach sheets with additional signatures.

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

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nick Schmuecker 563-327-5162
Wards:

Action / Date
9/18/2019

Subject:

Resolution authorizing the submission of an Iowa Clean Air Attainment Program application for grant assistance to replace the Elm Street Bridge over the Canadian Pacific Railway. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

Due to its poor condition, the Elm Street Bridge over the Canadian Pacific Railway has been closed to all vehicular and pedestrian traffic. The City of Davenport is now in possession of the bridge and wishes to apply for grant funding to assist with financing the construction of a replacement bridge. The bridge closure currently requires vehicles to seek an alternate route and also could discourage alternate transportation methods. It is these reasons the City seeks funding assistance through the Iowa Clean Air Attainment Program. The City is requesting 80% of the \$2,500,000 construction estimate and will fund the remaining 20%.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/11/2019 - 11:45 AM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 11:45 AM
City Clerk	Admin, Default	Approved	9/11/2019 - 1:45 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the submission of an Iowa Clean Air Attainment Program ("ICAAP") application to the State for grant assistance with the construction costs to remove the existing bridge at Elm Street over the Canadian Pacific Railway and construct a new bridge at the same location

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the City is committed to maintaining neighborhood connections, pedestrian and bicycling corridors, and sustainable infrastructure; and

WHEREAS, a reconstructed bridge at Elm Street over the Canadian Pacific Railway will reinstate a route taken by approximately 3,160 vehicles per day and numerous pedestrians. The construction of a new bridge will decrease congestion, reduce travel and idle time, and reduce vehicle emissions; and

WHEREAS, the City has committed funding as part of the FY 2020 Capital Improvement Program for the project; and

WHEREAS, the Iowa Department of Transportation administers the ICAAP on a statewide competitive application basis and awards federal funds to projects with the highest potential for reducing transportation related congestion and air pollution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City's Public Works Department is authorized to submit an application to the State for grant assistance for the construction of the bridge and that Mayor Klipsch and other public official(s) as necessary are authorized to sign any associated application material and grant funding agreements related to the project.

Passed and approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
9/18/2019

Subject:
Preliminary Resolution for the FY20 Alley Resurfacing Program. [Ward 4]

Recommendation:
Adopt the Resolution.

Background:

Within the City of Davenport, alleys are considered secondary roads. A resident or business owner petitions the City to have their alley reconstructed with full depth concrete or hot mix asphalt (HMA) or resurfaced with HMA through the Alley Reconstruction and Resurfacing Program. This program is an assessment program where ½ of the total cost to reconstruct or resurface the alley is paid for by the City and the other ½ is paid for by the abutting property owners based on the size of their lot. The resident or business that requests to have their alley reconstructed or resurfaced would have to obtain the necessary signatures on a petition prepared by the City of over 50% of the owner occupied property abutting the alley.

The City has received a petition for the t-alley that is east-west between W 15th St and W 16th St from Myrtle St to the alley east of Marquette St and continues north-south between Myrtle St and Marquette St from W 15th St to W 16th St. The estimated cost of these improvements is \$82,200 with a budgeted amount of \$85,000 in CIP #33032. Questionnaires noting the maximum project cost will be sent out to the property owners along these alleys to verify continued interest in the program.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2
▢ Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/12/2019 - 12:22 PM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 12:22 PM
City Clerk	Admin, Default	Approved	9/12/2019 - 2:25 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION

Preliminary resolution for the 2020 Alley Resurfacing Program.

WHEREAS, it is deemed advisable and necessary to resurface certain alleys in the City of Davenport, Iowa; and

WHEREAS, the Code of Iowa requires that the City Council arrange for engineering services when an assessment project is involved; and

WHEREAS, the Code of Iowa requires that the City Council designate the property to be specially benefited by the improvements;

NOW, THEREFORE, 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;

BE IT RESOLVED that hereafter this improvement will be called the 2020 Alley Resurfacing Program.

Passed and approved the 25th day of September, 2019.

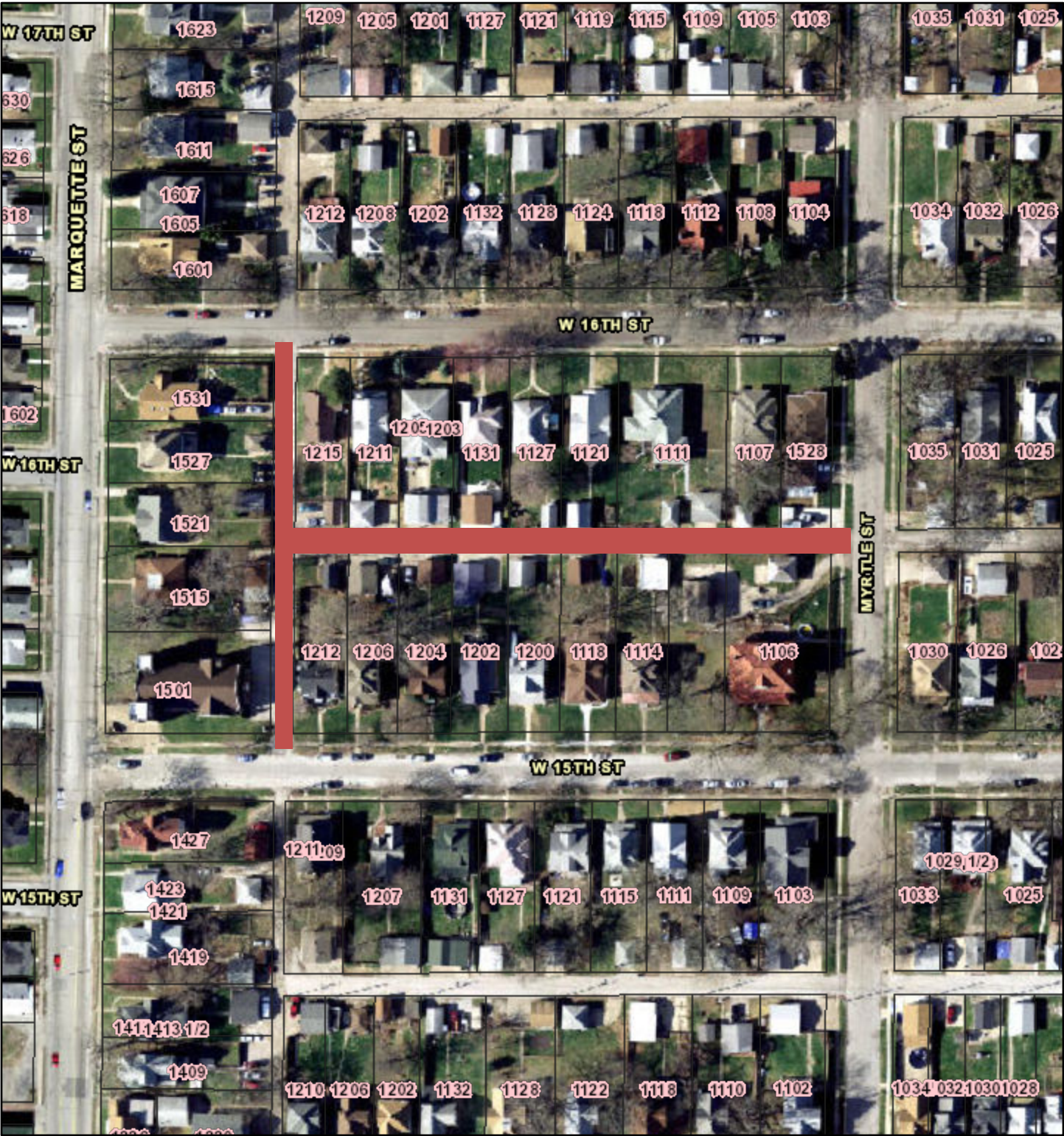
Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

Location Map

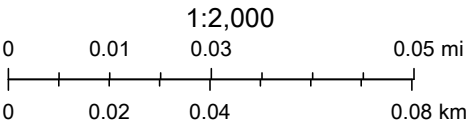


9/3/2019, 2:37:15 PM

☐ Parcels

Street Centerline (Labels only)

Address Points



Scott County Iowa, Bi-State Regional Commission

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Sandy Doran 563-326-7756
Wards:

Action / Date
9/18/2019

Subject:
Resolution awarding the 1930's Interceptor Flow Diversion Project to Langman Construction, Inc of Rock Island, IL in the amount of \$9,479,387.51, CIP #30038. [Wards 3, 5, & 6]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on June 28, 2019 and was sent to 390 vendors. On August 6, 2019, the Purchasing Division received and opened two responsive and responsible bids.

