

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, August 2, 2023; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED JULY 31, 2023

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for Case REZ23-02 being the request of RIVALDD Farms, Inc to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]
2. Public Hearing for Case ROW23-03 being the request of William Taylor to vacate approximately 101 feet of unimproved right-of-way of Emerald Drive in Crystal Creek 8th Addition. [Ward 1]

VII. Petitions and Communications from Council Members and the Mayor

VIII. Action items for Discussion

COMMUNITY DEVELOPMENT

Kyle Gripp, Chair; Judith Lee, Vice Chair

I. COMMUNITY DEVELOPMENT

1. First Consideration: Ordinance for Case REZ23-02 being the request of RIVALDD Farms, Inc to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]
2. First Consideration: Ordinance for Case ROW23-03 being the request of William Taylor to vacate approximately 101 feet of unimproved right-of-way of Emerald Drive in Crystal Creek 8th Addition [Ward 1]
3. Resolution approving Case F23-02 being the request of Payne Properties LLC for a final plat of Payne Properties Subdivision, a 2-lot subdivision on 1.7 acres located at 1814 East Locust Street. [Ward 5]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Maria Dickmann, Vice Chair

III. PUBLIC SAFETY

1. Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding East Lombard Street along the frontages of 2337, 2342, 2343, and 2347 East Lombard Street thereto. [Ward 5]
2. Resolution approving street, lane, or public ground closures on the listed dates and times for outdoor events.

Teri Logan; Thornwood Good Neighbor Picnic; 1018 North Thornwood Avenue; 2:00 p.m. - 8:00 p.m. Saturday, August 12, 2023; **Closure:** North Thornwood Avenue from North Lincoln Avenue to W Stubbs Lane. [Ward 3]

Heather Davis; Arlington Avenue Chili Cookoff Block Party; 3114 Arlington Avenue; 1:00 p.m. - 7:00 p.m. Saturday, September 9, 2023; **Closure:** Arlington Avenue from East 30th Street to the end of Arlington Circle; East 32nd Street between the north-south alleys east and west of Arlington Avenue. [Ward 5]

Coffee House; Party on the Patio Music Festival; 1315 Jersey Ridge Road; 10:00 a.m. - 9:00 p.m. Saturday, September 16, 2023; **Closure:** Busch Avenue from Middle Road south to just past 1315 Jersey Ridge Road. [Ward 5]

Angie Logan; Cresthill Drive Block Party; 7019 Cresthill Drive; 5:00 p.m. - 10:00 p.m. Saturday, September 23, 2023; **Closure:** Cresthill Drive from Silver Creek Drive to Brookview Lane. [Ward 8]

Sweet Delite Ice Cream; Car Show Cruise In; 1901 West 4th Street; 3:00 p.m. - 9:00 p.m. Saturday, September 30, 2023; **Closure:** North Howell Street from West 3rd Street to West 4th Street. [Ward 3]

Scott County Family Y; 37th Annual Turkey Trot; 630 East 4th Street; Thursday, November 23, 2023; **Closures:** 3:00 a.m. - 11:00 a.m. 4th Street from River Drive to Main Street; 7:30 a.m. - 10:30 a.m. Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]

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

Heather Davis; Arlington Avenue Chili Cookoff Block Party; 3114 Arlington Avenue; 2:00 p.m. - 7:00 p.m. Saturday, September 9, 2023; Outdoor music, over 50 dBA. [Ward 5]

Angie Logan; Cresthill Drive Block Party; 7019 Cresthill Drive; 5:00 p.m. - 9:00 p.m. Saturday, September 23, 2023; Outdoor music, over 50 dBA. [Ward 8]

Coffee House; Party on the Patio Music Festival; 1315 Jersey Ridge Road; 6:00 p.m. - 9:00 p.m. Friday, September 15, 2023; 10:00 a.m. - 9:00 p.m. Saturday, September 16, 2023; and 5:00 p.m. - 8:00 p.m. Sunday, September 17, 2023; Outdoor acoustic music/bands, over 50 dBA. [Ward 5]

Sweet Delite Ice Cream; Car Show Cruise In; 1901 West 4th Street; 3:00 p.m. - 9:00 p.m. Saturday, September 30, 2023; Outdoor music, over 50 dBA. [Ward 3]

4. Motion approving beer and liquor license applications.

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

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1005 Main Street - Temporary Event with Outdoor Area September 13-16 - License Type: Special Class C Beer/Wine (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1001 North Brady Street - Temporary Event with Outdoor Area September 13-16 - License Type: Special Class C Beer/Wine (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1000 North Brady Street - Temporary Event with Outdoor Area September 13-16 - License Type: Special Class C Beer/Wine (On-Premises)

RiverCenter/Adler Theatre (VenuWorks of Davenport, LLC) - 136 East 3rd Street - Extended Outdoor Area August 18-19 - License Type: Class C Liquor (On-Premises)

Stompbox Brewing (JPX2ME, LLC) - 210 East River Drive #101 - Extended Outdoor Area August 18-20 - License Type: Class C Liquor (On-Premises)

Ward 6

The Coffee House QC (Area 309 Coffee, LLC) - 1315 Jersey Ridge Road - License Type: Special Class C Beer/Wine (On-Premises)

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

Ward 3

Mary's on 2nd (Birdland, Inc) - 832 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 7

Corny Beer Store, LLC (Corny Beer Store, LLC) - 5220 Grand Avenue - License Type: Class C Beer (Carry-Out)

Ward 8

Hawkeye Sports Bar & Grill (Ortiz Holdings, LLC) - 4646 Cheyenne Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Tim Kelly, Vice Chair

V. PUBLIC WORKS

1. Second Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" of the Municipal Code of Davenport, Iowa by amending various sections thereto by updating acceptable software programs utilized for stormwater calculations, providing clarification on easement verbiage, aligning the fee schedule with other Municipal Code chapters, removing outdated sections, and outlining bonding procedures for landscaping and vegetation. [All Wards]
2. Resolution accepting work completed under the Silver Creek (West of Wisconsin Avenue) Stabilization project by Rittmer, Inc of DeWitt, Iowa in the amount of \$288,435.98, CIP #33041. [Ward 2]
3. Resolution accepting work completed under the Northwest Boulevard at North Division Street Left Turn Lanes project by Langman Construction Inc of Rock Island, Illinois in the amount of \$453,818.03, CIP #38009. [Ward 8]
4. Resolution awarding a contract for Engine #1 overhaul at the Water Pollution Control Plant to Altorfer, Inc of Davenport, Iowa in an amount not to exceed \$151,333. [Ward 1]
5. Resolution awarding a contract for the Duck Creek Trail Mill and Overlay project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$211,804.77, CIP #28030. [Ward 7]
6. Resolution awarding a contract for the Warren Street Storm Sewer Improvements project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$311,891.40, CIP #33016. [Ward 3]
7. Resolution awarding a contract for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project to Langman Construction, Inc of Rock Island, Illinois, in the amount of \$576,682.96, CIP #35062. [Ward 1]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

JJ Condon, Chair; Derek Cornette, Vice Chair

VII. FINANCE

1. Resolution approving a five-year purchase of police enterprise software and technology from Axon Enterprise, Inc of Scottsdale, Arizona in the amount of \$2,051,000.52. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. Davenport Electric Contract Co | supply shore to emergency vehicles at 324 Main Street | Amount: \$10,261.27
2. Library Ideas | software renewal | Amount: \$11,191
3. Target Solutions LLC | training software renewal | Amount: \$12,196.70
4. JustFOIA Inc | software renewal | Amount: \$12,981.06
5. International Business Information Technologies | LEFTA software renewal | Amount: \$13,000
6. Traffic & Parking Control Inc | speed awareness signs | Amount: \$17,549.84
7. Magnet Forensics USA, Inc | software renewal | Amount: \$17,795.83
8. CCG Safety Gear LLC | 25 ballistic vests | Amount: \$18,250
9. Vermeer Sales & Service Inc | replacement parts for E611 | Amount: \$18,365.78
10. Snyder & Associates Inc | design services for South Clark Street | Amount: \$18,400
11. MRI Software Company | Assisted Housing software renewal | Amount: \$21,358.08
12. Axon Enterprise Inc | body, vehicle, interview room video capture products | Amount: \$23,000
13. Midwest Underground Supply, LLC | trailer for Natural Resources | Amount: \$39,485
14. Rehrig Pacific Co Inc | garbage carts | Amount: \$42,098.53

X. Other Ordinances, Resolutions and Motions

XI. Public with Business

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

Please state your name and ward for the record. There is a three (3) minute time limit. Please end your comments promptly.

XII. Reports of City Officials

XIII. Adjourn

City of Davenport

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

Action / Date
8/2/2023

Subject:

Public Hearing for Case REZ23-02 being the request of RIVALDD Farms, Inc to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Recommendation:

Hold the Hearing.

Background:

The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The combined area of the rezoning request is 231.26 acres. At its July 18, 2023 meeting, the Plan and Zoning Commission recommended Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listing findings. The vote was 8 in favor and 0 opposed.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

The staff report from the July 18, 2023 Plan and Zoning Commission meeting is attached.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Staff Report - P&Z 7-18-23
▣ Backup Material	Zoning & Future Land Use Map
▣ Backup Material	Application
▣ Backup Material	Public Hearing Notice P&Z
▣ Backup Material	Public Hearing Notice COW
▣ Backup Material	Protest Petition-13860 Slopertown Rd

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 11:41 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ23-01 BEING THE REQUEST OF RIVALDD FARMS, INC TO REZONE APPROXIMATELY 231.26 ACRES OF LAND LOCATED SOUTH OF SLOPERTOWN ROAD AND WEST OF HILLANDALE ROAD FROM S-AG AGRICULTURAL DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT.

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

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

Parcel #932907002:

The Northeast Quarter of the Northeast Quarter of Section 29, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa, lying South of Slopertown Road. (17.53 Acres)

Parcel #932923001:

The Southeast Quarter of the Northeast Quarter of Section 29, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa. (41 Acres)

Parcel #932939001:

The Northeast Quarter of the Southeast Quarter of Section 29, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa. (40.77 Acres)

Parcel #932833001:

The Northwest Quarter of the Southwest Quarter of Section 28, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa. (40.3 Acres)

Parcel #932817002:

The West Half of the Northwest Quarter of Section 28, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa, lying South of Slopertown Road. (42.75 Acres)

Parcel #932821007:

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

Parcel #932837002:

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

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Section 3. At its July 18, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-02 to the City Council with a recommendation for approval subject to the listed findings.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan and Zoning Commission-Staff Report
July 18, 2023

Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Background:

The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The combined area of the rezoning request is 231.26 acres.

Why is a Zoning Map Amendment Required?

The land is currently being used for agriculture, but is being marketed as a shovel-ready site suitable for industrial development. This is part of an overall strategy to promote industrial development north of Interstate-80. The owner intends to continue farming the land until the property can be sold.

Comprehensive Plan:

The City of Davenport initiated an amendment to the Future Land Use Map to better prepare for future development of this substantial growth area. At its June 6, 2023 meeting, the Plan and Zoning Commission forwarded a recommendation to City Council amending the subject properties from Urban Fringe to Industry. In addition, the Urban Service Boundary was recommended to extend north to Slopertown Road.

City Council approved this map amendment at its June 28, 2023 meeting.

Future Land Use Designation:

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

Zoning:

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

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

Technical Review:

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

Approval Standards for Map Amendments (Chapter 17.14.040)

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

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

Staff Response: As a result of voluntary annexations, the City of Davenport has expanded its corporate limits to Slopertown Road. To better prepare for future growth, the City initiated an amendment to the Future Land Use Map.

At its June 6, 2023 meeting, the Plan and Zoning Commission forwarded a recommendation to City Council amending the subject properties from Urban Fringe to Industry. In addition, the Urban Service Boundary was recommended to extend north to Slopertown Road. City Council approved this map amendment at its June 28, 2023 meeting.

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

b. The compatibility with the zoning of nearby property.

Staff Response: The surrounding land north of Interstate-80 is zoned I-1 Light Industrial District. The only exception is the 25.84 acre property at the southwest corner of Slopertown Road and Hillandale Road. Similar to the subject property, this tract of land was recently annexed into the City in 2022 and zoned S-AG Agricultural District.

Despite being largely undeveloped, the adjacent properties are being marketed as shovel-ready sites suitable for industrial development.

The Zoning Ordinance does not factor adjacent jurisdiction's zoning classifications when determining compatibility. However, the abutting land in the City of Eldridge is zoned SA-Suburban Agriculture District. Scott County classifies the surrounding property as Ag-Preservation District.

It is staff's opinion the proposed zoning amendment to I-1 Light Industrial District is compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character south of Slopertown Road, within City limits, consists of developed industrial properties as well as land planted in row crops. Large manufacturing facilities include Fair Oaks Foods, Kraft Heinz, and Sterilite Corporation.

This 231.26 acre tract of land is currently used for farming. There are no structures on the subject property. However, the owner is marketing the site for future industrial development. Staff anticipate the land will continue to be farmed until the land is sold for development.

It is staff's opinion the proposed zoning district is compatible with the established neighborhood character.

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

Staff Response: Permitted principal uses in the I-1 Light Industrial District consist of light manufacturing, fabricating, processing, distributing, and warehousing. The Zoning Ordinance requires businesses to be enclosed, low-intensity uses that have minimal, if any, outside impacts.

The industrial district dimensional standards regulate building height and setbacks to mitigate any negative impacts onto adjacent properties. There are also façade, roof, and site design standards in City Code that applies to new development.

To date, a potential industrial use has not been identified for the site. However, staff believe the existing zoning requirements will ensure new development complies with City standards.

Given the vast acreage of the subject property, staff anticipate the land being further subdivided to facilitate orderly development. The Plan and Zoning Commission will have additional opportunities to address street connectivity and impacts to the regional transportation network.

It is staff's opinion that the proposed zoning map amendment will promote the public health, safety, and welfare of the City.

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

Staff Response: The City of Davenport has processed three voluntary annexation petitions from 2022-2023. The subject property is approximately 231.26 acres located south of Slopertown Road, adjacent to Hillandale Road. Upon annexation, land is zoned S-AG Agricultural District, which is intended to address existing agricultural land uses.

The land is currently being used for agriculture, but is being marketed as a shovel-ready site suitable for industrial development. This is part of an overall strategy to promote industrial development north of Interstate-80. A rezoning to a light industrial district will enable the property to be built-out at a scale more aligned with the surrounding industrial park.

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

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

Staff Response: The undeveloped site is currently being used for farming. If rezoned to an industrial district, the agricultural use will be considered nonconforming until the site is subdivided and developed. In addition, there are no structures on the subject property.

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

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

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the June 20, 2023 Plan and Zoning Commission Public Hearing. The property owner at 13860 Slopertown Road spoke at the public hearing in opposition to the request. She cited the following concerns: preservation of productive agricultural land, traffic impacts, and noise pollution caused by potential industrial development.

Staff received a comment from an abutting property owner located at the southwest corner of Slopertown Road and Hillandale Road. The owner expressed interest in also rezoning their farmland from S-AG Agricultural District to I-1 Light Industrial District for the same purposes.

Staff will apprise the Commission of any additional correspondence at the July 18, 2023 Plan and Zoning Commission meeting.

Staff Recommendation:

Staff recommends Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

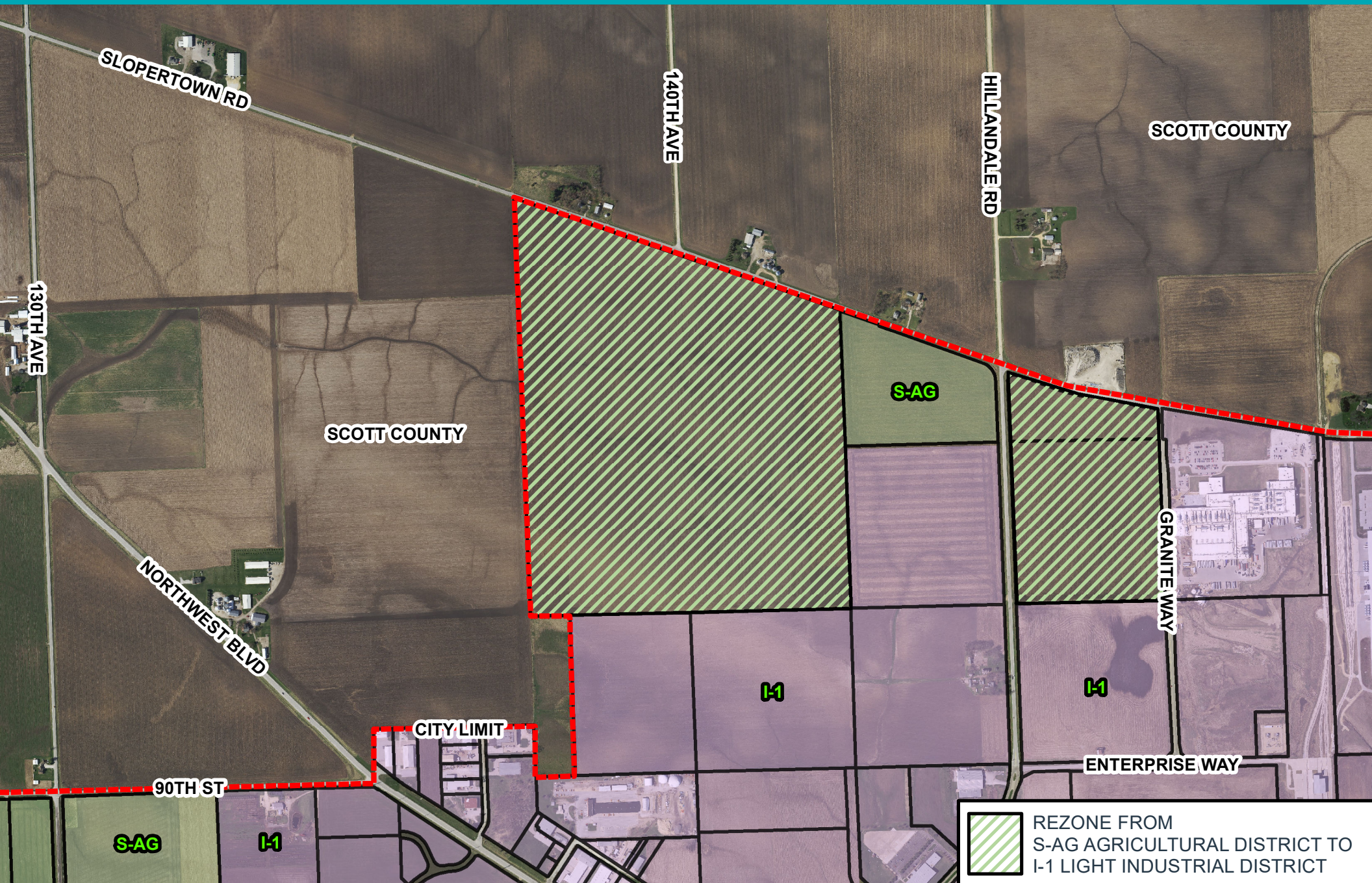
Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.
6. A fence and landscaping shall be installed along the W. Pleasant Street right-of-way line between the north south alley and N. Division Street.



THE CITY OF
DAVENPORT
IOWA | USA

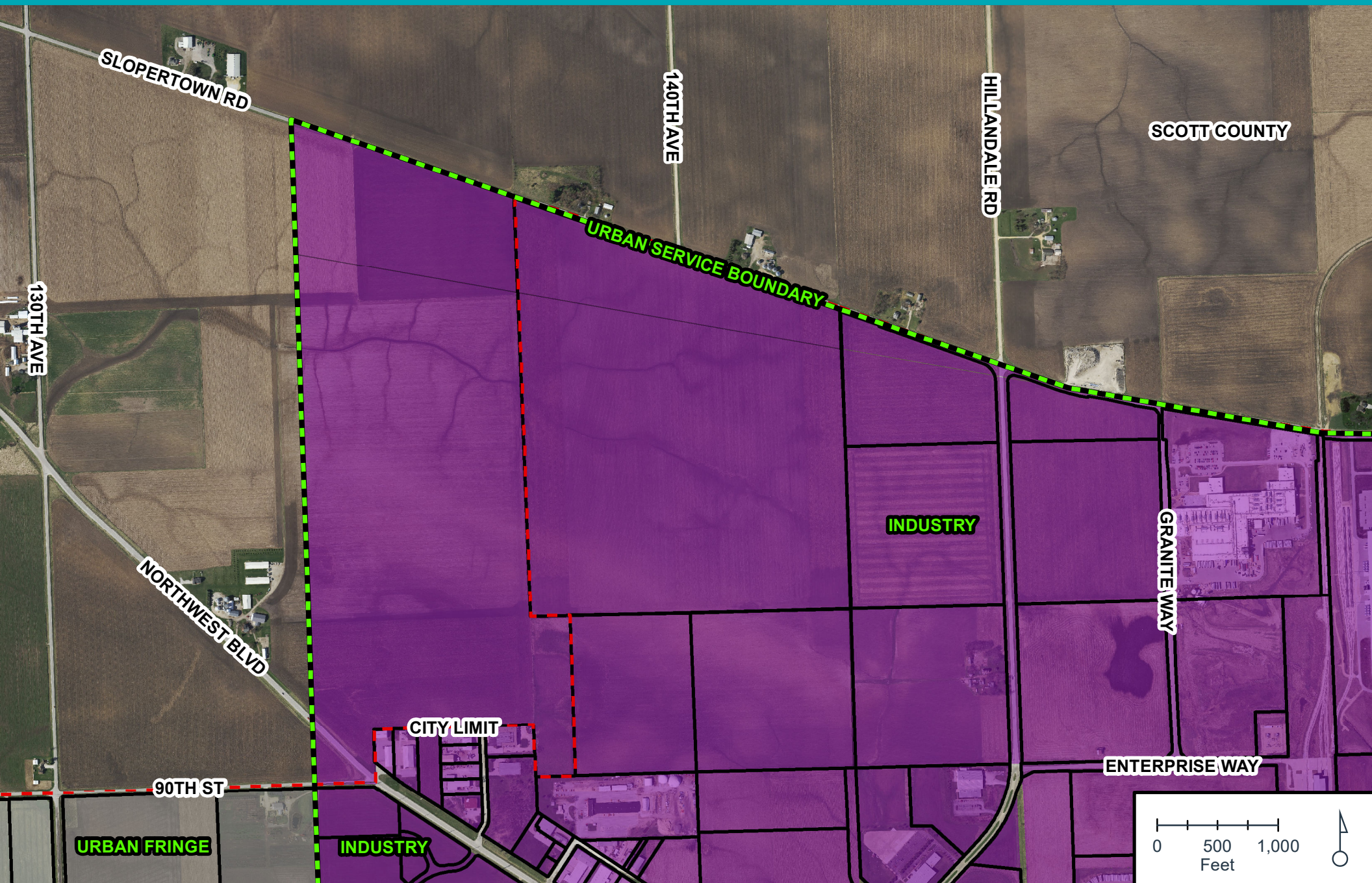
ZONING MAP: CASE REZ23-02

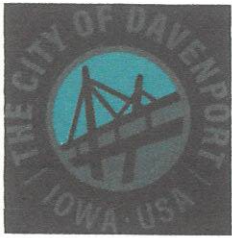




THE CITY OF
DAVENPORT
IOWA | USA

DAVENPORT +2035 FUTURE LAND USE MAP





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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
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PROJECT TITLE

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION

See Attached

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	A9.	I-1	230.26A.

COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED

Concept/Development Plan ☐

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

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

Legal Description Dimensioned Sketch ☐

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

Rezoning Fee Schedule

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

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

PROJECT NARRATIVE: (submit separate sheet if needed)

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

APPLICANT INFORMATION

Applicant Name
RIVALDO FARMS Inc.

Address
1310 Wisconsin Ave.

City | State | Zip
Davenport, Iowa 52804

Phone
(563) 579-7282

Secondary Phone

E-Mail Address
RIVALDO FARMS@Icloud.com

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

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

Dennis R. KAY Pres.

Type Applicant's Name
Applicant's Signature
Date 05/19/2023

DEVELOPMENT TEAM

Property Owner
S/A

Address

Phone
Secondary Phone

E-Mail Address

Project Manager/Other
S/A

Address

Phone
Secondary Phone

E-Mail Address

Property South of Slopertown -
West of Hillandale Rd.

+/- 16.35 Acres / Parcel ID 932907002 (Partial)

40 Acres / Parcel ID 932923001

40 Acres / Parcel ID 932939001

40 Acres / Parcel ID 932833001

45 Acres / Parcel ID 932817002

+/- 181.35 Total Acres at 0 Slopertown Rd.
Davenport, Iowa (Exhibit
Attached)

Property South of Stoper Town Rd
East of Hillandale R.d.

48.91 Acres Parcel # 932821007
Parcel # 932837002



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject properties located south of Slopertown Road and west of Hillandale Road.

Plan & Zoning Commission Public Hearing Meeting

Date: 6/20/2023

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development.

Request/Case Description

Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on June 20, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on July 18, 2023. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

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

Do You Have Any Questions?

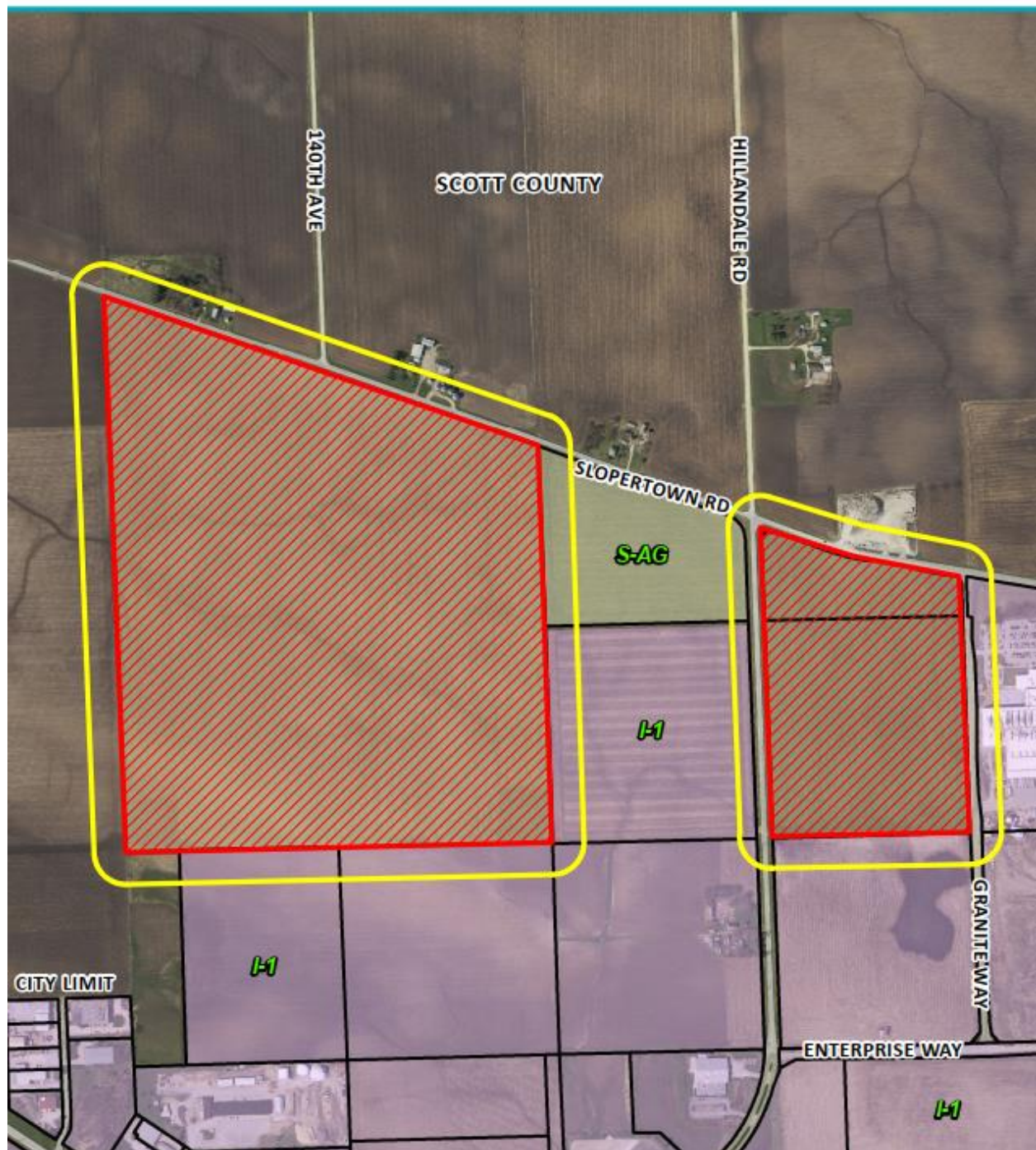
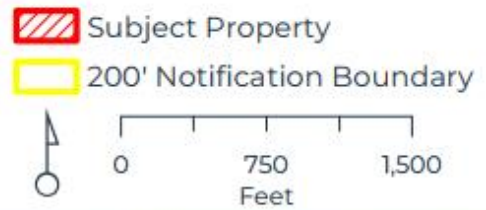
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Rezoning Request | Public Hearing Notice

Case REZ23-02:

Rezone from S-AG Agricultural District to
I-1 Light Industrial District





PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

To: All property owners within 200 feet of the subject properties located south of Slopertown Road and west of Hillandale Road.

SAMPLE

Committee of the Whole Public Hearing Meeting

Date: 8/2/2023

Time: 5:30 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development.

Request/Case Description

Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Plan and Zoning Commission Action:

At its July 18, 2023 meeting, the Plan and Zoning Commission recommended Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

What are the next steps?

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, August 2, 2023 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would you like to submit an official comment?

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

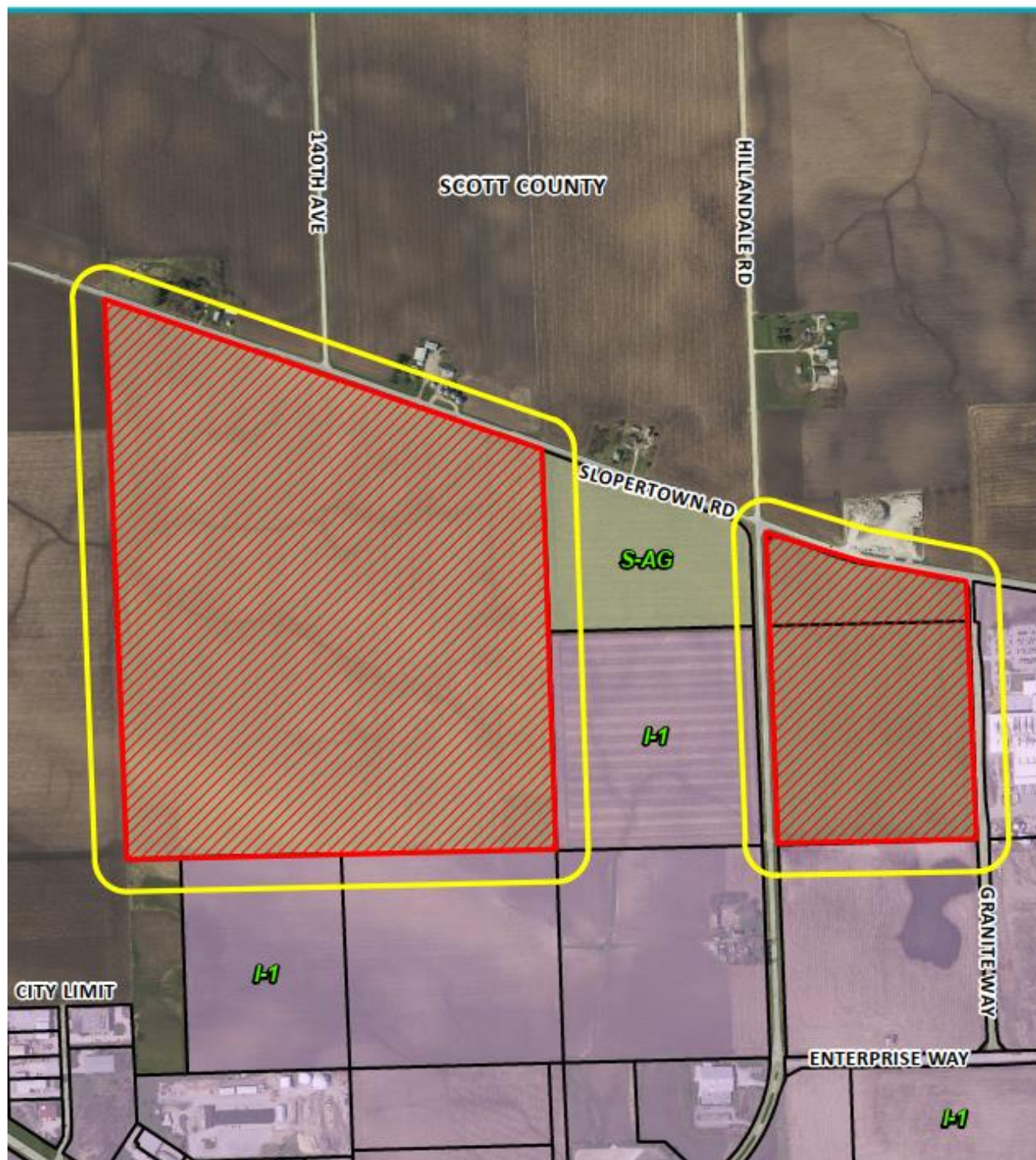
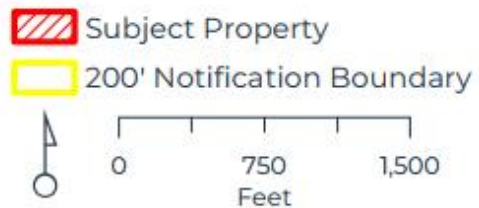
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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

Rezoning Request | Public Hearing Notice

Case REZ23-02:

Rezone from S-AG Agricultural District to
I-1 Light Industrial District



LETTER OF OPPOSITION
Case REZ23-02

Valerie Widmeyer
723 Grant St.,
Bettendorf, IA 52720

July 17, 2023

Dear Planning and Zoning Commission:

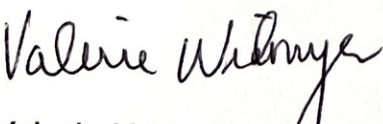
Hello. I am writing this letter in opposition to the rezoning of this land to light industrial. My husband and I own 13860 Slopertown Rd, the home and 6 acres to the north of this land and west of 140th Ave. This property has been in my family since 1875 and we are in the process of renovating for our family to live there. Half of the land in question was purchased from my grandparent's estate after their death in 2003. It was a Century Farm, zoned as Agricultural Preservation and hoped it would stay that way. I realize we no longer own this land and have no say on what happens to it. I also know that this is already in the works and it doesn't matter what I say, but I want to make our concerns known in hopes that you can limit the disturbance to our future home and the other properties that border it.

Other than losing more beautiful, rich Iowa farmland for an already large industrial park, our two biggest concerns are traffic and noise. As far as traffic, we hope that access for any future businesses will come from extending Research Parkway from Hillandale Rd. and will not have any access onto Slopertown Rd, especially if there are businesses with semi trucks coming in and out.

As far as noise, we're concerned about businesses that will be open 24 hours a day, have trucks that are loading/unloading, or if there is access to Slopertown Rd. where these vehicles will be leaving and entering the park. That will create noise at all hours and be a big nuisance not only for us but for the homes on the east and west of us.

Thank you for giving me the opportunity to hear our concerns on this matter. We ask that you do not let this rezoning move forward and please preserve this farmland. Thank you.

Sincerely,


Valerie Widmeyer

City of Davenport

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

Action / Date
8/2/2023

Subject:

Public Hearing for Case ROW23-03 being the request of William Taylor to vacate approximately 101 feet of unimproved right-of-way of Emerald Drive in Crystal Creek 8th Addition. [Ward 1]

Recommendation:

Hold the Hearing.

Background:

The petitioner has requested a vacation of the unimproved Emerald Drive right-of-way, located north of West 30th Street. No properties utilize the subject right-of-way for access. A legal description has been submitted by the applicant. The area to be vacated is approximately 5,060 square feet (.12 acres).

Vacating the right-of-way is connected to a proposed final plat of Crystal Creek Ninth Addition. This plat will not move forward until City Council has acted upon the vacation. The owner intends to subdivide the properties to the north into four residential lots. Vacating the unimproved Emerald Drive right-of-way will better facilitate development of the site. Once vacated, access to each lot will be provided through a 20-foot access and utility easement.

The City Plan and Zoning Commission reviewed Case ROW23-03 at its July 18, 2023 meeting and has recommended approval, subject to the listed findings and conditions:

Findings:

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

Conditions:

1. Vacating the public right-of-way is contingent upon the approval of a final plat.
2. No more than four lots shall be platted north of Emerald Drive.
3. All existing utilities located in the right-of-way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.

The staff report from the July 18, 2023 Plan and Zoning Commission meeting is attached.

ATTACHMENTS:

Type	Description
▢ Ordinance	Ordinance
▢ Backup Material	Staff Report - P&Z 7-18-23
▢ Backup Material	Application
▢ Backup Material	Maps-Vicinity, Zoning, & Future Land Use
▢ Backup Material	Final Plat-Crystal Creek 9th Addition
▢ Backup Material	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 11:57 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW23-03 BEING THE REQUEST OF WILLIAM TAYLOR TO VACATE APPROXIMATELY 101 FEET OF UNIMPROVED RIGHT-OF-WAY OF EMERALD DRIVE IN CRYSTAL CREEK 8TH ADDITION.

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

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

The 101.20 feet of Emerald Drive as dedicated as public right-of-way in Crystal Creek 8th Addition, in the City of Davenport, County of Scott, State of Iowa. The above-described area contains 5,060 square feet, more or less.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan and Zoning Commission-Staff Report
July 18, 2023

Case ROW23-03: Request of William Taylor to vacate unimproved right-of-way on Emerald Drive [Ward 1]

Background:

The petitioner has requested a vacation of the unimproved Emerald Drive right-of-way, located north of West 30th Street. No properties utilize the subject right-of-way for access.

Vacating the right-of-way is connected to a proposed Final Plat of Crystal Creek Ninth Addition. This plat will not move forward until City Council has acted upon the vacation. The owner intends to subdivide the properties to the north into four residential lots. Vacating the unimproved Emerald Drive right-of-way will better facilitate development of the site. Once vacated, access to each lot will be provided through a 20 foot access and utility easement.

A legal description has been submitted by the applicant. The area to be vacated is approximately 5,060 square feet (.12 acres).

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

1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners. (No Plan and Zoning Commission action is required.)

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Abutting Future Land Use Designation:

The abutting properties are designated Residential General and Parks and Recreation in the Davenport +2035 Future Land Use Map.

1. **Residential General (RG)** - Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.
2. **Parks and Recreation (PR)** - Designates major developed parks, recreation areas, golf courses, cemeteries, etc. Park or recreation properties can be located in any zoning district. Smaller parks may not appear on the map because of the more general nature and scale of the map. But, it is implied in Residential General (RG) that small neighborhood parks are included.

Abutting Zoning:

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

Technical Review:

The following technical review comments were received from City Departments and Utility Companies:

- Streets: If vacated, Emerald Drive will terminate at its existing location. The property owner intends to further subdivide the land north of the subject right-of-way into four single-family lots. Access to each lot will be provided via a private driveway connecting to the Emerald Drive stub. Currently, no developed properties require the right-of-way for access. If more than four lots are proposed during a subdivision, a street will be required to be constructed and dedicated prior to development.
- Natural Resources/Storm Water: No issues with the proposed vacation. Stormwater management may be required upon future development of the site.
- Sanitary Sewer: There is no sewer infrastructure within the subject right-of-way. Future residential development north of Emerald Drive will be served by private septic systems. Structures located more than 200 feet from a sanitary main are not required to connect.
- Iowa American Water Company: Water service will be provided by private well systems.
- Other Utilities: There are no utilities within the subject right-of-way.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the June 20, 2023 Plan and Zoning Commission Public Hearing.

To date, staff have not received any comments from abutting property owners. Staff will apprise the Commission of any additional correspondence at the July 18, 2023 Plan and Zoning Commission meeting.

Staff Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way on Emerald Drive in Case ROW23-03 to the City Council with a recommendation for approval, subject to the following conditions:

Findings:

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

Conditions:

1. Vacating the public right-of-way is contingent upon the approval of a final plat.
2. No more than four lots shall be platted north of Emerald Drive.
3. All existing utilities located in the Right-of-Way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

RIGHT-OF-WAY VACATION

(EASEMENT ABANDONMENT)

APPLICANT INFORMATION	
Applicant Name	William Taylor
Address	12480 95th Ave.
City State Zip	Blue Grass, IA 52726
Phone	(563) 370-5733
Secondary Phone	
E-Mail Address	blt.56@icloud.com
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.	
In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.	
William Taylor	
Type Applicant's Name	
Applicant's Signature	05/10/2023
Date	
DEVELOPMENT TEAM	
Surveyor Jerry D. Rogers of Townsend Engineering	
Address 2224 E. 12th St., Davenport, IA 52803	
Phone	Secondary Phone
(563) 386-4236	
E-Mail Address kevin@townsendengineering.net	
Attorney/Other Michael Gorsline	
Address 5119 Utica Ridge Rd., Davenport, IA 52807	
Phone	Secondary Phone
(563) 324-0441	
E-Mail Address	

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
PROJECT TITLE Crystal Creek Ninth Addition		
GENERAL LOCATION DESCRIPTION North Dead End of Emerald Drive		
NEIGHBORHOOD MEETING DATE / TIME / LOCATION		
AREA OF VACATION	EXISTING USE	PROPOSED USE
		SQUARE AREA
COMPLETE SUBMITTALS SHALL INCLUDE:		
Concept/Development Plan, if applicable		☐
Authorization to Act as Applicant		☐
Legal Description* (bearing & distance) * shall include a MS Word or Text file		☐
Legal Description Dimensioned Sketch		☐
Application Fee: (REQUIRED) \$400* * check payable to 'City of Davenport'		☐
PROJECT NARRATIVE: (submit separate sheet if needed) ROW Vacation requested to allow for drive access directly off of Emerald Drive to the 4 new lots created out of Lot 1 of Crystal Creek 8th Addition.		
Submit the first page of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.		