The 1930's sewer structure has become inefficient at transporting flows to the Water Pollution Control Plant and will be abandoned and disconnected during this project. Known connections to the 1970's line will be removed which will cut off large amounts of inflow from entering the sewer collection system during high water events.

Funding for this project is split among multiple fiscal years from CIP #30038.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_1930's Interceptor Flow Diversion Project Resolution Letter
▣ Backup Material	PW_RES_1930's Interceptor Flow Diversion Project Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/12/2019 - 11:03 AM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 11:03 AM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:36 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the 1930's Interceptor Flow Diversion project to Langman Construction, Inc. of Rock Island, IL, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the 1930's Interceptor Flow Diversion project;
and

WHEREAS, Langman Construction, Inc. of Rock Island, IL, was the lowest responsive
and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of
Davenport, Iowa, that:

1. Approving the contract for the 1930's Interceptor Flow Diversion project to Langman Construction, Inc. of Rock Island, IL; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 1930's INTERCEPTOR FLOW DIVERSION PROJECT

BID NUMBER: 19-126

OPENING DATE: AUGUST 6, 2019

GL ACCOUNT NUMBER: 71562680 530350 30038

RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN
CONSTRUCTION, INC. OF ROCK ISLAND, IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction, Inc. of Rock Island, IL	\$9,479,387.51
McCarthy Improvement Company of Davenport, IA	\$12,308,030.70

Approved By Caitlyn Damer 9/9/19
Purchasing Date

Approved By Nicole Gleason 9/9/19
PW Director Date

Approved By Beech Coy 9-10-19
Budget/CIP Date

Approved By Linda Folland 9-10-19
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Sandy Doran 563-326-7756
Wards:

Action / Date
9/18/2019

Subject:
Resolution approving the Inspection and Construction Engineering contract for the 1930's Interceptor Flow Diversion Project to Veenstra & Kimm in the amount not-to-exceed \$268,546, CIP #30038. [Wards 3, 5, & 6]

Recommendation:
Adopt the Resolution.

Background:

Veenstra & Kimm has been selected to provide contract and construction administration services and field inspections for the construction project. The contract administration will include preparing certified change orders and pay requests per Iowa Department of Natural Resources guidelines so they can be accepted by the city and accepted by the Iowa Finance Authority and paid out of the State Revolving Loan. V & K, Inc will expedite the process to minimize the wait time for the city to receive funds. V & K's inspector will focus on the structural review of the 16 special structures in the contract, investigatory work when the pipes are unearthed will be critical to find any old cross connections and other ways river inflow and storm water enters the sanitary sewer system. V & K, Inc will also provide surveying and settlement control for the tunneling under the Canadian Pacific railway.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW Pg 2
▣ Backup Material	1930's Int Flow Diversion Construction Services Agreement Amend #1
▣ Backup Material	1930's Interceptor Flow Diversion Project Area Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/12/2019 - 11:27 AM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 11:28 AM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:37 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the Inspection and Construction Engineering contract for the 1930's Interceptor Flow Diversion Project to Veenstra & Kimm in the amount not-to-exceed \$268,546, CIP #30038.

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

WHEREAS, on the 6th day of August, 2019, bids were received for the 1930's Interceptor Flow Diversion Project; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa; that the contract is hereby approved.

Passed and approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk



VEENSTRA & KIMM, INC.

1800 5th Avenue • Rock Island, Illinois 61201-8119

309-786-7590 • 309-797-0996 (fax) • 877-241-8010 (WATS)

September 6, 2019

City of Davenport
Attn: Sandy Doran, Project Manager
Engineering Division
1200 E. 46th Street
Davenport, IA 52807

DAVENPORT, IOWA
1930'S INTERCEPTOR FLOW DIVERSION PROJECT
CONTRACT AMENDMENT NO. 1

Enclosed are two copies of Contract Amendment 1 for the subject project. Veenstra & Kimm, Inc. will provide construction administration of the project and provide one person for onsite inspection. It is assumed the city will provide a second inspector during critical times. The contract administration will include preparing certified change orders and pay requests per Iowa Department of Natural Resources guidelines so they can be accepted by the City, accepted by the Iowa Finance Authority and paid out of the State Revolving Loan. Veenstra & Kimm, Inc. will expedite the process to minimize the wait time for the city to receive funds. Veenstra & Kimm, Inc.'s inspector will focus on the structural review of the 16 special structures in the contract as investigatory work when the pipes are unearthed will be critical to find any old cross connections and other ways river inflow and storm water enters the system. Veenstra & Kimm, Inc. will also provide surveying and settlement control for the tunneling under the railway.

If this amendment is acceptable, please have both copies signed and return one copy to Veenstra & Kimm, Inc. for our files.

If you have any questions regarding this amendment, please contact the undersigned at 309-786-7590

VEENSTRA & KIMM, INC.

A handwritten signature in blue ink, appearing to read 'LFF', followed by a long, sweeping horizontal line.

Leo F. Foley, P.E.

LFF:ghd
222125
Enclosures

September 6, 2019

CONTRACT AMENDMENT NO. 1

1930'S INTERCEPTOR FLOW DIVERISON PROJECT
CONSTRUCTION ENGINEERING SERVICES
DAVENPORT, IOWA

Supplemental Scope of Work

This amendment is to add Construction Engineering Services to the June 5, 2017 contract. Construction Engineering Services will include contract administration including pre-construction meeting, coordination of Change Orders, Requests for Information, Pay Estimates, final punch list, closeout and State Revolving Fund coordination.

The Construction Engineering Services also include on-site inspection for approximately 22 months at 6 hours per day or 2,640 hours.

Estimated Cost and Schedule

Amendment No. 1 will be the Notice to Proceed for the Engineering During Construction line item that was referenced in the approved contract.

It is anticipated the contract will begin in summer 2019 and have a 2 year duration. It is estimated that the Not to Exceed costs will be \$268,546 as shown on the attached work breakdown spreadsheet.

The project plans will be completed to allow for a fall 2019 construction contract.

Amendment 1 – Construction Engineering Services	\$268,546.00
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Deliverables

Full set of as constructed drawings, documented Change Orders, submittals with registers accounting for all costs.

Contract Amendment No. 1 increases contract price by \$268,546.00.

VEENSTRA & KIMM, INC.

DAVENPORT, IOWA

By 

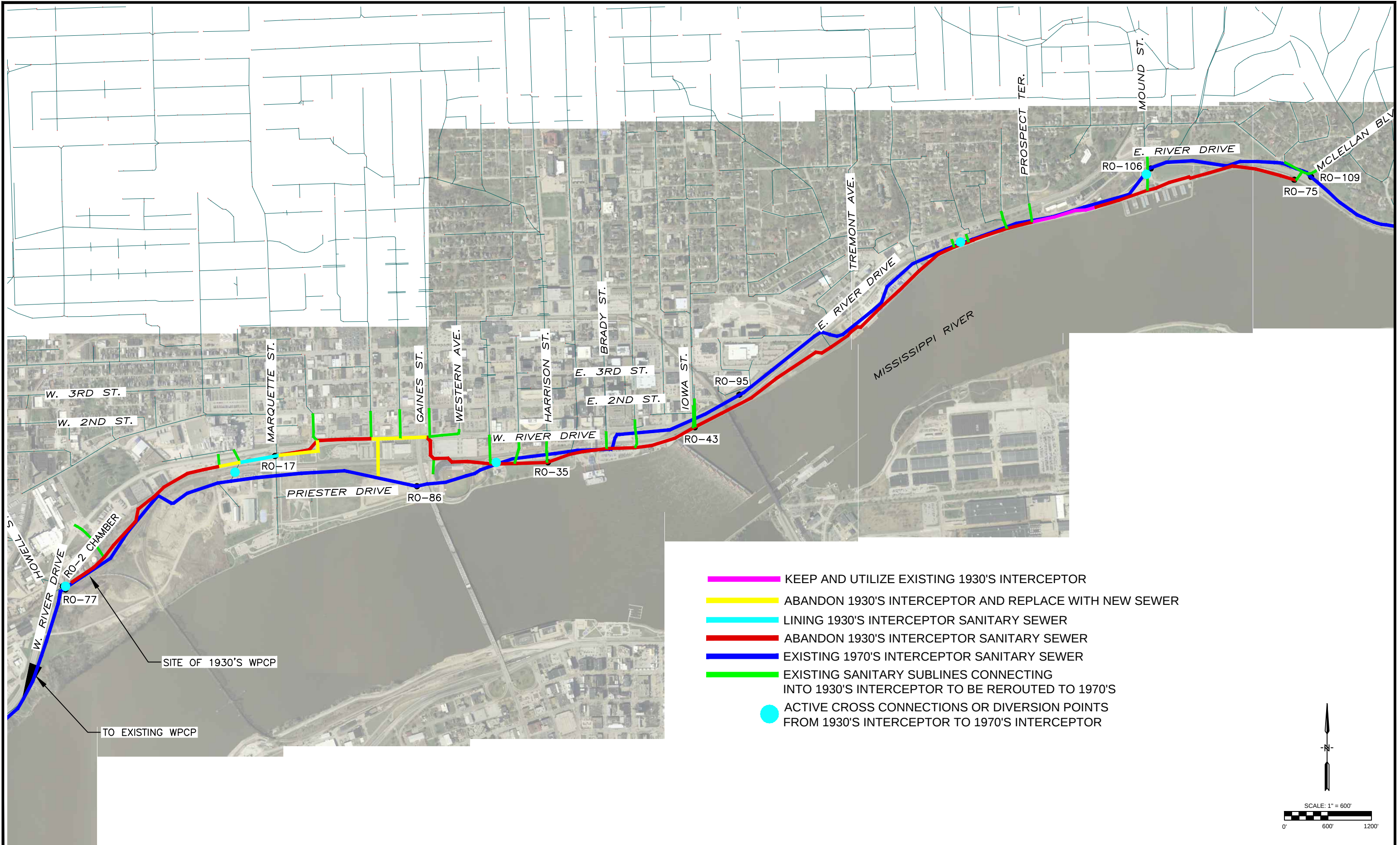
By _____

Title Project Manager

Title _____

Date 9/6/2019

Date _____



DATE	REVISIONS	SCALE	AS NOTED	VERIFY SCALE	 1930'S INTERCEPTOR DIVERSION INTO JOINT USE INTERCEPTOR CITY OF DAVENPORT, IOWA	PROJECT OVERVIEW - EXISTING RIVERFRONT INTERCEPTOR SEWERS	DWG. NO.
		DRAWN	JAL	BAR IS ONE INCH ON ORIGINAL DRAWING. 0  1" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.			
		CHECKED	EWL				1
		APPROVED	LFF				
		DATE					
		ISSUED FOR		VEENSTRA & KIMM, INC. 1530 46th Ave • Suite 2B • Moline, Illinois 61265-7019 309-797-0171 • 309-797-0996(FAX) • 877-241-8010(WATS)			PROJECT 22264

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Eric Gravert 563-327-5125
Wards:

Action / Date
9/18/2019

Subject:
Resolution accepting the Miracle Field of the Quad Cities Phase II project completed by Precision Builders, Inc of Bettendorf, IA. This project was completed with a final contract amount of \$113,642.95, CIP #64030. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
This contract included a backstop, dugout, and outfield fencing with pedestrian and service access gates, dugout structures, and associated concrete paving.

The Miracle Field will consist of a combined accessible ball field with an alternate sports field configuration which will provide all-inclusive recreation opportunities to the Quad Cities region.

The project was completed in accordance with the City of Davenport requirements with a final amount of \$113,642.95 budgeted in CIP #64030.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/12/2019 - 11:01 AM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 11:01 AM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:39 AM

Resolution No. _____

Resolution offered by Alderman Dunn

Resolution of acceptance for the construction of the Miracle Field of the Quad Cities, Phase II Project completed by Precision Builders, Inc of Bettendorf, IA.

Whereas, the City of Davenport entered into a contract with Precision Builders, Inc of Bettendorf, IA for construction work; and

Whereas, work on the project has been satisfactorily completed

Now, therefore, be it resolved, by the City Council of the City of Davenport, Iowa: that the Miracle Field of the Quad Cities, Phase II Project is hereby accepted.

Passed and approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brad Guy 563-327-5105
Wards:

Action / Date
9/18/2019

Subject:
Resolution of acceptance for the Elmore Avenue Patching Project, completed by CDMI Concrete Contractors Inc of Port Byron, IL with a final cost of \$243,276.44 budgeted in CIP #35035. [Ward 6]

Recommendation:
Adopt the Resolution.

Background:
Construction has been completed on the Elmore Avenue Patching Project which removed and replaced sections of deteriorated pavement on Elmore Ave, between E 39th St and Dexter Ct. This area was selected for rehabilitation through the City's pavement management program. All work has been satisfactorily completed and accepted by the Engineering Division.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	RES_Elmore Ave Patching- Acceptance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/11/2019 - 10:36 AM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 10:36 AM
City Clerk	Admin, Default	Approved	9/11/2019 - 12:04 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION of acceptance for the Elmore Avenue Patching Project, completed by CDMI Concrete Contractors Inc. of Port Byron IL, with a final cost of \$243,276.44 budgeted in CIP #35035. [Ward 6]

WHEREAS, work on the project has been satisfactorily completed and accepted by the Engineering Division

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Elmore Avenue Patching Project, completed by CDMI Concrete Contractors Inc. of Port Byron IL, is hereby accepted.

Passed and Approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brad Guy 563-327-5105
Wards:

Action / Date
9/18/2019

Subject:
Resolution of acceptance for the 4th and LeClaire Street Sewer Separation Project, completed by Langman Construction Inc of Rock Island, IL with a final cost of \$513,998.64 budgeted in CIP #30016. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Construction has been completed on the 4th & LeClaire Sewer Separation Project. New storm sewer main and structures were constructed and removed a known connection between the sanitary and storm sewer systems. All work has been satisfactorily completed and accepted by the Engineering Division.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	RES_4th & LeClaire Sewer Separation-Acceptance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/11/2019 - 5:04 PM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 5:04 PM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:42 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION of acceptance for the 4th and LeClaire Street Sewer Separation Project, completed by Langman Construction Inc. of Rock Island IL, with a final cost of \$513,998.64 budgeted in CIP #30016. [Ward 3]

WHEREAS, work on the project has been satisfactorily completed and accepted by the Engineering Division

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the 4th and LeClaire Street Sewer Separation Project, completed by Langman Construction Inc. of Rock Island IL, is hereby accepted.

Passed and Approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Jon Meeks 563-326-7922
Wards:

Action / Date
9/18/2019

Subject:
Resolution to purchase ten (10) Chevy Tahoe Police SUVs from Karl Chevrolet Inc of Ankeny, IA in the amount of \$356,413.40, CIP #24011 and #24013. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The Iowa DOT recently processed an Invitation to Bid for Police SUVs. The contract was awarded to Karl Chevrolet Inc of Ankeny, IA, State Bid MA005 18085.

The City of Davenport processed a bid in September 2018, but it has been a year and the vendor has not been able to supply the vehicles requested.

The City's oldest squads will be sold at auction when these are put into service.

This purchase is for Public Safety Vehicle Replacement for FY19 CIP #24011 and FY20 CIP #24013. These funds are from Local Option Sales Tax.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES_Purchase of Ten (10) Police SUVs

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/12/2019 - 11:06 AM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 11:06 AM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:44 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of ten (10) Police SUVs from the State Bid Contract from Karls Chevrolet Inc. of Ankeny IA, and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to purchase ten (10) Police SUVs for the Police Dept; and

WHEREAS, Karls Chevrolet Inc. of Ankeny IA was awarded the State Bid Contract as the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the purchase of ten (10) Police SUVs from the State Bid Contract from Karls Chevrolet Inc. of Ankeny IA; and
2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Frank Klipsch
Mayor

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
9/18/2019

Subject:
Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Main Street Landing Phase III Electrical Construction Project, CIP #68004. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is set to continue with Phase III construction at "Main Street Landing."