Authorization to Act as Applicant

I/We, William Taylor

[as property owner(s)]

authorize Townsend Engineering

[the above person(s)]

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

for the property located at Crystal Creek 8th Addition Lot 1

William Taylor

Signature(s)*

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

Notarization: _____

05/10/2023

Date

State of Iowa,

County of Scott,

Sworn and subscribed before me

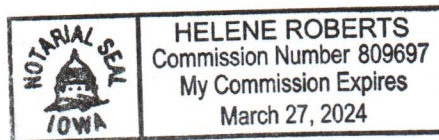
Drivers License

[identification type]

this 10th day of May, 2023.

Helene Roberts
Notary Public

My Commission Expires:



* *Application Form by Board Type*

Plan and Zoning Commission

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

Zoning Board of Adjustment

Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

CONVEYANCE PROCEDURE:
CITY COUNCIL POLICY ON SALE OF PUBLIC PROPERTY

P&Z STAFF SHALL HOLD A PUBLIC HEARING AND PREPARE A REPORT BEFORE THE
PLAN AND ZONING COMMISSION REGARDING REQUESTS FOR R.O.W VACATION;
THE COMMISSION SHALL PROVIDE A RECOMMENDATION TO CITY COUNCIL.

SHOULD CITY COUNCIL APPROVE THE R.O.W. VACATION
THE FOLLOWING PROCEDURE WILL COMMENCE FOR THE CONVEYANCE (SALE)
OF LAND TO ADJACENT PROPERTY OWNERS NEAR THE VACATED R.O.W.

APPLICANTS SHALL WORK WITH THE CITY LEGAL DEPARTMENT AT 563.326.7735
TO COMPLETE THE LAND CONVEYANCE OF VACATED R.O.W. PRIOR TO USE OF THE LAND

WHEREAS, THE Davenport City Council wishes to establish an orderly and efficient process for the conveyance and disposal of real property, including lots and abandoned streets and alleys, the following procedures are hereby established to facilitate the sale of real property:

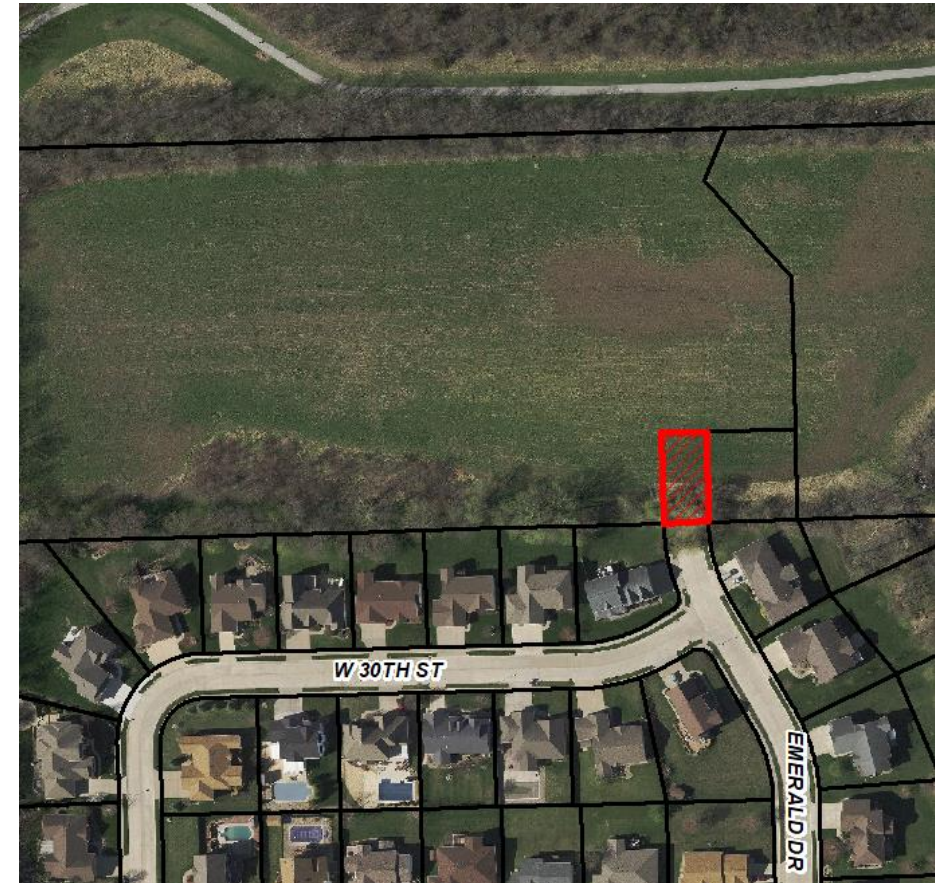
1. The Petitioner files an application for conveyance and pays a one-time, non-refundable \$400.00 filing fee. The application shall include a statement of intended use, a legal description and location of the property, the square feet of the land, plat drawing of the property and must be signed by the Petitioner.
2. If the petition involves public right-of-way, the matter shall be referred to the City Plan and Zoning Commission.
3. Staff shall review the following factors in determining what constitutes fair market value for the property:
 - a. the location, size, shape, grade and zoning of the land;
 - b. the assessed valuation of adjacent or contiguous property;
 - c. recent sales of land in the same area.
4. In the event staff deems it advisable or necessary, the City shall request the Petitioner, at Petitioner's expense, to provide a fair market value appraisal of the property.
5. Staff shall determine a price per square foot based upon the above stated factors. In any event, the minimal fee on any land conveyed shall be \$400.00.
6. Council may approve, by motion, a request from staff to proceed to dispose of parcels of real property either by offer or at auction. If the property is offered and accepted by the purchaser, the price will be as agreed between City and purchaser. In the event the auction process is used, the sale price of these properties shall be determined solely by the auction's bidding procedures. In either case, there shall also be no application fee assessed to the purchaser.

Vicinity Map



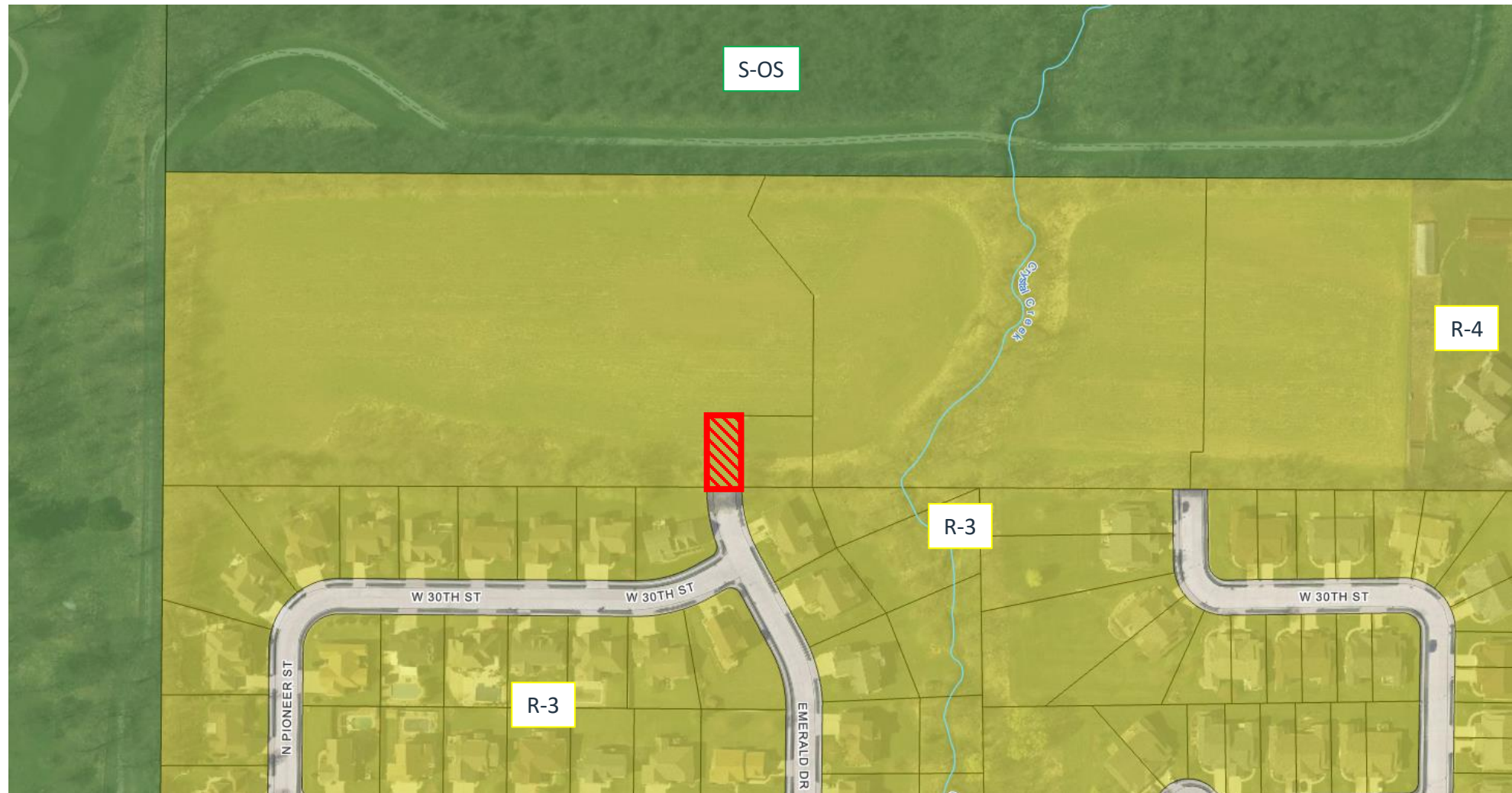
Vicinity Map

DAVENPORT
IOWA | USA



View of Emerald Drive: Northern Road Stub

Zoning Map



DAVENPORT
IOWA | USA



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject public right-of-way located on Emerald Drive.

Plan & Zoning Commission Public Hearing Meeting

Date: 6/20/2023

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a request to vacate a portion of Emerald Drive. The existing right-of-way is currently unimproved.

Request/Case Description

Case ROW23-03: Request of William Taylor to vacate unimproved right-of-way on Emerald Drive [Ward 1]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on June 20, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on July 18, 2023. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

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

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Right-Of-Way Vacation | Public Hearing Notice

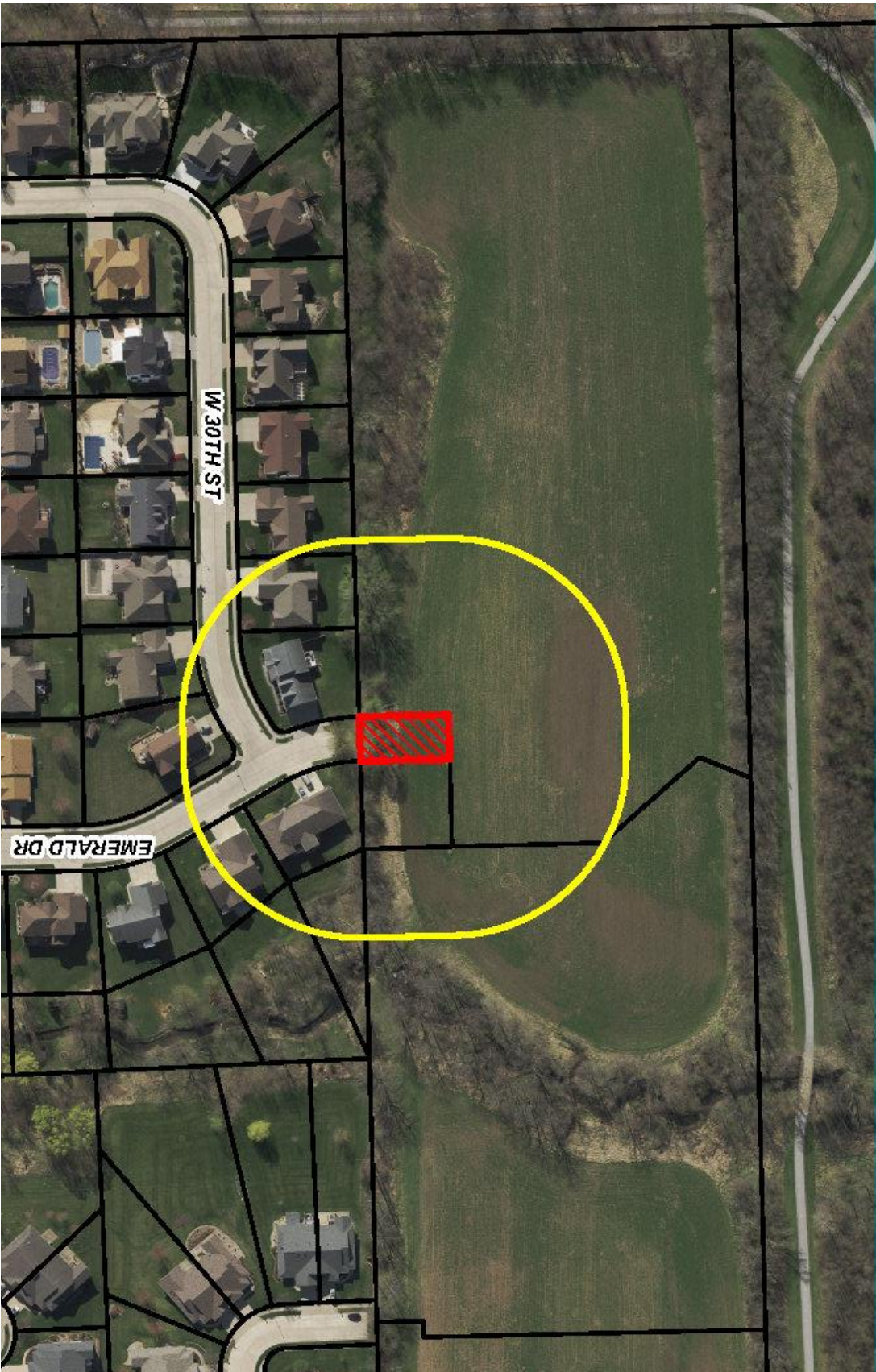
Case ROW23-03: Request of William Taylor to vacate
unimproved right-of-way on Emerald Drive. [Ward 1]



ROW Vacation



200' Notification Boundary



City of Davenport

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

Action / Date
8/9/2023

Subject:

First Consideration: Ordinance for Case REZ23-02 being the request of RIVALDD Farms, Inc to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Recommendation:

Adopt the Ordinance.

Background:

The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The combined area of the rezoning request is 231.26 acres. At its July 18, 2023 meeting, the Plan and Zoning Commission recommended Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listing findings. The vote was 8 in favor and 0 opposed.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

The staff report from the July 18, 2023 Plan and Zoning Commission meeting is attached.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Staff Report - P&Z 7-18-23
▣ Backup Material	Zoning & Future Land Use Map
▣ Backup Material	Application
▣ Backup Material	Public Hearing Notice P&Z
▣ Backup Material	Public Hearing Notice COW
▣ Backup Material	Protest Petition-13860 Slopertown Rd

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 12:00 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ23-01 BEING THE REQUEST OF RIVALDD FARMS, INC TO REZONE APPROXIMATELY 231.26 ACRES OF LAND LOCATED SOUTH OF SLOPERTOWN ROAD AND WEST OF HILLANDALE ROAD FROM S-AG AGRICULTURAL DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT.

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

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

Parcel #932907002:

The Northeast Quarter of the Northeast Quarter of Section 29, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa, lying South of Slopertown Road. (17.53 Acres)

Parcel #932923001:

The Southeast Quarter of the Northeast Quarter of Section 29, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa. (41 Acres)

Parcel #932939001:

The Northeast Quarter of the Southeast Quarter of Section 29, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa. (40.77 Acres)

Parcel #932833001:

The Northwest Quarter of the Southwest Quarter of Section 28, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa. (40.3 Acres)

Parcel #932817002:

The West Half of the Northwest Quarter of Section 28, Township 79 North, Range 3 East of the 5th P.M., in Scott County, Iowa, lying South of Slopertown Road. (42.75 Acres)

Parcel #932821007:

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

Parcel #932837002:

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

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Section 3. At its July 18, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-02 to the City Council with a recommendation for approval subject to the listed findings.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan and Zoning Commission-Staff Report
July 18, 2023

Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Background:

The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development. The combined area of the rezoning request is 231.26 acres.

Why is a Zoning Map Amendment Required?

The land is currently being used for agriculture, but is being marketed as a shovel-ready site suitable for industrial development. This is part of an overall strategy to promote industrial development north of Interstate-80. The owner intends to continue farming the land until the property can be sold.

Comprehensive Plan:

The City of Davenport initiated an amendment to the Future Land Use Map to better prepare for future development of this substantial growth area. At its June 6, 2023 meeting, the Plan and Zoning Commission forwarded a recommendation to City Council amending the subject properties from Urban Fringe to Industry. In addition, the Urban Service Boundary was recommended to extend north to Slopertown Road.

City Council approved this map amendment at its June 28, 2023 meeting.

Future Land Use Designation:

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

Zoning:

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

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

Technical Review:

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

Approval Standards for Map Amendments (Chapter 17.14.040)

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

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

Staff Response: As a result of voluntary annexations, the City of Davenport has expanded its corporate limits to Slopertown Road. To better prepare for future growth, the City initiated an amendment to the Future Land Use Map.

At its June 6, 2023 meeting, the Plan and Zoning Commission forwarded a recommendation to City Council amending the subject properties from Urban Fringe to Industry. In addition, the Urban Service Boundary was recommended to extend north to Slopertown Road. City Council approved this map amendment at its June 28, 2023 meeting.

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

b. The compatibility with the zoning of nearby property.

Staff Response: The surrounding land north of Interstate-80 is zoned I-1 Light Industrial District. The only exception is the 25.84 acre property at the southwest corner of Slopertown Road and Hillandale Road. Similar to the subject property, this tract of land was recently annexed into the City in 2022 and zoned S-AG Agricultural District.

Despite being largely undeveloped, the adjacent properties are being marketed as shovel-ready sites suitable for industrial development.

The Zoning Ordinance does not factor adjacent jurisdiction's zoning classifications when determining compatibility. However, the abutting land in the City of Eldridge is zoned SA-Suburban Agriculture District. Scott County classifies the surrounding property as Ag-Preservation District.

It is staff's opinion the proposed zoning amendment to I-1 Light Industrial District is compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character south of Slopertown Road, within City limits, consists of developed industrial properties as well as land planted in row crops. Large manufacturing facilities include Fair Oaks Foods, Kraft Heinz, and Sterilite Corporation.

This 231.26 acre tract of land is currently used for farming. There are no structures on the subject property. However, the owner is marketing the site for future industrial development. Staff anticipate the land will continue to be farmed until the land is sold for development.

It is staff's opinion the proposed zoning district is compatible with the established neighborhood character.

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

Staff Response: Permitted principal uses in the I-1 Light Industrial District consist of light manufacturing, fabricating, processing, distributing, and warehousing. The Zoning Ordinance requires businesses to be enclosed, low-intensity uses that have minimal, if any, outside impacts.

The industrial district dimensional standards regulate building height and setbacks to mitigate any negative impacts onto adjacent properties. There are also façade, roof, and site design standards in City Code that applies to new development.

To date, a potential industrial use has not been identified for the site. However, staff believe the existing zoning requirements will ensure new development complies with City standards.

Given the vast acreage of the subject property, staff anticipate the land being further subdivided to facilitate orderly development. The Plan and Zoning Commission will have additional opportunities to address street connectivity and impacts to the regional transportation network.

It is staff's opinion that the proposed zoning map amendment will promote the public health, safety, and welfare of the City.

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

Staff Response: The City of Davenport has processed three voluntary annexation petitions from 2022-2023. The subject property is approximately 231.26 acres located south of Slopertown Road, adjacent to Hillandale Road. Upon annexation, land is zoned S-AG Agricultural District, which is intended to address existing agricultural land uses.

The land is currently being used for agriculture, but is being marketed as a shovel-ready site suitable for industrial development. This is part of an overall strategy to promote industrial development north of Interstate-80. A rezoning to a light industrial district will enable the property to be built-out at a scale more aligned with the surrounding industrial park.

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

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

Staff Response: The undeveloped site is currently being used for farming. If rezoned to an industrial district, the agricultural use will be considered nonconforming until the site is subdivided and developed. In addition, there are no structures on the subject property.

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

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

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the June 20, 2023 Plan and Zoning Commission Public Hearing. The property owner at 13860 Slopertown Road spoke at the public hearing in opposition to the request. She cited the following concerns: preservation of productive agricultural land, traffic impacts, and noise pollution caused by potential industrial development.

Staff received a comment from an abutting property owner located at the southwest corner of Slopertown Road and Hillandale Road. The owner expressed interest in also rezoning their farmland from S-AG Agricultural District to I-1 Light Industrial District for the same purposes.

Staff will apprise the Commission of any additional correspondence at the July 18, 2023 Plan and Zoning Commission meeting.

Staff Recommendation:

Staff recommends Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

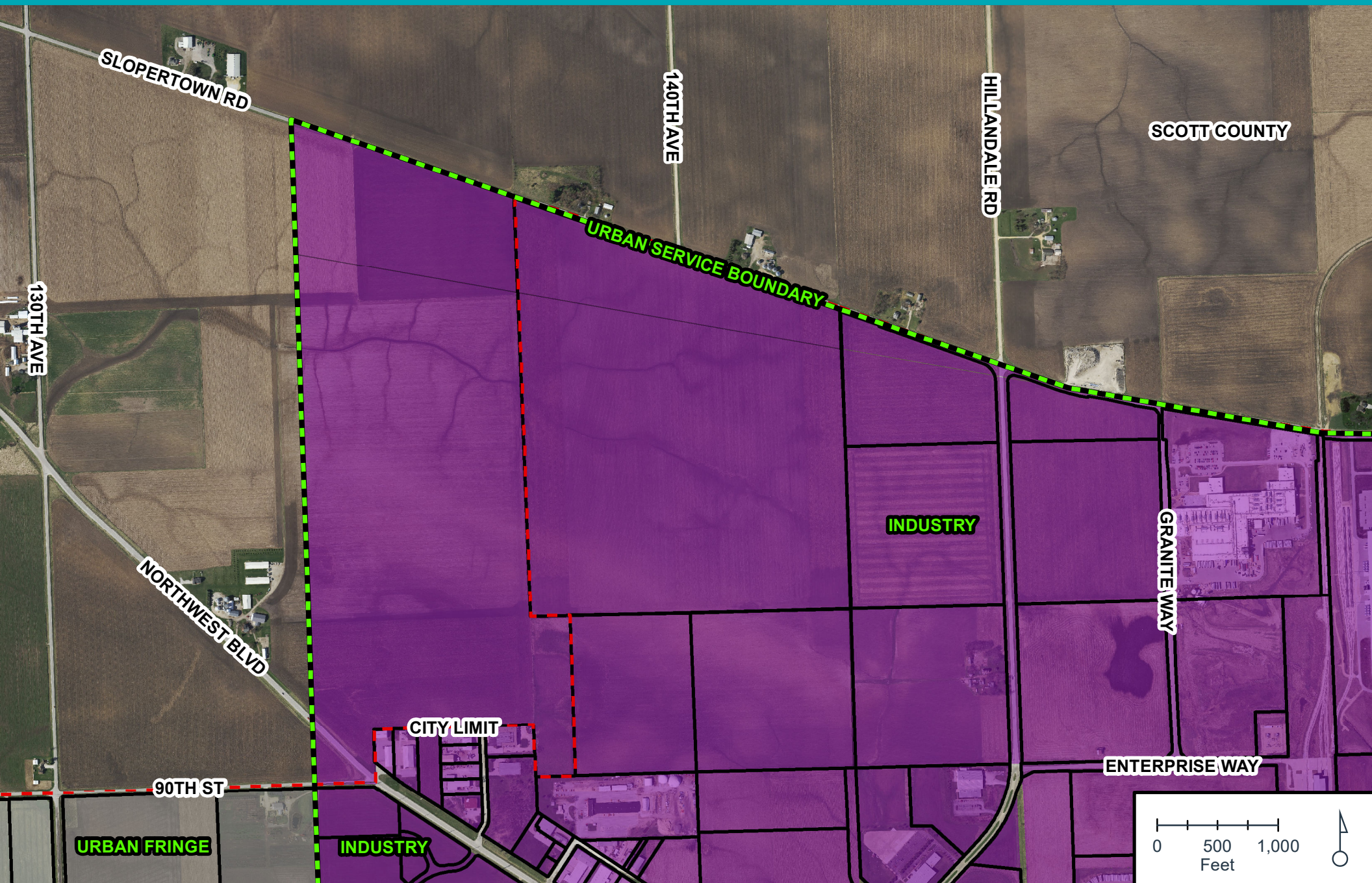
Findings:

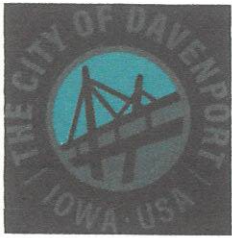
1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.
6. A fence and landscaping shall be installed along the W. Pleasant Street right-of-way line between the north south alley and N. Division Street.



THE CITY OF
DAVENPORT
IOWA | USA

DAVENPORT +2035 FUTURE LAND USE MAP





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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
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PROJECT TITLE

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION

See Attached

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	A9.	I-1	230.26A.

COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED

Concept/Development Plan ☐

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

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

Legal Description Dimensioned Sketch ☐

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

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

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

PROJECT NARRATIVE: (submit separate sheet if needed)

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

APPLICANT INFORMATION

Applicant Name

RIVALDO FARMS Inc.

Address

1310 Wisconsin Ave.

City | State | Zip

Davenport, Iowa 52804

Phone

(563) 579-7282

Secondary Phone

E-Mail Address

RIVALDO FARMS@Icloud.com

Acceptance of Applicant

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

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

Dennis R. KAY Pres.

Type Applicant's Name

[Signature]

Applicant's Signature

Date 05/19/2023

DEVELOPMENT TEAM

Property Owner

S/A

Address

Phone

Secondary Phone

E-Mail Address

Project Manager/Other

S/A

Address

Phone

Secondary Phone

E-Mail Address

Property South of Slopertown -
West of Hillandale Rd.

+/- 16.35 Acres / Parcel ID 932907002 (Partial)

40 Acres / Parcel ID 932923001

40 Acres / Parcel ID 932939001

40 Acres / Parcel ID 932833001

45 Acres / Parcel ID 932817002

+/- 181.35 Total Acres at 0 Slopertown Rd.
Davenport, Iowa (Exhibit
Attached)

Property South of Stoper Town Rd
East of Hillandale R.d.

48.91 Acres Parcel # 932821007
Parcel # 932837002



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject properties located south of Slopertown Road and west of Hillandale Road.

Plan & Zoning Commission Public Hearing Meeting

Date: 6/20/2023

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development.

Request/Case Description

Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on June 20, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on July 18, 2023. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

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

Do You Have Any Questions?

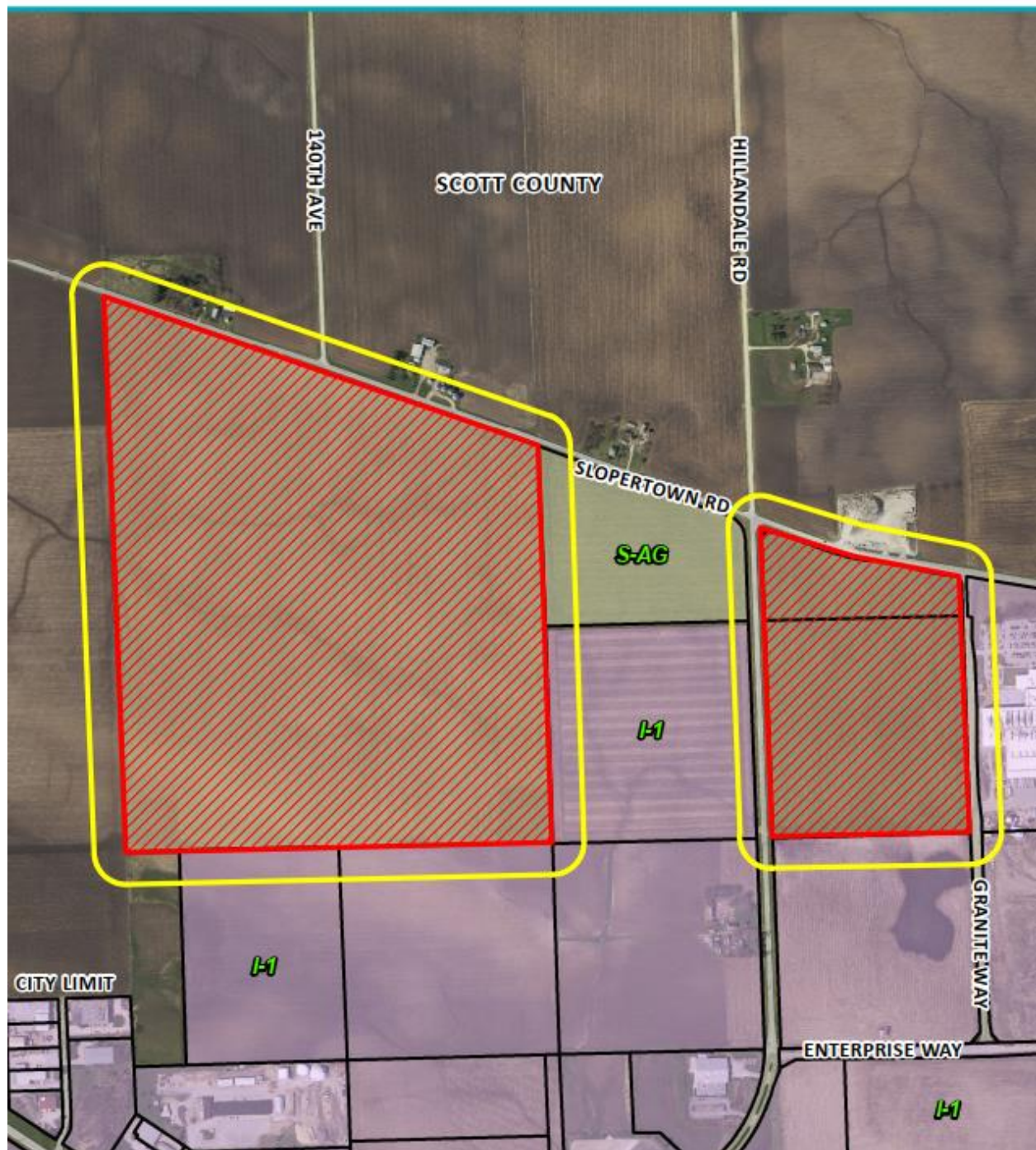
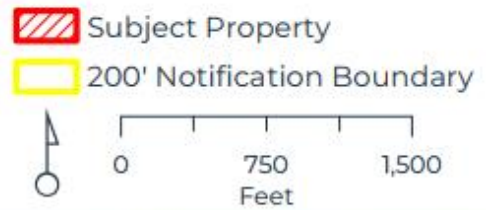
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Rezoning Request | Public Hearing Notice

Case REZ23-02:

Rezone from S-AG Agricultural District to
I-1 Light Industrial District





PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

To: All property owners within 200 feet of the subject properties located south of Slopertown Road and west of Hillandale Road.

SAMPLE

Committee of the Whole Public Hearing Meeting

Date: 8/2/2023

Time: 5:30 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject properties were recently annexed into the City of Davenport and are currently zoned S-AG Agricultural District. The property owner is requesting a rezoning to I-1 Light Industrial District. The purpose of the request is to market the site for future industrial development.

Request/Case Description

Case REZ23-02: Request of RIVALDD FARMS, INC. to rezone approximately 231.26 acres of land located south of Slopertown Road and west of Hillandale Road from S-AG Agricultural District to I-1 Light Industrial District. [Ward 8]

Plan and Zoning Commission Action:

At its July 18, 2023 meeting, the Plan and Zoning Commission recommended Case REZ23-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Industry.
2. The proposed zoning map amendment to I-1 Light Industrial District is compatible with the zoning of nearby developed property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

What are the next steps?

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, August 2, 2023 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would you like to submit an official comment?

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

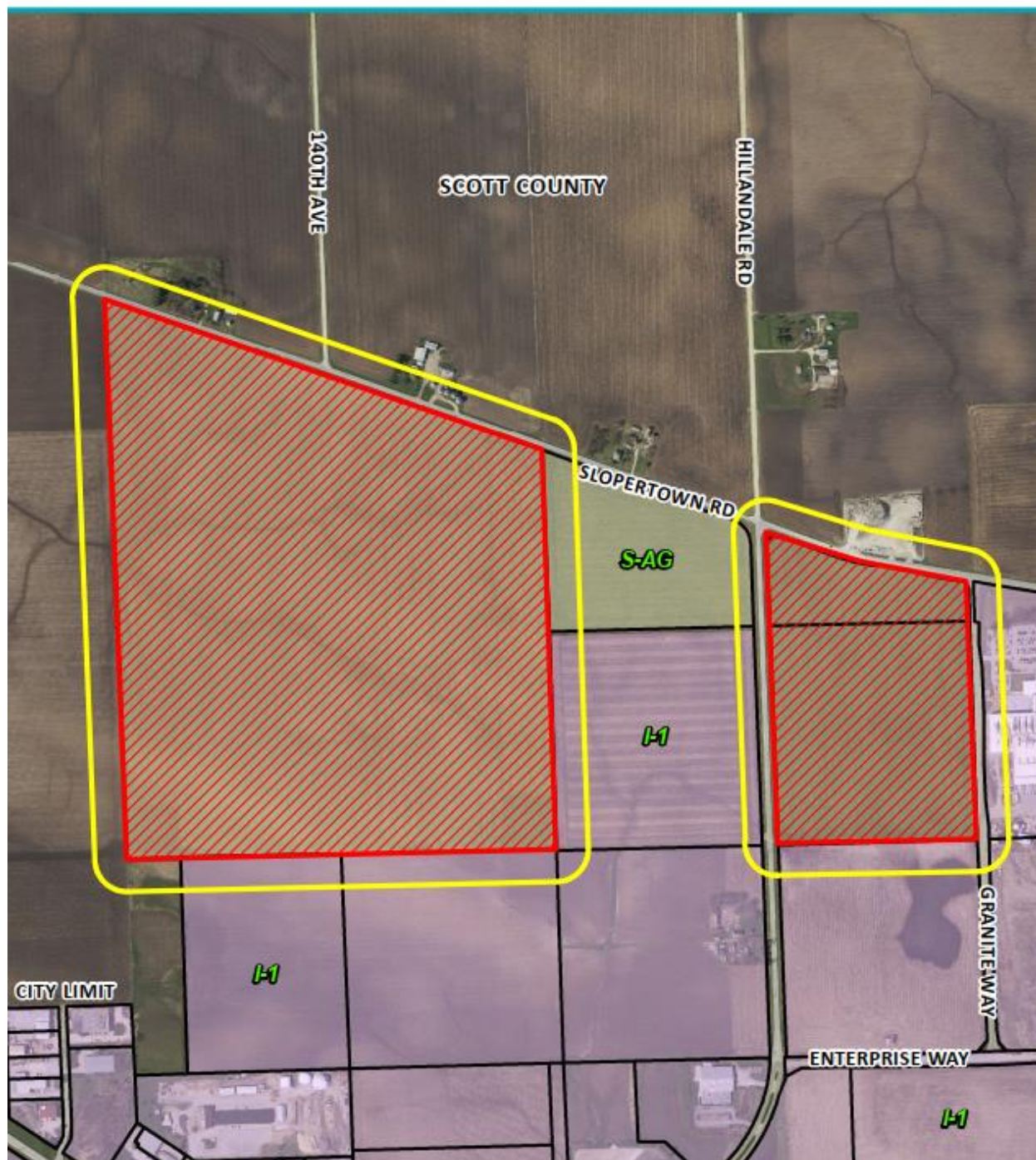
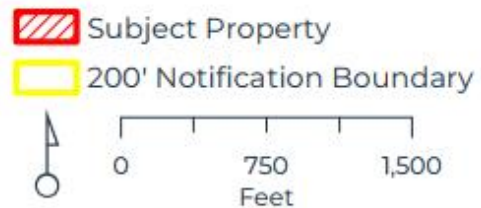
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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

Rezoning Request | Public Hearing Notice

Case REZ23-02:

Rezone from S-AG Agricultural District to
I-1 Light Industrial District



LETTER OF OPPOSITION
Case REZ23-02

Valerie Widmeyer
723 Grant St.,
Bettendorf, IA 52720

July 17, 2023

Dear Planning and Zoning Commission:

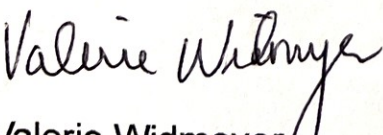
Hello. I am writing this letter in opposition to the rezoning of this land to light industrial. My husband and I own 13860 Slopertown Rd, the home and 6 acres to the north of this land and west of 140th Ave. This property has been in my family since 1875 and we are in the process of renovating for our family to live there. Half of the land in question was purchased from my grandparent's estate after their death in 2003. It was a Century Farm, zoned as Agricultural Preservation and hoped it would stay that way. I realize we no longer own this land and have no say on what happens to it. I also know that this is already in the works and it doesn't matter what I say, but I want to make our concerns known in hopes that you can limit the disturbance to our future home and the other properties that border it.

Other than losing more beautiful, rich Iowa farmland for an already large industrial park, our two biggest concerns are traffic and noise. As far as traffic, we hope that access for any future businesses will come from extending Research Parkway from Hillandale Rd. and will not have any access onto Slopertown Rd, especially if there are businesses with semi trucks coming in and out.

As far as noise, we're concerned about businesses that will be open 24 hours a day, have trucks that are loading/unloading, or if there is access to Slopertown Rd. where these vehicles will be leaving and entering the park. That will create noise at all hours and be a big nuisance not only for us but for the homes on the east and west of us.

Thank you for giving me the opportunity to hear our concerns on this matter. We ask that you do not let this rezoning move forward and please preserve this farmland. Thank you.

Sincerely,


Valerie Widmeyer

City of Davenport

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

Action / Date
8/2/2023

Subject:

First Consideration: Ordinance for Case ROW23-03 being the request of William Taylor to vacate approximately 101 feet of unimproved right-of-way of Emerald Drive in Crystal Creek 8th Addition [Ward 1]

Recommendation:

Adopt the Ordinance.

Background:

The petitioner has requested a vacation of the unimproved Emerald Drive right-of-way, located north of West 30th Street. No properties utilize the subject right-of-way for access. A legal description has been submitted by the applicant. The area to be vacated is approximately 5,060 square feet (.12 acres).

- Vacating the right-of-way is connected to a proposed final plat of Crystal Creek Ninth Addition. This plat will not move forward until City Council has acted upon the vacation. The owner intends to subdivide the properties to the north into four residential lots. Vacating the unimproved Emerald Drive right-of-way will better facilitate development of the site. Once vacated, access to each lot will be provided through a 20 foot access and utility easement.

The City Plan and Zoning Commission reviewed Case ROW23-03 at its July 18, 2023 meeting and has recommended approval, subject to the listed findings and conditions:

Findings:

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

Conditions:

1. Vacating the public right-of-way is contingent upon the approval of a final plat.
2. No more than four lots shall be platted north of Emerald Drive.
3. All existing utilities located in the Right-of-Way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.

The staff report from the July 18, 2023 Plan and Zoning Commission meeting is attached.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Staff Report - P&Z 7-18-23
▣ Backup Material	Application
▣ Backup Material	Maps-Vicinity, Zoning, & Future Land Use
▣ Backup Material	Final Plat-Crystal Creek 9th Addition
▣ Backup Material	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 12:03 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW23-03 BEING THE REQUEST OF WILLIAM TAYLOR TO VACATE APPROXIMATELY 101 FEET OF UNIMPROVED RIGHT-OF-WAY OF EMERALD DRIVE IN CRYSTAL CREEK 8TH ADDITION.

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

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

The 101.20 feet of Emerald Drive as dedicated as public right-of-way in Crystal Creek 8th Addition, in the City of Davenport, County of Scott, State of Iowa. The above-described area contains 5,060 square feet, more or less.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan and Zoning Commission-Staff Report
July 18, 2023

Case ROW23-03: Request of William Taylor to vacate unimproved right-of-way on Emerald Drive [Ward 1]

Background:

The petitioner has requested a vacation of the unimproved Emerald Drive right-of-way, located north of West 30th Street. No properties utilize the subject right-of-way for access.

Vacating the right-of-way is connected to a proposed Final Plat of Crystal Creek Ninth Addition. This plat will not move forward until City Council has acted upon the vacation. The owner intends to subdivide the properties to the north into four residential lots. Vacating the unimproved Emerald Drive right-of-way will better facilitate development of the site. Once vacated, access to each lot will be provided through a 20 foot access and utility easement.

A legal description has been submitted by the applicant. The area to be vacated is approximately 5,060 square feet (.12 acres).

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

1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners. (No Plan and Zoning Commission action is required.)

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Abutting Future Land Use Designation:

The abutting properties are designated Residential General and Parks and Recreation in the Davenport +2035 Future Land Use Map.

1. **Residential General (RG)** - Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.
2. **Parks and Recreation (PR)** - Designates major developed parks, recreation areas, golf courses, cemeteries, etc. Park or recreation properties can be located in any zoning district. Smaller parks may not appear on the map because of the more general nature and scale of the map. But, it is implied in Residential General (RG) that small neighborhood parks are included.

Abutting Zoning:

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

Technical Review:

The following technical review comments were received from City Departments and Utility Companies:

- Streets: If vacated, Emerald Drive will terminate at its existing location. The property owner intends to further subdivide the land north of the subject right-of-way into four single-family lots. Access to each lot will be provided via a private driveway connecting to the Emerald Drive stub. Currently, no developed properties require the right-of-way for access. If more than four lots are proposed during a subdivision, a street will be required to be constructed and dedicated prior to development.
- Natural Resources/Storm Water: No issues with the proposed vacation. Stormwater management may be required upon future development of the site.
- Sanitary Sewer: There is no sewer infrastructure within the subject right-of-way. Future residential development north of Emerald Drive will be served by private septic systems. Structures located more than 200 feet from a sanitary main are not required to connect.
- Iowa American Water Company: Water service will be provided by private well systems.
- Other Utilities: There are no utilities within the subject right-of-way.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the June 20, 2023 Plan and Zoning Commission Public Hearing.

To date, staff have not received any comments from abutting property owners. Staff will apprise the Commission of any additional correspondence at the July 18, 2023 Plan and Zoning Commission meeting.

Staff Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way on Emerald Drive in Case ROW23-03 to the City Council with a recommendation for approval, subject to the following conditions:

Findings:

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

Conditions:

1. Vacating the public right-of-way is contingent upon the approval of a final plat.
2. No more than four lots shall be platted north of Emerald Drive.
3. All existing utilities located in the Right-of-Way which are subject to vacation shall be granted a blanket utility and access easement for the maintenance of such utilities.