Phase III will continue the construction of the block face known as "N5" (bounded by Brady Street to the West, River Drive to the North, Perry Street to the East, and the Canadian Pacific Railroad to the South). The construction activities outlined by this initial project will install all necessary site lighting and electrical to make the flexible parking lot/event space operational to host public events.

Site improvements under this contract include the installation of an electrical transformer on the existing on-site utility pedestal, electrical wiring, parking lot light fixtures, streetscape light fixtures, overhead decorative catenary light poles and fixtures with integrated electrical outlets. The outlined improvements to be incorporated into this contract are set to commence Fall 2019 with completion anticipated late-Winter, early-Spring 2020.

A final contract covering plant material anticipated for bid in Fall 2019 and installation in Spring 2020 will conclude Block N5 construction activities.

The total project cost for this project phase is estimated at \$294,000.

ATTACHMENTS:

Type	Description
▯ Cover Memo	PW_RES_Main Street Landing Phase III_Pg2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/12/2019 - 11:07 AM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 11:07 AM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:46 AM

Resolution No. _____

RESOLUTION offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the Plans, Specifications, Form of Contract and Estimate of Cost Covering the Main Street Landing, Phase III Electrical Construction Project, CIP #68004.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the Main Street Landing, Phase III Electrical Construction Project within the City of Davenport, Iowa; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport 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 Main Street Landing, Phase III Electrical Construction Project.

Passed and approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
9/18/2019

Subject:
Resolution approving the plans, specifications, forms of contract, and estimate of cost covering the Kaiserslautern Square Upgrades Project, CIP #68004. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is set to commence construction of comprehensive site upgrades to Kaiserslautern Square in Downtown Davenport.

Once completed, project upgrades will include the following:

1. Replacement of fountain hardware to restore dynamic functionality, complemented by LED lighting upgrades to provide additional night-time/year-round interest.
2. Removal and replacement of fountain and plaza pavers, wall veneers, and capstones with updated materials.
3. Development of a more hospitable plaza environment by introducing additional plant material, and shade trees with the subdivision of the plaza into intimate outdoor rooms including a performance stage area.
4. Site regrading to ensure all plaza areas meet ADA accessibility guidelines.
5. Additional commemoration of the City of Davenport's Sister City, Kaiserslautern, Germany via the introduction of flags, signage, and future sculpture area.
6. Integration of green stormwater best management practices to ensure that Kaiserslautern Square is compliant with applicable City stormwater regulations.

The above outlined improvements are being scheduled for a Fall 2019 bid for Spring 2020 construction. Substantial completion is estimated to occur in time for an anticipated fall opening.

The total project cost for this project with contingency is currently estimated at \$758,000 (\$179,500 of which has been secured via grant funding and other community partnerships).

ATTACHMENTS:

Type	Description
□ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/12/2019 - 11:06 AM
Public Works Committee	Lechvar, Gina	Approved	9/12/2019 - 11:06 AM
City Clerk	Admin, Default	Approved	9/12/2019 - 11:48 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the Plans, Specifications, Form of Contract and Estimate of Cost covering the Kaiserslautern Square Upgrades Project, CIP #68004.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Kaiserslautern Square Upgrades 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, forms of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Kaiserslautern Square Upgrades Project.

Passed and approved this 25th day of September, 2019.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Corri Spiegel 563-888-3384
Wards:

Action / Date
9/18/2019

Subject:
Resolution approving a Memorandum of Understanding between the City of Davenport and the Davenport Community School District. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
In a joint effort to improve communication and collaboration between the two organizations, the Davenport School Board and Davenport City Council are considering a memorandum of understanding aimed at improving service delivery to all residents of Davenport.

The agreement is the product of several months of discussions between school and City officials to establish four collaborative working groups aimed at leveraging resources and engaging in strategic planning. Areas of focus include efforts to revitalize neighborhoods, build inclusionary programs, continue business attraction and development, coordinate infrastructure and building projects, plan bus routes, promote school safety, participate in community policing, and develop school and recreational activities.

Under the long-term agreement, the School District Superintendent and City Administrator will oversee these working groups and provide a summarized joint annual report to each respective governing body regarding the topics and areas discussed by each working group.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution and MOU

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	9/6/2019 - 4:29 PM
Finance Committee	Wright, Brandon	Approved	9/6/2019 - 4:29 PM
City Clerk	Admin, Default	Approved	9/11/2019 - 12:24 PM

Resolution No. _____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a Memorandum of Understanding (“MOU”) between the City of Davenport (“City”) and the Davenport Community School District (“School District”).

WHEREAS, the governing bodies of the City and School District (collectively referred to as “Parties”) believe that entering into a MOU for the purposes of establishing communication and collaboration among City and School District staff will improve the efficiency and effectiveness in delivering services to Davenport residents;

WHEREAS, the Parties recognize that current and past efforts to establish regular communication between the City and School District have improved Davenport’s standing as a community of choice;

WHEREAS, leveraging resources between the City and School District ultimately reduces the overall tax burden of Davenport residents; and

WHEREAS, coordinating government resources, education, buildings, improvement projects, goals, procurement, recreation and athletic programming, and staffing levels for short-, medium-, and long-term needs will ensure that the City and School District are aligned in their strategic planning;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the attached Memorandum of Understanding between the City and School District is hereby adopted, and that this Resolution authorizes the Mayor to execute the attached Memorandum of Understanding in partnership with the Davenport Community School District.

Approved:

Attest:

Frank Klipsch, Mayor

Brian Krup, Deputy City Clerk

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF DAVENPORT AND
THE DAVENPORT COMMUNITY SCHOOL DISTRICT**

THIS MEMORANDUM OF UNDERSTANDING (this “MOU”) dated as of the last date written below (“Effective Date”), sets forth certain nonbinding understandings between the City of Davenport (the “City”) and the Davenport Community School District (the “School District”). The City and School District are referred to individually as a “Party” and collectively the “Parties.”

1. Purpose of MOU. The purpose of this MOU is to establish a regular pattern of staff-to-staff coordination and collaboration in the areas enumerated below to provide for the effective and efficient planning and use of government resources. It is the expectation of the Parties that staff working groups be established as necessary and meet regularly to achieve this purpose. The City Administrator and School District Superintendent shall be responsible for generally establishing and overseeing these working groups and shall provide a summarized joint annual report to their respective governing bodies regarding those topics and areas discussed by each of the working groups.

2. Establishment of Working Groups: The following working groups shall be established and staffed as necessary under the direction of the City Administrator and the School District Superintendent. Each working group is to meet as necessary, but no less than annually, to achieve the objectives for each working group. The list of objectives provided herein are not to be interpreted as all inclusive, but provide a framework and guide for future work group meetings.

a. Executive Working Group: The Executive Working Group shall consist of the City Administrator, the School District Superintendent (or his/her designee), and other staff as directed by these two individuals. The Executive Working Group shall work to coordinate and collaborate on decisions that impact facilities; economic development and business attraction efforts; land use; efforts to revitalize Davenport neighborhoods; and citizen outreach and inclusion programs. As necessary, the Executive Working Group may consider topics of mutual interest for Davenport residents as they relate to services provided by either government.

b. Infrastructure and Facility Planning Working Group: The Infrastructure and Facility Planning Group shall consist of the Davenport Public Works Director, the Davenport Community School District Director of Operations, and other staff as directed by these two individuals. The Infrastructure and Facility Planning Working Group shall work to coordinate and collaborate on decisions related to bus routes, street closures, infrastructure projects, facility needs, and public improvement timelines. As necessary, the Infrastructure and Facility Planning Working Group may consider topics of mutual interest for Davenport residents as they relate to applicable services provided by either government.

c. Public Safety Working Group: The Public Safety Working Group shall consist of all School Resource Officers as assigned by the Davenport Police Department, the Principals of all schools that have a dedicated School Resource Officer, and the Davenport Fire Department Public Education Officer. The Public Safety Working Group

shall work to coordinate and collaborate on decisions related to school safety, community policing, safety education, and public safety outreach. As necessary, the Public Safety Working Group may consider topics of mutual interest for Davenport residents as they relate to applicable services provided by either government.

d. Recreation and Activities Working Group: The Recreation and Activities Working Group shall consist of the Davenport Parks Director, the Davenport School District Athletic Director, and other staff as directed by these two individuals. The Recreation and Activities Working Group shall work to coordinate and collaborate on decisions related to the programming of sports, sport/activity facility usage, park placement and activities, and other topics related to the promotion of an active lifestyle for Davenport residents. As necessary, the Recreation and Activities Working Group may consider topics of mutual interest for Davenport residents as they relate to applicable services provided by either government.