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

RIGHT-OF-WAY VACATION

(EASEMENT ABANDONMENT)

APPLICANT INFORMATION	
Applicant Name	William Taylor
Address	12480 95th Ave.
City State Zip	Blue Grass, IA 52726
Phone	(563) 370-5733
Secondary Phone	
E-Mail Address	blt.56@icloud.com
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.	
In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.	
William Taylor	
Type Applicant's Name	
Applicant's Signature	05/10/2023
Date	
DEVELOPMENT TEAM	
Surveyor Jerry D. Rogers of Townsend Engineering	
Address 2224 E. 12th St., Davenport, IA 52803	
Phone	Secondary Phone
(563) 386-4236	
E-Mail Address kevin@townsendengineering.net	
Attorney/Other Michael Gorsline	
Address 5119 Utica Ridge Rd., Davenport, IA 52807	
Phone	Secondary Phone
(563) 324-0441	
E-Mail Address	

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
PROJECT TITLE Crystal Creek Ninth Addition		
GENERAL LOCATION DESCRIPTION North Dead End of Emerald Drive		
NEIGHBORHOOD MEETING DATE / TIME / LOCATION		
AREA OF VACATION	EXISTING USE	PROPOSED USE
		SQUARE AREA
COMPLETE SUBMITTALS SHALL INCLUDE:		
Concept/Development Plan, if applicable		☐
Authorization to Act as Applicant		☐
Legal Description* (bearing & distance) * shall include a MS Word or Text file		☐
Legal Description Dimensioned Sketch		☐
Application Fee: (REQUIRED) \$400* * check payable to 'City of Davenport'		☐
PROJECT NARRATIVE: (submit separate sheet if needed) ROW Vacation requested to allow for drive access directly off of Emerald Drive to the 4 new lots created out of Lot 1 of Crystal Creek 8th Addition.		
Submit the first page of this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.		

Authorization to Act as Applicant

I/We, William Taylor

[as property owner(s)]

authorize Townsend Engineering

[the above person(s)]

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

for the property located at Crystal Creek 8th Addition Lot 1

William Taylor

Signature(s)*

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

Notarization: _____

05/10/2023

Date

State of Iowa,

County of Scott,

Sworn and subscribed before me

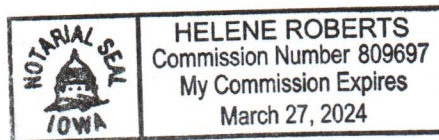
Drivers License

[identification type]

this 10th day of May, 2023.

Helene Roberts
Notary Public

My Commission Expires:



* *Application Form by Board Type*

Plan and Zoning Commission

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

Zoning Board of Adjustment

Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

CONVEYANCE PROCEDURE:
CITY COUNCIL POLICY ON SALE OF PUBLIC PROPERTY

P&Z STAFF SHALL HOLD A PUBLIC HEARING AND PREPARE A REPORT BEFORE THE
PLAN AND ZONING COMMISSION REGARDING REQUESTS FOR R.O.W VACATION;
THE COMMISSION SHALL PROVIDE A RECOMMENDATION TO CITY COUNCIL.

SHOULD CITY COUNCIL APPROVE THE R.O.W. VACATION
THE FOLLOWING PROCEDURE WILL COMMENCE FOR THE CONVEYANCE (SALE)
OF LAND TO ADJACENT PROPERTY OWNERS NEAR THE VACATED R.O.W.

APPLICANTS SHALL WORK WITH THE CITY LEGAL DEPARTMENT AT 563.326.7735
TO COMPLETE THE LAND CONVEYANCE OF VACATED R.O.W. PRIOR TO USE OF THE LAND

WHEREAS, THE Davenport City Council wishes to establish an orderly and efficient process for the conveyance and disposal of real property, including lots and abandoned streets and alleys, the following procedures are hereby established to facilitate the sale of real property:

1. The Petitioner files an application for conveyance and pays a one-time, non-refundable \$400.00 filing fee. The application shall include a statement of intended use, a legal description and location of the property, the square feet of the land, plat drawing of the property and must be signed by the Petitioner.
2. If the petition involves public right-of-way, the matter shall be referred to the City Plan and Zoning Commission.
3. Staff shall review the following factors in determining what constitutes fair market value for the property:
 - a. the location, size, shape, grade and zoning of the land;
 - b. the assessed valuation of adjacent or contiguous property;
 - c. recent sales of land in the same area.
4. In the event staff deems it advisable or necessary, the City shall request the Petitioner, at Petitioner's expense, to provide a fair market value appraisal of the property.
5. Staff shall determine a price per square foot based upon the above stated factors. In any event, the minimal fee on any land conveyed shall be \$400.00.
6. Council may approve, by motion, a request from staff to proceed to dispose of parcels of real property either by offer or at auction. If the property is offered and accepted by the purchaser, the price will be as agreed between City and purchaser. In the event the auction process is used, the sale price of these properties shall be determined solely by the auction's bidding procedures. In either case, there shall also be no application fee assessed to the purchaser.

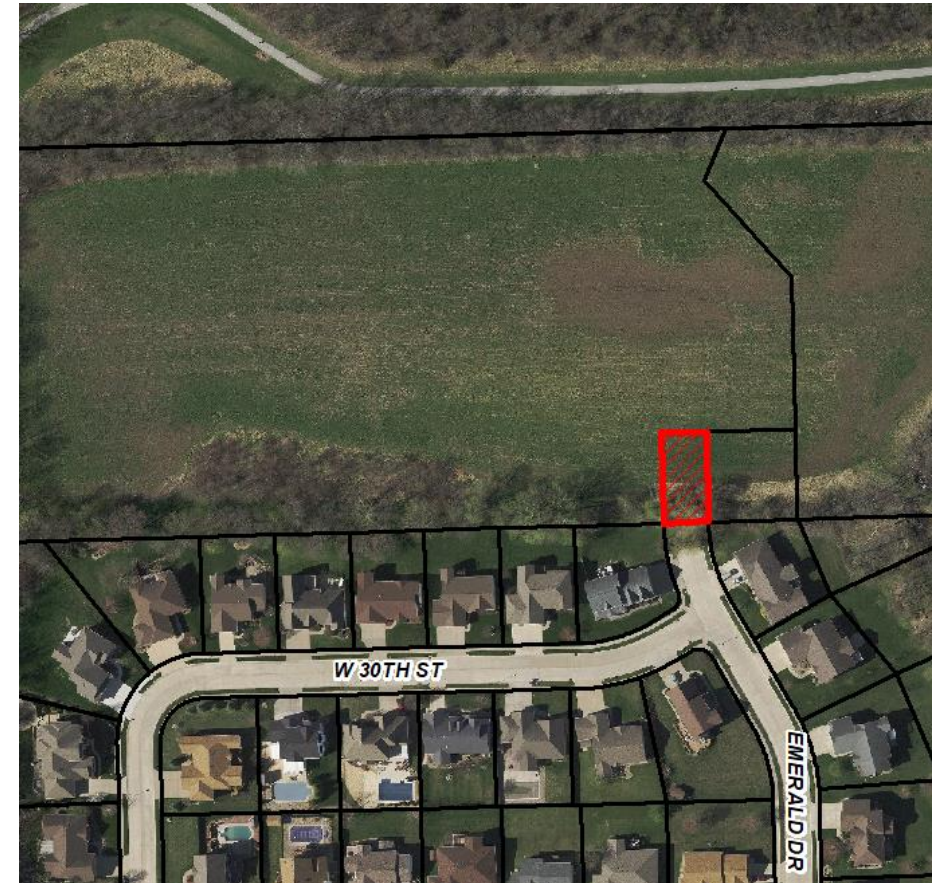
Vicinity Map

DAVENPORT
IOWA | USA



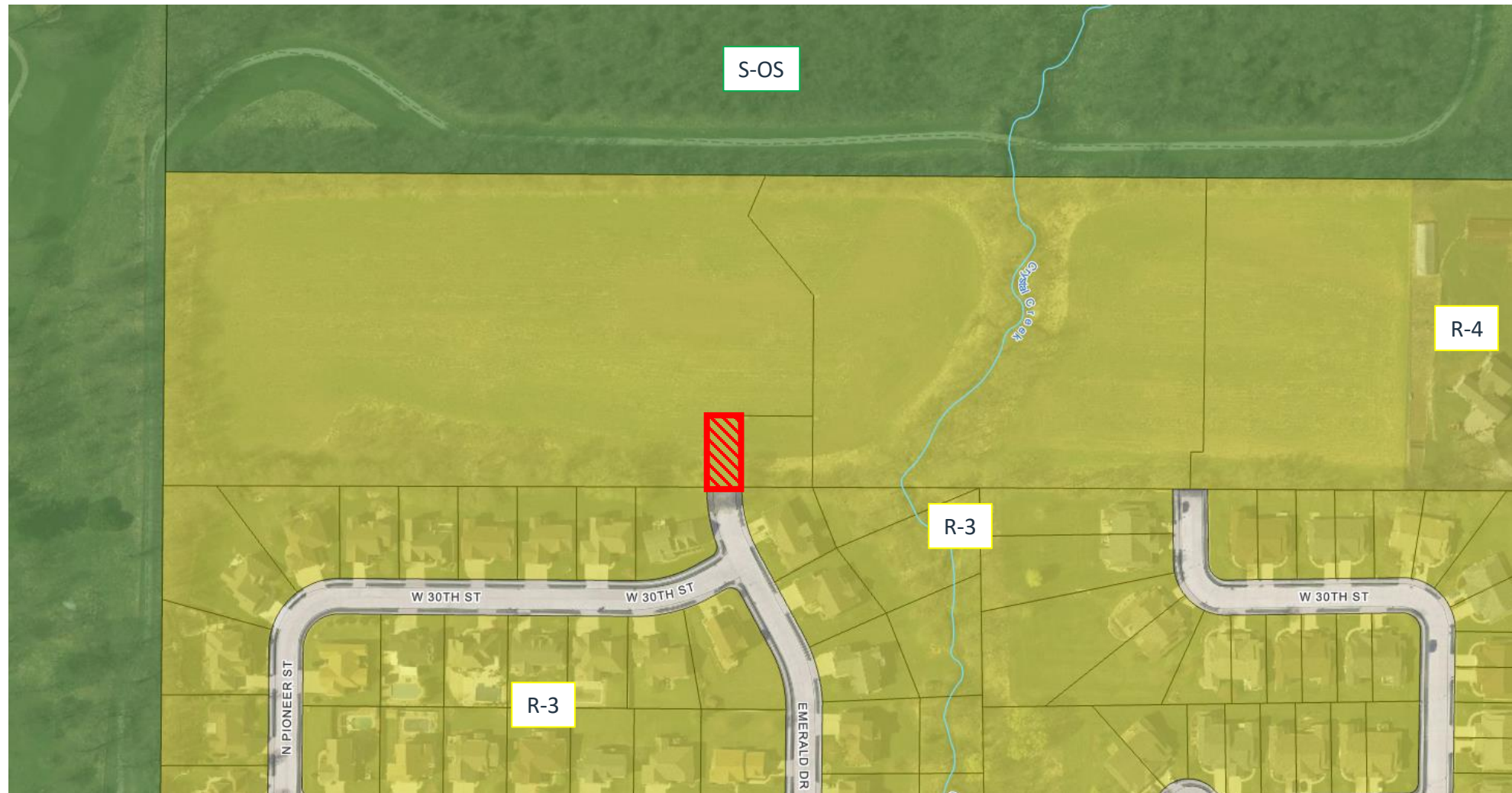
Vicinity Map

DAVENPORT
IOWA | USA

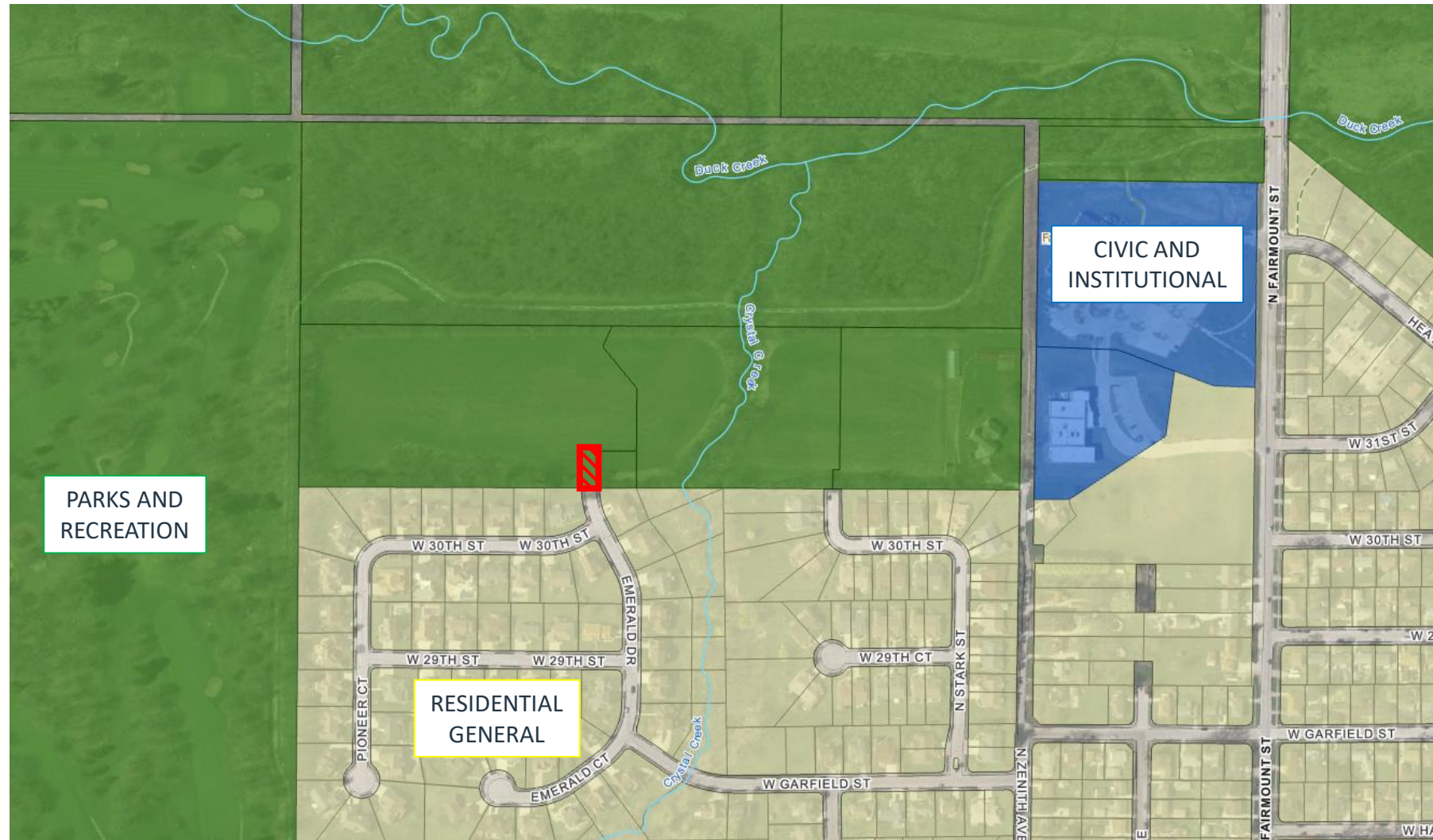


View of Emerald Drive: Northern Road Stub

Zoning Map

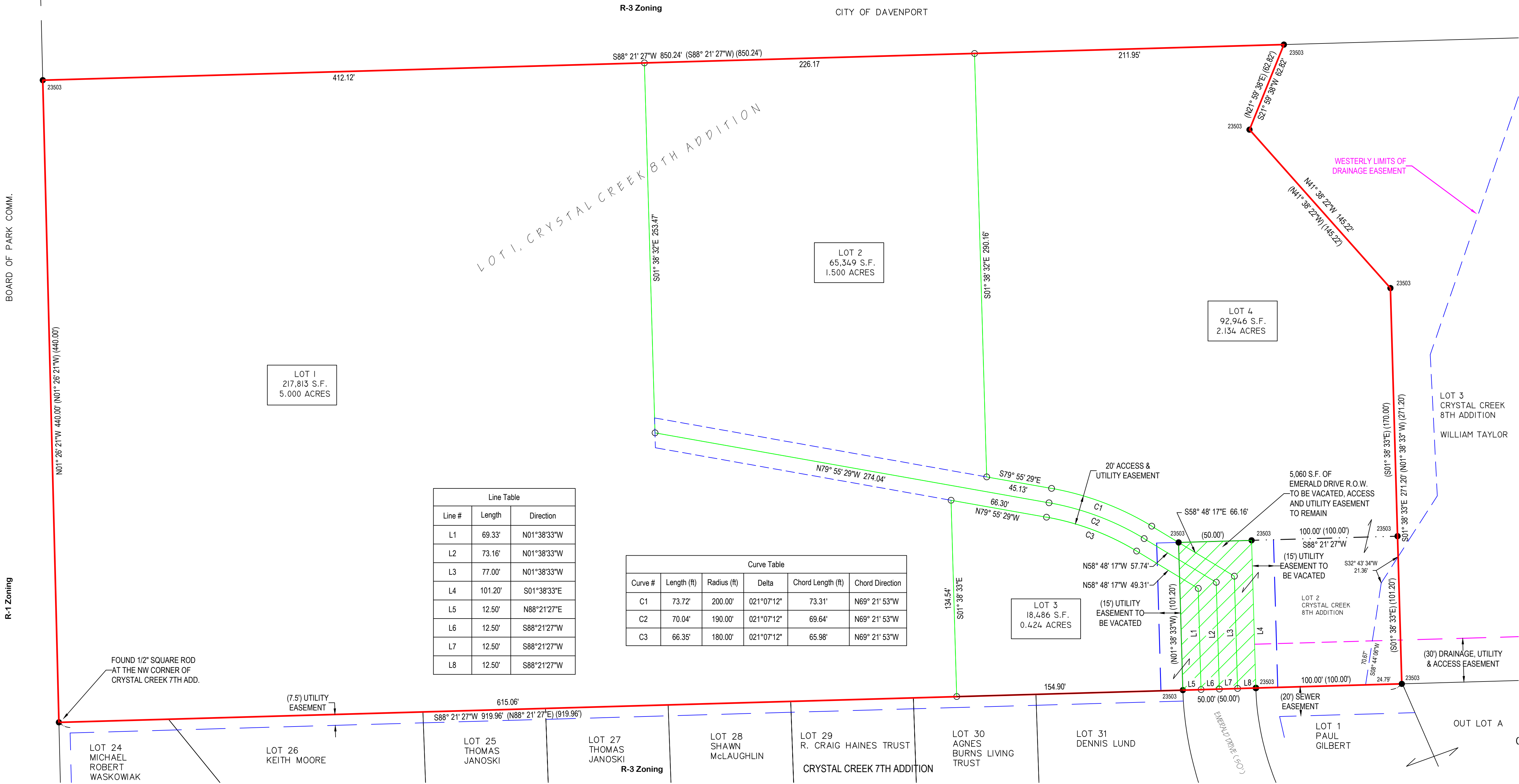


Future Land Use Map



FINAL PLAT OF:
CRYSTAL CREEK NINTH ADDITION
TO THE CITY OF DAVENPORT, IA

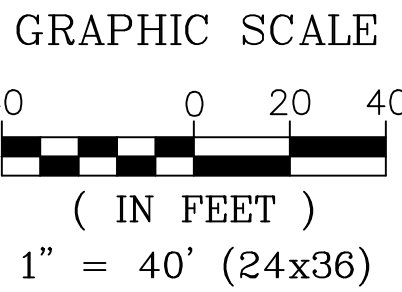
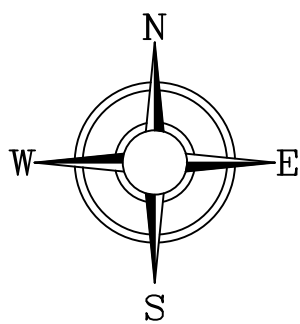
BEING A REPLAT OF LOTS 1 AND 2 IN CRYSTAL CREEK EIGHTH ADDITION
LOCATED IN PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20,
TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA.



Line Table		
Line #	Length	Direction
L1	69.33'	N01°38'33"W
L2	73.16'	N01°38'33"W
L3	77.00'	N01°38'33"W
L4	101.20'	S01°38'33"E
L5	12.50'	N88°21'27"E
L6	12.50'	S88°21'27"W
L7	12.50'	S88°21'27"W
L8	12.50'	S88°21'27"W

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	73.72'	200.00'	021°07'12"	73.31'	N69°21'53"W
C2	70.04'	190.00'	021°07'12"	69.64'	N69°21'53"W
C3	66.35'	180.00'	021°07'12"	65.98'	N69°21'53"W

- Owner**
William Taylor
12480 95th Avenue
Blue Grass, Ia 52726
- Surveyor**
Jerry D. Rogers
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
- Attorney**
Michael Gorsline
5119 Utica Ridge Road
Davenport, Iowa 52807
(563) 324-0441



NOTES:

DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND SEAL.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.

OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF WATER.

SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES WHEN SO ORDERED BY THE CITY.

STORM WATER DETENTION IS NOT REQUIRED WITH THIS SUBDIVISION.