3. Term, Renewal, Modification, and Termination. This MOU shall be effective from the Effective Date and continue for a period of ten (10) years, unless renewed or terminated as provided herein; may be renewed by written agreement of all the Parties; may be modified at any time by written consent of both Parties; and may be terminated by either party by ten (10) days written statement of termination directed to the other party.

4. Confidentiality. Each Party (the “receiving party”) understands and acknowledges the other Party (the “disclosing party”) possesses and maintains certain students records, personal protected health information, or other personally identifiable information protected by State or federal law (“Personal Data”) to which the receiving party may have access if such access is relevant and allowed by law. Specifically, each Party acknowledges its responsibility to ensure compliance with the confidentiality provisions of applicable state and federal laws, including, but not limited to, the Family Educational Records Privacy Act; Health Insurance Portability and Accountability Act of 1996 (HIPAA); and the Iowa Examination of Public Records Act (the “Iowa Open Records Act”), with respect to student records or other confidential public records, as applicable.

Before receiving or controlling Personal Data, the disclosing party shall verify the law allows for the sharing of such information and the receiving party shall ensure all necessary policies and safeguards are in place to protect such information from unauthorized disclosure and shall notify and train all Working Group individuals and participants to ensure they understand the policies and procedures to safeguard Personal Data.

5. Compliance with Open Records Laws. Notwithstanding the confidentiality provisions under Section 4, above, each Party acknowledges the other Party is subject to the Iowa Open Records Act, and therefore, each Party agrees it will not make any claim against the other Party if that Party makes available to the public any information it receives from the other Party in accordance with the Iowa Open Records Act or in response to a binding order from a court or governmental body or agency compelling its production. The Party that is subject to the request or order will make its best effort to contact the other Party prior to providing such information to the public.

6. Miscellaneous.

a. Counterparts. This MOU may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one MOU.

b. Applicable Law. This MOU shall be construed according to Iowa law and subject to the jurisdiction of its courts. Furthermore, the parties agree that any suits or actions brought by either party against the other shall be filed in a court of competent jurisdiction in the city of Davenport.

c. Compliance with Laws. Both parties shall comply with all federal, state, and local laws, statutes, ordinances, rules, and regulations applicable to the services to be rendered under this Agreement. Any violation of these laws, statutes, ordinances, rules, or regulations constitutes a breach of this Agreement and entitles the non-breaching party to terminate this Agreement immediately upon delivery of written notice of termination to the breaching party.

d. Entire Agreement. This MOU consists of this Agreement, addenda, attachments, supplemental documents issued prior to execution, other documents listed in this Agreement, and modifications and amendments issued after execution of this Agreement. The MOU constitutes the entire and full understanding between the parties hereto and neither party shall be bound by any representations, statements, promises or agreements not expressly set forth herein.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties have voluntarily executed this Memorandum of Understanding effective as of the last date set forth below.

**DAVENPORT COMMUNITY
SCHOOL DISTRICT, IOWA**

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Name: _____

Title: _____

Date: _____

CITY OF DAVENPORT, IOWA

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Name: _____

Title: _____

Date: _____

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 563-326-7750
Wards:

Action / Date
9/25/2019

Subject:
Resolution to set the date for a Public Hearing on a proposal to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not-to-exceed \$10,500,000. [All Wards]

Recommendation:
Adopt the Resolution and set the Public Hearing for Wednesday, October 2, 2019 at 5:30 p.m.

Background:
The City proposes to enter into an amended Sewer Revenue Loan and Disbursement Agreement (the "Agreement") with the Iowa Finance Authority and borrow money in a principal amount not-to-exceed \$10,500,000 pursuant to the provisions of Section 384.24A of the Code of Iowa.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with the City's outstanding Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment); Sewer Revenue Improvement and Refunding Bond, Series 2015; Sewer Revenue Bond, Series 2016; and any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	9/12/2019 - 10:18 AM

SET DATE FOR HEARING ON SEWER
REVENUE LOAN AND DISBURSEMENT
AGREEMENT

629872-87 (N/I)

Davenport, Iowa

September 25, 2019

The City Council of the City of Davenport, Iowa, met on September 25, 2019, at 5:30 o'clock p.m., at the Council Chambers, City Hall, in the City. The Mayor presided and the roll was called showing the following Aldermen present and absent:

Present: _____

Absent: _____.

The City Council took up for consideration the subject of entering into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement in a principal amount not to exceed \$10,500,000.

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

Ayes: _____

Nays: _____.

Whereupon, the resolution was signed by the Mayor as evidence of approval, was attested by the Deputy Clerk and was declared to be effective.

• • • •

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

Mayor

Attest:

Deputy Clerk

RESOLUTION NO. _____

Resolution to fix a date for a public hearing on a proposal to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$10,500,000

WHEREAS, the City of Davenport (the “City”), in the County of Scott, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the “Utility”) in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the “Council”) and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a resolution of the Council dated May 12, 2010 (the “Series 2010 Bond Resolution”), the City previously issued its \$10,000,000 Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment), dated June 2, 2010 (the “Series 2010 Bond”) to the Iowa Finance Authority (the “Lender”), a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to a resolution of the Council dated November 24, 2015 (the “Series 2015 Bond Resolution”) the City previously issued its \$5,781,106.70 Sewer Revenue Improvement and Refunding Bond, Series 2015, dated December 11, 2015 (the “Series 2015 Bond”) to the Lender, a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to a resolution of the Council dated February 10, 2016 (the “Series 2016 Bond Resolution” and together with the Series 2010 Bond Resolution and the Series 2015 Bond Resolution, the “Outstanding Bond Resolutions”), the City previously issued its \$7,538,000 Sewer Revenue Bond, Series 2016, dated April 29, 2016 (the “Series 2016 Bond” and, together with the Series 2010 Bond and the Series 2015 Bond, the “Outstanding Bonds”) to the Lender, a portion of the principal of which remains outstanding; and

WHEREAS, pursuant to the Outstanding Bond Resolutions, the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Outstanding Bonds; and

WHEREAS, the City, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, hereby proposes to enter into a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement (the “Agreement”) in a principal amount not to exceed \$10,500,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Utility, and it is necessary to fix a date of meeting of the Council at which it is proposed to hold a hearing on the Agreement and to give proper notice thereof;

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

Section 1. The City Council shall meet as the Committee-of-the-Whole on the 2nd day of October, 2019, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place any resident or property owner of the City may present oral or written objections to the approval of the proposed Agreement, after which any such objections will be referred to the City Council at its regular meeting to be held on the 9th day of October, 2019, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place the Council will express its intention to enter into the Agreement in the future.

Section 2. The Deputy Clerk is hereby directed to give notice of the proposed action on the Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than four and not more than twenty days before the date of the hearing, in the *Quad City Times*. The notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING ON PROPOSAL TO ENTER INTO A LOAN AND
DISBURSEMENT AGREEMENT AND TO BORROW MONEY THEREUNDER IN A
PRINCIPAL AMOUNT NOT TO EXCEED \$10,500,000

(SEWER REVENUE)

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on the 2nd day of October, 2019, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., for the purpose of holding a hearing on a loan and disbursement agreement (the "Agreement) in a principal amount not to exceed \$10,500,000, for the purpose of paying the cost, to that extent, of constructing improvements and extensions to the Municipal Sanitary Sewer System.

At such time and place, oral or written objections from any resident or property owner of the City may be presented, after which any such objections will be referred to the regular meeting of the City Council to be held on the 9th day of October, 2019 at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place the City Council express its intention to enter into the Agreement in the future.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with the City's outstanding Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment); Sewer Revenue Improvement and Refunding Bond, Series 2015; Sewer Revenue Bond, Series 2016; and any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

By order of the City Council of the City of Davenport, Iowa.

Brian Krup
Deputy Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved September 25, 2019.

Mayor

Attest:

Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy Clerk of the City of Davenport, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for hearing on the City Council's proposal to take action in connection with a State Revolving Fund Sewer Revenue Improvement Loan and Disbursement Agreement.