SANITARY SEWER SHALL BE PROVIDED BY PRIVATE SEPTIC SYSTEMS. WATER SERVICE SHALL BE PROVIDED BY PRIVATE WELL SYSTEMS.

THE 100 YEAR FLOOD ELEVATION FOR THE AREA CONTAINED IN THIS SUBDIVISION IS 659.3' NAVD 88. THE LOW WATER ENTRY LEVEL FOR ANY PERMANENT BUILDING SHALL BE 1 FOOT ABOVE THAT ELEVATION. AREA PLATTED WITH THIS SUBDIVISION IS REPRESENTED ON FEMA F.I.R.M. #19163C0345F, EFFECTIVE 2/18/2011.

BEARINGS ARE BASED ON STATE PLANE COORDINATES.

APPROVAL SIGNATURES:

CITY OF DAVENPORT DATE:

PLANNING AND ZONING COMMISSION DATE:

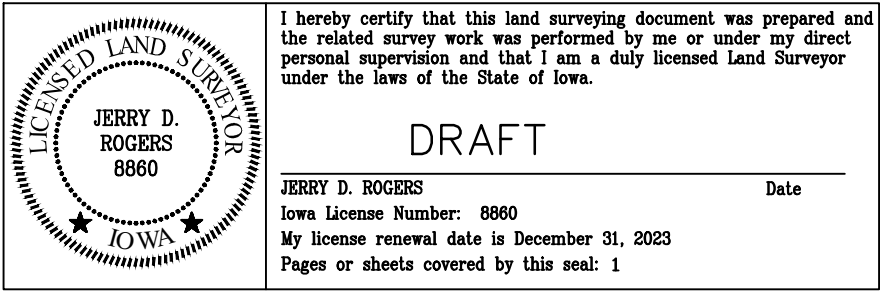
MEDIACOM DATE:

CENTURYLINK DATE:

IOWA - AMERICAN WATER COMPANY DATE:

MIDAMERICAN ENERGY DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.

METRONET DATE:



DATE: 4/17/2023

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

DRAWN BY:
KLC

CHECKED BY:
JDR

DRAWING LOCATION
S: \TAYLOR-BILL

REVISIONS:
DESCRIPTION

DATE

PROJECT

FINAL PLAT
CRYSTAL CREEK NINTH ADDITION
DAVENPORT, IOWA

OWNER

WILLIAM TAYLOR
12480 95TH AVENUE
BLUE GRASS, IOWA

SHEET NO.

1 OF 1



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject public right-of-way located on Emerald Drive.

Plan & Zoning Commission Public Hearing Meeting

Date: 6/20/2023

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a request to vacate a portion of Emerald Drive. The existing right-of-way is currently unimproved.

Request/Case Description

Case ROW23-03: Request of William Taylor to vacate unimproved right-of-way on Emerald Drive [Ward 1]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on June 20, 2023. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on July 18, 2023. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

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

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Right-Of-Way Vacation | Public Hearing Notice

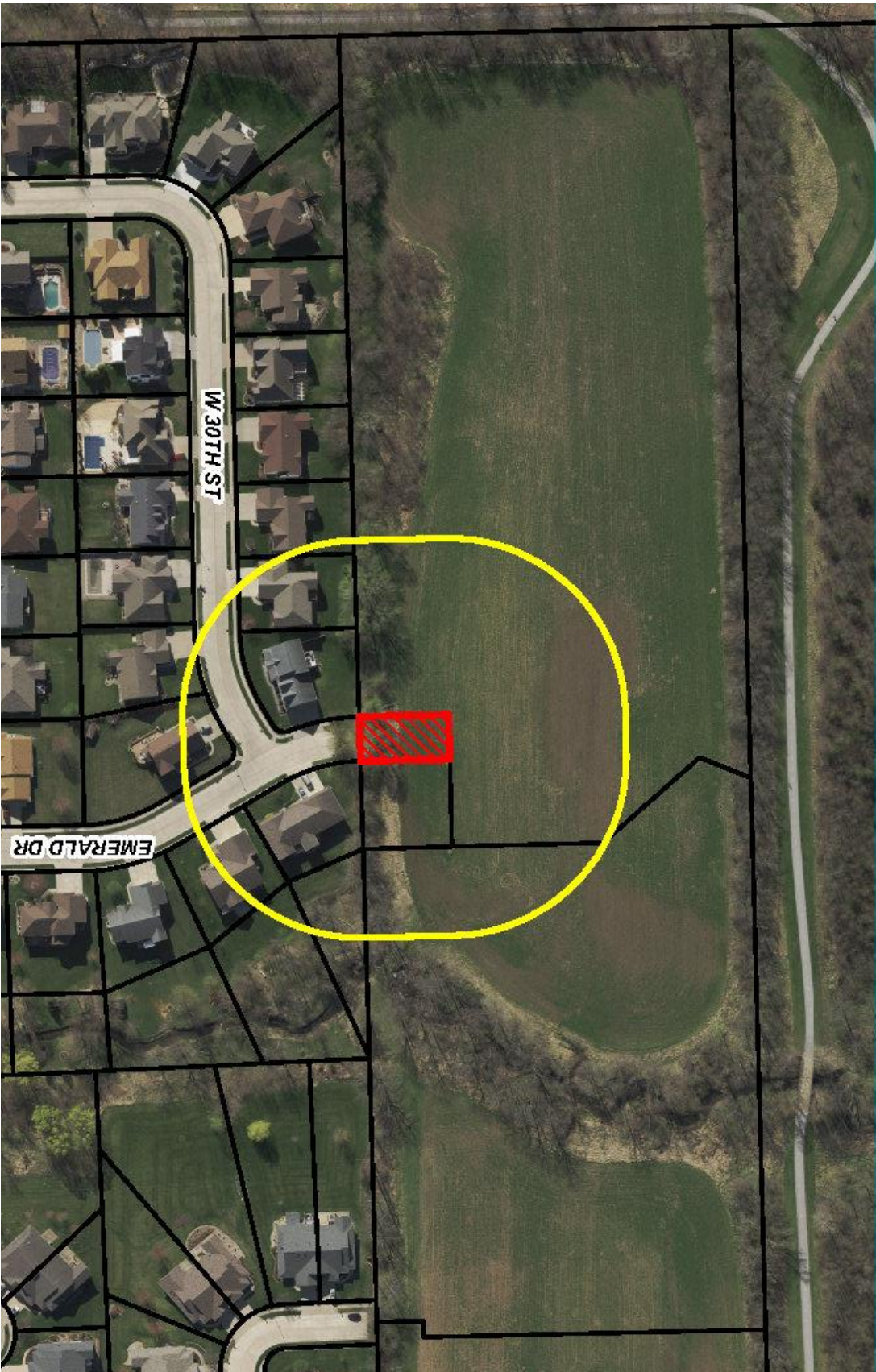
Case ROW23-03: Request of William Taylor to vacate
unimproved right-of-way on Emerald Drive. [Ward 1]



ROW Vacation



200' Notification Boundary



City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution approving Case F23-02 being the request of Payne Properties LLC for a final plat of Payne Properties Subdivision, a 2-lot subdivision on 1.7 acres located at 1814 East Locust Street. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

The purpose of the final plat is to establish two separate lots each with its own building. The property is zoned C-1 Neighborhood Commercial District. The property presently has two commercial buildings located on one lot addressed 1804 and 1814 East Locust Street.

The Plan and Zoning Commission reviewed Case F23-02 at its March 14, 2023 meeting and have recommended approval subject to the listed findings and conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The final plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation: Residential General (RG)

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed final plat complies with the Davenport +2035 proposed land use section.

Zoning: C-1 Neighborhood Commercial District.

Technical Review:

1. Streets: No street are proposed. Access easements to adjacent properties are required.
2. Storm Water: Stormwater detention and water quality treatment will not be impacted.

3. Sanitary Sewer: There is an existing sanitary sewer available and in use by the existing buildings.
4. Other Utilities: Normal utility services are available at this site.
5. Parks/Open Space: There are no impacts to parks/open space
6. Natural Resources: As there is no ground disturbance, Natural Resources code shall be met without any changes to the existing site.

Public Input: No Public Hearing is required for a final plat.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	Resolution
☐ Backup Material	Final Plat
☐ Exhibit	Application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 12:04 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case F23-02 being the request of Payne Properties LLC for a final plat of Payne Properties Subdivision, a 2-lot subdivision on 1.7 acres located at 1814 East Locust Street.

WHEREAS, the Plan and Zoning Commission reviewed Case F23-02 at the March 14, 2023 regularly scheduled meeting with a recommendation for approval subject to the following two conditions:

1. That the surveyor signs the plat;
2. That the utility providers sign the plat when their easement needs have been met; and

WHEREAS, the conditions will be added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Payne Properties Subdivision, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk, be and the same is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

BE IT FURTHER RESOLVED that the Mayor and Deputy City Clerk are hereby authorized and directed to certify to the adoption of this Resolution on said plat as required by law.

Passed and approved this 9th day of August, 2023.

Approved:

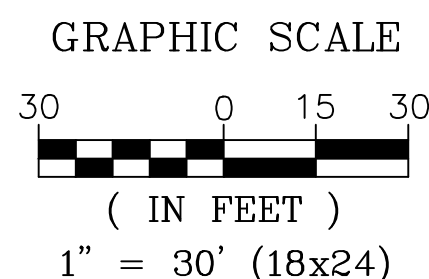
Attest:

Mike Matson
Mayor

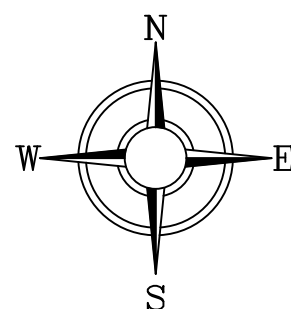
Brian Krup
Deputy City Clerk

1. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
2. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
3. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
5. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
6. BLANKET EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
7. THE SUBJECT PROPERTY IS ZONED C-1, COMMERCIAL DISTRICT.
8. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0370G EFFECTIVE DATE MARCH 23, 2021.
9. NO SITE DEVELOPMENT IS PROPOSED WITH THIS SUBDIVISION.
10. STORMWATER DETENTION AND WATER QUALITY TREATMENT WILL NOT BE REQUIRED FOR THIS SUBDIVISION BUT WILL BE REQUIRED UPON FURTHER DEVELOPMENT OF THE PROPERTY.

MAYOR	DATE:
CITY CLERK	DATE:
CHAIRMAN PLAN & ZONE	DATE:
CENTURY LINK	DATE:
IOWA - AMERICAN WATER COMPANY	DATE:
MEDIACOM	DATE:
MIDAMERICAN ENERGY	DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.	
METRONET	DATE:

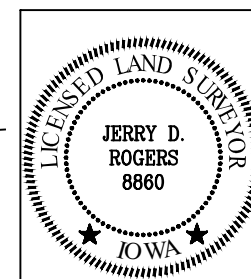


THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

[illegible]

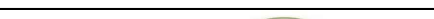
1. Owner:
Payne Properties LLC
1720 E. Locust Street
Davenport, Iowa 52803
2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:
Jerry D. Rogers
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:
Gomez May, LLP
2322 E. Kimberly Road
Davenport, Iowa 52807
(563) 359-3591

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = _____
FENCE LINE = _____ x x x x x x x
EASEMENT LINE = _____
SETBACK LINE = _____
SECTION LINE = _____



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

JERRY D. ROGERS Date
Iowa License Number: 8860
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

 TOWNSEND ENGINEERING CIVIL • STRUCTURAL • LAND DEVELOPMENT	DATE: 2/7/2023 563 386.4236 office 386.4231 fax 2224 East 12th Street, Davenport, IA 52803	DRAWN BY: KLC DRAWING LOCATION S: \PAYNE-MORGAN	CHECKED BY: JDR	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISIONS: DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	REVISIONS: DESCRIPTION	DATE																PROJECT FINAL PLAT SUBDIVISION DAVENPORT, IOWA	PREPARED FOR: MORGAN PAYNE 1720 E. LOCUST STREET DAVENPORT, IOWA 52803	SHEET NO. 1 OF 1
	NO.	REVISIONS: DESCRIPTION	DATE																						



Complete application can be emailed to planning@davenportiowa.com

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

Architect (if applicable)

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

Administrative

Administrative Exception
Health Services and Congregate
Living Permit

Attorney (if applicable)

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

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

Total Land Area:

Total Number of Lots:

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

Submittal Requirements:

- The completed application form.
- Required fee:
Ten or fewer lots - \$400 plus \$25 per lot.
Eleven to twenty-five lots - \$700 plus \$25 per lot.
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

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

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

- (1) Application:
 - 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's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition 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. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

- (1) Application:
 - 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's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition 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. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner: *Morgan Payne*

Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 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 for
the property located at _____

Signature(s)

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

This _____ day of _____ 20_____

Form of Identification

Notary Public

My Commission Expires:

City of Davenport

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

Action / Date
8/9/2023

Subject:

Third Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding East Lombard Street along the frontages of 2337, 2342, 2343, and 2347 East Lombard Street thereto. [Ward 5]

Recommendation:

Adopt the Ordinance.

Background:

Customers and employees from businesses on Jersey Ridge Road near the intersection of East Lombard Street are parking in front of these residential properties. Nine residences on East Lombard Street were contacted and asked if they were in favor of, or opposed to, resident parking only. The first three residences on the south side of the street and the first residence on the north side of the street are most affected by the customer/employee parking and were in favor of resident parking only. The zone will be 150 feet long on the south side and 60 feet long on the north side.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	6/29/2023 - 4:44 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE XI RESIDENT PARKING ONLY OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING EAST LOMBARD STREET ALONG THE FRONTAGES OF 2337, 2342, 2343, AND 2347 EAST LOMBARD STREET THERETO.

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:

East Lombard Street along the frontages of 2337, 2342, 2343, and 2347 East Lombard Street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/9/2023

Subject:

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

Teri Logan; Thornwood Good Neighbor Picnic; 1018 North Thornwood Avenue; 2:00 p.m. - 8:00 p.m. Saturday, August 12, 2023; **Closure:** North Thornwood Avenue from North Lincoln Avenue to W Stubbs Lane. [Ward 3]

Heather Davis; Arlington Avenue Chili Cookoff Block Party; 3114 Arlington Avenue; 1:00 p.m. - 7:00 p.m. Saturday, September 9, 2023; **Closure:** Arlington Avenue from East 30th Street to the end of Arlington Circle; East 32nd Street between the north-south alleys east and west of Arlington Avenue. [Ward 5]

Coffee House; Party on the Patio Music Festival; 1315 Jersey Ridge Road; 10:00 a.m. - 9:00 p.m. Saturday, September 16, 2023; **Closure:** Busch Avenue from Middle Road south to just past 1315 Jersey Ridge Road. [Ward 5]

Angie Logan; Cresthill Drive Block Party; 7019 Cresthill Drive; 5:00 p.m. - 10:00 p.m. Saturday, September 23, 2023; **Closure:** Cresthill Drive from Silver Creek Drive to Brookview Lane. [Ward 8]

Sweet Delite Ice Cream; Car Show Cruise In; 1901 West 4th Street; 3:00 p.m. - 9:00 p.m. Saturday, September 30, 2023; **Closure:** North Howell Street from West 3rd Street to West 4th Street. [Ward 3]

Scott County Family Y; 37th Annual Turkey Trot; 630 East 4th Street; Thursday, November 23, 2023; **Closures:** 3:00 a.m. - 11:00 a.m. 4th Street from River Drive to Main Street; 7:30 a.m. - 10:30 a.m. Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

Per the City's Special Events Policy, City Council will approve street, lane, or public ground closures based on the recommendation of the Special Events Committee.

Thornwood Good Neighbor Picnic | Alderwoman Meginnis and Alderman Dunn agreed to revise the agenda to make sure this could be approved in time for the event.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

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

- Thornwood Good Neighbor Picnic Closure Map
- Thornwood Good Neighbor Picnic Flyer to Neighbors
- Arlington Avenue Block Party Street Closure Petition
- Arlington Avenue Block Party Closure Map
- Cresthill Drive Block Party Closure Map
- Cresthill Drive Block Party Street Closure Petition
- Sweet Delite Car Show Closure Map
- Sweet Delite Car Show Street Closure Petition
- Turkey Trot Closure Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 11:23 AM

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

RESOLUTION approving street, lane, or public ground closure requests for the listed dates and times to hold outdoor events.

*Teri Logan; Thornwood Good Neighbor Picnic; 1018 North Thornwood Avenue; 2:00 p.m. - 8:00 p.m. Saturday, August 12, 2023; **Closure:** North Thornwood Avenue from North Lincoln Avenue to W Stubbs Lane. [Ward 3]*

*Heather Davis; Arlington Avenue Chili Cookoff Block Party; 3114 Arlington Avenue; 1:00 p.m. - 7:00 p.m. Saturday, September 9, 2023; **Closure:** Arlington Avenue from East 30th Street to the end of Arlington Circle; East 32nd Street between the north-south alleys east and west of Arlington Avenue. [Ward 5]*

*Coffee House; Party on the Patio Music Festival; 1315 Jersey Ridge Road; 10:00 a.m. - 9:00 p.m. Saturday, September 16, 2023; **Closure:** Busch Avenue from Middle Road south to just past 1315 Jersey Ridge Road. [Ward 5]*

*Angie Logan; Cresthill Drive Block Party; 7019 Cresthill Drive; 5:00 p.m. - 10:00 p.m. Saturday, September 23, 2023; **Closure:** Cresthill Drive from Silver Creek Drive to Brookview Lane. [Ward 8]*

*Sweet Delite Ice Cream; Car Show Cruise In; 1901 West 4th Street; 3:00 p.m. - 9:00 p.m. Saturday, September 30, 2023; **Closure:** North Howell Street from West 3rd Street to West 4th Street. [Ward 3]*

*Scott County Family Y; 36th Annual Turkey Trot; 630 East 4th Street; Thursday, November 23, 2023; **Closures:** 3:00 a.m. - 11:00 a.m. 4th Street from River Drive to Main Street; 7:30 a.m. - 10:30 a.m. Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]*

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

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

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

Passed and approved this 26th day of July, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

W 13th St

N Thornwood Ave

W Stubbs Ln

N Elmwood Ave

N Linwood Ave

N Linwood Ave

N Thornwood Ave

N Elmwood Ave

N Linwood Ave

N Linwood Ave

W Elmwood Ave

Forest
ts

 Closure



THORNWOOD RESIDENTS

We are planning a street picnic for the residents on our street of Thornwood (from 13th to Lincoln) with planning this we are Looking at having it on August 12, 2023 at approximately 4-7 pm. Currently the City of Davenport will be providing for some of the meats which we are looking at Burgers, Brats and hot dogs. I would like to ask all bring a covered dish to share of your choice. I will have all the condiments and buns, plates and silverware, ect. Also the City of Davenport will barricade our street off (residents will be able to access). You will need to bring your own drinks, and a lawn chair. We will be having it near my address due to using grills to cook. Please let me know your opinions and thoughts on this. In order to know how many to plan for I will need all to respond by filling out the bottom part and dropping off to me either in person or in mailbox so I can get actual count. Thank you Teri Logan 1018 N Thornwood Ave, 563-370-9220. The City of Davenport is sponsoring this due to a great Neighborhood!!!

Please complete and return by Wednesday July 19th, 2023.

Address: _____ How Many residents _____

Adults: _____ Children _____ Burgers: _____

Brats: _____ Hot Dogs: _____

Any other Ideas would be
great _____



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 9th day of September, 2013 during the hours of 2pm-7pm
there is proposed a street closing with outdoor music/band/performance, requested by
HEATHER DAVIS, which will require the closing of Arlington Avenue & Arlington Circle
between E 32nd Street ^{to} and E 30th Street.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Travis Carpenter 3110 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Deanna Morehead 3332 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>V. Regina Filbrandt 3116 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Mike Carraher 3120 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Emily Berger 3114 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Chad & Jessica Daily 3102 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Justin Hockanson 3106 Madison</u>	<u>X</u>	<u> </u>	<u> </u>
<u>John White 3013 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Deb Harris 3116 E 32nd St</u>	<u>✓</u>	<u> </u>	<u> </u>
<u>Deb Wilson 3119 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Shane Proff 3124 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Teri Johnson</u>	<u>X</u>	<u> </u>	<u> </u>

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

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

Heather Davis 07/13/13
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 9th day of September, 20 23 during the hours of 2pm-7pm
there is proposed a street closing with outdoor music/band/performance, requested by
HEATHER DAVIS, which will require the closing of Arlington Avenue & Arlington Circle
between E 32nd Street to E 30th Street.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Kathryn Guthrie 3217 Arlington Circle</u>	<u>✓</u>		<u>✓</u>
<u>Margaret Fielt 3285 Arlington</u>	<u>✓</u>		<u>✓</u>
<u>Margaret Baxter 3305 Arlington</u>	<u>✓</u>		
<u>DK SHERMAN 3311 ARL CIRCLE</u>	<u>✓</u>		
<u>Lois DUCK 3317</u>	<u>✓</u>		
<u>Kevin Kludy 3308 Arlington Cir</u>	<u>✓</u>		
<u>Mark Berger 3220 Arlington Cir</u>	<u>✓</u>		
<u>Christine Frederick</u>	<u>✓</u>		
<u>PAUL SCHUMACHER 3111 ARLINGTON AVE</u>	<u>X</u>		
<u>Nicole Willis 3023 Arlington Ave</u>	<u>✓</u>		
<u>Sarah Nelson 3003 Arlington</u>	<u>X</u>		
<u>William McQuinn 3203 Arlington Ave</u>	<u>X</u>		

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

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

Heather Davis 07/18/23
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 9th day of September, 2023 during the hours of 2pm-7pm
there is proposed a street closing with outdoor music/band/performance, requested by
HEATHER DAVIS, which will require the closing of Arlington Avenue & Arlington Circle
between E. 32nd Street ^{to} E. 30th Street.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<i>(Via Text)</i> <u>James' Walter Davis 3114 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>James Lanton / Lori Davenport</u> <u>3603 Arlington Avenue</u>	<u>X</u>	<u> </u>	<u> </u>
<i>(Via Text)</i> <u>Dawn Steinhauer 3033 Arlington Avenue</u>	<u>X</u>	<u> </u>	<u> </u>
<i>(Via VM)</i> <u>Marci 925 E 32nd Street</u>	<u>X</u>	<u> </u>	<u> </u>
<i>(Via Text)</i> <u>Spencer 3018 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>V. Grant 3002 Arlington Ave</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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* If more space is needed, please use additional sheets.

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

Heather Davis
Signature of Applicant

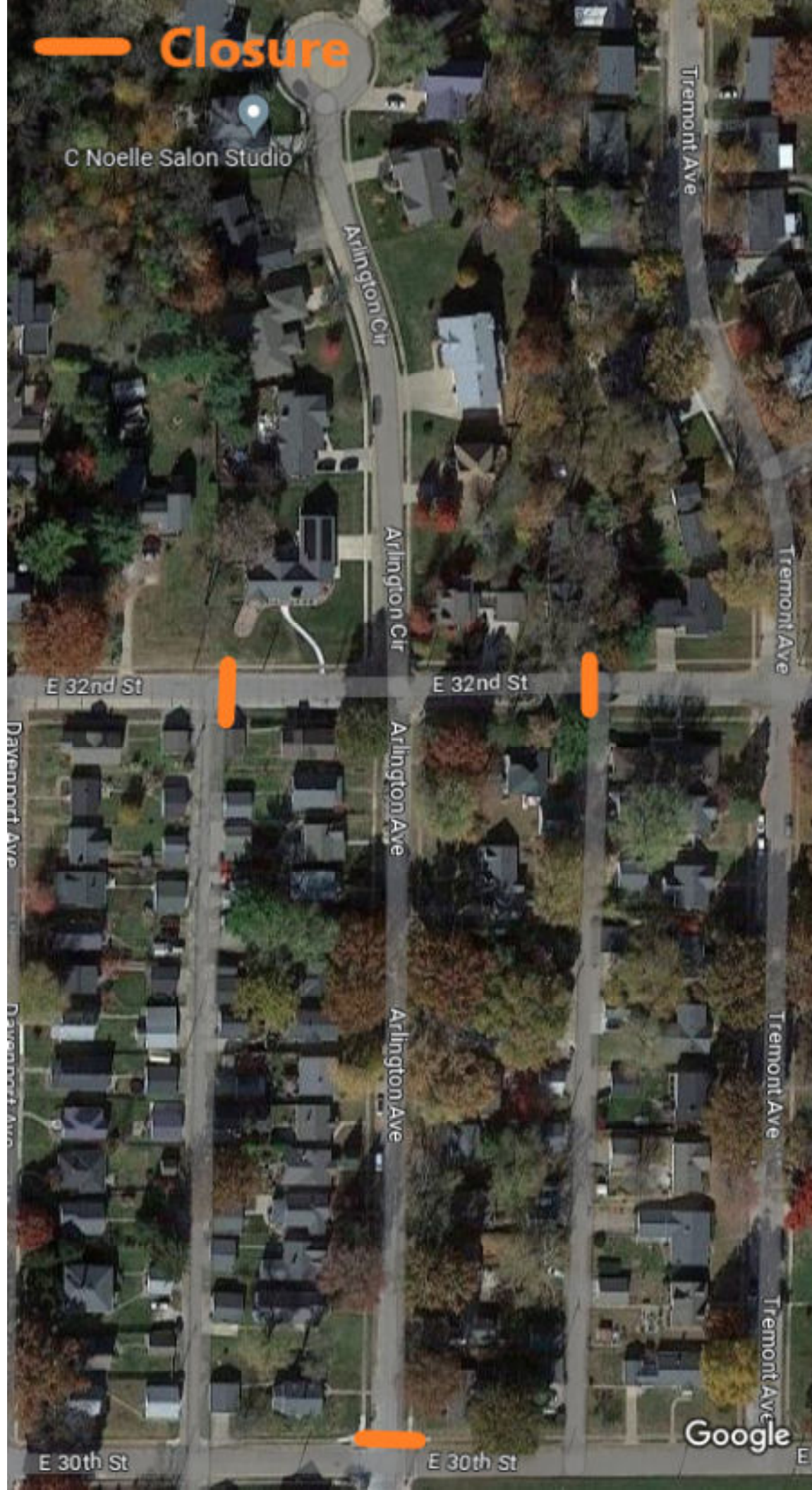
071823
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

Closure



C Noelle Salon Studio

Tremont Ave

Arlington Cir

Tremont Ave

E 32nd St

E 32nd St

Arlington Cir

Arlington Ave

Arlington Ave

Tremont Ave

Tremont Ave

Davenport Ave

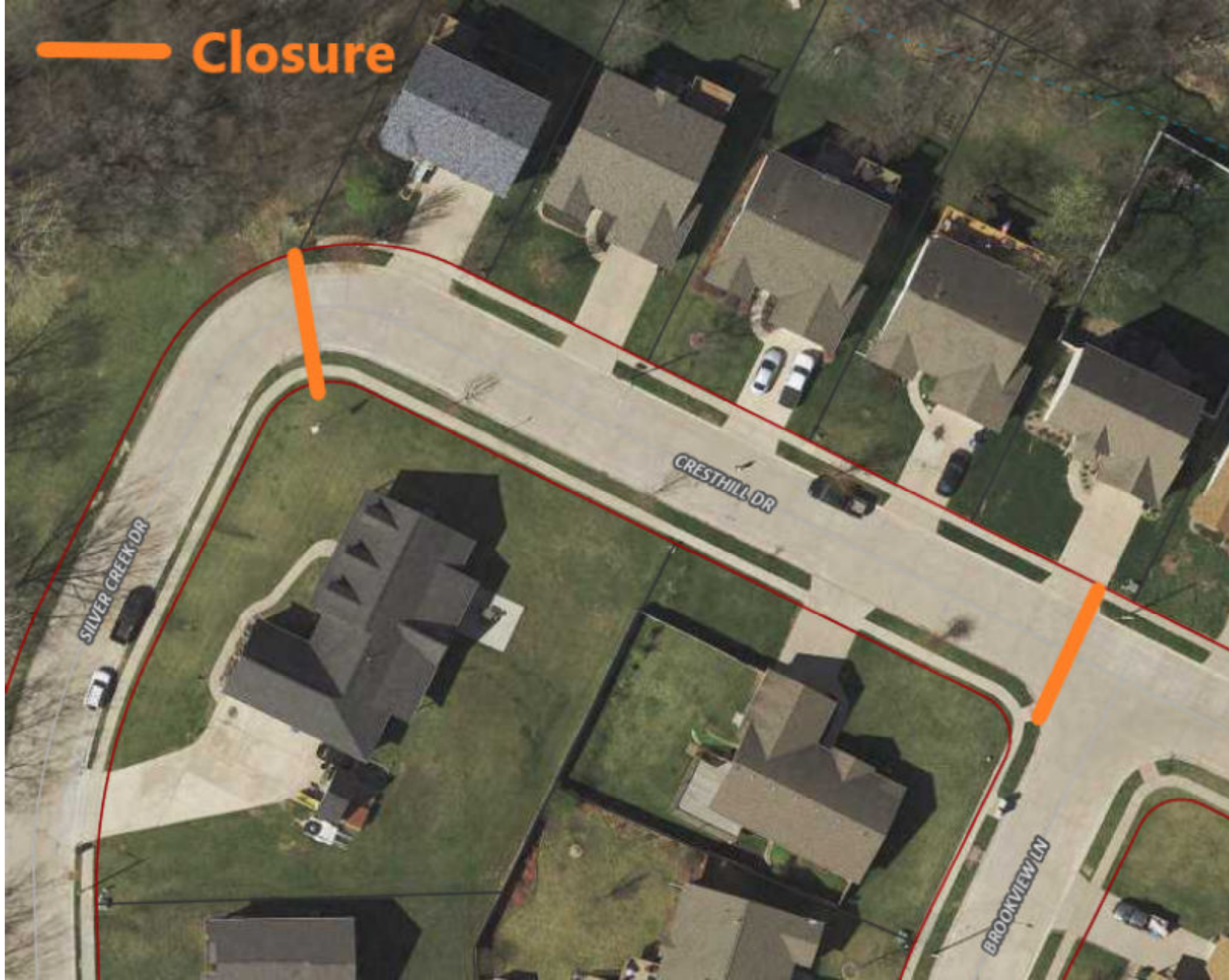
Davenport Ave

E 30th St

E 30th St

Google

— Closure



CITY OF DAVENPORT
STREET CLOSING AND NOISE VARIANCE PETITION
FOR SPECIAL EVENTS

On the 23rd day of September, 2023, there is proposed a
street closing with outdoor music/band/performances, requested by

Angie Logan, which will require the closing of
Cresthill Drive between Brookview and
Silvercreek, during the hours of 5:00-10:00 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).**

NOT

NAME AND ADDRESS

FAVOR

OPPOSED

CONCERNED

Rebecca Bal 7013 Cresthill Dr.

✓

Christine Toft 7001 Cresthill Dr.

✓

Menny + Cory A. 7004 Cresthill Dr.

✓

MATT WEIMAN 7023 Cresthill Dr.

✓

* 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.

Angie Logan 7/17/23
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: brian.krup@davenportiowa.com

W 4th St

W 4th St



Sweet Delite Ice Cream
Ice Cream • S

N Howell St



Davenport Clinic

Blooming
Butterflies Daycare

W 3rd St



 Closures



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 30 day of September, 2023 during the hours of 3:00 to 9:00
there is proposed a street closing with outdoor music/band/performance, requested by
Sweet Delite Ice Cream, which will require the closing of Howell
between 4th and 3rd.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
316 Howell Genesis clinic	<u>X</u>	_____	_____
319 Howell Vacant	<u>X</u>	_____	_____
318 Howell Van Jones	<u>X</u>	_____	_____
1907 W 4th Garnie Witt	<u>X</u>	_____	_____
1845 W 4th Wont come to door	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

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

[Signature]
Signature of Applicant

7/18/23
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

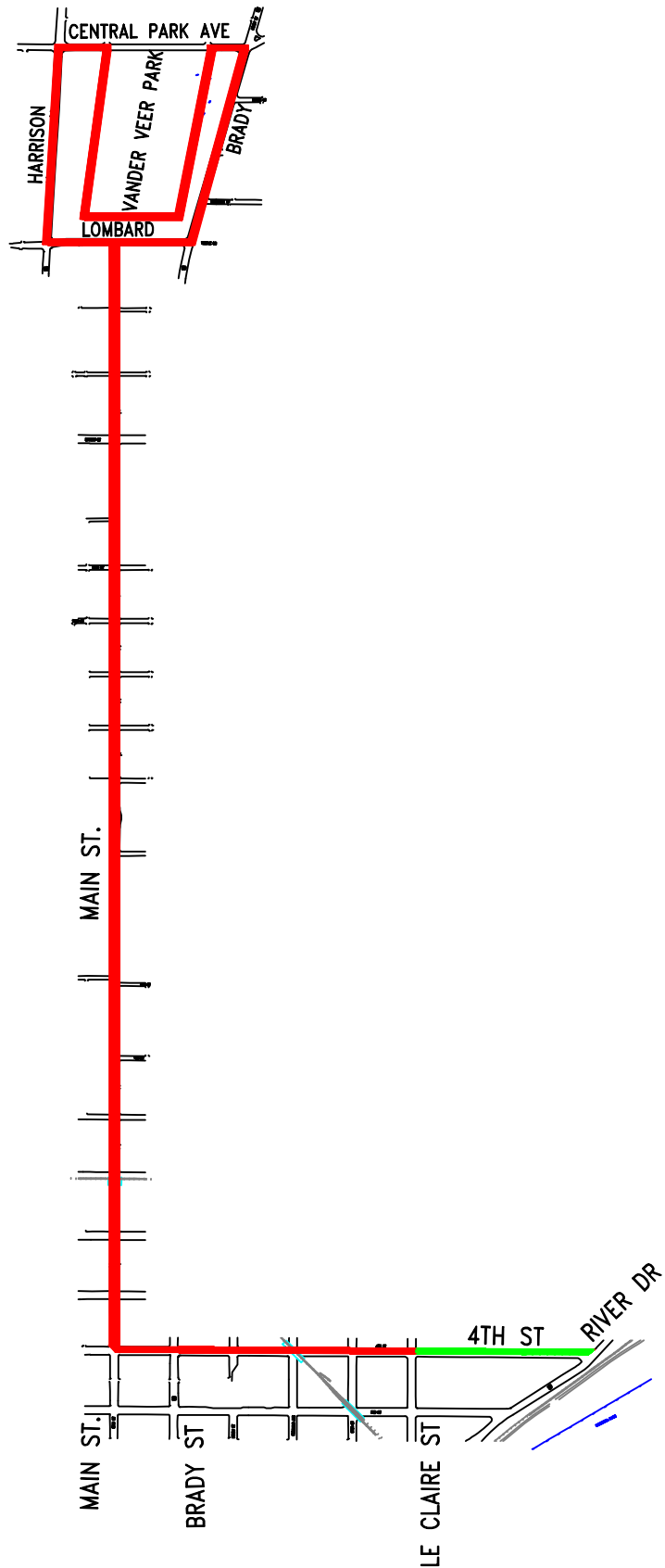
Turkey Trot 2023

Thanksgiving Day

-  Closed 3:00am - 11:00am
-  Closed 7:30am - 10:30am

Notes:

Only one lane of Brady, Harrison and Central park will be closed



City of Davenport

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

Action / Date
8/9/2023

Subject:

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

Heather Davis; Arlington Avenue Chili Cookoff Block Party; 3114 Arlington Avenue; 2:00 p.m. - 7:00 p.m. Saturday, September 9, 2023; Outdoor music, over 50 dBA. [Ward 5]

Angie Logan; Cresthill Drive Block Party; 7019 Cresthill Drive; 5:00 p.m. - 9:00 p.m. Saturday, September 23, 2023; Outdoor music, over 50 dBA. [Ward 8]

Coffee House; Party on the Patio Music Festival; 1315 Jersey Ridge Road; 6:00 p.m. - 9:00 p.m. Friday, September 15, 2023; 10:00 a.m. - 9:00 p.m. Saturday, September 16, 2023; and 5:00 p.m. - 8:00 p.m. Sunday, September 17, 2023; Outdoor acoustic music/bands, over 50 dBA. [Ward 5]

Sweet Delite Ice Cream; Car Show Cruise In; 1901 West 4th Street; 3:00 p.m. - 9:00 p.m. Saturday, September 30, 2023; Outdoor music, over 50 dBA. [Ward 3]

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.

Coffee House | These will be acoustic performances by local musicians. A blanket noise variance was approved at the March 8, 2023 City Council Meeting, and the neighbors were previously notified of musical performances throughout the spring, summer, and fall. No objections or complaints have been filed with the Deputy City Clerk regarding the Coffee House.

ATTACHMENTS:

Type	Description
▢ Backup Material	Arlington Avenue Block Party Noise Variance Petition
▢ Backup Material	Cresthill Drive Block Party Noise Variance Petition
▢ Backup Material	Sweet Delite Car Show Noise Variance Petition

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/28/2023 - 11:25 AM



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 9th day of September, 2013 during the hours of 2pm-7pm
there is proposed a street closing with outdoor music/band/performance, requested by
HEATHER DAVIS, which will require the closing of Arlington Avenue & Arlington Circle
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NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Travis Carpenter 3110 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Deanna Morehead 3332 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>V. Regina Filbrandt 3116 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Mike Carraher 3120 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Emily Berge 3114 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Chad & Jessica Daily 3102 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Justin Hockanson 3106 Madison</u>	<u>X</u>	<u> </u>	<u> </u>
<u>John White 3013 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Deb Harris 3116 E 32nd St</u>	<u>✓</u>	<u> </u>	<u> </u>
<u>Deb Wilson 3119 Arlington</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Shane Proff 3124 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Teri Johnson</u>	<u>X</u>	<u> </u>	<u> </u>

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

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

Heather Davis 07/13/13
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 9th day of September, 20 23 during the hours of 2pm-7pm
there is proposed a street closing with outdoor music/band/performance, requested by
HEATHER DAVIS, which will require the closing of Arlington Avenue & Arlington Circle
between E 32nd Street to E 30th Street.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Kathryn Guthrie 3217 Arlington Circle</u>	<u>✓</u>		<u>✓</u>
<u>Margaret Fielt 3285 Arlington</u>	<u>✓</u>		<u>✓</u>
<u>Margaret Baxter 3305 Arlington</u>	<u>✓</u>		
<u>DK SHERMAN 3311 ARL CIRCLE</u>	<u>✓</u>		
<u>Lois DUCK 3317</u>	<u>✓</u>		
<u>Kevin Kludy 3308 Arlington Cir</u>	<u>✓</u>		
<u>Mark Berger 3220 Arlington Cir</u>	<u>✓</u>		
<u>Christine Frederick</u>	<u>✓</u>		
<u>PAUL SCHUMACHER 3111 ARLINGTON AVE</u>	<u>X</u>		
<u>Nicole Willis 3023 Arlington Ave</u>	<u>✓</u>		
<u>Sarah Nelson 3003 Arlington</u>	<u>X</u>		
<u>William McQuinn 3203 Arlington Ave</u>	<u>✓</u>		

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

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

Heather Davis 07/19/23
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 9th day of September, 2023 during the hours of 2pm-7pm
there is proposed a street closing with outdoor music/band/performance, requested by
HEATHER DAVIS, which will require the closing of Arlington Avenue & Arlington Circle
between E. 32nd Street ^{to} and E. 30th Street.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<i>(Via Text)</i> <u>James' Walter Davis 3114 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>James Lanton / Lori Davenport</u> <u>3603 Arlington Avenue</u>	<u>X</u>	<u> </u>	<u> </u>
<i>(Via Text)</i> <u>Dawn Steinhauer 3033 Arlington Avenue</u>	<u>X</u>	<u> </u>	<u> </u>
<i>(Via VM)</i> <u>Marci 925 E 32nd Street</u>	<u>X</u>	<u> </u>	<u> </u>
<i>(Via Text)</i> <u>Spencer 3018 Arlington Ave</u>	<u>X</u>	<u> </u>	<u> </u>
<u>V. Grant 3002 Arlington Ave</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

Heather Davis
Signature of Applicant

071823
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

CITY OF DAVENPORT
STREET CLOSING AND NOISE VARIANCE PETITION
FOR SPECIAL EVENTS

On the 23rd day of September, 2023, there is proposed a street closing with outdoor music/band/performances, requested by

Angie Logan, which will require the closing of Cresthill Drive and Silvercreek between Brookview during the hours of 5:00-10:00 pm.
** Music will be done by 9:00*

**** 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).**

NOT

NAME AND ADDRESS

FAVOR

OPPOSED

CONCERNED

Rebecca Bal 7013 Cresthill Dr.

✓

Christine Toft 7001 Cresthill Dr.

✓

Menny + Cory A. 7004 Cresthill Dr.

✓

MATT WEIMAN 7023 Cresthill Dr.

✓

* 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.