WITNESS MY HAND this _____ day of _____, 2019.

Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned CFO of the City of Davenport, Iowa (the “City”), do hereby certify that the City established the Municipal Sanitary Sewer System (the “Utility”) and that the Utility has been in continuous operation by the City since its establishment in supplying sanitary sewer service to the City and its inhabitants.

I further certify that the management and control of the Utility are vested in the Council of the City, and that no board of trustees exists which has any part of the control and management of such Utility.

I further certify that the City has no bonds or other obligations of any kind now outstanding which are secured by and payable from the revenues derived from the operation of the Utility, except as follows:

Date	Type	Principal Amount Outstanding	Maturity
June 2, 2010	Taxable Sewer Revenue Bond	\$ _____	June 1, 2041
December 11, 2015	Sewer Revenue Improvement and Refunding Bond	\$ _____	June 1, 2034
April 29, 2016	Sewer Revenue Bond	\$ _____	June 1, 2036

(Attach here a separate sheet listing any other outstanding obligations of the City secured by and payable from the revenues of the Utility excluding the proposed issue.)

WITNESS MY HAND this _____ day of _____, 2019.

CFO

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy Clerk of the City of Davenport, do hereby certify that pursuant to the resolution of the City Council fixing a meeting date for a hearing on a State Revolving Fund Sewer Revenue Loan and Disbursement Agreement, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published in the *Quad City Times* on the date specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2019.

Deputy Clerk

(Attach here the publisher's original affidavit with clipping of the notice, as published.)

September 11, 2019

Brandon Wright
CFO and Assistant City Administrator
City Hall
226 West 4th Street
Davenport, IA 52802-1318

Re: SRF Sewer Revenue Loan and Disbursement Agreement
File No. 629872-87

Dear Brandon:

We have prepared proceedings that may be reviewed at the Committee-of-the-Whole meeting on September 18th and then approved at the September 25th regular City Council meeting, to set October 2nd as the date for a hearing on the proposal to enter into the Sewer Revenue Loan and Disbursement Agreement (the "Agreement") and October 9th as the date for Council adoption of a resolution expressing the Council's intent to enter into the Agreement in the future.

The documents attached include the following items:

1. Resolution fixing the date of public hearing on the Agreement. The form of notice is set out as part of Section 2 of the resolution.
2. Certificate attesting the transcript.
3. Certificate with respect to the establishment of the Sewer Utility and its outstanding debt.
4. Certificate with respect to publication of the notice, to which must be attached the publisher's affidavit of publication with a clipping of the notice as published.

The notice must be published at least once, not less than 4 nor more than 20 days before the meeting date set for the hearing, in the *Quad City Times*. As soon as the notice appears in the newspaper, please have a copy emailed or faxed to me at (515) 283-1060.

Please return one fully executed copy of all completed pages to us as soon as they are available.

Please call me if you have questions.

Yours truly,

Robert E. Josten

cc: Linda Folland
Brian Krup
Tracy Scebold, Iowa Finance Authority

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
9/25/2019

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

Scott Tunnickliff; Hilltop Retrofest/Zeke's Pirate Run; Saturday, September 28, 2019 8:00 a.m. - 10:00 p.m.; Outdoor music/performances, over 50 dBa. [Wards 3 & 5]

Davenport Schools; West Homecoming Parade; Thursday, September 26, 2019 4:00 p.m. - 6:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 1]

Todd Thomas; Progressive Baptist Church Friends and Family Day; 1302 E 12th St; Saturday, September 28, 2019 12:00 p.m. - 3:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Davenport Schools; Central Homecoming Parade; Thursday, October 3, 2019 5:00 p.m. – 7:30 p.m.; See attached information for parade route; Outdoor music/performances, over 50 dBa. [Ward 6]

Matt Madril; Fall Crawl; 2224 Harrison St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Clare Nicholas; Fall Crawl; 2208 N Ripley St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Delbert Todd; Fall Crawl; 1920 N Main St; Saturday, October 5, 2019 12:00 p.m. - 5:00 p.m.; Outdoor music, over 50 dBa. [Ward 5]

Amy Kay; Neighborhood Block Party; Ripley St between W Dover Ct and W Rusholme St; Saturday, October 5, 2019 4:30 p.m. - 7:00 p.m.; Outdoor music, over 50 dBa. [Ward 4]

Davenport Association of Professional Firefighters; Lights and Sirens Parade and Annual Fire Muster; Village of East Davenport; Sunday, October 6, 2019 12:00 p.m. - 4:00 p.m.; Sirens/Outdoor music, over 50 dBa. [Wards 5 & 6]

Village of East Davenport; Christmas in the Village; Friday, December 6, 2019 and Saturday, December 7, 2019 6:00 p.m. - 10:00 p.m.; Outdoor music/fireworks, over 50 dBa. [Wards 5 & 6]

Recommendation:
Pass the Motion.

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

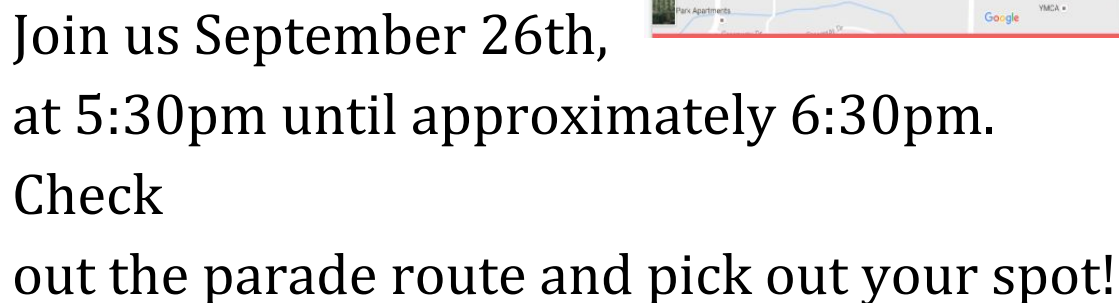
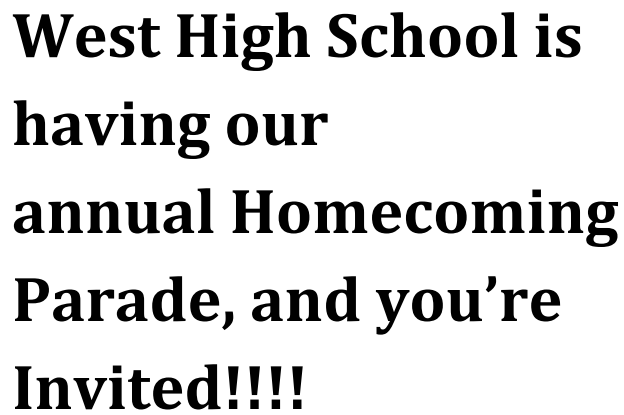
ATTACHMENTS:

Type	Description
▣ Backup Material	West Homecoming Parade Route & Flyer to Neighbors
▣ Backup Material	Central Homecoming Parade Flyer to Neighbors
▣ Backup Material	Fall Crawl Noise Petition 2224 Harrison St
▣ Backup Material	Fall Crawl Noise Petition 2208 N Ripley St
▣ Backup Material	Fall Crawl Noise Petition 1920 N Main St
▣ Backup Material	Kay Block Party Petition

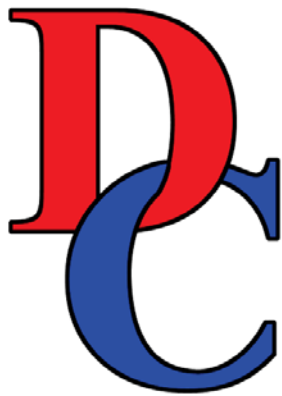
REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/3/2019 - 1:00 PM

Join us September 26th,
at 5:30pm until approximately 6:30pm.
Check out the parade route and pick out your
spot!



Central Homecoming Parade



The Homecoming Parade and Route are set!
In an effort to make the route as safe as possible for our students, we encourage anyone with a residence on our parade route to move any vehicles off of the street on **Thursday, October 3rd, 2019 between 6 - 7pm.**

The route for the parade will be:

- 18th Street going east from McKinley
 - Fernwood south to Forest Rd
 - Forest Rd North to Middle Rd
 - Middle Rd west to Woodland St

We would also love to have you come out and support the Blue Devils along the route, ending with a Pep Rally at McKinley.

Please come out and Enjoy the Festivities!

2224 N Harrison St
Davenport, IA 52803

CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 5th day of October, 20 19, there is proposed an event which will include outdoor music or band, requested by EC Committee team, during the hours of 12:00pm - 5:00pm.

**** 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 (CHECK ONE, PLEASE).**

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
<u>2224 North Harrison St. <i>Travis</i></u>	<u>✓</u>	<u> </u>	<u> </u>
<u><i>WJ</i> 2218 N. Harrison St</u>	<u>✓</u>	<u> </u>	<u> </u>
<u>2208 N. Harrison St</u>	<u>✓</u>	<u> </u>	<u> </u>
<u>2202 N. Harrison St.</u>	<u>✓</u>	<u> </u>	<u> </u>
<u>2228 N. Harrison St. <i>AD</i></u>	<u>✓</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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* If additional space is needed, please attach sheets with additional signatures.

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

 09/11/19
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: bkrup@ci.davenport.ia.us

2208 N Ripley St.
Davenport, IA 52803

CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 5th day of October, 20 19, there is proposed an event which will include outdoor music or band, requested by Fall crawl team, during the hours of 12:00pm - 5:00pm.

**** 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 (CHECK ONE, PLEASE).**

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
<u>Cynthia Long 2214 N Ripley St</u>	☒	☐	☐
<u>Devlin Brooks 2210 N Ripley</u>	☒	☐	☐
<u>DARB OSSOWSKI 2217 Ripley</u>	☒	☐	☐
<u>Morgan Kneger 2211 Scott St</u>	☒	☐	☐
<u>[Signature] 2211 Scott St</u>	☒	☐	☐
<u>Shannon Costigan</u>	☒	☐	☐
<u>Nathaniel Lyer 2219 Scott</u>	☒	☐	☐
<u>Mrs. Stalderberg 2231 Scott</u>	☒	☐	☐
<u>Rhiann Arana 2302 N Ripley St</u>	☒	☐	☐
<u>[Signature] 2350 Audubon St</u>	☒	☐	☐
<u>[Signature] Ashmore 2225 Ripley St</u>	☒	☐	☐
<u>Carey [Signature] 2215 Ripley St</u>	☒	☐	☐
<u>[Signature] 2211 N Ripley St</u>	☒	☐	☐
<u>[Signature] 2207 Scott St</u>	☒	☐	☐

* If additional space is needed, please attach sheets with additional signatures.

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

[Signature] 08-11-19
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: bkrup@ci.davenport.ia.us

2230 Ripley St 6:38 pm

2221 Ripley St. 6:44 pm

2217 Ripley St. 6:45 pm

2222 Ripley St 6:40 pm

2216 Ripley St 6:46 pm

2214 Ripley St. 6:48 pm

2203 Scott St 6:50 pm

↳ No one lives here

CITY OF DAVENPORT

1920 N Main St.
Davenport, IA
52803

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 5th day of October, 20 19, there is proposed an event which will include outdoor music or band, requested by FC Committee team, during the hours of 12:00pm - 5:00pm.

**** 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 (CHECK ONE, PLEASE).**

NAME AND ADDRESS	FAVOR	OPPOSED	NOT CONCERNED
Sandy & Mark Krawoske 1928 N. Main	☒	☐	☐
Joshua Lee 203 W. Locust St.	☒	☐	☐
1918 Main St.	☒	☐	☐
Robert Curtis 1919 Harrison	☒	☐	☐
Captal 1909 Harrison St. Davenport, IA 52803	☒	☐	☐
Joan Schmitt 211 W Pleasant 52803	☒	☐	☐
Anthony Lunkem 1937 N Main St.	☒	☐	☐
Vernice Collins	☒	☐	☐
DR. YONAS Tedla	☒	☐	☐
1918 N Main	☒	☐	☐
	☐	☐	☐
	☐	☐	☐

* If additional space is needed, please attach sheets with additional signatures.

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

Signature of Applicant

Date

Office of the City Clerk
563-326-6163226 West Fourth Street
Davenport, Iowa 52801

Email: bkrup@ci.davenport.ia.us

Petition from neighbors within the affected October 5th, 2019 for a neighborhood block party

Name	Approved	Disapproved	Uninterested	OK with music
Yndell Conditto	yes			yes
Elin Fel	yes			yes
Amelia	x			x
Wendy Bon	X			X
Debra Taylor	X			X
Robertson	X			X
Jeff	yes			ok
Jim Miller	yes			OK
John	yes			yes
John	yes			yes
Sam	yes			yes
Paul	yes			yes

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Sherry Eastman 563-326-7795
Wards:

Action / Date
9/18/2019

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Lumpy's Inc. (Zeke's Island Café) – 1509 N Harrison St. – Outdoor area September 28th, 2019
"Retrofest" – License Type: B Beer

Cathedral Ale (Sacred Heart Cathedral) - 422 E 10th St - Outdoor Area - License Type: B Beer

Ward 4

Wise Guys Pizza/Next Door Pub (PB&B, LLC) - 2720 W Locust St, Unit B-15 - Outdoor Area - License Type: C Liquor

Ward 6

Cabos Cantina and Grill 2 (Cabos Cantina and Grill, LLC) - 5717 Elmore Ave, Suite E - License Type: C Liquor

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

Ward 1

Davenport Elks Lodge #298 (Benevolent And Protective Order Of Elks #298) - 4400 W Central Park Ave - License Type: Class C Liquor

Kwik Shop #583 (Kwik Shop, Inc) - 3129 Rockingham Rd - License Type: Class C Beer

Ward 2

Dhakals LLC (Dhakals LLC) - 3108 W Central Park Ave - License Type: Class E Liquor - C Beer/B Wine

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St - License Type: Class C Liquor

Armored Gardens (Armored Gardens LLC) - 315 Pershing Ave - Outdoor Area License Type: Class C Liquor

German American Heritage Center (German American Heritage Center) - 712 W 2nd St (Fourth Floor Only)- License Type: Special Class C - Beer/ Wine

Radisson (Bucktown Lodging Llc) - 111 E 2nd St - License Type: Class B Liquor

The Diner (The Diner LLC) - 421 West River Drive Suite 6 - Outdoor Area License Type: Class C Liquor

The Renwick Mansion, LLC (The Renwick Mansion, LLC) - 901 Tremont Ave - Outdoor Area License Type: Class C Liquor

Ward 4

Kwik Shop # 593 (Kwik Shop, Inc) - 303 W Locust St - License Type: Class C Beer - B Wine

Kwik Shop #577 (Kwik Shop, Inc) - 1732 Marquette St - License Type: Class C Beer

Ward 5

Locust Street Tavern (Locust Street Tavern, Inc) - 331 East Locust St - License Type: Class C Liquor

Ward 6

Cactus LLC (Cactus LLC) - 2843 East 53rd St - License Type: Class C Liquor

Hy-Vee Fast And Fresh (Hy-Vee, Inc) - 3200 East Kimberly Rd Parking Lot Gas Station - License Type: Class E Liquor - B Wine/C Beer

The Clubhouse (Clubhouse Beverage LLC) - 4800 Elmore Ave Ste 100- Outdoor Area - License Type: Class C Liquor

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Ave - License Type: Class C Liquor

Ward 7

CASI (Center For Active Seniors, Inc) - 1035 W Kimberly Rd - Outdoor Area License Type: Beer/Wine

Kwik Shop #586 (Kwik Shop, Inc) - 201 W 53rd St - License Type: Class C Beer

Kwik Shop #587 (Kwik Shop, Inc) - 1670 W Kimberly Rd - License Type: Class C Beer

Tantra Asian Bistro (Zhangs Trading Inc) - 589 E 53rd St - Outdoor Area License Type: Class C Liquor

Recommendation:

Pass the Motion.

Background:

The following applications have been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	9/13/2019 - 10:00 AM

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Art Bartleson 563-327-5114
Wards:

Action / Date
9/18/2019

Subject:
Motion awarding a blanket contract for the purchase of calcium chloride to Sicalco, Ltd of Hinsdale, IL. [All Wards]

Recommendation:
Pass the Motion.

Background:
An Invitation to Bid was issued on August 6, 2019 and was sent to 300 vendors. On August 28, 2019 the Purchasing Division received and opened two responsive and responsible bids.

The City has a requirement for 32% solution liquid calcium chloride to be delivered to two locations for the upcoming winter season. The estimated quantity is +/- 50,000 gallons depending on weather.

Funding for this purchase is from Road Use Tax.

ATTACHMENTS:

Type	Description
▢ Backup Material	PW_MOT_Calcium Chloride Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	9/12/2019 - 3:44 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: CALCIUM CHLORIDE 2019-20

BID NUMBER: 20-21

OPENING DATE: AUGUST 28, 2019

GL ACCOUNT NUMBER: 54702031 520217

RECOMMENDATION: AWARD THE CONTRACT TO SICALCO, LTD. OF
HINSDALE, IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Sicalco, Ltd. of Hinsdale, IL	\$0.64/gal
Ossian, Inc. of Davenport, IA	\$0.85/gal

Approved By Caitlyn Garner 9/9/19
Purchasing Date

Approved By Nicole Gleason 9/9/19
PW Director Date

Approved By Mark J. Murray 9/10/19
Budget/CIP Date

Approved By Janet Stollard 9-10-19
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Art Bartleson 563-327-5114
Wards:

Action / Date
9/18/2019

Subject:
Motion awarding a blanket contract for the purchase of anti-icing chemicals from Ossian, Inc of Davenport, IA. [All Wards]

Recommendation:
Pass the Motion.

Background:
An Invitation to Bid was issued on August 6, 2019 and was sent to 375 vendors. On August 27, 2019 the Purchasing Division received and opened two responsive and responsible bids.

The City has a requirement for beet-based liquids for anti-icing and pre-treatment of roadways for the upcoming winter season. The estimated quantity is 10,000 to 50,000 gallons depending on weather.

Funding for this purchase is from Road Use Tax.

ATTACHMENTS:

Type	Description
□ Backup Material	PW_MOT_Anti-Icing Chemicals Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/11/2019 - 10:27 AM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 10:27 AM
City Clerk	Admin, Default	Approved	9/11/2019 - 12:07 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ANTI-ICING CHEMICALS 2019-20

BID NUMBER: 20-22

OPENING DATE: AUGUST 27, 2019

GL ACCOUNT NUMBER: 54702031 520217

RECOMMENDATION: AWARD THE CONTRACT TO OSSIAN, INC. OF
DAVENPORT, IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Ossian, Inc. of Davenport, IA	\$1.40/gal
SNI Solution, Inc. of Geneseo, IL	\$1.75/gal.

Approved By Caitlyn Damer 9/9/19
Purchasing Date

Approved By Nicole Gleason 9/9/19
PW Director Date

Approved By Meghan J. Murray 9/10/19
Budget/CIP Date

Approved By Linda Stollard 9-10-19
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Ron Hocker 563-327-5169
Wards:

Action / Date
9/18/2019

Subject:
Motion awarding the contract for the FY20 Root Control Program to Duke's Root Control of Syracuse, NY for an amount not-to-exceed \$50,000. [All Wards]

Recommendation:
Pass the Motion.

Background:
On August 16, 2019, an Invitation to Bid was issued and sent to 17 vendors. The Purchasing Division opened and read one responsive and responsible bid on August 30, 2019. See bid tab attached.

Duke's Root Control Inc has had this contract in the past and has performed satisfactorily.

The purpose of this program is to apply a chemical root control agent to sanitary sewers in order to kill the root growth present in the main lines and the first several feet of the sewer laterals. Tree root intrusion into sewer systems is a primary cause of blockages and can also lead to structural deterioration and failures of the pipes. Chemical applied root control measures also inhibit re-growth without permanently damaging the existing trees.

The term of the initial contract will be for one year, with the City maintaining separate options for a second and third year. The program will be managed by the Sewers Division.

Funds for the FY20 Root Control Program are budgeted in the Sanitary Sewer Operational Fund at \$50,000.

ATTACHMENTS:

Type	Description
▯ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/11/2019 - 10:28 AM
Public Works Committee	Lechvar, Gina	Approved	9/11/2019 - 10:51 AM
City Clerk	Admin, Default	Approved	9/11/2019 - 12:10 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ROOT CONTROL SYSTEM PROGRAM

BID NUMBER: 20-27

OPENING DATE: AUGUST 30, 2019

GL ACCOUNT NUMBER: 51102060 520217 SEWER MAINTENANCE

RECOMMENDATION: AWARD THE CONTRACT TO DUKE'S ROOT CONTROL
INC OF SYRACUSE NY

<u>VENDOR NAME</u>	<u>LOCATION</u>
Duke's Root Control Inc.	Syracuse NY

Approved By <u><i>Justin Keller</i></u>	<u>9-10-19</u>
Purchasing	Date

Approved By <u><i>Nicole Gleason</i></u>	<u>9/9/19</u>
PW Director	Date

Approved By <u><i>Myra J. Muey</i></u>	<u>9/10/19</u>
Budget/CIP	Date

Approved By <u><i>Linda Stolland</i></u>	<u>9-10-19</u>
Assistant Finance Director	Date

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Bruce Berger 563-328-7769
Wards:

Action / Date
9/18/2019

Subject:
Motion awarding a contract for the Housing Needs Assessment to Western Economic Services LLC of Portland, OR in an amount not-to-exceed \$60,000. [All Wards]

Recommendation:
Pass the Motion.

Background:
A Request for Proposals was issued on June 18, 2019 and sent to consulting firms. On July 16, 2019, the Purchasing Division opened and read four proposal responses.

The purpose of this contract is to hire a consulting firm to complete an update to the Housing Need Assessment Plan. This plan is required by HUD for all entitlement recipients. Davenport will be collaborating with the cities of Moline and Rock Island.

The evaluation committee consisted of staff from all three cities. The evaluation criteria used was: 1) Ability, Experience, Qualifications, Expertise of personnel assigned to the City's account, 2) Service Provider's demonstrated proposal and expertise in performing the services required, 3) Ability to complete the project in a reasonable time frame at a reasonable cost, 4) Scope of Services, understanding of required service and methodology, 5) References, 6) Clarity of Presentation. Western Economic Services LLC scored the highest and can best fit the needs of this RFP.

Funding for this is from the Community Development Block Grant account #54551043 520217 BG100. An intergovernmental agreement has been signed by all three cities (approved by Davenport City Council on 6/12/19). The cost will be split evenly three ways.

ATTACHMENTS:

Type	Description
□ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	9/13/2019 - 1:01 PM

CITY OF DAVENPORT, IOWA
PROPOSAL TABULATION

DESCRIPTION: HOUSING NEEDS ASSESSMENT

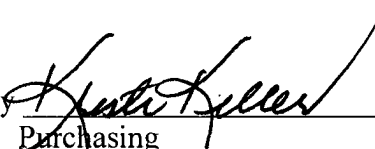
BID NUMBER: 19-129

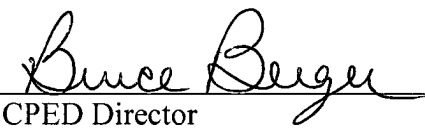
OPENING DATE: JULY 16, 2019

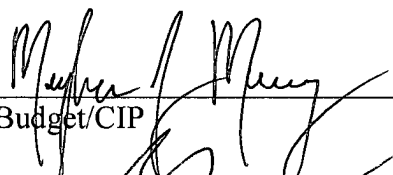
GL ACCOUNT NUMBER: 54551043 520217 BG100

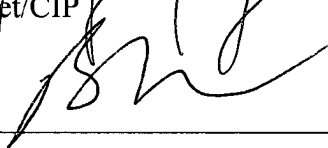
RECOMMENDATION: AWARD THE CONTRACT TO WESTERN ECONOMIC
SERVICES LLC OF PORTLAND OR

<u>VENDOR NAME</u>	<u>LOCATION</u>
Western Economic Services LLC	PORTLAND OR
Bowen National Research RDG Planning & Design RKG Associates	Pickerington OH Des Moines IA Alexandria VA

Approved By  _____
Purchasing

Approved By  _____
CPED Director

Approved By  _____
Budget/CIP

Approved By  _____
CFO