Angie Logan 7/17/23
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: brian.krup@davenportiowa.com



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 30 day of September, 2023 during the hours of 3:00 to 9:00
there is proposed a street closing with outdoor music/band/performance, requested by
Super Delite Ice Cream, which will require the closing of Howell
between 4th and 3rd.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
316 Howell Genesis clinic	<u>X</u>	_____	_____
319 Howell vacant	<u>X</u>	_____	_____
318 Howell 1907 W 4th	<u>X</u>	_____	_____
1845 W 4th	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

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

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

[Signature]
Signature of Applicant

7/18/23
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

City of Davenport

Department: Public Safety
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
8/9/2023

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1005 Main Street - Temporary Event with Outdoor Area September 13-16 - License Type: Special Class C Beer/Wine (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1001 North Brady Street - Temporary Event with Outdoor Area September 13-16 - License Type: Special Class C Beer/Wine (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1000 North Brady Street - Temporary Event with Outdoor Area September 13-16 - License Type: Special Class C Beer/Wine (On-Premises)

RiverCenter/Adler Theatre (VenuWorks of Davenport, LLC) - 136 East 3rd Street - Extended Outdoor Area August 18-19 - License Type: Class C Liquor (On-Premises)

Stompbox Brewing (JPX2ME, LLC) - 210 East River Drive #101 - Extended Outdoor Area August 18-20 - License Type: Class C Liquor (On-Premises)

Ward 6

The Coffee House QC (Area 309 Coffee, LLC) - 1315 Jersey Ridge Road - License Type: Special Class C Beer/Wine (On-Premises)

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

Ward 3

Mary's on 2nd (Birdland, Inc) - 832 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 7

Corny Beer Store, LLC (Corny Beer Store, LLC) - 5220 Grand Avenue - License Type: Class C Beer (Carry-Out)

Ward 8

Hawkeye Sports Bar & Grill (Ortiz Holdings, LLC) - 4646 Cheyenne Avenue - Outdoor Area -
License Type: Class C Liquor (On-Premises)

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Odean, Jim	Approved	7/27/2023 - 11:18 AM
Public Safety Committee	Admin, Default	Approved	7/28/2023 - 4:09 PM
City Clerk	Admin, Default	Approved	7/28/2023 - 4:10 PM

City of Davenport

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

Action / Date
8/9/2023

Subject:

Second Consideration: Ordinance amending Chapter 13.34 entitled "Stormwater Management" of the Municipal Code of Davenport, Iowa by amending various sections thereto by updating acceptable software programs utilized for stormwater calculations, providing clarification on easement verbiage, aligning the fee schedule with other Municipal Code chapters, removing outdated sections, and outlining bonding procedures for landscaping and vegetation. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Staff identified various sections of the Chapter 13.34 entitled "Stormwater Management" that require clarification.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Admin, Default	Approved	7/13/2023 - 4:03 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 13.34 ENTITLED "STORMWATER MANAGEMENT" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING VARIOUS SECTIONS THERETO BY UPDATING ACCEPTABLE SOFTWARE PROGRAMS UTILIZED FOR STORMWATER CALCULATIONS, PROVIDING CLARIFICATION ON EASEMENT VERBIAGE, ALIGNING THE FEE SCHEDULE WITH OTHER MUNICIPAL CODE CHAPTERS, REMOVING OUTDATED SECTIONS, AND OUTLINING BONDING PROCEDURES FOR LANDSCAPING AND VEGETATION.

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

Section 1. That Section 13.34.050 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

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 entitled "CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL" and Chapter 13.36 entitled "STORMWATER ILLICIT DISCHARGE AND CONNECTION" along with other Titles and Chapters of the City Code.

Section 2. That Section 13.34.060 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.060 Requirements for stormwater management plans.

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 and recording of any applicable documents.

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. Stormwater management practice landscaping may be combined with the Zoning Code, Chapter 17 landscaping requirements, provided it meets all code requirements.

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. In addition, the originally signed and notarized, approved Maintenance & Repair Agreement shall be submitted to the City for signature prior to recording at the Records Office of Scott County. No permits shall be issued until the originally signed and notarized document has been received by the Natural Resources Division. The City will record the document and return the original to the person or company designated on the agreement.

Section 3. That Section 13.34.065 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

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 is a violation of this section and 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.

F. 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 is in violation of this section and subject to penalties including but not limited to the filing of municipal infraction citation and Public Works Director, or their representative, causing the maintenance to be completed at the expense of said party.

G. 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. Owners shall be required to maintain such detention basins in accordance with the Chapter. Failure to comply with this section will result in enforcement actions including but not limited to those actions outlined in Section 13.34.090

Section 4. That Section 13.34.070 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.070 Easements.

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 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. If disturbed during construction, 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, invasive plant species and other obstructions. Mowing should occur three to four times per year for the first three years to establish the native plant buffer. 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; no less than 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. If the fifty-foot buffer is left undisturbed during construction, existing vegetation may remain in place.

D. At no point shall a drainage easement designated as a stream buffer area be clear cut of trees. Select tree removal in order to allow mature trees to reach their full canopy or to allow for a specific design flow rate may occur, as determined by the City Engineer or their designee.

E. At no point shall a stream buffer drainage easement be used for dumping yard waste or other materials.

F. Stream buffer drainage easement areas shall comply with all laws, including the Zoning Code Section 17.11.100 entitled "Tree preservation".

G. 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 or easement 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 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.

H. It shall be noted on the final plat, "Owners of lots on which a drainage easement has been established as an overland flow 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 drainage easement is required shall maintain said buffer as an undisturbed natural area or 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, current property owner(s), or both. Stream buffer signage is available via the City of Davenport Natural Resource Division upon request.

I. Upon the approval of the director of public works or their 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 or other 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 and private 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.

J. No structures shall be constructed in the stormwater detention or quality systems or 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. This Section is intended to comply with Chapter 13.36 Stormwater Illicit Discharge and Connection, Section 13.36.070 Watercourse protection.

Section 5. That Section 13.34.080 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.080 Construction inspections.

C. If seasonal weather prohibits the installation of stormwater management facilities or any associated landscape at the time a certificate of occupancy is applied for, a temporary certificate of occupancy may be issued with provision of a security bond for 125% in favor of the City of the estimated amount of landscape materials and installation cost. The cost of landscape materials and installation must be determined by a landscape architect or other landscape business professional. The installation of stormwater management facilities or any associated landscape must begin as soon as seasonal weather allows.

Section 6. That Section 13.34.090 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.090 Enforcement and penalties.

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	\$250
	Second offense	\$500
	Third offense	\$750
	Fourth and subsequent	\$1,000

2. Definition of offenses

- 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 maintain stormwater management practices per industry standard and per plan if the practice was installed prior to the management or maintenance plan requirement.
- e) Failure to inspect or provide proof of inspection of stormwater management practices.
- f) Failure to provide as-built data on stormwater management practices as required.
- g) Failure to maintain or submit records on stormwater management practices.
- h) 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. Each day a violation exists shall constitute a separate offense.

D. In addition to the civil and municipal infractions outlined in Subsection 13.34.090(B), the City may seek equitable relief or take other abatement actions. Each day a violation exists shall constitute a separate offense. The City of Davenport may also take any one or more of the following actions:

1. 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.

2. 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.

Section 7. That Section 13.34.100 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.100 Waivers.

C(1)(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 for detention, as outlined in Sections 13.34.220 and 13.34.230, is intended only 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.

C(1)(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 construction permit for the development. The fee-in-lieu procedure has been established and is as follows:

C(1)(f). Substantial Hardship Waiver. If none of the above mitigation measures can be met to resolve the condition that causes the impracticability of compliance with a minimum requirement for stormwater quality or quantity management and the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustice, the City's Public Works Director, or their designee, may waive, vary, or modify such requirements so that the subdivider or developer is allowed to develop their property in a reasonable manner, but so, at the same time, the public welfare and interests of the City and surrounding area are protected and the general intent and spirit of these regulations are preserved.

Section 8. That Section 13.34.120 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

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 Modified Rational Method may be used. For drainage areas larger than 2,000 acres or for situations where the methods described above are not appropriate, TR-20, HEC-1, HEC-HMS or other approved alternatives may be used.

B. Stormwater management documents shall be submitted following the format of ISWMM 9.03-3 Storm Water Management Plan formatting.

D. For those storm sewers that will handle footing drains, added Q values per house per ISWMM Chapter 2 must be used.

E. For culvert and ditch conveyance frequencies, guidance per ISWMM Chapter 2 must be used.

Section 9. That Section 13.34.140 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.140 Excess stormwater passageway.

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. Lot drainage slopes will not be less than 1.5% to minimize ponding, and not excessive to cause uncontrollable erosion. 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;

G. Spot elevations should be listed at each rear lot corner, at the mid-point of the side yard line, and along the proposed drainage ways and easements.

Section 10. That Section 13.34.210 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.210 Applicability.

D(1). Development or redevelopment projects that do not create more than 5,000 square feet of impervious area, regardless of previous condition, 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 Subsection 13.34.300(B).

Section 11. That Section 13.34.220 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

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 Modified 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.

C. The planning and design of drainage systems should be such that problems are not transferred from one location to another. Outfall points and velocities should be designed in such a manner that will not create flooding hazards downstream; or deterioration of existing structures; or degradation of biological functions or habitat; or increased stream bank erosion.

G. The minimum orifice size shall be 4 inches in diameter when located on the outside wall of a structure, where one side of the orifice is not accessible. Otherwise, the minimum orifice size may be smaller. In both cases of a 4 inch or smaller orifice to meet release rate requirements, the orifice shall possess protections to minimize plugging.

Section 12. That Subsection 13.34.220(F) of the Municipal Code of Davenport, Iowa be and the same is hereby deleted.

Section 13. That Section 13.34.230 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

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 or infiltration of the 1.25-inch-in-a-twenty-four-hour rainfall event per Section 13.34.310.

C(1). For drainage areas larger than 2,000 acres, or for situations where the methods described above are not appropriate, TR-20, HEC-1, HEC-HMS, or other approved alternatives may be used.

E(1)(a). A method of carrying the low flow or a system of drains to prevent soggy areas shall be provided.

E(1)(b). Concrete or otherwise paved swales to carry low flow shall only be permitted if stormwater has already been passed through a water quality treatment facility.

E(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 E(1)(a) of this Section shall not be required. Utilize the Iowa Storm Water Management Manual.

Section 14. That Subsection 13.34.230(E)(2)(a-h) of the Municipal Code of Davenport, Iowa be and a.-g. are hereby deleted, and h. shall be relettered alphabetically as appropriate.

Section 15. That Section 13.34.310 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.310 General performance criteria for stormwater quality management.

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 or infiltration of the 1.25-inch-in-twenty-four-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.

Section 16. That Section 13.34.320 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.320 Soil quality restoration.

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. 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.

Section 17. That Section 13.34.340 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.340 Procedure.

A. Plans, specifications, and all calculations for stormwater quality management features shall be submitted in accordance with the most recent versions of the Iowa Storm Water Management Manual, SUDAS and 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).

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution accepting work completed under the Silver Creek (West of Wisconsin Avenue) Stabilization project by Rittmer, Inc of DeWitt, Iowa in the amount of \$288,435.98, CIP #33041. [Ward 2]

Recommendation:

Adopt the Resolution.

Background:

This was a streambank stabilization and prairie reconstruction project. All stabilization work performed under this contract has been satisfactorily completed by Rittmer, Inc of DeWitt, Iowa with a final cost of \$288,435.98 budgeted in CIP #33041.

ATTACHMENTS:

Type	Description
▯ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	7/26/2023 - 5:08 PM
Public Works Committee	Moses, Trish	Approved	7/26/2023 - 5:10 PM
City Clerk	Admin, Default	Approved	7/26/2023 - 6:56 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the Silver Creek (West of Wisconsin Avenue) Stabilization project by Rittmer, Inc of DeWitt, Iowa in the amount of \$288,435.98, CIP #33041.

WHEREAS, the City of Davenport entered into a contract with Rittmer, Inc of DeWitt, Iowa for the Silver Creek (West of Wisconsin Avenue) Stabilization Project; and

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

WHEREAS, the final cost of the stabilization measures constructed under this contract was \$288,435.98.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the Silver Creek (West of Wisconsin Avenue) Stabilization project by Rittmer, Inc of DeWitt, Iowa in the amount of \$288,435.98 is hereby accepted.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution accepting work completed under the Northwest Boulevard at North Division Street Left Turn Lanes project by Langman Construction Inc of Rock Island, Illinois in the amount of \$453,818.03, CIP #38009. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

This project consisted of work and materials necessary to add left turn lanes on Northwest Boulevard at the North Division Street intersection. New traffic signals were also installed as part of this project.

This project was partially funded through the Iowa Department of Transportation Traffic Safety Improvement Program with eligible costs to be refunded to the City.

Work was completed in accordance with the City of Davenport and Iowa DOT requirements with a final cost of \$453,818.03 budgeted in CIP #38009.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	7/26/2023 - 5:08 PM
Public Works Committee	Moses, Trish	Approved	7/26/2023 - 5:08 PM
City Clerk	Admin, Default	Approved	7/26/2023 - 6:57 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the Northwest Boulevard at North Division Street Left Turn Lanes project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$453,818.03, CIP #38009.

WHEREAS, City of Davenport, Iowa entered into a contract with Langman Construction, Inc of Rock Island, Illinois for the Northwest Boulevard at North Division Street Left Turn Lanes project; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that work completed under the Northwest Boulevard at North Division Street Left Turn Lanes project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$453,818.03 is hereby accepted.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution awarding a contract for Engine #1 overhaul at the Water Pollution Control Plant to Altorfer, Inc of Davenport, Iowa in an amount not to exceed \$151,333. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This is a sole source purchase. Altorfer, Inc of Davenport, Iowa is the authorized Caterpillar dealer for Davenport and has successfully completed previous engine overhauls for the Water Pollution Control Plant.

This work will consist of a top end overhaul on Engine #1 at the Water Pollution Control Plant. Per Caterpillar recommendations, rebuild for the top end of the engine should be completed every 10,000 operating hours to prevent damage or major failure. The engines are used for electrical power generation for both normal operating as well as backup power in the event electrical utility is disrupted as required by the Iowa DNR permit. The engines also provide heat for the waste water digester process. This is one of two Caterpillar generator engines at WPCP.

Funding for this project is from the WPCP equipment maintenance account #51151975 520226.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	7/26/2023 - 5:11 PM
Public Works Committee	Moses, Trish	Approved	7/26/2023 - 5:11 PM
City Clerk	Admin, Default	Approved	7/26/2023 - 6:58 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the Engine #1 overhaul at the Water Pollution Control Plant to Altorfer, Inc of Davenport, Iowa in an amount not to exceed \$151,333.

WHEREAS, the City of Davenport needs to contract for the Engine #1 overhaul at the Water Pollution Control Plant; and

WHEREAS, Altorfer, Inc of Davenport, Iowa is the sole source authorized Caterpillar engine repair company for Davenport.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Engine #1 overhaul at the Water Pollution Control Plant is hereby awarded to Altorfer, Inc of Davenport, Iowa in an amount not to exceed \$151,333.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution awarding a contract for the Duck Creek Trail Mill and Overlay project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$211,804.77, CIP #28030. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on June 30, 2023 and sent to contractors. On July 21, 2023, the Purchasing Division opened and read three (3) responsive and responsible bids. See attached bid tab. Langman Construction Inc of Rock Island, Illinois was the lowest responsive and responsible bidder.

This is a pavement rehabilitation project for the trail surface from Marquette Street east to the bridge over Duck Creek near the Western Avenue parking lot. Work includes milling, overlay, and patching of the deteriorated trail pavement surface and associated work.

Funding for this project is from CIP #28030 – Recreational Path Reconstruction.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	7/26/2023 - 5:07 PM
Public Works Committee	Moses, Trish	Approved	7/26/2023 - 5:08 PM
City Clerk	Admin, Default	Approved	7/26/2023 - 6:58 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the Duck Creek Trail Mill and Overlay project to Langman Construction, Inc of Rock Island, Illinois, in the amount of \$211,804.77, CIP 28030.

WHEREAS, the City needs to contract for the Duck Creek Trail Mill and Overlay project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Duck Creek Trail Mill and Overlay project is hereby awarded to Langman Construction, Inc of Rock Island, Illinois in the amount of \$211,804.77.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: Duck Creek Trail Mill and Overlay Project

BID NUMBER: 23-127

OPENING DATE: July 21, 2023

FUNDING: 70634683 530350 28030 | Recreational Path Reconstruction

RECOMMENDATION: Award the contract to Langman Construction of Rock Island, Illinois, in the amount of \$211,804.77

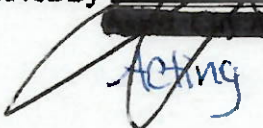
<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction, Inc	\$211,804.77
Hawkeye Paving Corporation	\$234,247.20
Brandt Construction Co.	\$277,696.45

Approved By  7/26/23
Purchasing Date

Approved By  7-26-23
Dept. Director Date

Approved By  7-26-23
Budget/CIP Date

Approved By  7/26/23
Date

 Acting Finance Director

City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution awarding a contract for the Warren Street Storm Sewer Improvements project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$311,891.40, CIP #33016. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on June 28, 2023 and sent to contractors. On July 12, 2023, the Purchasing Division opened and read five (5) responsive and responsible bids. See attached bid tab. Langman Construction, Inc of Rock Island, Illinois was the lowest responsive and responsible bidder.

This project is located just west of Warren Street and east of Vine Street between West 10th Street and West 11th Street.

The proposed improvements include, but not limited to, the furnishing of all labor for the removal and replacement of storm sewer, installing additional storm sewer, removal of the P.C.C. Roadway necessary to complete storm sewer installation, full depth aggregate stone base material, reconstruction of the roadway with a P.C.C. rigid pavement section, P.C.C sidewalk removal and replacement, clearing of existing trees, reset all existing utility surface features to finish grade, and seeding / fertilizing as depicted on the construction plans.

Funding for this project is from CIP #33016 – PS 106 Decommissioning and Construction.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	7/26/2023 - 5:10 PM
Public Works Committee	Moses, Trish	Approved	7/26/2023 - 5:11 PM
City Clerk	Admin, Default	Approved	7/26/2023 - 7:00 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the Warren Street Storm Sewer Improvement project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$311,891.40, CIP #33016.

WHEREAS, the City needs to contract for Warren Street Storm Sewer Improvement project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Warren Street Storm Sewer Improvement project is hereby awarded to Langman Construction, Inc of Rock Island, Illinois in the amount of \$311,891.40.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: Warren Street Storm Sewer Improvement Project

BID NUMBER: 23-128

OPENING DATE: July 12, 2023

FUNDING: 71018675 530350 33016 | PS 106 Decommissioning and Construction

RECOMMENDATION: Award the contract to Langman Construction of Rock Island, Illinois, in the amount of \$311,891.40

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction, Inc	\$311,891.40
Hawkeye Sewer & Water Construction, Inc	\$319,520.00
Hawkeye Paving Corporation	\$332,000.00
Five Cities Construction Company	\$355,212.50
Miller Trucking & Excavating	\$364,467.00

Approved By

Purchasing

7/26/23

Date

Approved By

Dept. Director

7-26-23

Date

Approved By

Budget/CIP

7-26-23

Date

Approved By

Acting Finance Director

7/26/23

Date

City of Davenport

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

Action / Date
8/9/2023

Subject:

Resolution awarding a contract for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project to Langman Construction, Inc of Rock Island, Illinois, in the amount of \$576,682.96, CIP #35062. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on June 23, 2023 and sent to contractors. On July 18, 2023, the Purchasing Division opened and read two (2) responsive and responsible bids. See attached bid tab. Langman Construction of Rock Island, Illinois was the lowest responsive and responsible bidder.

This project is located on South Clark Street from just north of Rockingham Road to Blackhawk Creek. The proposed improvements include, but are not limited to, the mill and overlay of South Clark Street, the reconstruction of the east portion of the intersection of Diehn Avenue and South Clark Street, as well as the reconstruction of driveways, sections of curb, ADA curb ramps, and intersection radii. The project also includes adjustments to intakes, manholes, and valves to finished grade as well as the removal and replacement of two intakes. The contractor will also be required to furnish all labor and material required for re-seeding areas disturbed by the project, erosion control, and traffic control.

Funding for this project is from CIP #35062 – CY 2023 Neighborhood Program.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	7/26/2023 - 5:10 PM
Public Works Committee	Moses, Trish	Approved	7/26/2023 - 5:10 PM
City Clerk	Admin, Default	Approved	7/26/2023 - 7:01 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$576,682.96, CIP 35062.

WHEREAS, the City needs to contract for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the South Clark Street (Rockingham Road to Black Hawk Creek) Rehabilitation project is hereby awarded to Langman Construction, Inc of Rock Island, Illinois in the amount of \$576,682.96.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: South Clark Street Rehabilitation project

BID NUMBER: 23-123

OPENING DATE: July 18, 2023

FUNDING: 70636683 530350 35062 | CY 2023 Neighborhood Program

RECOMMENDATION: Award the contract to Langman Construction of Rock Island, Illinois, in the amount of \$576,682.96

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction, Inc	\$576,682.96
Hawkeye Paving Corporation	\$595,101.00

Approved By

Purchasing

7/26/23

Date

Approved By

Dept. Director

7-26-23

Date

Approved By

Budget/CIP

7-26-23

Date

Approved By

Acting Finance Director

7/26/23

Date

City of Davenport

Department: Finance
Contact Info: Major Jamie Brown

Action / Date
8/9/2023

Subject:

Resolution approving a five-year purchase of police enterprise software and technology from Axon Enterprise, Inc of Scottsdale, Arizona in the amount of \$2,051,000.52. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This is a sole source purchase as it will provide an upgrade and integrate with the system that was previously established through a Request for Proposals in 2016.

The purchase will include 177 body-worn cameras, 52 in-squad car cameras, storage, access to investigative and software portals and modules, docking systems, interview room capabilities, and all associated maintenance, warranties, and required licensing.

Funding for the FY 2024 payment in the amount of \$392,813.20 will be from the Special Public Safety Fund, 50424510-560530. The subsequent annual payments will come from Public Safety Capital Improvement Program funds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Odean, Jim	Approved	7/26/2023 - 10:46 AM
Finance Committee	Odean, Jim	Approved	7/26/2023 - 10:46 AM
City Clerk	Admin, Default	Approved	7/26/2023 - 12:05 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION approving the five-year purchase of police enterprise software and technology from Axon Enterprise, Inc of Scottsdale, Arizona in the amount of \$2,051,000.52.

WHEREAS, the City needs to continue to contract and update these established services; and

WHEREAS, Axon Enterprise, Inc of Scottsdale, Arizona is providing the equipment and services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the five-year purchase of police enterprise software and technology is hereby awarded to Axon Enterprise, Inc of Scottsdale, Arizona in the amount of \$2,051,000.52.

Passed and approved this 9th day of August, 2023.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk